

Joint Select Committee on Loose Fill Asbestos Insulation

Recap of lab visit to Robson Environmental on 17 November 2014

Firstly, Robson Environmental is grateful for having the opportunity to be able to provide its historical perspective on Loose Fill Insulation in the Canberra region. We look forward to continuing to contribute by providing advice and guidance as required.

We believe it is extremely important to develop a clear and consistent strategy which as far as practicable satisfactorily addresses all impacted parties.

It is our understanding that NSW WorkCover is organising for full assessments of known Mr Fluffy homes. Whilst good in theory the ACT encountered a disparity in information, differing risk assessments and lack of training when assessing homes with loose fill asbestos insulation.

To counter this situation we believe that the following items need to be implemented:

- A standardisation of the report template for all Mr Fluffy reports.
- Training of assessors surveying loose fill asbestos insulation houses to ensure a degree of consistency with risk assessment and recommendations (please see added comments on training).
- Assessors to use the same sampling media to ensure consistency of sample analysis.
- Have a database of trained assessors to use on Mr Fluffy houses.
- Home owners requesting a Mr Fluffy assessment must book it through whoever the committee appoints to control the assessments, in order to utilize the above recommendations.

This will enable the government to get consistent, accurate reports with results from a NATA accredited laboratory and the ability to build a database of houses in need of urgent remediation containing loose fill asbestos insulation migrating into occupied areas.

When dealing with risk both ACT and NSW legislation follow control measures under the following **hierarchy of controls**:

1. eliminating the risk (for example, removing either the asbestos or the people)
2. substituting the risk (for example replacing the asbestos with a safe material – requires removing the asbestos)
3. engineering controls such as reducing the risk (for example, enclosing, encapsulation or isolating)
4. using administrative controls (for example, training, safe work practices or signage)
5. using PPE (using respirators, masks - i.e. as a last resort).

The ACT and NSW codes of practice for the management and control of asbestos have elimination as the most preferred control option.

There are 4 units of competency in the current training around assessors and removalists. These can be viewed on the www.training.gov.au website.

- CPCCBC5014A - Conduct asbestos assessment associated with removal
- CPCCBC4051A - Supervise asbestos removal
- CPCCE3015A - Remove friable asbestos
- CPCCE3014A - Remove non-friable asbestos

All current competencies tend to be theory and classroom based with registered training organisations (RTO) varying in recommended time scales to deliver subject knowledge.

However, all these courses have a distinct lack of practical assessment. When translated to site based work, they are failing in the following areas;

- lack of practical experience;
- the assessment module does not undertake complete risk assessments;
- correct sampling procedures.

The unit of competency “*Conduct asbestos assessment associated with removal*” with unit number “CPCCBC5014A” does not fully cover the requirements of what an ACT licensed Class A Asbestos Assessor’s duties are. The competency does not cover the following:

- identifying the location, type and condition of asbestos in buildings,
- assessing the risk resulting from the identified asbestos;
- advising on how the asbestos should be managed;
- reporting about the work mentioned above

The **Certificate IV in Training and Assessment**, required by RTO’s to deliver the above units of competency, incorporates three important aspects of effective training. These cover listening to the presented information, watching relevant demonstrations relating to the information and the practical aspect of the student performing the required skills or delivery of a presentation to the approval of the RTO.

There are also a number of differences in current legislation in the ACT and NSW regarding asbestos. ACT legislation regarding asbestos is noted below:

- Building Act 2004
- Building (General) Regulation 2008
- Construction Occupations (Licensing) Act 2004
- Construction Occupations (Licensing) Regulation 2004
- Dangerous Substances Act 2004
- Dangerous Substances (General) Regulation 2004
- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2011 (except chapters 6 to 10)(chapter 8 deals with asbestos)
- Code Of Practice For The Management And Control Of Asbestos In Workplaces [NOHSC: 2018 (2005)]
- Code Of Practice For The Safe Removal Of Asbestos 2nd Edition [NOHSC:2002(2005)]

NSW Legislation that became effective in January 2012 is noted below:

- How to Manage and Control Asbestos in the Workplace 2011 – Code of Practice
- How to Safely Remove Asbestos Code of Practice 2011
- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2011

There are very few differences in legislation, however the main differences are:

- Legislation on asbestos in the ACT covers premises, in NSW it is the workplace.
- Removal of any friable asbestos and more than 10 square metres requires building approval in the ACT. ACT licences last for one year and must be renewed when professionally indemnity insurance is renewed (copy of insurance must be submitted with renewal).
- NSW licences last for 5 years and only removalists must submit workers comp insurance when applying for a licence.
- Only asbestos removalists can remove asbestos in the ACT as there is not a less than 10m² rule, which however is in place in NSW.
- NSW regulator is notified of all removal work unless less than 10m² of non friable is undertaken.