

Asbestos in the Workplace: A Guide to Assessment & Management of Asbestos in the Workplace

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Application

Where asbestos is present or believed to be present in a workplace to which the Occupational Health and Safety Act applies, the owner of the building and any employer whose workplace in the building may contain asbestos have a duty under the Act to take all reasonable precautions to ensure the health and safety of persons at or near that workplace. Employees have a similar duty to protect their own health in their workplace.

This document may be used as guidance for the assessment and management of asbestos in any workplace where there is reason to believe that asbestos containing materials are present. In addition, an occupational health and safety officer may order an owner or an employer to comply with a part of this guide to fulfill their duty to take all reasonable precautions for the protection of persons at or near a workplace (specific reference to the regulations are noted in parenthesis where applicable).

Definitions

"Asbestos" means any or all types of asbestos.

"Asbestos containing material" means a material identified by an appropriate laboratory analytical method (e.g. EPA 600/R-93/116, NIOSH 9000, or NIOSH 9002) to contain at least 0.5% of any type of asbestos, and vermiculite that is identified to contain any amount of asbestos using EPA method 600/R-04/004 if other analytical methods do not identify the presence of asbestos.

"Committee" means a joint occupational health and safety committee established pursuant to the Occupational Health and Safety Act.

"Competent person" means a person who is

- a) qualified because of that person's knowledge, training and experience to do the assigned work in a manner that will ensure the health and safety of every person in the workplace; and
- b) knowledgeable about the provisions of the Occupational Health and Safety Act and regulations that apply to the assigned work, and the potential or actual danger to health or safety associated with the assigned work.

"Employer" means a person who employs one or more employees or contracts for the services of one or more employees, and includes a constructor, contractor or subcontractor.

"EPA" means the United States Environmental Protection Agency.

"NIOSH" means the United States National Institute for Occupational Safety and Health.

“Owner” includes a trustee, receiver, mortgagee in possession, tenant, lessee or occupier of lands or premises used as a workplace and a person who acts for, or on behalf of, an owner as an agent or delegate.

“Representative” means a health and safety representative selected pursuant to the Occupational Health and Safety Act.

“Representative number of bulk samples” means collecting bulk samples of suspect asbestos containing material at a number of selected locations in order to give confidence to analyses and confirmation of asbestos content (see Table 1). If one sample contains asbestos, then no other samples are needed to prove that the material contains asbestos.

Specific Requirements

1. Assessment of Materials

(1) The owner of a building must ensure that

- (1) the building is assessed by a competent person to determine if any asbestos containing materials are present;
- (2) the assessment includes the collection of a representative number of bulk samples of suspect materials (see Table 1);
- (3) each bulk sample is analyzed by an appropriate laboratory analytical method; and
- (4) the type of asbestos and percent composition of asbestos in each sample is indicated in the analysis report.

(An assessment could be ordered under Section 52 of the Occupational Health and Safety Act.)

Table 1. Bulk Material Samples

Type of material	Size of area of homogeneous material	Minimum number of bulk material samples to be collected
Surfacing material, including but not limited to material that is applied by spraying, troweling or otherwise, such as acoustical plaster on ceilings, and fireproofing materials on structural members.	Less than 90 square metres (<1000 ft ²)	3
	90 or more square metres, but less than 450 square metres (1000-5000 ft ²)	5
	450 or more square metres (>5000 ft ²)	7
Thermal insulation, except thermal insulation that has been sprayed or troweled.	Any size	3
	Less than 2 linear metres or 0.5 square metres	1
Other material.	Any size	3

2. Inventory of Samples

- (1) The owner of the building shall ensure that
 - (a) a written inventory is created to document the locations where each bulk sample has been collected and the results of all bulk sample analyses;
 - (b) the inventory is maintained as long as asbestos containing materials are present in the workplace;
 - (c) each employer whose workplace is in the building is informed regarding the presence of asbestos containing material in relevant areas of the building; and
 - (d) each employer whose workplace is in the building is provided with a reasonable opportunity to view the inventory.
- (2) The employer must ensure that the committee or the representative, if any, is informed regarding the presence of asbestos containing material in relevant areas of the building in accordance with Section 35 of the Occupational Health and Safety Act.

(An assessment could be ordered under Section 52 of the Occupational Health and Safety Act.)

3. Temporary Measures to Manage Immediate Risk of Asbestos Exposure

- (1) Where asbestos containing material is present in a workplace, and there is an immediate risk of exposure, the owner and any employer whose workplace is in the building must
 - (a) inform occupants, employees, contractors, dependent contractors, and constructors who face an immediate risk of excessive exposure regarding the
 - i. locations where the potential for asbestos exposure exists in the workplace;
 - ii. potential health risks posed by asbestos exposure; and
 - iii. restrictions and precautions that must be followed to minimize the risk caused by the presence of asbestos containing material in the workplace;and
 - (b) take immediate action to temporarily prevent asbestos exposure (e.g. use a physical barrier to prevent access to damaged asbestos containing material); and
 - (c) ensure that any asbestos containing materials that may result in an immediate risk of asbestos exposure are removed by a competent person who has been trained in the applicable safe work procedures.

(Temporary measures could be ordered under Section 19 (for Owners) or Section 13 (for Employers) of the Occupational Health and Safety Act)

4. Asbestos Management Plan

Owner Responsibilities

- (1) Where asbestos containing material is present in a workplace and any immediate risk has been addressed in accordance with Section 3 of this document, the owner of the building must
 - (a) ensure that a written asbestos management plan
 - i. is developed and maintained as long as an asbestos containing material is present in the workplace; and
 - ii. lists the areas of priority, and measures that will be taken to prevent asbestos exposure in the workplace (such as removal, enclosure, encapsulation, or use of a physical barrier to prevent unauthorized

- individuals from accessing the area where asbestos containing material exists);
- (b) consult the most recent version of the OHS Division document entitled "Asbestos in the Workplace: A Guide to Removal of Friable Asbestos Containing Material" where the removal of friable asbestos containing material is planned;
- (c) inform any employers whose workplace is in the building, and any contractors or constructors, for which the owner has responsibility, of the
 - i. locations where the potential for asbestos exposure exists in the workplace;
 - ii. potential health risks posed by asbestos exposure;
 - iii. restrictions or precautions that must be followed to minimize the risk associated with the presence of asbestos containing material in the workplace; and
 - iv. reporting procedures to be followed in the event that a material that is believed to contain asbestos is damaged;
- (d) ensure that any contractor or self-employed person who the owner requires to work in the building is trained in safe work procedures for activities that may require contact with asbestos containing materials, including the proper selection, use and care of required personal protective equipment, the use of isolation techniques as needed, and the use of the appropriate equipment for the work to be done;
- (e) conduct regular inspections of asbestos containing materials to check for signs of damage that could result in a release of asbestos fibres; and
- (f) maintain written records of communication, training, and inspections for a period of two years or for as long as they are relevant.

Employer Responsibilities

- (2) Where asbestos containing material is present in a workplace the employer of that workplace must
 - (a) consult the committee or representative, if any, regarding the development of the asbestos management plan;
 - (b) inform employees, contractors, dependent contractors, and constructors, for which they have responsibility, of the
 - i. locations where the potential for asbestos exposure exists in the workplace;
 - ii. potential health risks posed by asbestos exposure;
 - iii. restrictions or precautions that must be followed to minimize the risk associated with the presence of asbestos containing material in the workplace; and
 - iv. reporting procedures to be followed in the event that a material that is believed to contain asbestos is damaged;
 - (c) ensure employees are trained in safe work procedures for activities that may require contact with asbestos containing materials, including the proper selection, use and care of required personal protective equipment, the use of isolation techniques as needed, and the use of the appropriate equipment for the work to be done; and
 - (d) maintain written records of communication and training for a period of two years or for as long as they are relevant.

(An assessment management plan could be ordered under Section 19 (for Owners) or Section 13 (for Employers) of the Occupational Health and Safety Act)