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# AsbestosNews

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From  
Burton Environmental Services Ltd*



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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](mailto:steve.shutler@bes-online.com)

## ***Asbestos Victims in Scotland May Receive Compensation Not Available in England and Wales***

Readers of Edition 3 of *AsbestosNews* will have seen details of a House of Lords ruling on 17 October 2007 that the condition known as pleural plaques is no longer an actionable injury. This means that sufferers of the condition can not obtain compensation for the disease in England and Wales.

Devolution powers available to the Scottish Parliament however allow for separate compensation rules within Scotland and the Scottish Cabinet has since agreed to bring in a bill to allow sufferers there to pursue actions against former employers.

Asbestos compensation specialists Thompsons Solicitors and the Scottish TUC have both welcomed the development. Advocate Frank Maguire from Thompsons has over 600 clients with pleural plaques confirmed that the proposed revision to the law would also allow victims to return to court for further compensation if more serious asbestos related diseases like mesothelioma later develop.

The different approach north of the boarder has been raised by Michael Clapham MP who asked for assurances from the Government that sufferers in the rest of the UK would not receive less favourable treatment. In a reply James Plaskitt of the DWP stated that the House of Lords ruling was receiving further consideration and that the Government wished to “see what happens as the issue is debated in the Scottish Parliament”.

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## ***The HSE Asbestos Licensing Unit – What’s it up to?***

The HSE Asbestos Licensing Unit has a brief to police the asbestos removal industry through a regime of licensing of contractors. Their work however extends to much more than an administrative roll. Recently Liz Standen of the ALU has provided an insight into their work:-

- **Training.** During 2007 the unit trained 70 inspectors in the enforcement of the “Duty to Manage” and supported training of local authority enforcement staff through the Chartered Institute of Environmental Health training programmes.
- **Leadership summits.** This initiative was aimed squarely at senior management of licensed contracting companies and explained how the HSE expect such companies to be managed.
- **Revision of Guidance.** The guidance on surveying is currently under review (see *AsbestosNews* Edition 4) and an asbestos e-tool, similar to the ‘COSHH Essentials’ assessment tool, is being considered. Task Guidance sheets for work with textured decorative coatings have been added to the electronic version of *Asbestos Essentials* (see <http://www.hse.gov.uk/asbestos/essentials> ) and the Licensed Contractors’ Guide, HSG 247, should be revised this year.
- **Licence Application Assessment Guide.** More onerous requirements are now being placed upon licence applicants and the guide used by Principal Inspectors is available on line at <http://www.hse.gov.uk/asbestos/licensingapplication.htm>
- **New Duty to Manage Campaign.** Launched on Mesothelioma Day (27 February 2008) this campaign is aimed at small to medium sized companies employing electricians and plumbers. Free information packs will be available and larger numbers of packs can be obtained via HSE Books. A revised leaflet on the duty to manage titled – “Managing Buildings? You Must Manage Asbestos” will shortly be available via the HSE web site.

- **Review of Reg 4 – The Duty to Manage.** A detailed review is to be published in the summer of 2008.
- **Fitness to Work with Asbestos Medicals.** Forming part of the Constructing Better Health initiative (CBH), see [www.fitbuilder.com](http://www.fitbuilder.com), these medicals are now available.
- **UKATA - UK Asbestos Training Association.** Formerly the ALU held a list of organisations offering training to the licensed asbestos contracting industry. Administration has now been passed to this independent organisation.
- **Enforcement Statistics.** See AsbestosNews Edition 1
- **ALG Memos.** These memos detail benchmark standards and make invaluable reading for anyone with asbestos responsibilities. In 2007 the following memos were issued

1/07 Provision of Respiratory Protective Equipment  
2/07 The Role of Viewing Panels and CCTV  
3/07 Supervisory Licence Holders  
4/07 Asbestos Licensed Scaffolder's  
5/07 Statistical update

All previous memos can be accessed at [http://www.hse.gov.uk/aboutus/meetings/alg/memos\\_issued.htm](http://www.hse.gov.uk/aboutus/meetings/alg/memos_issued.htm)

During the next 12 months we are promised a number of interesting additional memos:-

- Demolition: What to do with buildings that contain asbestos
- Transporting asbestos in skips and vans
- Revised aide memoir on plans of work
- Maintenance of air extraction equipment

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## ***Confusion Over Asbestos Risks From Old Hair-Dryers***

A recent inquest into the death of hairdresser Carol Heaton from mesothelioma has led to confusion over the risks that older hair-dryers may present.

At the inquest, consultant histopathologist Dr Kim Suvana, stated that she was unaware of any other deaths amongst hairdressers from mesothelioma and that the cancer had probably resulted from environmental exposure to asbestos. However head of health and safety at the TUC, Hugh Robertson, said that it was "outrageous" that other similar cases amongst hairdressers had not been uncovered.

Many hood type hair-dryers imported from the far-east in the 1960s were found to contain significant quantities of asbestos and in 2006 the HSE had issued warnings about older second hand equipment. A spokesperson for the HSE said that the Executive did not have statistical information on the risks of mesothelioma among hair salon workers from dryers.

## Technical Issues –

### ***Minimising Asbestos Worker Exposure to Asbestos – Controlled Wetting***

A number of years ago the basic asbestos stripping technique for lagging and sprayed coatings was to seal off the work area, provide the removal operatives with positive pressure respirators and then to let them hack off the asbestos with the assumption that the workers were protected and the dust was contained. This philosophy was discredited by Robin Howie and others who measured the concentration of asbestos within the face pieces of respirators worn by asbestos workers- with disturbing results.

In response the enforcing authorities introduced increasingly onerous requirements to minimize asbestos dust concentrations within asbestos enclosures.

Chapter 7 of Asbestos: The licensed contractors' guide, HSG247 provides information on the techniques that are available to contractors. These will depend upon the nature of the asbestos containing material and the specific circumstances of the job but can be broken down into 2 basic methods: - Controlled Wetting and Dry Stripping with Control at Source. In this edition of *AsbestosNews* we will look at the methods of controlled wetting.

There are 2 methods, firstly low pressure direct spraying, only suitable where there is unsealed and relatively thin ACM, and secondly injection using needles and a pump system where the ACMs has an impervious surface (such as paint) or is thicker. In both cases a wetting agent is needed to assist penetration as amphibole forms of asbestos (eg blue and brown) and some binders such as calcium silicate are hydrophobic (repel water). It is also important that the ACM is not over wetted as this can result in a slurry which is difficult to control and will make final cleaning much more problematical.

Adequate wetting of ACMs is a highly skilled operation. It may be necessary to drill needle holes, using shadow vacuum techniques, if the substrate is hard. When insulation is cracked the wetting agent can escape too easily and the ACM needs to be wrapped in polythene sheeting to ensure thorough wetting. Sufficient time is required for the operation which can be very variable depending upon the composition of the ACM and trial areas may need to be stripped before the main work. The use of coloured wetting agents can assist in the identification of dry patches.

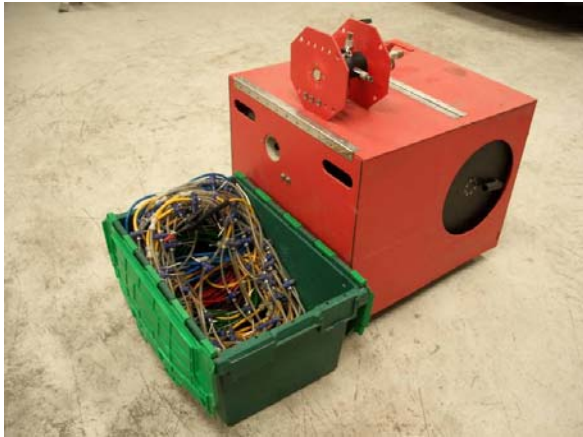
Direct spraying is often the preferred method of dust control for materials such as "Asbestolux". Typically a small number of ceiling tiles are carefully removed using a shadow vacuum technique and then the dusty upper surfaces of the surrounding tiles are sprayed with a hand operated sprayer, typically the type used for gardening. If the tiles have a painted side then spraying is not normally required to this surface.

The use of wetting agents can result in other difficulties. They can introduce a slip hazard particularly if polythene sheeting becomes wet. Skin irritation from surfactants and other substances needs to be considered as part of the COSHH Assessment process and burns can result if wetting agents contact hot surfaces – although generally plant should be allowed to cool before asbestos removal is commenced. As wetting agents are liquids they must be kept away from live electrical equipment or other chemicals with which they could react. Discolouration from colour tracing dyes can result and precautions may be necessary in freezing conditions.

From the above it is evident that proper training in the use of wetting equipment is vital and the HSE require that the equipment meets PAS (publicly available specification) 60/1.

The next edition of *AsbestosNews* will look at Dry Stripping with Control at Source.

**Pictures of wet injection systems and techniques on page 5**



Wetting Injection System with needles



Injection needle with quick release connection and flow adjuster



Wetting agent – contains dye, surfactants and glycols



Inserting long needles into sprayed asbestos coating



Dry stripping – please pass the Prohibition Notice!

## Cases in Court

**School and Council Awarded £3.1 Million Following Asbestos Incident.** A licensed asbestos contractor and an electrical contractor have been ordered to pay £3.1 million in compensation after negligent asbestos removal resulted in widespread contamination at Southfield School for Girls in Northamptonshire. The Technology and Construction Court in London heard that Briggs & Forrester Electrical subcontracted the removal of “Asbestolux” ceiling tiles to B&W Asbestos Removal Specialists from Bedford. Judge Frances Kirkham said that the asbestos contractor’s staff had worked with a “wanton disregard for health and safety procedures”. Subsequent decontamination and the replacement of contaminated items resulted in bills of £6.5m for Northamptonshire County Council. The contractors have also been ordered to pay all legal costs.

Previously both firms had been prosecuted by the Health and Safety Executive and had received fines totalling £100,000. <http://www.northantset.co.uk/news/100000-fine-for-asbestos-blunder.2231098.jp>

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## Useful Background Information

Most people have heard of Wikipedia – the world’s largest free online encyclopedia. The entry for asbestos is well worth a look. It has some excellent photographs and covers all aspects from the history of use to health effects. Well worth a look - but remember it can be publicly edited so check any critical points.

<http://en.wikipedia.org/wiki/Asbestos>

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## Services from B.E.S

BES has been known for efficient and **cost effective asbestos removal** for many years. However our service extends much further:-

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