Technical bulletin

professional information for CILA members

**TB 12** **July 2002**

# ASBESTOS

The content of this Technical Bulletin has been written by a member as an introduction to a recently identified problem. Further bulletins will be issued when more information is available but in the meantime any comments from members would be useful.

Why is Asbestos Dangerous?

Breathing in asbestos fibres can lead to people developing one of three fatal diseases:

• Asbestosis which is scarring of the lung

• Lung cancer

• Mesothelioma which is cancer of the lining around the lung and stomach

These diseases can take between 15 – 60 years to develop from first exposure. The development time is believed to be influenced by the type of asbestos inhaled (blue and brown are much worse than white), the younger you are when exposure starts, the number of fibres you breathe in, the number of times you are exposed to the fibres, and smoking.

Asbestos is not absorbed through the skin, and the body naturally gets rid of asbestos fibres taken in with food or water. The body even gets rid of (relatively) large asbestos fibres, but it is the microscopic fibres that can pass into the lungs and cause disease years later. It is for these reasons that all the legislation is

designed to minimise exposure every time a person has to deal with Asbestos Containing Material (ACM).

Where are you likely to find asbestos

The commercial use of asbestos in the UK began around the turn of the century and rose to a peak just after World War II. It was heavily used in system built buildings constructed around the 1950's and 1960's and was still present in many in the early 1970's .

The most likely uses were:

Perforated ceiling tiles Asbestos cement roof sheets
Asbestos rainwater goods Lagging around tanks pipes and flues
Asbestos rope used as a seal around boiler burners Gaskets on pipe flanges
Sprayed "limpet" insulation on beams and structural steels "Artex" ceilings principally applied before 1984
Bath panels Cold water tanks
Fire surrounds Partition boards
Floor tiles Soffits etc
The term Artex is a generic term for artistic texture products including Wondertex, Newtex, Suretex, Pebblecoat, and Marblecoat. Artex ceilings are known to contain approximately 3% white asbestos (chrysotile). The HSE advise that they have also found amosite (blue asbestos) in samples. Commercially companies have offered asbestos free products since the mid 1970's and there was a voluntary ban in the early 1980's, however asbestos based decorative plasters ceased to be used in 1992 as a result of the Asbestos (Prohibitions) Regulations 1992. One of the problems is that apparently some of these coatings were mixed on site, and so there is no absolute certainty that they only contain white asbestos.

The HSE take the view that work to repair or remove "Artex", or which disturbs "Artex", comes under the Asbestos (Licensing) Regulations 1983, and must be undertaken by a contractor licensed by the HSE to do the work.

The Asbestos (Licensing) Regulations 1983 (as amended).

Under these regulations anyone carrying out work on asbestos insulation, asbestos coating, or asbestos insulating board (AIB) will need a licence issued by the HSE (this includes work on the ACM and subsequent cleaning of any contaminated dust or debris).

One of the exceptions is when a person does not work with asbestos insulation or AIB for more than one hour in seven consecutive days and the total time spent on that work by all employees does not exceed two hours. The HSE maintain that this very minor relaxation was intended to allow for the fixing of a light fitting or similar, not wholesale removal of the ceiling or the steaming off of the "Artex" coating.

The "Artex" ceiling problem

There was a great deal of speculative housing built during the 1970's and the early 1980's and the preferred ceiling for many was plasterboard with taped joints and then "Artex". The view of the HSE is that you should assume the presence of asbestos unless there is good evidence to suggest that the finish is free of asbestos, or you have tested the ceiling and are satisfied that the sample tested is asbestos free.

If the sample is free of asbestos then you can proceed as normal. However until you have determined the position you should take no steps to start drying the premises since damp material is less likely to release fibres. If drying contractors are brought in you risk causing the contractors to bring onto site dehumidifiers or other plant that itself could become contaminated by loose fibres released by the drying, and now broken, asbestos containing material.

If the samples found are shown to contain asbestos then the specific advice given by the HSE is that the asbestos containing material needs to be removed by a licensed contractor to an approved waste site. Be aware that the asbestos containing material could also include carpets and soft furnishings in the affected room. The licensed contractor will take air samples during the removal process and these will help determine a reasonable view of the extent of contamination.

The best advice obtained to date suggests that in such circumstances it would be appropriate for adjusters to have disposable PPE available and to use it where they believe there is risk. This PPE once used should be placed in a clearly

labelled bag and disposed of to an appropriate site. There is clear advice not to disturb debris to any greater extent than necessary, and basically to take care.

The advice given is that, where practical, rooms with a damaged ceiling should be isolated and not used until the position can be confirmed. In some properties this may not present an insuperable problem, however, in many small modern homes the room affected may not be capable of being isolated. In such circumstances the conclusion seems to be that it would be appropriate for the insured to seek temporary alternative accommodation until they can be assured that the property is safe, or the presence of asbestos is confirmed and the problem removed. In the latter circumstances it is thought that the licensed contractor may be able to plead emergency and not be required to submit the usual 14-day notice.

Implications

The above clearly has serious implications for Insurers and contact has been made with the ABI. We will provide an update as soon as possible.

In the interim companies have a duty to their employees for the provision of a safe system of work and are recommended to provide appropriate PPE and training for their staff.

There are implications about the way in which domestic claims are largely dealt with and members are recommended to seek instructions from Insurers as to their attitude and approach to such problems.

The Institute has not sought advice as to the extent to which members may owe a duty to claimants to point out the potential problems. However as the professional present on site the potential is clear.

It should be remembered that asbestos containing decorative coatings which are undamaged present no risk, so long as they continue to be maintained in sound condition.