

## APPENDIX G – MANAGING ASBESTOS IN HOUSE FIRES

The following guide will assist Councils in managing the process and understanding the different roles when asbestos is suspected of being involved in small house fires. It was developed by [Local Government NSW](http://Local Government NSW).<sup>9</sup>



[lgnsw.org.au](http://lgnsw.org.au)

## MANAGING ASBESTOS WHEN BUILDINGS ARE DAMAGED BY SMALL SCALE FIRES GUIDANCE FOR NSW COUNCILS

This document provides an overview of the roles of various agencies in responding to small scale emergencies and incidents where asbestos risks must be managed following a fire. It applies to situations where asbestos has been identified or is assumed to be present.

**It is intended as a brief and general guide only.** Each situation should be assessed and treated for its particular circumstances in accordance with current legislation and more detailed guidance may be needed.

### Background

- + If a house was built or renovated before 1990, it probably has asbestos-containing materials.
- + Asbestos fibres can present a health risk when they are airborne and inhaled.
- + Although asbestos does not burn, it may be easily damaged during a fire, becoming friable, and can disperse into nearby areas.
- + Asbestos fibres released during a fire are mainly released through spalling.
- + Spalling occurs when the heat of the fire turns water inside the ACM to steam, creating a build-up of pressure which results in flakes of the material forcefully popping off.
- + Spalling asbestos is Friable. This can result in asbestos fibres dispersing in the air and sometimes, fire fighting water runoff can carry fine asbestos material.
- + Asbestos fibres can also be disturbed when a building collapses, is vandalised or inappropriately accessed after a fire.
- + The risk of exposure to asbestos can be reduced greatly if appropriate precautions are taken.

### Abbreviations

ACM	Asbestos Containing Material
EP&A Act	Environmental Planning and Assessment Act 1979 (NSW)
EPA	NSW Environment Protection Authority
FRNSW	Fire and Rescue NSW
LG Act	Local Government Act 1993 (NSW)
PCBU	Person conducting a business or undertaking
POEO Act	Protection of the Environment Operations Act 1997 (NSW)
PPE	Personal Protective Equipment
PVA	Polyvinyl Acetate

Scenario/ steps (may be concurrent)	Lead agency	Lead agency actions in managing asbestos may include
Extinguish fire	FRNSW is responsible for extinguishing the fire / responding at the sites impacted and taking precautions to minimise exposure to and the spread of any asbestos. Asbestos may have been spread to other locations and clean up may require assistance from different agencies as set out in this document.	<ul style="list-style-type: none"> <li>+ Isolate the area to prevent access.</li> <li>+ Use appropriate PPE.</li> <li>+ Minimise spread of asbestos.</li> <li>+ Decontaminate equipment or dispose of as asbestos waste.</li> <li>+ FRNSW may liaise with the council for example to request earth moving equipment or to locate an owner.</li> </ul>

<sup>9</sup>[https://lgnsw.org.au/common/Uploaded%20files/Asbestos/Managing\\_Asbestos\\_When\\_Buildings\\_Are\\_Damaged\\_By\\_Small\\_Scale\\_Fires\\_Nov\\_21.pdf](https://lgnsw.org.au/common/Uploaded%20files/Asbestos/Managing_Asbestos_When_Buildings_Are_Damaged_By_Small_Scale_Fires_Nov_21.pdf)

Scenario/ steps (may be concurrent)	Lead agency	Actions the lead agency make take in in managing asbestos may include
Treat asbestos risks	FRNSW	<ul style="list-style-type: none"> <li>+ Ensure the site is kept damp, especially while debris is being moved.</li> <li>+ Encapsulate the asbestos: Spray with coloured PVA glue as a temporary measure (not a long term solution).</li> <li>+ Warn the public of the asbestos risks at the site: e.g. barricade with barrier tape, warning signs, and other make safe arrangements.</li> </ul>
Handover the site	<p>Handover of the site will depend on the nature of the site:</p> <ul style="list-style-type: none"> <li>+ <b>FRNSW</b> handover to owner, occupier or person indicating they have control of the site.</li> <li>+ Handover may be to the <b>council</b>.</li> <li>+ For a crime scene, handover will be to the <b>NSW Police</b>.</li> <li>+ For a notifiable dangerous incident at a workplace, <b>SafeWork NSW</b> is the lead agency but would not receive handover of the site, this would be to either the <b>NSW Police</b> or the <b>PCBU</b>.</li> <li>+ Aboriginal housing, community housing and public housing are managed by <b>Department of Communities and Justice</b> while other properties may be managed by local Aboriginal organisations.</li> <li>+ For an emergency or significant incident, handover will be from the State Emergency Operations Controller (SEOCN) to the State Emergency Recovery Controller (SERCON) and Recovery Committee (formed by the SERCON). <b>Council, EPA</b> and <b>SafeWork NSW</b> will likely have a role.</li> </ul>	<ul style="list-style-type: none"> <li>+ Give a completed <i>FRNSW Site Handover Form</i>.</li> <li>+ Advise of the asbestos risk.</li> </ul>
Secure the site / affected areas	Individual, agency or authority that accepts the handover of the site.	<ul style="list-style-type: none"> <li>+ Warn the public of the asbestos risks at the site: Barricade with barrier tape, fencing, warning signs. (If signage is not sufficient to keep people out of the debris zone, consideration should be given to erecting a fence).</li> <li>+ The temporary closure of roads and public land may be necessary where ACM has been spread or has not yet been encapsulated or removed. Priority traffic areas may need to be cleaned. Evacuation of adjacent buildings due to asbestos contamination is rarely required.</li> <li>+ Other make safe arrangements as may be required at the time</li> </ul>

Scenario/ steps (may be concurrent)	Lead agency	Actions in managing asbestos may include
<p>Minimise risk from remaining structures</p>	<p>Council</p>	<ul style="list-style-type: none"> <li>+ Council can issue an order to demolish or remove a building as outlined in section 6.4 of the <i>Model Asbestos Policy</i>. ACM must be removed prior to demolition.</li> <li>+ Councils can also issue orders under s9.34 of the EP&amp;A Act (e.g. to demolish or repair a building or to install a structure around a building). Councils should bear in mind that the order can be appealed which may add time to the process.</li> </ul>
<p>Ensure person or company responsible for the site arranges clean up and manages any off-site public health risks</p>	<p>The consent authority or agency responsible for managing the site depends on the owner and occupiers of the land. The following agencies will have a regulatory role:</p> <ul style="list-style-type: none"> <li>+ Residential or non-worksite – <b>Council</b>.</li> <li>+ Fire or notifiable dangerous incident at a workplace – <b>SafeWork NSW</b>.</li> <li>+ Site licensed by the EPA or occupied by a public authority – <b>EPA</b>.</li> <li>+ Site owned by public authority and not occupied – <b>EPA and council</b>.</li> <li>+ Site owned by public authority and occupied by private residents – <b>EPA and council</b>.</li> <li>+ A derelict property – a <b>multi-agency</b> response may be required.</li> </ul>	<ul style="list-style-type: none"> <li>+ Council can issue a clean up, prevention, cost compliance or penalty infringement notice or an order to demolish or remove a building as outlined in sections 3.3, 6.1 and 6.4 of the <i>Model Asbestos Policy</i>. ACM must be removed prior to demolition.</li> <li>+ A clean-up notice can be issued by council or the EPA to the owner or occupier of a premises where the authority reasonably suspects that a pollution incident has occurred or is occurring (<b>Note – only the EPA can issue a clean-up notice to a public authority</b>).</li> <li>+ The EPA can bring proceedings for any environmental offence against the POEO Act, whether or not the EPA is the appropriate regulatory authority in relation to the offence (section 217(1) of the POEO Act).</li> <li>+ Councils can issue orders under s124 of the LG Act to protect public health and safety and the environment on both private and public land (e.g. fence land or cease conducting an activity).</li> <li>+ Councils can also issue orders under s9.34 of the EP&amp;A Act (e.g. to demolish or repair a building or to install a structure around a building). Councils should be aware that the order can be appealed – this may add time to the process.</li> <li>+ If the services of a Licensed asbestos assessor is to be engaged, request licence number and check on the SafeWork NSW website.</li> <li>+ Licenced asbestos assessor to assess the potential for off-site release of asbestos materials into the neighbourhood.</li> </ul>

# SUPPLEMENTARY INFORMATION (APPENDICES)

Scenario/ steps (may be concurrent)	Lead agency	Actions in managing asbestos may include
Ensure the licensed asbestos removalists are appropriately licensed and operating in accordance with the WHS legislation	<b>SafeWork NSW</b> For Federal land - <b>Comcare</b> is the regulator	<ul style="list-style-type: none"> <li>+ Special arrangements for large scale emergencies.</li> <li>+ Require a clearance certificate following asbestos removal.</li> <li>+ Air monitoring is required during clean-up and removal.</li> <li>+ Class A removalist required.</li> </ul>
Address public health risks from asbestos removal not requiring a licence	<b>Council</b> – for non-workers <b>SafeWork NSW</b> – for workers	
Regulate the transport and disposal of ACM	<b>EPA or council</b> – for transport from residential settings <b>EPA and SafeWork NSW</b> – for work sites	<ul style="list-style-type: none"> <li>+ Special arrangements for large scale emergencies.</li> <li>+ Illegally dumped materials may be investigated.</li> </ul>
Manage other possible hazards	All	<p>Manage any hazards such as:</p> <ul style="list-style-type: none"> <li>+ Damaged structures, sharp edges or protruding nails.</li> <li>+ Electrical wiring - If electrical lines are down, do not enter the area, ensure electricity supply has been turned off by a licensed electrical contractor or energy supplier.</li> <li>+ Illicit drugs and residue from such activity. Substances may have been absorbed into walls, floors, ceilings or fittings of a property or disposed of into yards or drains.</li> <li>+ Residues of copper-chrome-arsenate (CCA) treated timber.</li> <li>+ Lead hazards and risks to be considered.</li> </ul>

Scenario/ steps (may be concurrent)	Lead agency	Actions in managing asbestos may include
<p><b>Provide information to the community</b></p>	<p><b>Multi-agency</b></p> <p><b>EPA</b> – may provide advice in relation to transport and disposal.</p> <p><b>NSW Health</b> – may provide advice on health issues when there is the potential for public exposure to asbestos.</p> <p><b>Resilience NSW</b> – may provide information on recovery arrangements.</p> <p><b>NSW FACS</b> – provides information to tenants. For damage to suspected asbestos, report it to the Housing Contact Centre on <a href="tel:1800422322">1800 422 322</a> (24 hours a day, 7 days a week).</p> <p><b>SafeWork</b> – asbestos removal and assessor licensing.</p>	<ul style="list-style-type: none"> <li>+ Community meetings.</li> <li>+ Face-to-face.</li> <li>+ Letters.</li> <li>+ Media releases.</li> <li>+ Newspapers.</li> <li>+ Noticeboards.</li> <li>+ Signage.</li> <li>+ Social media.</li> <li>+ Website.</li> <li>+ Fact sheets.</li> <li>+ Talks to groups (e.g. school community).</li> </ul> <p>Information may include:</p> <ul style="list-style-type: none"> <li>+ Details of the emergency or incident.</li> <li>+ An overview of the recovery.</li> <li>+ How to avoid exposure to asbestos (for precautions for neighbours refer to section 7.2 of the <i>Model Asbestos Policy</i>).</li> <li>+ How to remove and dispose of asbestos containing materials.</li> <li>+ Any special arrangements.</li> <li>+ Contact details for further information.</li> </ul> <p>Some members of the community may perceive a greater risk from asbestos incidents than the actual risk and this needs to be considered in preparing communication.</p>

## Further Information:

- + [fire.nsw.gov.au](http://fire.nsw.gov.au)
- + [rfs.nsw.gov.au](http://rfs.nsw.gov.au)
- + [asbestos.nsw.gov.au](http://asbestos.nsw.gov.au)
- + [epa.nsw.gov.au](http://epa.nsw.gov.au)
- + [safework.nsw.gov.au](http://safework.nsw.gov.au)
- + [facs.nsw.gov.au](http://facs.nsw.gov.au)
- + [lgnsw.org.au](http://lgnsw.org.au)