

# ASBESTOS IN IRELAND

## What Is Asbestos?

Asbestos is a naturally occurring mineral, made up of long thin fibres. These fibres can be dangerous if they are inhaled as dust and are known to contribute to increased risk of lung cancer, asbestosis (scarring of the lung tissue) and mesothelioma (cancer of the lining of the chest and the lining of the abdominal cavity). Asbestos was commonly used as a sound insulator and in heat insulation, fire-proofing, and other building materials. Many products that are still in use today contain asbestos. Most of these are materials used in thermal and acoustic insulation, fire-proofing, roofing and flooring.

It should be noted that you can no longer buy, use, or re-use asbestos products in Ireland. Under EU legislation, there is a total ban on the "placing on the market" of asbestos and asbestos-containing products. For example, if you are removing a roof that contains asbestos from a shed, the material must go for disposal and cannot be re-used or adapted for re-use.

## Identifying Asbestos Products

Many products that contain asbestos state this fact on the label. However, if you are unsure as to whether or not a product contains asbestos, you should contact the manufacturer or supplier directly to find out if asbestos is present. If you are still unsure, you should contact a consultant or any other competent person who will ascertain if the product contains asbestos and assess the risk associated with the material, i.e. the potential for asbestos fibres to be released and become airborne. Advice can also be obtained from asbestos removals contractors, asbestos consultants, or the Department of the Environment, Heritage and Local Government. Where concerns relate to the workplace or work activities, the Health and Safety Authority can also give advice regarding removal operations and safe procedures relating to working with asbestos-containing materials.

## Repair of Material Containing Asbestos

It should be noted that having identified that asbestos-containing materials are present, this does not always imply the need for that material to be removed and disposed of as waste. It can sometimes be the safer option to maintain the asbestos (in a safe manner) rather than to remove or disturb the material, thus increasing the risk of potentially releasing fibres into the air. This decision should obviously be based on a risk assessment evaluation, which should only be performed by a person competent to make such an assessment and ensuing recommendations.

If it is decided to repair and maintain the asbestos-containing material on site rather than remove it, then it must be maintained in a safe manner. For this reason, any asbestos that remains on the premises should be clearly labelled as such, and its location should be clearly marked on the plans of the building. This is to ensure that if future maintenance or refurbishment work is performed, or if the building is later sold or scheduled for demolition, those involved will know that asbestos-containing materials are present, and will be able to plan their work accordingly, and so avoid potential situations that may cause exposure to fibres.

Home repairs on asbestos material are not recommended, as they can often do more harm than good. Contractors who can repair materials containing asbestos can be found in the phone book. If you have any doubt as to whether or not a product in your home may

contain asbestos fibres, the best approach is to assume that there is asbestos present, and to seek the advice of a competent person to confirm if asbestos exists.

## Removal of Asbestos

Asbestos removal is a complex and potentially hazardous procedure that should only be undertaken by a contractor with the necessary training and relevant permit, after the Health and Safety Authority (HSA) has been notified. Improper removal increases the risk of fibre inhalation.

## Disposal of Asbestos

You should only hand over asbestos to someone who has a valid Waste Collection Permit issued by the relevant local authority. As asbestos is a hazardous waste, it may only be transported within Ireland accompanied by a WTF Form. WTF Forms are obtained from the Dublin City Council and should be completed in accordance with the Waste Management (Movement of Hazardous Waste) Regulations. There is currently a fee of €6 per WTF Form.

## Health & Safety Authority

The Health and Safety Authority (HSA) has legal powers under the European Communities (Protection of Workers) (Exposure to Asbestos) Regulations, 1989 (as amended) to ensure the protection of workers from the risks related to exposure to asbestos at work. The HSA is responsible for policing those engaged in working with asbestos, including professional asbestos removal, and surveying firms so as to ensure that the worker protection legislation is implemented.

The HSA must be notified by an employer 28 days before an operation is scheduled whereby the legally set "action level" in relation to asbestos may be exceeded. It also requires a method statement from any contractor planning to remove asbestos (all activities). This document should give details about the plan of work, e.g. how many crew members will be working on the job, measures to be used to protect the workers, the measures to control the potential release of asbestos fibres to air etc. This document must be prepared in advance of the work commencing, and must be available at the worksite, and understood and complied with by all those involved in the specified work activity to which the method statement refers.

The HSA has the power to inspect sites where work with asbestos is being carried out and its inspectors can call on a site without notice. They must be given full access to all areas of that site to ensure that the Regulations are being complied with.

All HSA inspectors have the authority to close down a site immediately if they have reason to believe that dangerous practices are in place. A prohibition notice can be placed on the site or specific operation and remains effective until the reason for issuing the notice has been rectified or remedied. If an employer fails to act positively and fully regarding corrective action and the requirements set down in a prohibition notice, then the HSA may initiate a prosecution.

The HSA's advice on finding asbestos is to leave it where it is, providing it is in good condition and is managed on-site to ensure it remains in a safe condition. This advice is dependent firstly on the fact that an appropriate risk assessment has been performed by a competent person. As previously stated, if asbestos is to remain on-site, its location, type, condition, etc., must be recorded; the asbestos material clearly labelled and its location

indicated on the plans or designs of the premises. This information must be presented to any workers (e.g., those laying cables, maintenance workers, plumbers, painters, computer installers, etc.) who may come in contact with the asbestos during the course of their work so that they are aware of the possible risks to their health. If workers have any concerns about working in the vicinity of asbestos-containing materials, they can contact the HSA where inspectors are available to answer questions and give advice. If necessary, a HSA inspector can examine a site on the basis of a complaint received, and if the asbestos poses a serious risk to health, the inspector can order that the site be shut down until work is done to eliminate the risk.

Current legislation in Ireland requires that if you are carrying out any work on your building, even if it is merely putting in new lighting or computers, you must be sure that you will not be disturbing any suspect material like asbestos. If you do not carry out a survey to confirm the nature of any suspect material found, you must assume that it is asbestos and deal with it accordingly. Any building owner who is renovating or demolishing a building is required by law to identify any particular risks, such as asbestos or asbestos-containing materials at the design stage of the job, i.e. prior to commencing work/demolition. Based on the risk assessment, the owner must make every effort to remove these materials or to make sure they do not pose a threat to the health of his workers or others who may be affected. Asbestos must be removed before a building is demolished to prevent the risk of the fibres spreading and contaminating the surrounding areas and those who may be in the vicinity.

#### Office of Public Works

The Office of Public Works is responsible for monitoring asbestos in all government buildings, including schools. Based on a risk assessment and the results of surveys done by asbestos professionals, it is making decisions on how and when the asbestos needs to be removed. It is important to remember that if asbestos is in good condition, it poses no threat to health but because of the proximity of children to this material, the decision is being made to remove asbestos, even if this would not normally be considered necessary. If you have any concerns about asbestos in your child's school or in any government building, you should contact the Office of Public Works directly.

#### Environmental Protection Agency

The Environmental Protection Agency deals with the licensing of storage for hazardous waste, like asbestos. Special care must be taken when dealing with waste like asbestos and any company that stores this waste must do so in the correct manner. Asbestos-containing waste should be disposed of as quickly as possible and in accordance with legislation. If you have asbestos waste that you need to dispose of, you should contact a waste collector that collects this type of waste. All asbestos waste should be clearly labelled and bagged in plastic to prevent dust fibres from escaping into the air.

#### Local Authorities

Local authorities are responsible for investigating any incidents of environmental, air and water pollution in their areas and can prosecute any infringements.

Local authorities are also responsible for issuing Waste Collection Permits. Any company that collects hazardous waste must have an up to date Waste Collection Permit, which guarantees that it has the proper facilities to transport and dispose of waste like asbestos. You should only hand your waste over to a correctly certified company. All Waste Collection Permits are not the same; many companies have valid Permits, but they are not necessarily

permitted to accept hazardous waste like asbestos. Check with your local authority to make sure the company you choose has the correct Waste Collection Permit.

## In Summary

There are contractors that specialise in removing asbestos. Prices for professional asbestos removal or surveying vary, depending on the firm. For more information, you should contact a contractor directly. While the Health and Safety Authority deals specifically with worker protection and the industrial sectors rather than domestic premises, if a domestic premises is having work performed then it can be deemed a workplace for that purpose. Those working at the site must be afforded the required level of protection in order for them to perform their work in a safe manner, without risk to their safety or health.

You should contact the relevant Environmental Health Officer in your local authority's Environment Department if you have concerns about asbestos in public areas. If you have asbestos concerns relating to a workplace and/or work activity, advice should be obtained from the Health and Safety Authority. The Office of Public Works is responsible for dealing with asbestos in government buildings and schools. Any concerns regarding the potential dangers to those working with asbestos should be also addressed to the Health and Safety Authority.

## Other Contacts:

Health & Safety Authority  
The Metropolitan Building  
James Joyce Street  
Dublin 1

Tel: (01) 614 7000  
Lo Call: 1890 289 389  
Website: [www.hsa.ie](http://www.hsa.ie)

Environmental Protection Agency  
P.O. Box 3000  
Johnstown Castle Estate  
Wexford  
County Wexford

Tel: (053) 916 0600  
Lo Call: 1890 335 599  
Website: [www.epa.ie](http://www.epa.ie)

Office of Public Works  
51 St. Stephen's Green  
Dublin 2

Tel: (01) 647 6000  
Lo Call: 1890 213 414  
Website: [www.opw.ie](http://www.opw.ie)

