

# TRANSPORT OF WASTE CONTAINING ASBESTOS IN THE ACT

## SCOPE OF THIS GUIDANCE NOTE

This Guidance Note sets out requirements for the transport by road of waste in the ACT where that waste originates from an activity regulated under Chapter 8 (Asbestos) of the *ACT Work Health and Safety Regulation 2011* and may be contaminated with respirable asbestos fibres.

This includes any waste material which meets the definition of “asbestos containing material (ACM)”, “asbestos- contaminated dust or debris (ACD)” or “asbestos waste” under the *Work Health and Safety Regulation 2011*.

This Guidance Note is not intended to address the requirements for the transport of such waste outside the ACT. Waste which may be contaminated with respirable asbestos fibres must not be transported across the ACT border unless the transport is authorised under a controlled waste consignment authorisation. Information on obtaining a controlled waste consignment authorisation is available from [www.accesscanberra.act.gov.au](http://www.accesscanberra.act.gov.au) or by calling 13 22 81.

Nothing in this Guidance Note should be read as impacting on other requirements under ACT laws which regulate work that presents a risk of exposure to asbestos, or the training or licensing requirements for such work. Refer to “Other Matters” in this Guidance Note for further information.

## CLASSIFICATION OF ASBESTOS AS DANGEROUS GOODS

*The Australian Code for the Transport of Dangerous Goods by Road and Rail* (the Australian Dangerous Goods Code) specifies that the various types of asbestos are classified as Class 9 (Miscellaneous) dangerous goods.

Access Canberra administers the *ACT Dangerous Goods (Road Transport) Act 2009* and the *ACT Dangerous Goods (Road Transport) Regulation 2010* in its role as the ACT work health and safety regulator, and this legislation gives effect to the Australian Dangerous Goods Code for the transport of dangerous goods within the ACT.

However, the transport of waste which may be contaminated with respirable asbestos fibres will not be subject to the requirements of the *Dangerous Goods (Road Transport) Act 2009* or the *Dangerous Goods (Road Transport) Regulation 2010*, if:

- > The waste does not include any other type of dangerous goods or any waste which may be contaminated with any other type of dangerous goods (such as flammable or corrosive substances); and
- > The waste is transported in a manner that complies with Special Provision (SP) 168 in Chapter 3.3 of the Australian Dangerous Goods Code.

Whilst compliance with SP 168 can be achieved by complying with the directions in this Guidance Note, alternative methods may be used if the alternative will provide the same or a higher level of protection against the escape of respirable asbestos fibres.

## PACKING AND LOADING WASTE CONTAINING ASBESTOS

The Code of Practice setting out requirements for the selection, filling, labelling and decontamination of the waste containers (such as asbestos waste bags or drums) is the *How to Safely Remove Asbestos Code of Practice* approved under the *ACT Work Health and Safety Act 2011* on 17 December 2014.

The containers must be loaded, transported and unloaded in a manner which will prevent damage to the containers or the escape of any respirable asbestos fibres under normal conditions of transport.

Depending on the size and weight of individual containers, it may be advisable to load the transport vehicle using mechanical aids such as a drum lifter or trolley.

## SUITABLE VEHICLES TO TRANSPORT WASTE CONTAINING ASBESTOS

If the waste is being transported in bags, a vehicle with an open truck bed should not be used, as this does not provide sufficient protection against damage or loss of the load under normal conditions of transport.

Bags should be transported in a fully-enclosed compartment which is of sufficient strength to contain the load under normal conditions of transport, and which includes restraints capable of keeping the bags secured in place during transport.

Access Canberra recommends that the same approach be used when transporting such waste in other containers, such as drums, bins or similar containers, if it is practicable to do so.

If this is not practicable, drums, bins and similar containers may be transported using a flatbed truck, provided that each container is independently secured to at least one side of the truck, using restraints which are capable of keeping the container secured in place under normal conditions of transport.

Regardless of the type of vehicle used to transport the waste, it must display a warning that will alert other road users to the fact that the load includes dangerous goods. Access Canberra recommends that a Class 9 dangerous goods label which is at least 270mm x 270mm in size be attached to the rear of the vehicle.

## DRIVER TRAINING AND LICENSING

The driver of the transport vehicle is not required to hold a dangerous goods driver licence if the waste is transported in a manner complying with SP 168. However, any person conducting a business or undertaking (PCBU) for whom this work is carried out must ensure, so far as is reasonably practicable, that:

- > The driver has been trained in the risks associated with exposure to asbestos, and has been instructed in a safe work method to follow in carrying out the work – this must include the steps to take if the driver suspects that any release of respirable asbestos fibres may have occurred; and
- > After each use of the transport vehicle, a person who has completed the VET course Asbestos Awareness carries out a thorough inspection of the vehicle for the presence of any suspect material and for any other indicators of the potential release of respirable asbestos fibres; and
- > If the person carrying out the vehicle inspection finds any suspect material or any other indicator of the potential release of respirable asbestos fibres, they immediately contact Access Canberra to seek directions – refer to “Reporting Potential Asbestos Exposure” in this Guidance Note for further information.

## REPORTING POTENTIAL ASBESTOS EXPOSURE

Any incident which may have resulted in a person being exposed to respirable asbestos fibres, or in the release of such fibres into the atmosphere, is classified as a notifiable incident under the Work Health and Safety Act 2011.

**The incident must be immediately reported to Access Canberra by telephoning (02) 6207 3000** to speak to a Work Safety Inspector, who will advise of appropriate measure to be taken, for example, whether the scene must be preserved for the Inspector to attend the site. Access Canberra maintains a 24-hour, 7-day roster of on-call Inspectors.

For further information about reporting notifiable incidents, refer to [www.accesscanberra.act.gov.au](http://www.accesscanberra.act.gov.au).

## OTHER MATTERS

Work which involves the handling of asbestos or which may present a risk of exposure to asbestos must be carried out in a manner complying with the requirements of Chapter 8 (Asbestos) of the ACT Work Health and Safety Regulation 2011.

The following information is particularly relevant to the handling of waste which may be generated by such work, but is not intended to be a comprehensive summary of these requirements.

If any material encountered at a workplace in the ACT is suspected to be asbestos, it must be treated as

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asbestos until it has been sampled and analysed for the presence of asbestos fibres in a manner complying with Section 479 (Uncertainty as to presence of asbestos) of the Work Health and Safety Regulation 2011.

The only individuals qualified to determine whether asbestos is present at a site, and to make recommendations about how asbestos which is present should be managed (including whether asbestos which is fixed in place should be left in place or removed) are individuals holding a current and valid asbestos assessor licence under the *Work Health and Safety Regulation 2011*.

If asbestos is present at the site and is to be removed, the asbestos removal work must be carried out by a person holding a current and valid asbestos removal licence under the Work Health and Safety Regulation 2011 – if the asbestos is friable asbestos, the licence must be a Class A asbestos removal licence.

Waste which may be contaminated with respirable asbestos fibres must be taken to a disposal site which is authorised to accept such waste as soon as practicable, as required under Section 472 and Section 484 of the *Work Health and Safety Regulation 2011*.

The PCBU must ensure that any worker engaged by the PCBU who is in one of the occupations listed in the Schedule to the *Work Health and Safety (Asbestos Awareness Training) Declaration 2014* has completed the VET course *Asbestos Awareness*. The PCBU may be required under Section 445 of the *Work Health and Safety Regulation 2011* to ensure that other workers engaged by the PCBU also complete that course of training.

## FURTHER INFORMATION

Further information about ACT laws regulating work health and safety and the current requirements for the handling, transport and disposal of asbestos waste is available from the Access Canberra website at [www.accesscanberra.act.gov.au](http://www.accesscanberra.act.gov.au) or by contacting 6207 3000 or email [worksafe@act.gov.au](mailto:worksafe@act.gov.au)