Asbestos Containing Materials in Buildings to be Demolished

During previous revisions to the occupational health and safety legislation, asbestos requirements from the Alberta Building Code 1997 were transferred to the Occupational Health and Safety (OHS) Code. Consolidation of the asbestos provisions into one piece of legislation under the jurisdiction of one department was done at the request of stakeholders to simplify the requirements for users.

One of the requirements transferred dealt with the removal of asbestos from a building before demolition of the structure (Section 8.1.2.2 of the Building Code, Section 34 of the OHS Code).

Under the requirement in Section 34 of the OHS Code, all building materials containing more than 1% (by weight) asbestos must be removed prior to demolition. There are some exceptions to this:

- Where a material contains less than 1% (by weight) asbestos, but will release sufficient fibres to create a “restricted area”, the material must be removed prior to demolition. A restricted area is defined in Section 1(p) of the Occupational Health and Safety Regulation as an area of the work site where there is a reasonable chance that the airborne concentration of asbestos will exceed the occupational exposure limit.
- Vinyl floor tiles containing asbestos (with no asbestos backing and no asbestos containing leveling compounds or adhesives present) need not be removed prior to demolition. According to Alberta Environment, they do not require special handling as a hazardous waste;

- Vermiculite insulation contaminated with asbestos fibres must be removed even when it contains less than 1 percent by weight asbestos;

- Asbestos containing building materials may be left in place if an Acceptance from Section 34 has been granted.

Criteria for receiving an Acceptance from Section 34

Applications for Acceptances from Section 34 of the OHS Code, are evaluated using specific criteria. Acceptances will generally be granted where the application meets these criteria:

- Asbestos content of the specific material is less than 5% chrysotile
- Demolition will be done by machine
- Water will be used for dust control (this criteria may be waived if freezing will create a hazard to workers, however dust control must still be considered)
- Material is problematic to remove and removal would create more of a hazard to workers
- Alternative work procedures will provide equivalent or better protection to workers.

Procedure to Obtain an Acceptance from Section 34 of the OHS Code

1. Send a letter/email requesting an Acceptance from Section 34 of the OHS Code. The request must be in writing. The Workplace Health and Safety Contact Centre should be contacted for more information regarding where the request should be sent.
2. Provide a description of the project and rationale for why the asbestos should not be removed prior to demolition. The following information must be included in the application:

- name of company/organization requesting the Acceptance, including their full mailing address and fax number
- contact name for project
- name of site where the work will occur, including address
- date and duration of work
- description of the structure and material(s) involved
- detailed work procedures
- worker personal protective equipment
- air monitoring to be done
- waste disposal procedures
- decontamination facilities and procedures

The Acceptance granted will be specific to the company who applied and specific to the project described in the application. Generally, if the required information is included with the application for the Acceptance, it can be issued within 24 hours.

**Additional requirements**

Once an Acceptance is granted, the employer must comply with the requirements in the legislation that relate to the Acceptance and with any conditions included in the Acceptance.

Section 10 of the *OHS Regulation* requires an employer to:

- post a copy of the Acceptance at the work site;
- keep a copy or record of the Acceptance with equipment it applies to; or
- communicate the information in some other way appropriate to the workers who may be affected by it.

Typical conditions that may be attached to an acceptance from Section 34 of the OHS Code include:

- notification of Workplace Health and Safety 72 hours prior to the start of work,
- monitoring for asbestos fibres at the work site,
- use of dust control methods,
- ensuring that equipment and tools are properly decontaminated before leaving the work site,
• transportation of the demolition debris in a covered bin or truck to the waste disposal site,
• ensuring workers at the work site are provided with and use appropriate protective equipment and clothing, and
• protection of the workers who may be transporting the waste.

Additional conditions may be included depending on the nature and conditions of the work site.
Contact us:

Province-Wide Contact Centre

Edmonton & surrounding area: 780-415-8690
Throughout Alberta: 1-866-415-8690

Deaf or hearing impaired
- In Edmonton: 780-427-9999
- 1-800-232-7215 throughout Alberta

Getting copies of OHS Act, Regulation & Code:

Queen’s Printer

www.qp.gov.ab.ca

Workplace Health and Safety

http://employment.alberta.ca

Call any Government of Alberta office toll-free
Dial 310-0000, then the area code and telephone number you want to reach

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