

ASBESTOS SAFETY - MINOR ROUTINE MAINTENANCE WORK, OR OTHER MINOR WORK

From 1 January 2015 the removal of asbestos and asbestos containing material (ACM) from a premises (i.e. both workplaces and non-workplaces) is not permitted unless it is undertaken by an appropriately licensed asbestos removalist – an exception is if the removal is incidental to minor routine maintenance work, or other minor work.

This Guidance Note complements part 3.3 of the Dangerous Substances (General) Regulation 2004, part 8.9 of the Work Health and Safety Regulations 2011 as well as the two associated codes of practice, How to Manage and Control Asbestos in the Workplace and How to Safely Remove Asbestos.

It has been developed to assist employers, workers and the general public in determining whether the task or activity they are going to undertake would be considered minor routine maintenance work, or other minor work.

MINOR ROUTINE MAINTENANCE WORK

As per the code of practice How to Manage and Control Asbestos in the Workplace:

'Minor maintenance work includes routine work that is small scale, often short in duration and may be unscheduled. This work may require the partial dismantling of a structure or plant and may include the removal of asbestos or ACM such as gaskets or brake components, for example a piece of plant to remove an asbestos-containing gasket, a passenger lift or press machine to remove an asbestos-containing brake component, or a piece of plant for the purpose of cleaning or repair.'

Additional examples of minor routine maintenance work would include the following tasks, and like activities, relating to non-friable asbestos or ACM:

- > Sealing, painting and coating for the purpose of maintaining the condition of the non-friable asbestos or non-friable ACM¹.
- > Cleaning leaf litter from gutters of asbestos cement roofs².
- > Removing and disposing of small, isolated pieces of ACM found at a premises³.

The following activities, and any other like activities, would NOT be considered minor routine maintenance work:

- > Disturbing loose fill asbestos insulation (e.g. in 'Mr Fluffy' homes)
- > Cleaning a medium to large premises which has surfaces covered in asbestos-contaminated dust (i.e. clean-up will take at least 4 hours) – Class A licensed removalist required.
- > Cleaning any ACM with high pressure air or water devices.
- > Unless otherwise prescribed in legislation, undertaking any maintenance work on friable asbestos or ACM.

MINOR WORK

As per the code of practice How to Manage and Control Asbestos in the Workplace and How to Safely Remove Asbestos:

'Minor work includes small tasks that are of short duration, such as cutting a small hole or hand-drilling up to a few holes in an asbestos cement sheet. It is not routine or regular such as planned maintenance. It is incidental work that can be done quickly and safely within minimal control measures required to ensure safety. Examples include cutting a small hole into an asbestos-containing eave to install a cable, removal of an asbestos-containing vinyl tile to install a plumbing fixture, or hand-drilling a few holes into an asbestos cement sheet to attach a fitting.'

The disturbance of asbestos or ACM with regards to minor work will generally be the result of small incidental tasks wherein the sole focus of the activity is the installation, reconfiguration or repair of a service unrelated to asbestos removal. Examples of minor work would include undertaking the following tasks, and like activities, relating to non-friable asbestos or ACM:

¹ Safe Work Practice 2 – How to Manage and Control Asbestos in the Workplace code of practice.
² Safe Work Practice 3 – How to Manage and Control Asbestos in the Workplace code of practice.
³ This activity should be undertaken in a manner consistent with Safe Work Practice 3 (as above).

- > Replacing cabling in asbestos cement conduits or boxes⁴
- > Working on electrical mounting boards containing asbestos⁵
- > Inspection of asbestos friction materials⁶
- > Installing down lights, light switches or power points⁷
- > Cleaning and disposing of asbestos contaminated dust resulting from the above minor work – this is to be undertaken in accordance with the regulations.

In contrast to the above, if one of the objectives of an activity is the removal of asbestos or ACM from a premises (i.e. not an incidental activity) it would NOT be considered minor work; this broadly includes:

- > Any demolition or refurbishment of a premises which involves the removal, or partial removal of a bathroom, kitchen, eaves, roof, garage, internal walls, external walls, fences etc – which contain asbestos or ACM.
- > Unless otherwise prescribed in legislation, undertaking any work on friable asbestos or ACM.

How do I know if the asbestos or ACM is friable or non-friable?

If you are unsure of the condition of the asbestos or ACM a licensed asbestos assessor will be able to advise you of the condition most appropriate maintenance or removal options.

What if the activity I am planning to undertake does not fall under either minor routine maintenance work, or other minor work?

The asbestos or ACM must be removed by an appropriately licensed asbestos removalist.

Can an exemption be granted?

Yes, if the premises is a workplace and if the Regulator (i.e. WorkSafe ACT), approves the method adopted for managing risk associated with asbestos⁸.

No exemptions will be granted for non-workplaces.

⁴ Safe Work Practice 4 – How to Manage and Control Asbestos in the Workplace code of practice.

⁵ Safe Work Practices 1, 5 – How to Manage and Control Asbestos in the Workplace code of practice.

⁶ Safe Work Practice 6 – How to Manage and Control Asbestos in the Workplace code of practice.

⁷ Safe Work Practice 4 – How to Manage and Control Asbestos in the Workplace code of practice.

⁸ Section 419(4) of the Work Health and Safety Regulations 2011.