

CONSOLIDATION OF ASBESTOS SAFETY REGULATIONS

R-016-92

AS AMENDED BY

This consolidation is not an official statement of the law. It is an office consolidation prepared by the Workers' Compensation Board of the Northwest Territories and Nunavut, for convenience of reference only. The authoritative text of regulations can be ascertained from the *Revised Regulations of the Northwest Territories, 1990* and the monthly publication of Part II of the *Northwest Territories Gazette*.

ASBESTOS SAFETY REGULATIONS

The Commissioner of the Northwest Territories, under section 22 of the *Safety Act* and every enabling power, makes the *Asbestos Safety Regulations*.

1. In these regulations,

"asbestos" means crocidolite, amosite, chrysotile, fibrous anthophyllite, tremolite, actinolite or any mixture containing any of these minerals;

"asbestos dust" means dust consisting of or containing asbestos fibres;

"asbestos process" means the handling of materials containing asbestos and includes:

- (a) sawing, cutting, sanding or spraying materials,
- (b) repair or maintenance of materials,
- (c) cleaning or disposal of materials,
- (d) mixing or applying asbestos shorts, cements, grouts, putties or similar compounds,
- (e) storage or conveyance of materials.

2. These regulations apply to every establishment.

3. No person shall use crocidolite in any asbestos process.

4. No person shall apply, by spraying, insulation materials containing asbestos.

5. (1) An employer conducting an asbestos process shall

- (a) provide each worker who may be exposed to asbestos with respiratory equipment designed for use in asbestos processes and that has been approved by the Canadian Standards Association;
- (b) provide each worker who may be exposed to asbestos with dustproof coveralls, gauntlets, eye protection and headgear;
- (c) ensure that, at all times during the asbestos process, ventilation and air filtering equipment is in operation and removing asbestos dust from the air;
- (d) enclose the work area to prevent the escape of asbestos dust;
- (e) post warning notices in prominent places indicating that an asbestos process is in progress;
- (f) ensure that, prior to disturbing any asbestos surface, the asbestos is soaked with water through its entire thickness;
- (g) where a safety officer is of the opinion that it is not practicable to comply with the requirements in paragraph (d), ensure that any asbestos surface is kept wet as it is being disturbed;
- (h) clean the work area surrounding an asbestos process thoroughly each day by vacuum equipment or a wet cleaning method approved by a safety officer; and
- (i) ensure that all asbestos materials, debris and dust are placed in sealed, airtight containers and clearly labelled "ASBESTOS".

(2) A safety officer may, in writing, exempt an employer from the requirements of paragraph (1)(a) where the safety officer is of the opinion that the nature of the asbestos process is such that the employer cannot, practically, comply with the requirements.

(3) An employer providing equipment under sub-section (1), shall dispose of the equipment after use or shall remove all traces of asbestos dust and shall store the equipment in an airtight container.

6. An employer conducting an asbestos process shall provide the following training to any worker who is likely to come in contact with asbestos:

- (a) demonstration and instruction in the use of all protective equipment;
- (b) the safe handling and proper disposal of waste asbestos;
- (c) health education including information relating to pneumoconiosis, lung cancer, mesothelioma and the effects of smoking;
- (d) any other information a safety officer considers necessary.

7. (1) Where an employer uses ventilation and air filtering equipment, the employer shall inspect and clean the equipment weekly.

(2) A safety officer may designate a person in the workplace to inspect any ventilation and air filtering equipment yearly to report to the employer on the condition of the equipment and the need for repair.

(3) An employer receiving a report recommending repair under subsection (2), shall complete the recommended repairs within 30 days of receipt of the report.

8. No person shall employ a minor where an asbestos process is being conducted unless

- (a) the process is conducted under constant supervision; and
- (b) the process has been inspected and approved by a safety officer.

9. (1) Within 30 days of receipt of a written request for a medical examination by a worker involved in an asbestos process, an employer shall arrange and pay the full cost of an examination by a physician.

- (2) The employer shall make arrangements for a medical examination that includes
- (a) a complete physical examination with special attention to the respiratory system;
 - (b) lung function tests including forced vital capacity and forced expiratory volume at one second; and
 - (c) any medical procedures considered necessary by the examining physician for the diagnosis of asbestos related illness.

(3) Upon written request by the Minister, a physician who has conducted an examination under subsection (2), shall provide the Minister with a report containing all information resulting from the examination.

(4) Every report provided under subsection (3) is a privileged communication of the person making it.