

Legislation governs asbestos work

ASBESTOS ABATEMENT REGULATIONS NOVEMBER 2020 state that
BY MAY 2022 building owners must:

- ✚ Have an **INVENTORY OF ASBESTOS** on their building and
- ✚ An **ASBESTOS RISK ASSESSMENT** completed by a competent person.



Ingozi Management is an approved & registered health & safety consultancy.

**BUILDING OWNERS HAVE UNTIL MAY 2022 TO COMPLY
OR FACE SEVERE PENALTIES**

The two main regulations governing asbestos related activities are:

- ✚ **Occupational Health & Safety Act (OHSA) (Act 85 of 1993), and**
- ✚ **Asbestos Abatement Regulations November 2020**

All Asbestos items are to be safely removed and disposed of by an approved

INGOZI COMPLIES WITH OHS



HEALTH & SAFETY

NEVER TAKE HEALTH AND SAFETY LIGHTLY WHEN HANDLING OR REMOVING ASBESTOS!



**CONTACT INGOZI TODAY TO ASSESS
THE ASBESTOS ON YOUR BUILDING**

100% COMPLIANT

LAW OF ASBESTOS

DID YOU KNOW?
asbestos records must be kept for a period of 50 YEARS!

HANDLING ASBESTOS IS DANGEROUS
Only contractors approved by the Dept of Employment & Labour can safely handle & remove asbestos.

STRICT LAWS
govern the removal of Asbestos

ASBESTOS KILLS
Inhalation of Asbestos fibres can lead to serious illness & even death!



3 TYPES OF ASBESTOS DEFINED BY THE ASBESTOS ABATEMENT REGULATIONS NOVEMBER 2020

TYPE 1 ASBESTOS:

- (a) Painting asbestos products that do not need surface preparation or cause release of asbestos fibres,
- (b) Removal of less than 10 square meters of asbestos or equivalent gutters & piping or asbestos insulating boards, where removal work may not be repeated on the same site within a period of six months and; does not need registration as a registered asbestos contractor with the Chief Inspector (Department of Employment & Labour).

TYPE 2 ASBESTOS:

- a) Repair/encapsulation of asbestos products in a manner that does not require surface preparation or;
- b) Removal of asbestos products or asbestos insulating board and; requires registration of a type 2 registered asbestos contractor with the Chief Inspector (Department of Employment & Labour)

TYPE 3 ASBESTOS:

- a) Removal, repair or encapsulation of any asbestos & asbestos containing material and; requires registration of a type 3 registered asbestos contractor with the Chief Inspector (Department of Employment & Labour)

SIGNAGE REQUIRED ON ASBESTOS SITES



IMPORTANT NOTIFICATION OF ASBESTOS WORKS

TYPE 1 ASBESTOS:

No employer, self employed person or asbestos client may carry out any type 1 asbestos work unless the Chief Director: Provincial Operations has been notified in writing of the location, venue and contact details of where the asbestos work will be done, at least 7 days prior to the commencement of such work.

TYPE 2 & 3 ASBESTOS:

No employer, self employed person or asbestos client may carry out any type 2 or 3 asbestos work unless the Chief Director: Provincial Operations, has been notified in writing 7 days prior to commencement of such work.

A shorter period for notification may be allowed by the Chief Director, in an emergency.

Written notification must be provided by the client, in the form of Annexure 2 (available on request).

Chief Director must ensure acknowledgment of receipt is provided, in writing to the employer, self employed person or asbestos client within 7 days.



ASBESTOS SPECIFICATION - PROCEDURE

1

Ensure all paperwork is in order with the following in place:
asbestos inventory in place, Notice to Dept of Employment & Labour,
and their approval, and an asbestos plan

2

Asbestos risk assessment prior to commencement of work done by client-appointed
Approved Inspection Authority (AIA).

3

Day 1 - AIA are to carry out air-monitoring to measure airborne asbestos fibres.
Air-monitoring to be carried out weekly.

4

No electrical tools to be used to cut, grind or drill asbestos-containing material.
Where required, a grinder can be used to cut off roof fixing screws and the immediate area
is to be lightly sprayed

5

Removed asbestos items must be wrapped in 250 micron plastic before being placed into
skip for removal.

6

Fragments of broken asbestos to be placed into two 100 micron plastic bags (double
wrapped). The first bag to be closed & placed upside down into second bag upside.
Second bag to be sealed & asbestos warning sticker placed on the outer bag.

7

Asbestos, wrapped/bagged & removed from site sent to approved dumping sites
according to Asbestos Abatement Regulations 2020. A document is obtained from the
asbestos waste disposal site for all asbestos removed from the workplace

8

Clearance report to be issued on completion, stating the area is asbestos free with no risk of
asbestos inhalation, including disposal manifest.



WINNER - V&A WATERFRONT - ASBESTOS

2019 - WINNER - MBA REGIONAL HEALTH & SAFETY COMPETITION
2019 - RUNNER-UP - MBA NATIONAL HEALTH & SAFETY COMPETITION

CLIENT RESPONSIBILITIES

LEGAL POLICIES GOVERNING ASBESTOS - YOU NEED TO KNOW THIS

ASBESTOS
Absolute adherence to law

Asbestos signage where applicable

OCCUPATIONAL HEALTH & SAFETY ACT 85 of 1993
(OHS Act)

ENVIRONMENT CONSERVATION ACT, 1989
(Act 73 of 1989)
Regulations for the prohibition of use, manufacturing, import & export

ASBESTOS ABATEMENT REGULATIONS NOVEMBER 2020

BUILDING INDUSTRY BARGAINING COUNCIL CAPE OF GOOD HOPE
(DEPARTMENT OF EMPLOYMENT & LABOUR)

IDENTIFICATION OF ASBESTOS IN PLACE, INVENTORY OF ASBESTOS, ASBESTOS RISK ASSESSMENT & ASBESTOS MANAGEMENT PLAN

INVENTORY OF ASBESTOS IN PLACE

An employer or self-employed person must obtain the services of a competent person to ensure that the material identified as, or assumed to be, asbestos-containing, as included in regulation 3, are entered into an asbestos inventory, kept at the workplace or premises.

This replaces the previous asbestos inventory and risk assessment

An asbestos report must be compiled and include the identification, inventory, risk assessment & management plan.

The report must identify asbestos in place, include an inventory of asbestos, a risk assessment and an asbestos management plan.

The asbestos management plan to be based on the risk assessment and prioritise what needs to be done. For example, if asbestos gutters are painted, in a good condition and sealed it is not a priority to replace. However, if they are broken and in a poor condition, the Asbestos Management plan must state its removal. The Asbestos Management must be re-evaluated every 24 months.

CLIENT IDENTIFICATION OF ASBESTOS

An employer or self-employed person must, as far as reasonably practicable:

- Ensure that all asbestos containing materials at the workplace are identified by a competent person;
- If it is uncertain whether the materials contain asbestos, either deem the materials to be asbestos or arrange for a sample of that material to be analysed for the presence of asbestos by a laboratory competent to carry out such analyses - testing must be done by an approved inspection authority.



INGOZI MANAGEMENT SAFETY & HEALTH CONSULTANTS ensures you and your contractor are compliant.

CLIENT RESPONSIBILITIES - TYPE 1 ASBESTOS

For handling or removal of less the 10 square metres of asbestos

- 1 Provide an up-to-date inventory of asbestos when asbestos work is planned, and that notification is given to DoEL 7 days prior to asbestos work taking place.
- 2 Ensure an asbestos risk assessment is carried out prior to asbestos work,
- 3 Ensure that written safe work procedures are developed and followed,
- 4 Provide information, instruction and training to any person who may be exposed to asbestos due to asbestos work.

1
Identify
asbestos

FOR ALL
ASBESTOS,
CLIENTS
MUST

2
Do a Risk
Assessment

3
Provide
Asbestos
Inventory

4
Have an
Asbestos
Management
Plan

CLIENT RESPONSIBILITIES - TYPE 2 & 3 ASBESTOS

- 1 Appoint, in writing, an Approved Inspection Authority (AIA) and a Registered Asbestos Contractor (RAC).
- 2 Ensure that the asbestos risk assessment is carried out prior to asbestos work.
- 3 If asbestos containing material intended for removal or repair is not identified in the inventory of asbestos in place, review and update the inventory.
- 4 Provide an up to date inventory of asbestos in place, to the registered asbestos contractor and Approved inspection Authority (AIA).
- 5 Ensure the RAC performs **TYPE 2 or 3** work as per asbestos work plan and that the RAC is in good standing with the Compensation Fund or licensed compensation insurer, per COIDA 1993 (Act No. 130 of 1993).
- 6 Ensure that notification is given to DoEL 7 days prior to asbestos work taking place.
- 7 Ensure they co-sign the asbestos plan of work for the asbestos repair or removal work to be carried out.
- 8 Stop RAC from executing any asbestos work which poses a health or safety risk to persons until such time that the risk has been appropriately mitigated.
- 9 On completion of **TYPE 1, 2 AND 3** asbestos work, obtain an asbestos clearance certificate from the AIA.
- 10 Where a fatality/permanent disabling injury occurs during asbestos work, report incident to Chief Director: Provincial Operations (Dept of Employment & Labour) per section 24 of OHS Act and in accordance with regulations 8 & 9 of the General Administrative Regulations, 2003.

Removed asbestos material can only be stored for 3 months, if wrapped correctly.

For residential buildings, if the owner appoints a contractor to do the asbestos work, the above procedure applies in its entirety.

If the asbestos is in good condition, as per the Risk Assessment there is no need to replace, BUT its condition needs to be assessed every 24 months (2 years).



CONTRACTOR RESPONSIBILITIES

- A SHE (Safety Health Environmental) file for Principal Contractor is required in terms of the Occupational Health & Safety Act, 1993 (Act 85 of 1993) under CR 7(1)(b).
- An Asbestos register is required in terms of the Asbestos Abatement Regulations, November 2020 (Reg. 3 & 4).
- Training must be carried out on type 2 and 3 asbestos work.
- If necessary, asbestos containing material will be kept damp to prevent any possible fibres from becoming airborne.

For **type 2 or type 3** asbestos work the registered asbestos contractor must:

- a) Undertake only the type of asbestos work they are registered for by the chief inspector (Dept of Employment & Labour),
- b) Appoint an occupational health and safety representative as per section 17 of the OHS Act,
- c) Obtain a copy of an up-to-date inventory of asbestos in place from the client, prior to asbestos work taking place.

Before commencement of asbestos work and during such work, the registered asbestos contractor must ensure that:

- a) a risk assessment is performed that includes:
 - i. identification of the hazards to which persons may be exposed,
 - ii. an assessment of the risks related to the hazards based on a documented method, and
 - iii. documented control measures to mitigate the risk;
- b) the risk assessment contemplated in sub regulation (a) is reviewed—
 - i. at regular documented intervals,
 - ii. when an incident has occurred; and
 - iii. when the scope of work changes; and
- c) an up-to-date copy of the risk assessment is made available at the relevant asbestos work site.

IMPORTANT TO KNOW

The Dept. of Employment & Labour must be informed of the project. A Work Plan must be drawn up by the Asbestos Approved Inspection Authority (AIA) and signed by client and contractor. A minimum of 7 days must be allowed for approval from the Dept of Employment & Labour, to proceed with the asbestos removal.

All staff to use personal protective equipment (PPE) during the project, including approved respirators (FFP2/FFP3), protective eyewear, gloves, safety footwear, headgear, safety harnesses and guide ropes.

Staff to wear approved disposable asbestos suits. They must be removed during lunch breaks and a new suit provided when work continues. Used suits to be disposed of as asbestos waste.

Areas surrounding asbestos removal must be cordoned off with chevron tape. Asbestos safety signs to be placed at strategic points on site. A demarcated area for asbestos waste must be marked as an Asbestos Waste Area.

Residents/staff/employees are not permitted in immediate area unless absolutely necessary.

All site staff will be trained and informed of all matters as per asbestos regulations.

The client will be informed of all matters as per asbestos regulations and will be responsible for all notifications to tenants/staff/employees.

Should the client require Asbestos Awareness Training for their residents/staff/employees for Asbestos this can be quoted on.



THE REGISTERED ASBESTOS CONTRACTOR MUST:

- ✦ Ensure that the approved plan of work is submitted to the Chief Director: Provincial Operations (Department of Employment & Labour) at least seven (7) days prior to commencement of asbestos work, and that confirmation of receipt is obtained in writing.
- ✦ Appoint in writing an asbestos removal supervisor for each asbestos work site, who must ensure that:
 - ✦ Occupational health and safety compliance on the asbestos removal site,
 - ✦ Compliance with safe asbestos removal or repair procedures,
 - ✦ The correct use of personal protective equipment; and
 - ✦ Proper decontamination and waste disposal,
 - ✦ Adhere to the repair or removal methodology and associated control measures provided in the plan of work approved for that specific asbestos work,
 - ✦ Ensure that the employee medical and training records are available on site for inspection and validation.
- ✦ Ensure that the following information for every employee is recorded & kept for a minimum period of 50 years:
 - ✦ Physical address of every asbestos work project; and
 - ✦ Names and identification numbers of employees potentially exposed.
 - ✦ Before commencement of asbestos work, ensure that an approved inspection authority has been appointed in writing by the asbestos client; and
 - ✦ Where a fatality or permanent disabling injury occurs during asbestos work, ensure that a report about the fatality or injury is provided to the Chief Director: Provincial Operations (Department of Employment & Labour) as contemplated in section 24 of the Act, and in accordance with regulations 8 & 9 of the General Administrative Regulations, 2003, and that the report includes measures that the contractor intends to implement to ensure safe asbestos work.

A REGISTERED ASBESTOS CONTRACTOR MUST

Obtain all documentation, including asbestos inventory from the client.

Appoint a competent supervisor.

Ensure asbestos plan is signed by all parties prior to commencement of project.

Only do work in accordance with the Asbestos Management Plan.

REFERENCES



WINNER MBA HEALTH AND SAFETY COMPETITION V&A WATERFRONT

2019 - WINNER - MASTER BUILDERS AND ALLIED TRADES ASSOCIATION REGIONAL HEALTH & SAFETY COMPETITION

2019 - RUNNER-UP - MASTER BUILDERS AND ALLIED TRADES ASSOCIATION NATIONAL HEALTH AND SAFETY COMPETITION

ASBESTOS WASTE DISPOSAL SITE

**BREATHING
ASBESTOS DUST
MAY CAUSE
LUNG DISEASE AND CANCER**

WHY SHOULD YOU CARE ABOUT ASBESTOS?

- Because exposure can lead to mesothelioma, a cancer of the lining of the lung with a very bad prognosis.
- Because there are abandoned asbestos mines in South Africa that may still pose a threat.
- Because asbestos has been used in building materials such as roofs for RDP houses and it is not clear whether this poses a threat or not.
- Because asbestos has been used to build schools in the past and it is not known to what extent this poses a current threat.
- Because it is estimated that approximately 100 000 people exposed to asbestos in ship building have died of asbestos related diseases (ARD).

Source: CANSA