



INFORMATION FOR ASBESTOS REMOVAL LICENCE HOLDERS

SAFEWORK NSW

FEBRUARY 2022

Disclaimer

This publication may contain information about the regulation and enforcement of work health and safety legislation in NSW. It may include some of your obligations under some of the legislation that SafeWork NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website www.legislation.nsw.gov.au

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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CONTENTS

| | |
|-----------------------------|----|
| Introduction | 3 |
| Asbestos Removal end to end | 4 |
| Getting Started | 5 |
| Prior to removal | 7 |
| Removal | 8 |
| Links to Key Resources | 11 |

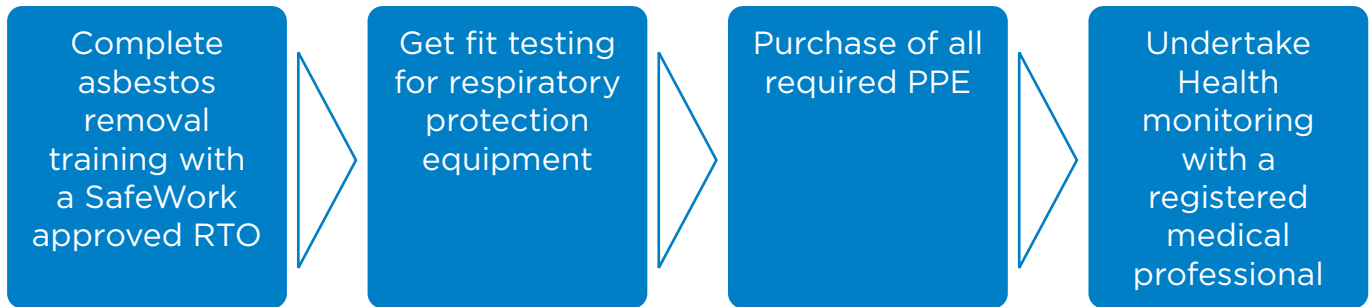
INTRODUCTION

As an asbestos removal licence holder, you have obligations as outlined in Chapter 8 of the [Work Health and Safety \(WHS\) Regulation 2017](#) which you must comply with to ensure the safety of your workers and the community and to meet the requirements of your licence.

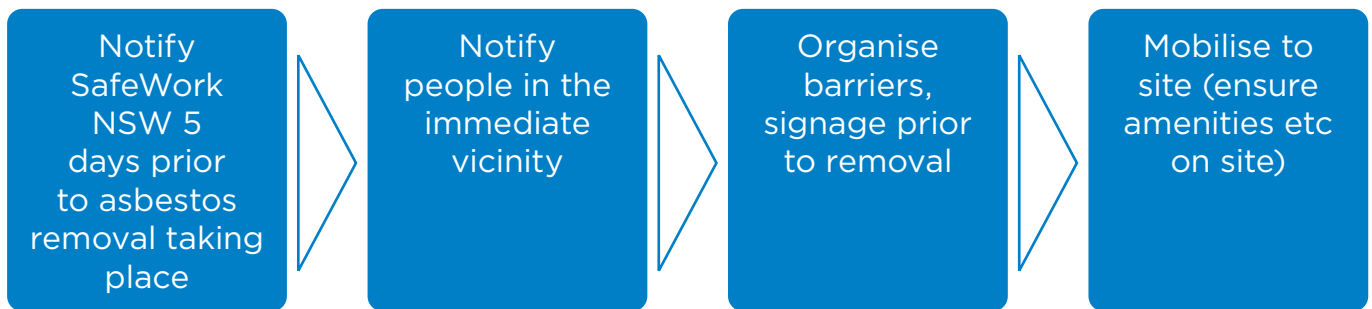
The information in this guide aims to provide new asbestos removal licence holders with an overview of your obligations as well as links to key resources and templates to ensure you are meeting the requirements of the WHS Regulation 2017 and therefore keeping yourself, your workers and the community safe from exposure to asbestos.

ASBESTOS REMOVAL END TO END

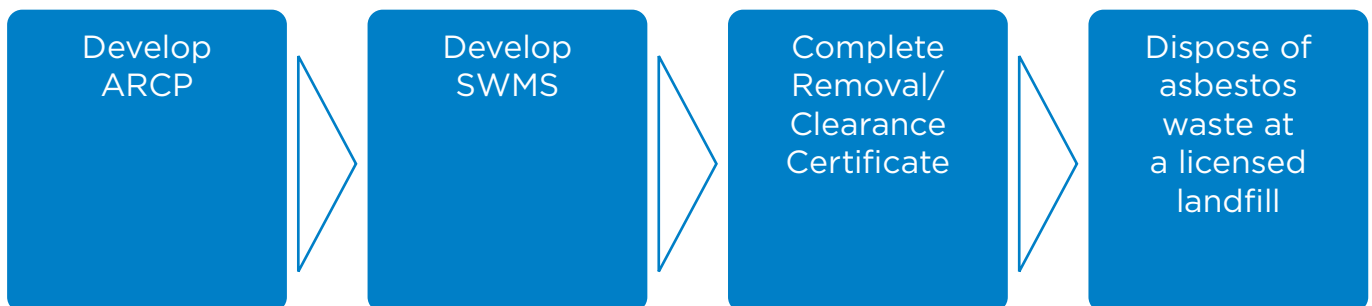
GETTING STARTED



PRIOR TO REMOVAL



REMOVAL



Every part of the process is important and will assist in preventing exposure to asbestos. Follow the *Asbestos and Demolition Checklist* for each job to ensure you don't miss anything.

GETTING STARTED

TRAINING

To apply for an asbestos removal or assessor licence, you must complete your training with a SafeWork approved registered training organisation and have the required experience to obtain a licence.

A licence holder must not direct or allow a worker to carry out licensed asbestos removal unless they are satisfied that the worker holds a certification that is relevant to the class of licensed asbestos removal work they will be carrying out.

All workers who are carrying out non-friable asbestos removal work under 10m² must have completed asbestos awareness training prior to any asbestos removal work being carried out. The content of the asbestos awareness training must include the identification and safe handling of, and suitable control measures for asbestos and asbestos containing material (ACM). Keep a record of the asbestos awareness training on site.



Non-disposable P2 cartridge respirator

FIT TESTING AND RESPIRATORY PROTECTION EQUIPMENT

Prior to carrying out any asbestos removal work you must have all the required PPE. You must get fit tested to ensure it fits correctly with proper seals to prevent exposure to asbestos. When it comes to respiratory protective equipment (RPE):

- You must always get advice from your RPE supplier or manufacturer that the respirator is the right one for the job you are doing (friable or non-friable).
- Make sure you get a fit test to ensure the respirator fits correctly before use. To find a fit testing consultant – visit www.respfit.org.au
- Check that your respirator and filters are in good condition. Inspect, clean, and maintain your RPE regularly by following the manufacturer's instructions and safe work procedures, to ensure it is working properly and is safe for reuse. Don't use RPE that has broken straps, damaged facepieces or has not been properly stored.
- Be clean shaven to ensure your respiratory protective equipment has an adequate seal on your face.
- If you have a beard, stubble or facial hair, you should use a loose-fitting powered air purifying respirator.



Loose-fitting hood suitable for Class B removalists with facial hair

- Do a fit check of the respirator
- Store reusable respirators in a sealable clean container away from dust and chemicals

PERSONAL PROTECTION EQUIPMENT (PPE)

The PPE you will need prior to commencing asbestos removal is listed below

1. Disposable coveralls (Type 5 Category 3), 1 size larger to prevent ripping at the seams
2. Safety Footwear (no laces)
3. Shoe covers/booties if footwear has laces
4. Gloves – single use disposable nitrile gloves
5. Respiratory protective equipment to AS/NZS 1716
6. Protective eye-wear

For more information on PPE see the [SafeWork NSW PPE video](#)

UNDERTAKE HEALTH MONITORING WITH A REGISTERED MEDICAL PROFESSIONAL

Part 8.5 of the WHS Regulation 2017 outlines the need for PCBU's to ensure that health monitoring is provided to workers who are at risk of exposure to asbestos when carrying out their work. This section of the Regulation also states that people working with asbestos must be informed of the health risks associated with exposure to asbestos.

Therefore, if you are an employer of asbestos removal workers or workers undertaking ongoing work with asbestos i.e. electricians or plumbers, you need to ensure you are fulfilling your obligations under the regulations and not only advising your workers of the health risks, but also providing them with health monitoring. [See here for more information on health monitoring.](#)

A copy of the health monitoring report must be provided to SafeWork NSW where the report contains:

- Advice that a worker may have contracted a disease, injury or illness, or
- Any recommendations that remedial measures be taken

Notifications of an adverse health monitoring report should be made using the [Notification of an adverse health monitoring report](#).

From 1 July 2020, a penalty applies for failure by a business (PCBU) to notify SafeWork NSW of an adverse health monitoring report.



Worker wearing full PPE holding an asbestos waste bag

PRIOR TO REMOVAL

NOTIFY SAFEWORK NSW

Engaged by homeowner, asbestos removalist or PCBU

Ensure all notifications of friable asbestos removal work and non-friable asbestos removal work greater than 10m² are made to SafeWork NSW five calendar days prior to the work commencing. Notifications can be lodged electronically using the [asbestos and demolition online notification system](#)

NOTIFY PEOPLE IN THE VICINITY

Prior to any licensed asbestos removal work being carried out, the licensed holder must inform, so far as is reasonably practicable the following people about the asbestos removal work and when it will commence:

- the person who commissioned the asbestos removal work
- a person conducting a business or undertaking at the workplace
- the occupier of the domestic premises
- the owner of the domestic premises
- anyone occupying premises in the immediate vicinity of the workplace (SafeWork recommends using [this form](#))

ORGANISE BARRIERS/SIGNAGE

Prior to work commencing asbestos removal work, the asbestos removal worker must ensure that asbestos warning signs are in place to alert people that asbestos is present and that asbestos removal work is taking place.

The asbestos removalist must also erect barricades around the asbestos removal area to prevent those not involved in the removal process from entering and being potentially exposed to asbestos.

MOBILISE TO SITE

Ensure the following:

- the site has amenities available for workers
- workers have been appropriately trained
- health monitoring has been undertaken
- services have been disconnected if required,
- hoses/water spray equipment are available,
- PPE, RPE, plastic and all required tools and equipment are on site



Asbestos hazard tape around removal area



Putting up asbestos warning signs prior to removal

REMOVAL

DEVELOP ARCP

A licence holder must prepare a site-specific ARCP prior to any asbestos removal work commencing. This document should identify the specific control measures a licence holder will undertake to ensure workers and other persons are not at risk when asbestos removal work is being carried out. [See SafeWork NSW approved ARCP template here.](#)

DEVELOP SAFE WORK METHOD STATEMENT (SWMS)

A licence holder must prepare a site-specific SWMS prior to any asbestos removal work commencing. The SWMS must identify the work that is high risk construction work for example falls from heights, electrical), and risks to health and safety associated with those hazards and describe the measures to be implemented to control the risks and describe how the control measures are to be implemented, monitored and reviewed. [See Code of Practice: Construction Work](#)

COMPLETE REMOVAL/ CLEARANCE CERTIFICATE

You must complete the asbestos removal in line with the [Code of Practice: How to safely remove asbestos](#)

For licensed asbestos removal work, there must be a nominated supervisor present whenever Class A (friable asbestos) removal work is carried out. A nominated supervisor must be present or readily available to attend the site when Class B (non-friable asbestos) removal work is being carried out.

As a licensed asbestos removalist, you must ensure that once asbestos removal work has been completed and before the workplace or residential property can be reoccupied, or any other work begins, that:

- a clearance inspection is carried out, and
- a clearance certificate is issued in writing.

Undertaking clearance inspections and issuing of clearance certificates for both friable and non-friable asbestos removal can be done as per the table below.

| Complete Clearance Inspection and issue Clearance Certificate | >10sqm Class B, non-friable asbestos removal | Class A, friable asbestos removal |
|---|--|-----------------------------------|
| Independent competent person | Yes | No |
| Independent licensed asbestos assessor (LAA) | Yes | Yes |



Asbestos Work area set up adjacent to decontamination area

To be considered independent the licensed asbestos assessor or competent person must:

- not be involved in the removal of asbestos for that specific job
- not be involved in a business or undertaking involved in the removal of the asbestos for that specific job.

Definitions

Competent person

A competent person is someone who has acquired through training or experience the knowledge and skills of relevant asbestos removal industry practice and holds the following:

- a certification in relation to the specified VET course for asbestos assessor work, or
- a tertiary qualification in occupational health and safety, occupational hygiene, science, building, construction, or environmental health

Asbestos assessor

Asbestos assessor licenses are required to provide air monitoring and clearance certificates in relation to friable asbestos removal work.

Clearance certificates must be issued by independent asbestos assessors for all friable asbestos removal work before a site can be reoccupied.

For non-friable asbestos removal work, clearance certificates may be issued by either a competent person or an asbestos assessor.

What does it mean to be independent when issuing a clearance certificate?

A clearance inspection is required at the completion of all licensed asbestos removal work, prior to reoccupation.

They can only be undertaken by a person who is independent of the asbestos removal work and who has acquired the relevant training or experience to undertake the work.

Persons undertaking asbestos clearance inspections MUST ensure they are independent of the asbestos removal work which means:

- they did not undertake the work, and,
- they are not involved in the business or undertaking that carried out the work.

If there is potential for a perceived conflict of interest you should consider that they are not independent. For example if the person is a relative, friend or there is an ongoing working relationship then this would not be deemed independent.

DISPOSE OF ASBESTOS WASTE AT A LICENSED LANDFILL

A licence holder must ensure that asbestos waste is contained and labelled in accordance with the Globally Harmonised System of Classification and Labelling of Chemicals (GHS) before the waste is removed from an asbestos removal area and is disposed of as soon as practicable at a site authorised to accept asbestos waste.

Facilities that can accept asbestos waste are located on the www.asbestos.nsw.gov.au



Goose necking asbestos waste for disposal at a site authorised to accept asbestos

Audits

As part of SafeWork NSW's commitment to keep workers safe, and to ensure the quality and integrity of all our approved asbestos removal licence holders, SafeWork NSW will conduct audits to strengthen capability within the industry. SafeWork NSW encourages you to use this opportunity to ask questions, receive guidance, and if non-compliance is discovered use this to strengthen your capability to ensure future compliance.

Renewal

Upon renewal a licence holder must provide with the application to renew, a detailed description of at least three (3) asbestos removal jobs carried out over the five-year term of the licence. The asbestos removal jobs provided must demonstrate the licence holder and nominated supervisor(s) competency in the asbestos removal work authorised by the licence. Any asbestos removal work not carried out by the licence holder or nominated supervisor(s) directly is not considered appropriate evidence to demonstrate competency to grant renewal.

The evidence of this experience should be provided as outlined in the experience table within the guide. Additionally, the licence holder must ensure that all nominated supervisor(s) details are updated and current at the time of renewal.

For further information about asbestos licence renewals please refer to the [Applicant guide for asbestos licenses and notifications](#).

Our approach to compliance

We undertake advisory, compliance monitoring and enforcement activities. The type of interaction depends on a range of factors. We recognise that every business faces different health and safety risks and has varied capabilities and willingness to comply with their WHS and workers compensation obligations. Our graduated approach to compliance and enforcement takes the level of risk, public interest and due diligence effort into consideration. SafeWork inspectors are guided by SafeWork Australia's National Compliance and Enforcement Policy.



HIGH RISK

- High public interest
- Potential or actual serious harm
- Serial offenders
- Unwilling to comply
- Capable of complying (has the knowledge, skills and resources) but choosing not to

COURT SANCTIONS

- Criminal proceedings
- Court orders

ADMINISTRATIVE SANCTIONS

- Enforceable undertakings
- Immediate suspension of licenses
- Suspension or cancellation of licences
- Warnings/cautions

VERIFYING AND SECURING COMPLIANCE

- Incident investigations
- Prohibition notices
- Penalty notices
- Improvement notices
- Audits
- Workplace inspections

LINKS TO KEY RESOURCES

- [Code of Practice: How to manage and control asbestos in the workplace](#)
- [Code of Practice: How to safely remove asbestos](#)
- [Code of Practice: Construction Work](#)
- [Asbestos and Demolition Checklist](#)
- [ARCP Template](#)
- [Fit Testing Consultants](#)
- [Health Monitoring](#)
- [Notifications of an adverse health monitoring report](#)
- [Notify SafeWork](#)
- [Notify people in the vicinity](#)
- [Asbestos Disposal](#)
- [Work Health and Safety Regulation](#)
- [Asbestos Licence Renewals](#)

FOR FURTHER INFORMATION

Web: www.safework.nsw.gov.au/asbestos

Phone: 13 10 50

Email: asbestosdemolitionservices@safework.nsw.gov.au

