

JOINT INDUSTRY WORKING GROUP

ASBESTOS IN SOIL, MADE GROUND AND CONSTRUCTION & DEMOLITION MATERIALS

Asbestos in Soil Code of Practice – 'AISCOP'

Update June 2015

1. JIWG Code of Practice

A number of sections of the JIWG Code of Practice are being progressed, albeit more slowly than would have been hoped. Positive contact has now been made with several prospective authors and CL:AIRE is in the process of engaging them contractually.

We are focussing on the Waste chapters, with the following sections being fast-tracked:

WRAP Aggregates Protocol: Quality Verification Guidelines

Specification for Highways Works: Quality Verification Guidelines

Landfill Tax:

- Qualifying Material Codes
- Definition of 'Incidental' Amounts of Non-Qualifying Material

Recycling & Reuse of Impacted Material: EA & LA Regulated Processes:

- T5, T7, U1
- SRP2010 Nos. 07/8/11/12
- Part B LAAPC PGN 3-16(12)
- SRP2008 No. 27

Waste: Dealing with Mixed Wastes: New and 'Legacy'

Waste Classification: Determination of Hazardous vs. Non-Hazardous Mirror Entry: Selection of Waste Codes:

- 19 13 01/02
- 17 09 03/04
- 17 05 03/04
- 17 01 06/07

Waste Duty of Care

Registration of Hazardous Waste Sites

Thresholds: 'No Asbestos'

Definition of Waste Code of Practice: Guidance on Re-use for all Applicable Scenarios

We are also focussing on REACH and Transport, with the following being fast-tracked:

REACH Regulation: Material Needs to Fall Outside Definition of 'Intentionally Added':

- Exclude Demolished Buildings without Full Asbestos Removal
- Include Demolished Buildings with Full Asbestos Removal
- Excavated 'Legacy' Materials
- Traceability Issues
- Links to Planning & AISCOP
- Labelling and Information"

Transport of Impacted Material

- Aggregates are 'Articles'
- Define Scope of ADR SP168 for 'Manufactured Articles' and Non-Friable Materials
- Define Scope of ADR SP168 for Friable Materials
- Consequential REACH Provisions:
 - Labelling
 - Information

It is anticipated that the JIWG Code of Practice will now be published in the Spring of 2016.

2. JIWG Code of Practice Companion Document: Control of Asbestos Regulations 2012 Interpretation for Managing and Working with Asbestos in Soil and Construction & Demolition Materials: Industry Guidance

It is intended that this document will support the JIWG Code of Practice and will clarify interpretation of CAR 2012 regulations as set out in HSE Approved Code of Practice L143 – Managing and Working with Asbestos, as applied to asbestos in soil and C&D materials.

NB: This document is not being written by HSE and will not be an HSE Approved Code of Practice. It will be Industry Guidance written by the JIWG and published by CL:AIRE.

The first draft of this document has been prepared by Steve Forster and has now been reviewed by HSE. Steve Forster met with Craig Bell and Dr Martin Gibson of HSE in June 2015 to review and discuss all of the main outstanding areas of contention. A second draft will now be produced for review by the JIWG and HSE.

It is envisaged that this will be published before the end of 2015, in advance of the JIWG Code of Practice. It is hoped that formal HSE endorsement will be given.

3. SCA “Blue Book” – Analytical Method

The development of the SCA “Blue Book” – Analytical Method is continuing with Steve Forster, Rob Blackburn and David Wood attending and contributing to the meetings. Simon Cole and Tim Elliott are also participating with reviews. The latest v9 draft version has been reviewed extensively with Steve Forster meeting separately with UKAS, Craig Bell of HSE and Hazel Davidson to finalise outstanding issues. Hazel Davidson has now made final amendments and has circulated v10a for internal review and external comment.

A programme for completion has been agreed:

- End August for final v11, incorporating comments from consultation
- End September for SCA ratification and publication (subject to workload)

The published method will be incorporated into the JIWG code of practice as an appendix. It is hoped that formal HSE endorsement will be given.

4. Soil Background Research Project

Significant industry funding, matched by DEFRA, has been secured to move forward with a research project to investigate and characterise ‘background’ levels of asbestos in urban and rural environments throughout England and Wales. This work, originally expected to start in late autumn 2015 and go through until the spring of 2016 has now commenced with field sampling operations and analysis underway. This research will help SoBRA with the development of their risk assessment framework which will feed directly into the JIWG Code of Practice.

The report is expected to be finalised by the end of 2015 and will be published by CL:AIRE.

5. SoBRA Risk Assessment Work Group

The SoBRA asbestos sub-group continues to develop an extended risk assessment framework which will feed into the JIWG Code of Practice.

Several documents have now been published and are freely available to download from the SoBRA website: <http://www.sobra.org.uk/resources/>

- Soil Sampling Protocol for Asbestos in Soil
- Conceptual Framework for Asbestos Risk Assessment & Control
- Design of an Activity Based Sampling Protocol for the Testing of Asbestos Fibre Release Potential from Residential Garden Soil
- Dust Monitoring Protocol for Earthwork Activities at Brownfield Sites
- Example Part 2A Asbestos Cement Decision Algorithm

These documents are discussion papers, designed to help scope the final UK-specific framework, and constructive feedback on these is welcomed.

The sub-group continues to collect empirical dust and fibre-release data from sites and further offers of data would be appreciated.

The sub-group is currently compiling brownfield soil sample analytical results from UK commercial laboratories to provide supporting data to SP1014 and provide further context to any potential soil screening levels.

The next step for the group is to start exploring the options for deriving soil screening levels.

6. JIWG Risk Assessment Algorithm

Simon Cole, Garry Burdett and Steve Forster have developed a user-friendly practical spreadsheet based two-part risk assessment algorithm tool that allows completion of formal risk assessments as required under CAR 2012 and allows risk to human receptors from activities on an asbestos-contaminated site to be modelled.

The Work Category spreadsheet allows the input of real or assumed data at Stage 1 and 2 and outputs decisions on probable licensing status and appropriate RPE and control measures to be used and implemented during work with asbestos contaminated materials.

The Receptor Risk spreadsheet, which shares common Stage 1 and 2 input worksheets with the Work Category spreadsheet, provides a combined hazard, exposure and receptor ranking which is a function of the combination of the outputs from Stages 1 and 2 and 3. Stage 3 takes into consideration; distance from work site, site occupancy/duration of exposure and receptor age. These outputs will inform practical control measures that might be taken during works to reduce potential exposures both on and off site.

This risk assessment algorithm tool is currently being tested by members of the JIWG and will be circulated widely in BETA format for external review over the Summer2015. It will be made available to download from the CL:AIRE asbestos in soil website: www.clare.co.uk/asbestos.

Steve Forster, Chair of JIWG