

JOINT INDUSTRY WORKING GROUP

ASBESTOS IN SOIL AND CONSTRUCTION & DEMOLITION MATERIALS

Asbestos in Soil Code of Practice – 'AISCOP'

Update December 2015

1. 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

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 second draft of this document has now been reviewed and commented on by the HSE. This will be published early 2016 and it is hoped that some form of HSE endorsement will be given.

2. JIWG Code of Practice

A number of waste chapters of the JIWG Code of Practice are now in draft form and will be sent to the Environment Agency in January 2016 for their comment. We are focussing on this area as feedback from industry has suggested that these are the areas that immediate clarification is needed. The chapters that have been progressed include:

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'

The next chapters that we intend to focus on are:

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

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

These additional chapters will be started in January 2016 and will require additional meetings with Department of Transport and Defra's REACH team representatives.

To assist industry, it is hoped that individual chapters may be published in advance of the main JIWG Code of Practice. In light of the delays we are hoping that the main JIWG Code of Practice will be published in draft for consultation in the Summer 2016.

We are delighted to confirm that an additional two sponsors have been secured through Lucion Environmental Ltd and Erith Group. We are continuing to look for additional sponsors to assist with the development of the JIWG Code of Practice, however we have received huge in kind contribution from companies which we are extremely grateful for.

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 v11 draft version has been reviewed extensively; however there are still some issues outstanding that need discussion. A further meeting is being organised to hopefully clarify these issues in the coming months.

It is still anticipated that 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

The research project to investigate and characterise levels of asbestos in urban and rural environments throughout England and Wales is progressing and sampling will be completed early in 2016, with reporting following on soon afterwards. This research will help SoBRA with the development of their risk assessment framework which will feed directly into the JIWG Code of Practice.

The final report is expected to be finalised Spring 2016 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 has been tested by a number of JIWG members. From feedback, the BETA format is currently being amended and will be made available for external review and use early in 2016.

Steve Forster, Chair of JIWG