

ASBESTOS IN SOIL, MADE GROUND AND CONSTRUCTION AND DEMOLITION MATERIALS

Joint Industry Working Group Meeting MEETING No. 7 – URS Corporation, London SW1P 1PL

9th October, 10.30am – 1pm

FINAL

Attendees

NAME	REPRESENTING
Steve Forster - Chair	EIC
Nicola Harries - Secretariat	CL:AIRE
Trevor Howard	EA
Colette Willoughby	BOHS
Simon Cole	SoBRA
Graham Booker	UKCG
Seamus Lefroy-Brooks	AGS
Rob Blackburn	ATAC and ARCA
Alan Jones	IOM
Tim Elliott	RICS
Rachael Adams	MoD
Jason Stringer	ESA
Garry Burdett	HSL
Joanne Kwan	CIRIA
David Wood	EIC Environmental Laboratories Working Group

Apologies

Richard Boyle	HCA
Barry Menzies	CECA and NFDC
Mark Wagstaff	UKAS
Craig Bell	HSE
Tracy Braithwaite	SAGTA
George Kowalczyk	PHE

Agenda

1. Housekeeping
2. Welcome, apologies and introductions
3. Previous minutes
 - a. CIRIA project: "Asbestos in soil and made ground: A Guide to Understanding and Managing Risks"
 - b. Project Manager brief update covering: outstanding issues and date of publication
4. JIWG Secretariat update:
 - a. Membership
 - b. Funding
 - c. Programme
 - d. Strategy for completion
 - e. Feedback to skeleton framework
5. Update on SCA Blue Book – analytical methodology
6. Update from SoBRA – risk assessment framework
7. Update from HSE:
 - a. ACOP consultation
 - b. HSG 248: revision, consultation and re-issue programme
8. Update from Environment Agency:
 - a. Review of (hazardous) waste classification/regulation applied to asbestos
 - b. Review of environmental permitting
9. Update on REACH
10. Update on CDG/ADR: DfT

11. Update from UKAS:
 - a. Asbestos TAC; Lab 30 revision, consultation and re-issue programme
12. Update from BOHS:
 - a. Development of training modules
13. Further research
 - a. SAGTA
 - b. Background levels in soil and air
14. AOB

No.	DISCUSSION	ACTION
1.	<p><u>Housekeeping</u></p> <p>Simon Cole (SC) provided the housekeeping and Steve Forster (SF) the chair thanked URS for providing the meeting room.</p>	
2.	<p><u>Welcome, Apologies and Introductions</u></p> <p>SF welcomed everybody to the meeting. Apologies had been received from Richard Boyle, Tracy Braithwaite, Barry Menzies, Mark Wagstaff, George Kowalczyk and Craig Bell. SF welcomed Jason Stringer who was representing Environmental Services Association (ESA).</p> <p>SF explained the meeting was to be split into two parts, the first part was to provide an update of the general JIWG work with minutes taken as usual and the second part was as a workshop to start to progress bringing together the skeleton framework in the context of the budget available.</p>	
3.	<p><u>Previous Minutes</u></p> <p>It was agreed that the minutes from the last meeting were a true record.</p>	
4.	<p><u>CIRIA Project</u></p> <p>Joanne Kwan (JK) confirmed that the final version of the CIRIA report had been circulated. They had incorporated as many of the amendments as possible. They were looking to publish in two to three months time as a public report, however unfortunately it will not be free, except to members of the PSG. It will be available to CIRIA members at the usual discounted rate.</p> <p>JK confirmed that a disclaimer that was discussed at the last meeting had been included in the acknowledgements section of the report however it was not going to include a statement how the numerous comments made on the draft report were addressed as this is not standard CIRIA practice. JK also confirmed that the CIRIA team did not require text from SF on behalf of the JIWG to include in their document based on the collaborative agreement as it was felt that the JIWG work had been mentioned early on in the report.</p> <p>JK confirmed that their research contractor had provided the key areas of research that were needed to be explored further by the JIWG in Chapter 18. JK circulated the list of recommendations from Chapter 18 for discussion. SF explained that this wasn't really in the format that was expected and not in the spirit of the collaboration agreement. JK did not feel that any further detail could be provided.</p> <p>The JIWG felt that a number of the recommendations were ambiguous and not areas that were within their remit, for example the development of a software model to predict fibre release. There was discussion about the value of such a model as Hodgson and Darnton have already published tables that people can use to extrapolate. CIRIA felt that these tables are not always that easy to use.</p>	
5.	<p><u>JIWG Secretariat Update</u></p>	

	<p><u>Membership</u> No further membership changes are planned at present.</p> <p><u>Funding</u> The level of funding is unchanged at present with a number of organisations still outstanding on their payments which NH is actively chasing. It is believed that once the specification is finalised then it will be easier to demonstrate how the CoP is developing and hopefully easier to attract further funding.</p> <p>SF explained that he recently presented to UKCG Waste Group and they were very receptive to the work of the JIWG. It was suggested that the asbestos issues cover different groups within UKCG and they felt that a presentation to the Health and Safety Group may be beneficial and they may be able to help fund from the health and safety budgets.</p> <p>NH was asked whether WRAP have asked to be members of the JIWG. It was explained that they are a corresponding partner by receiving copies of the minutes when finalised. They have not wished to get involved with the work of the JIWG. Some members of the JIWG felt that WRAP should be involved due to their development of WRAP protocols for aggregate which are made from recycled product which may contain asbestos.</p> <p>SF explained that WRAP were present at the UKCG meeting.</p> <p><u>Programme</u> The programme has unchanged and it is hoped that a final draft version will be available end of 2014/early 2015.</p> <p><u>Strategy for Completion</u> SF explained the strategy for completion going forward. Due to not securing as much funding as hoped, we have had to rethink the most cost effective method to delivering an industry code of practice. Therefore key areas of the code of practice have been identified in an outline framework which will be discussed in the afternoon workshop. These key areas will be owned by a JIWG member who will have their own small working group to identify problems and gaps and see how these gaps can be plugged and how they interrelate with other key areas. This work needs to be carried out in 4-6 months and reported back to the main JIWG for further comment.</p> <p>The key areas relate to the previous task groups: Risk Assessment – Simon Firth Regulatory EPR & CAR – Tracy Braithwaite Site Assessment, Investigation and Monitoring – Seamus Lefroy-Brooks Waste – Barry Menzies Laboratories – Rob Blackburn</p> <p>The EA confirmed that they would be happy to work with the different groups and review text that needs a regulatory involvement.</p>	
6.	<p><u>Update on SCA Blue Book</u></p> <p>DW reported that the Standing Committee of Analysts asbestos in soils working group will be meeting to discuss unifying a laboratory method. SF confirmed that he and RB would be attending the meeting on 24th October 2013 at EIC's offices. DW advised that he could not attend due to other commitments.</p>	

	<p>DW explained that industry needs to be involved because they need to tell SCA what they want from the laboratory method and how they would like results reported. SF suggested that this best be achieved by having a number of consultancy ‘users’ involved participate on the SCA working group.</p> <p>One important point that was discussed that laboratories need to agree on is when to stop looking for asbestos because if you look long enough you will always find it. There needs to be a pragmatic agreed time limit.</p> <p>It was felt that CIRIA’s forthcoming guidance would not help bridge the knowledge gap and there were concerns that the new method decided on by SCA could contradict the method presented in CIRIA. It was acknowledged that this was unfortunate but unavoidable.</p> <p>It was agreed that a standardised method needs to be developed. DETS were going to release their own internal method as a starting basis to work from to hopefully help bring different laboratories and their methods together.</p> <p>It is important that the analytical methodology reflects what industry needs; it needs to be able to provide reliable and consistent results which are capable of being used in a variety of contexts. It was agreed that it should be a staged approach. At present laboratories are describing the hazard, they are not measuring airborne fibres which is where the real human health risk is occurring. It was noted, however, that assessments for waste classification and other related assessments are hazard, not risk, based. The method needs to be able to consider both hazard and risk.</p> <p>SCA/JIWG and SOBRA are potentially coming at the problem from different angles but ultimately they all want to devise a cost effective practical method.</p>	
7.	<p>Update from SoBRA – risk assessment framework</p> <p>Simon Cole (SC) reported that SoBRA are developing a number of position papers through a SoBRA sub-group on asbestos. They are aiming for the position papers to be published at the end of the year. One of the initiatives is to collate empirical data on asbestos fibres in air at site investigation and remediation sites across the UK. In addition to this the empirical data presented by RIVM is being re-evaluated. The second initiative involves the development of decision algorithms for various different site situations where people have either occupational exposure to asbestos in soil in relation to their everyday work in land development, or environmental exposures in non-occupational scenarios. The algorithms may be qualitative, semi-qualitative or a combination of both, with the aim that they will feed into the JIWG work.</p> <p>It was noted that ideally algorithm frameworks should be capable of serving both hazard and risk- based assessment criteria.</p> <p>It was agreed that there are many different site scenarios that may need to be looked at including planning scenarios. This was agreed but the work is reliant on a lot of goodwill across the SoBRA members and is also working with SAGTA members on this.</p> <p>SoBRA also helped prepare a paper sent to Defra on the research needs to assist the JIWG’s work. The key points research areas are:</p> <ul style="list-style-type: none"> • UK data collection of existing asbestos fibre-release from soil data. 	

	<ul style="list-style-type: none"> • UK data collection of existing dust release from soil. • Project trials to obtain / support empirical field data. • UK soil background project. • UK background air concentrations. • UK soil moisture content. • Policy decision on 'tolerable' air concentration. <p>NH was requested to send round the summary paper that was sent to Defra.</p>	NH
8.	<p>Update from HSE</p> <p>SF provided an update on HSE activities in Craig Bell's absence.</p> <p><u>ACOP consultation</u> The ACOP consultation is now finished and HSE are currently working on integrating people's comments. It is anticipated that the ACOP will be released towards the end of year for downloading and printed copies available in the New Year. SF confirmed that the JIWG did not respond to the consultation.</p> <p><u>HSG 248</u> It is understood that a draft of HSG 248 will be ready for consultation in December 2013.</p>	
9.	<p>Update from Environment Agency</p> <p>Trevor Howard (TH) confirmed that he, SF and NH had met in early October along with members of DfT.</p> <p><u>Revised WM2 – version 3</u> TH confirmed that WM2 v3 was published on August 1st 2013. TH acknowledged that the revised version had created some debate amongst the contaminated land community and some queries have been fed back to the hazardous waste team. It was asked if there are parts that are not clear will the EA withdraw them? TH confirmed that there may be minor revisions to clarify issues however whole rewrites are more likely to be in 18 months – 2 years time.</p> <p>It was requested that NH send through the link to the new WM2 v3 document which TH encouraged people to read along with the annexes.</p> <p>TH confirmed that the EA approach to asbestos has not changed.</p> <p>TH acknowledged that there is still an outstanding action on the EA to issues raised in a paper prepared by SF on permitting inconsistencies that the JIWG was hoping to get clarification on from the EA. There appears to be inconsistencies between permitting requirements for EA and Local Authorities.</p> <p>It is important to try and finalise how the different legislative regimes inter-relate from a waste and permitting angle. SF started this process with a previous EA representative but this has not progressed.</p>	<p>NH</p> <p>TH</p>
10.	<p>Update on REACH</p>	

	<p>SF confirmed that we have now made contact with the REACH team in Defra, however they were unable to attend the regulators meeting, but they have committed to responding to the paper that SF had prepared on behalf of the JIWG. NH to follow up to obtain a response.</p>	NH
11.	<p>Update on CDG/ADR: DfT</p> <p>SF and NH confirmed that they have now made contact with DfT and the Vehicle Certification Agency (VCA) with representatives attending the regulators meeting in early October. VCA strongly recommended that further clarification on transportation of asbestos in soil is sought from Brussels as it is European Regulations (ADR) that are directly transposed into the Carriage of Dangerous Goods (CDR) Regulations that are regulated by DfT. VCA offered to support the JIWG on this. It was suggested that the JIWG seeks approval of special provisions for contaminated soils as the current regulations are not written to cover this. Currently the ADR regulations are very prescriptive in the type of dangerous good and how it is permitted to transport it. Asbestos is covered but not when it is mixed with soil. VCA suggested that it would be beneficial if a number of other European countries also worked together on this issue to demonstrate to Brussels that it is a widespread issue, even though some countries may have developed a pragmatic solution for dealing with transportation of soils contaminated with asbestos.</p> <p>NH to follow up with European contacts and discuss options. SF and NH to develop suitable wording to present to DfT. ADR meet every 6 months; the next meeting is believed to be in March 2014, so it would be timely to prepare something for submission to be discussed at the next meeting.</p> <p>SF confirmed to the JIWG that DfT and VCA representatives had been forwarded documents produced by ARCA and HSE regarding transportation of material for their information and comment.</p>	NH NH/SF
12.	<p>Update from UKAS</p> <p>UKAS representatives were unable to attend the meeting, however provided NH with an update.</p> <p>It was reported that the Asbestos Technical Advisory Committee (TAC) is planning to meet later in the year (date to be confirmed) and the UKAS Technical Assessors Group are due to meet on the 11th October 2013 to discuss the latest revision of Lab 30 – Asbestos Sampling and Testing. They will make recommendations of policy changes that will be passed to the TAC to discuss.</p>	
13.	<p>BOHS</p> <p>CW confirmed that BOHS has put on hold the development of any training modules until the JIWG work is nearer completion so they can work together with the JIWG.</p>	
12.	<p>Further Research</p> <p>SAGTA</p> <p>Unfortunately a SAGTA representative was unable to attend the meeting to confirm the areas that they as a group are looking to undertake research in.</p>	

	<p>NH confirmed that SAGTA hosted a workshop recently to discuss the issue of asbestos in soil. They highlighted a number of issues that they felt needed to be addressed. One area is to select candidate sites and to undertake air monitoring during remediation and to try and gather better quality site data.</p> <p><u>Background Levels in Soil and Air</u></p> <p>As part of the JIWG work, SF confirmed that a request had been put to Defra to fund a national background study of asbestos in soil and air study to help inform the JIWG work, this is currently being considered, this has been supported by the SoBRA submission as well (as reported earlier).</p>	
13.	<p>AOB</p> <p>As there was no further business the meeting was brought to a close for the afternoon workshop to begin.</p>	