

Attachment A

DoIR Guidance on Complying with the Asbestos Ban

This guidance is also located on the DoIR website and has links to the documents referenced in this advice. The URL is <http://www.doir.wa.gov.au/documents/PR-PTLA-PIP-102D.pdf>

National Prohibition on the Use of Asbestos

The use of asbestos and products containing asbestos is now prohibited in all workplaces in Australia including those in the upstream petroleum (Exploration and Production) industry. The prohibition was implemented under parallel state and territory legislation. The objective of the ban is to eliminate harmful exposure to asbestos and reduce future deaths and illness.

Petroleum Exploration and Production

In Western Australia the asbestos prohibition for upstream petroleum is by Direction for all State Coastal and Land areas. The Directions are issued to all titleholders under the applicable legislation:

- Petroleum (Submerged Lands) Act 1982
- Petroleum Pipelines Act 1969
- Petroleum and Geothermal Energy Resources Act 1967

Petroleum Exploration and Production

Currently, hazardous substances such as asbestos are controlled under safety case requirements as well as general occupational health and safety requirements. The national ban goes further and identifies all forms of asbestos as hazardous substances and specifically prohibits the use of asbestos and products containing asbestos.

What is meant by use?

Use means the production, handling, storage, transport or disposal of substances in the workplace and, in relation to chrysotile asbestos, includes the replacement of products containing chrysotile asbestos, but does not include carriage in the circumstances specified in the definition of 'use' in clause 4 of the National Model Regulations. The prohibition specifically applies to use in the workplace.

Using also means actively installing or replacing components with ones that contain asbestos.

What about asbestos products already in use?

The ban does not extend to any products containing asbestos that are fixed or installed and in use at the time that the ban takes effect. Examples include; gaskets, brake friction products, internal and external asbestos-cement sheet walls, lagging containing asbestos and other insulation materials. Asbestos may remain in place as long as the situation does not constitute a risk of exposure (Ref. 3) to workers.

These products may be left in place until they are disturbed or need to be replaced, at which time they must be removed or replaced with a non-asbestos alternative.

What is banned?

Asbestos and all products containing asbestos will be banned from being imported, exported, stored, supplied, sold, installed, used or re-used. Such products include brake pads and brake friction products, as well as gaskets and asbestos lagging and insulation products used in structures and buildings.

What about the Import and Export of Asbestos?

The prohibition specifically applies to the importation or exportation of asbestos or asbestos products for use.

Onshore Petroleum Activities

The Direction also applies to onshore petroleum exploration, drilling, production and transmission workplaces.

Where are asbestos products likely to be used in onshore petroleum?

Typically asbestos is found in a number of products or uses including in:

- compressed asbestos gaskets
- friction materials eg: brake pads and clutch linings
- thermal and acoustic insulation
- asbestos cement sheeting and meter boards
- high stress seals and as a filler in adhesives.

You will need to identify where you have asbestos products, if any and assess the hazard they present to people.

Do I need to remove asbestos-containing materials that are fixed or installed in my facility?

No, asbestos-containing materials or products that are fixed or installed, are in good condition, and do not pose a risk of exposure (Ref. 3) to personnel at the time the prohibitions come into effect may be left in place until their replacement is required. At that time, it will be necessary to replace these materials or products with a non-asbestos alternative.

What about vessels and MODUs?

The ban applies to all onshore and offshore facilities and vessels, including:

- Mobile Offshore Drilling Units (MODUs)
- Floating Production Storage and Offtake (FPSOs) vessels
- Vessels engaged in petroleum operations such as; diving, construction, pipe-lay etc..

Vessels built after 31 December 2003 must not contain asbestos or asbestos products. However, for facilities and vessels that already have asbestos or asbestos products that are fixed or installed and in use at the time that the ban takes effect (31-Dec-03), they can continue to operate provided they:

- Do not install or replace components with ones that contain asbestos
- Follow DoIR guidance on complying with the asbestos ban.

Visiting vessels and MODUs seeking entry to Australia will need to demonstrate that there is no significant risk to personnel from asbestos or any other hazardous substances they may contain, prior to being allowed to operate in WA waters or Commonwealth Adjacent areas. Any asbestos products must be left undisturbed. If asbestos products are disturbed they must be removed or replaced with suitable non-asbestos products in a way that does not expose the workforce to significant risk.

Vessels with marine crew only, are more likely to come under the requirements of Australian Maritime Safety Authority (AMSA).

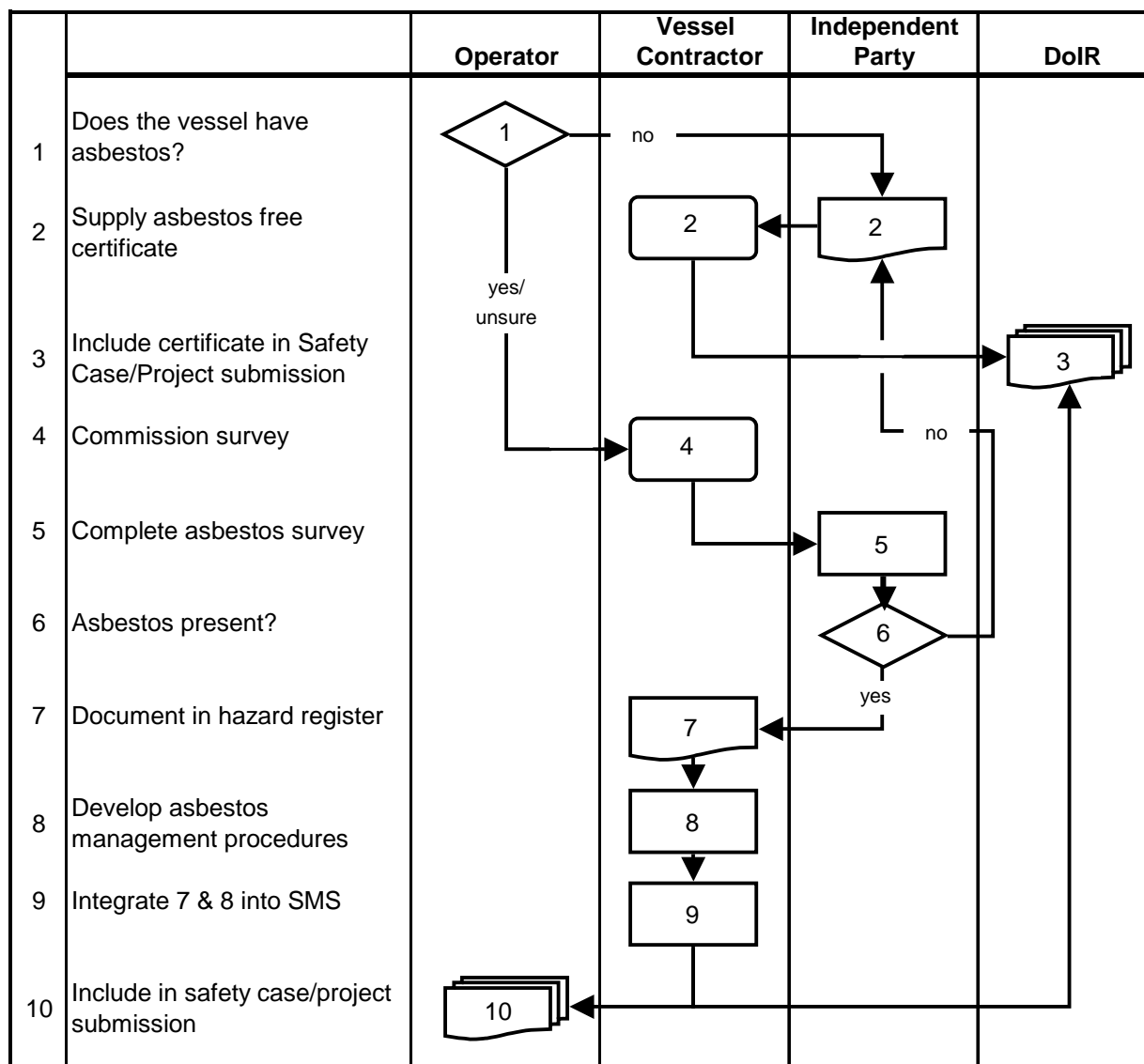
For vessels undergoing refit it may be prudent to have any asbestos removed (Ref. 4) whilst in the shipyard.

DoIR requirements including visiting vessels & MODUs

This provides guidance on how vessels and MODUs can comply with the asbestos ban. It applies to existing MODUs and vessels, already operating in Australia, as well those proposed for work in Australia. DoIR may seek a demonstration at any time to ensure that facilities are complying with the asbestos ban.

See the following flow chart for summary of DoIR requirements.

Flow Chart summarising DoIR requirements



Flowchart Steps

- 1 Does the vessel/MODU have/contain asbestos?**
Most new vessels/MODUs will not contain asbestos. This information should be readily available. The owners or operators of the vessel must provide definitive independent third party advice as to whether or not asbestos is present on the vessel.
- 2 Supply asbestos free certificate**
If the vessel/MODU is free of asbestos the owner/operator must provide an asbestos free certificate from an independent party. This may be from a classifying authority or another independent party as agreed with DoIR.
- 3 Include certificate in Safety Case/Project submission**
A copy of the asbestos free certificate must be included with the initial project or safety case documentation supplied to DoIR for assessment or review.
- 4 Commission survey**
If the vessel/MODU contains asbestos or the owner/operator is unsure of the status of the vessel/MODU with regard to asbestos they must commission an independent survey, if one has not been completed.

Where a survey has already or previously been completed the owner/operator must be able to demonstrate that the hazard register is current and control/management procedures are implemented through a management system. (See 8 & 9 below)

5 Complete asbestos survey

The survey may also require a nationally accredited organisation to conduct air sampling to identify airborne contaminants and concentrations. (See Ref. 3 & 5)

6 Survey identifies asbestos?

If the vessel/MODU is asbestos free then revert to 2 & 3 above. If asbestos is present then the owner/operator must continue through the following.

7 Document in hazard register

The report will identify where the asbestos is located and what types are present. It must also identify what risk exposure it poses to the workforce.

Where identified as a risk or potential risk asbestos must be included in the hazard register for the vessel/MODU.

8 Develop asbestos management procedures

These procedures must include:

- location of the asbestos hazard
- what controls (Ref. 6) are in place for maintaining the asbestos in an undisturbed state
- what to do if the asbestos is disturbed
- procedures for replacement and removal of out of service components containing asbestos and re-instatement using suitable non-asbestos alternatives
- how the workforce are informed of the hazard and controls
- what monitoring is required to ensure that the hazard is contained

9 Integrate 6 - 8 into Safety Management System (SMS)

The above procedures must be included in the management system and implemented. This may require additional training of personnel.

10 Include with safety case/project submission

The SMS is an integral part of the safety case or project documentation and must be included in the submission to DoIR for review and assessment.

General Information

For more general information, including specific exemptions, please see the **WorkSafe** web site: <http://www.docep.wa.gov.au/WorkSafe/>

References

The standards and codes of practice referred to in this guidance are from:

- Australian Safety and Compensation Council (ASCC)
(see link to ASCC <http://www.ascc.gov.au/>)

NOHSC References:

Ref. No.	Title	Web Link
1	NATIONAL MODEL REGULATIONS FOR THE CONTROL OF WORKPLACE HAZARDOUS SUBSTANCES [NOHSC:1005(1994)]	http://www.ascc.gov.au/NR/rdonlyres/F23EA1CD-33AE-478A-9363-BB0BD81EC64F/0/WorkplaceHazardousSubstancesmodel_regs_NOHSC1005_1994.pdf

Ref. No.	Title	Web Link
1 (cont..)	NATIONAL CODE OF PRACTICE FOR THE CONTROL OF WORKPLACE HAZARDOUS SUBSTANCES [NOHSC:2007(1994)]	http://www.ascc.gov.au/NR/rdonlyres/3D1B1AC-F-A627-48DF-8B19-8D56C91052BB/0/WorkplaceHazardousSubstances_COP_NOHSC2007_1994.pdf
2	GUIDELINES FOR HEALTH SURVEILLANCE [NOHSC:7039(1995)]	http://www.ascc.gov.au/NR/rdonlyres/481CF3F5-8C4B-4BCC-AF65-3FDBA031D43B/0/HealthSurveillance.pdf
3	ADOPTED NATIONAL EXPOSURE STANDARDS FOR ATMOSPHERIC CONTAMINANTS IN THE OCCUPATIONAL ENVIRONMENT [NOHSC:1003(1995)] GUIDANCE NOTE ON THE INTERPRETATION OF EXPOSURE STANDARDS FOR ATMOSPHERIC CONTAMINANTS IN THE OCCUPATION ENVIRONMENT [NOHSC:3008(1995)]	http://www.ascc.gov.au/NR/rdonlyres/317D25BA-E837-4F5B-AC65-24FE588888CA/0/ExposureStandards4AtmosphericContaminants_Nov06version.pdf http://www.ascc.gov.au/ascc/AboutUs/Publications/NationalStandards/GuidanceNoteontheInterpretationofExposureStandardsforAtmosphericContaminantsintheOccupationalEnviron.htm
4	CODE OF PRACTICE FOR THE SAFE REMOVAL OF ASBESTOS [NOHSC:2002(2005)]	http://www.ascc.gov.au/NR/rdonlyres/1A198A7C-D0A7-40AD-964E-31673C695E92/0/AsbestosCode.pdf
5	GUIDANCE NOTE ON THE MEMBRANE FILTER METHOD FOR ESTIMATING AIRBORNE ASBESTOS FIBRES [NOHSC: 3003(2005)]	http://www.ascc.gov.au/NR/rdonlyres/EBF8D7D0-A461-4A9F-BCA8-9BD70FC77882/0/MFM.pdf
6	CODE OF PRACTICE FOR THE MANAGEMENT AND CONTROL OF ASBESTOS IN WORKPLACES [NOHSC:2018(2005)]	http://www.ascc.gov.au/NR/rdonlyres/DB7C0238-F1D3-4EDE-B444-F7B751CE83FE/0/ManagementCode.pdf