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AsbestosNews

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If you have any suggestions for topics that you would like to see included in future editions of “AsbestosNews” then we would be delighted to hear from you. Just email steve.shutler@bes-online.com

Asbestos produced at Carlisle City Council meeting

A UCATT Trade Union representative produced a sample of asbestos material at a recent meeting of Carlisle City Council alleging that it came from a Carlisle Housing Association property. Willie Whalen told the Councillors that "This is asbestos taken from one of the houses. It was swept up with a shovel, thrown on to a flat wagon and taken to a dump. If that's not dangerous, I don't know what is. It shows the lack of care this housing association has for its employees and people of this city".

Regional official John Scott has already called for an audit to be carried out on all CHA's 7,200 properties.

The HSE is apparently satisfied with procedures at the association but UCATT have asked housing minister Caroline Flint to reveal the extent of the HSE investigation.

Two former nurses contract asbestos disease in Norfolk

Two former nurses have recently been diagnosed with asbestos related diseases which it is alleged results from exposure to asbestos fibres from heating insulation used in Norwich hospitals..

Diane Coote, 57, and Mary Artherton, 59, are both suffering from mesothelioma. Mrs Coote clearly remembers asbestos being present in areas where she worked. She said that maintenance staff would work on the pipes and when she was a junior nurse she was required to clean up the mess after they had finished.

Norfolk and Norwich Hospital's NHS Trust have accepted liability in Mrs Artherton's case and Mrs Coote is in the process of seeking compensation.

Government extends mesothelioma benefits

The government has closed a loophole in the disease benefits system that meant that people developing mesothelioma but not exposed at work are not eligible for state benefits. On 7 July, the House of Lords approved The Mesothelioma Lump Sum Payments (Conditions and Amounts) Regulations 2008. From 1 October those with non-occupational mesothelioma – for example, through exposure to contamination on a relative's work clothing – will be entitled to a lump sum compensation payout, in the region of £10,000 per case.

HSE responds to Daily Telegraph article that asbestos cement is "harmless"

Geoffrey Podger, Chief executive of the HSE, has responded angrily to an item in the Daily Telegraph which suggested that the British farming industry faces a £6billion cost over the next few years to dispose of aging agricultural buildings made from asbestos cement materials. In the item Christopher Booker claims "A succession of scientific studies have shown that white asbestos cement - not to be confused with the genuinely dangerous blue and brown forms of asbestos, a different mineral - poses no measurable risk to health".

<http://www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2008/05/25/do2502.xml>

In response Geoffrey Podger states “The World Health Organisation classifies white asbestos as a class 1 carcinogen, the most hazardous to human health”. He also completely rejects Bookers suggestion that the HSE promotes the interests of the asbestos removal industry by confirming that “*The HSE in no way promotes the interests of the asbestos removal industry and it is absurd to suggest otherwise. We are an independent regulator that ensures contractors carry out work safely, and in compliance with the law*”.

<http://www.hse.gov.uk/press/record/tel250508.htm>

Insurers seek to challenge asbestos compensation

A case was recently commenced in the High Court which will see insurance companies seek to evade liability for a large number of asbestos compensation payouts. The court will decide whether insurers are liable for damages from sufferers’ first exposure to asbestos, or from when they become ill.

A useful summary of the arguments can be seen at BBC Online –

<http://news.bbc.co.uk/1/hi/health/7431207.stm>

New REACH Regulations Cause Concern

The new REACH Regulations Registration, Evaluation, Authorisation and Restriction of Chemical substances will impose prohibitions on the import, supply and use of many substances including asbestos. As it stands, there is no mechanism in REACH for further specific exemptions from these prohibitions. There are already exemptions in REACH for research and for national security but not for other purposes. For example, many museums have exhibits which contain asbestos and it seems that these cannot now be supplied to another museum under REACH. There may be difficulties for the supply of samples containing asbestos used for reference purposes. There are also questions about the importation of articles containing asbestos for disposal or for heritage purposes. It is hoped that these issues will be resolved during consultation.

Prosecutions in the Media

Asbestos Cement

Asbestos cement is generally considered to be a lower risk form of ACM. This can however lead to demolition contractors failing to appreciate that work with asbestos cement is hazardous and is subject to the asbestos regulations.

Uncontrolled demolition of a former grain store which contained asbestos cement resulted in fines and costs of almost £20,000 against **Wye Valley Demolition** at Hereford Magistrates court on 18 May 2008. The HSE took the prosecution after they found the material being smashed to the ground by a machine rather than being properly removed in advance of the main demolition.

Deposit of Asbestos Containing Wastes

Staffordshire Demolition and their site manager were prosecuted at Stoke on Trent Crown Court on 9 July 2006 for dumping waste containing asbestos on a site in Stanier Street, Newcastle under Lyme. The site is close to a primary school. Staffordshire Demolition, who trade from Garner Street in Burslem, were taken to Court by the Environment Agency following surveillance of their manager, **Owen Griffiths**, who was also seen burning items including mattresses, refrigerators and TVs between November 2005 and January 2006.

Judge Paul Glenn imposed a 12 month community order on Griffiths and unpaid work of 160 hours. Company director Philip Eardley was fined £4000 and ordered to pay costs of £2000. The Company has since ceased trading.

This month's web site

In this edition of AsbestosNews we recommend readers to part of the TUC's web site which is devoted to asbestos:- http://www.tuc.org.uk/h_and_s/index.cfm?mins=262

In some ways the information is a regurgitation of general information but it is still worth a look. For example there are a number of useful check lists for safety representatives. There are however a number of mistakes:- for example the pages on asbestos in the home still refer to the Control of Asbestos at Work Regulations 1987 and even the reference to current legislation is incorrectly given as the Control of Asbestos at Work Regulations 2006.

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