

Preventing goods or materials containing asbestos being supplied in Queensland

Why are goods or materials that contain asbestos still being imported?

Asbestos is still widely used in some countries and although it is prohibited in Australia, sometimes goods containing asbestos make it into the country. Often this is because overseas manufacturers provide 'asbestos free' certification to importers which is incorrect or unreliable by Australian standards.

Overseas standards may classify goods 'asbestos free' if they have a low level of asbestos content, but in Australia, the asbestos content must be zero. Importers must be aware of these differing definitions and standards.

Work health and safety laws

All types of asbestos were prohibited in Australia from 31 December 2003. Work health and safety laws prohibit work involving asbestos including the supply, transport, use or handling of asbestos unless an exception applies (for example removal or transport of asbestos under environmental laws).

In Queensland, persons conducting a business or undertaking (PCBUs) must manage the risks posed by asbestos containing materials (ACM), including:

- a safe working environment without risks to health
- safe plant, structures and systems of work.

Importers and suppliers must carry out or arrange tests and examinations to ensure any imported plant, structure or substance is asbestos-free.

Customs laws

The prohibition of asbestos in Australian workplaces is complemented by customs laws which ban the importation of all types of asbestos and products containing asbestos, except under limited circumstances.

Asbestos and goods containing asbestos cannot be imported into Australia unless:

- the goods are raw materials that contain naturally occurring traces of asbestos
- it is 'hazardous waste' as defined by hazardous waste laws
- a Commonwealth Government ministerial import permission is granted for the purposes of research, analysis or display
- it is asbestos waste from an Australian external territory to be lawfully disposed of on the mainland
- it is part of a ship or resources installation of at least 150 gross tonnage and:
 - the asbestos was fixed or installed before 1 January 2005
 - the asbestos will not be a risk unless it is disturbed.

More information about asbestos importation is available on the Australian Border Force website abf.gov.au/asbestos.

Goods which could contain asbestos

Building materials - cement compound board, compressed asbestos sheeting (for example mill board), corrugated sheets, bitumen products used for damp-proofing, heat resistant sealing and caulking compounds, heating equipment, lagging, switchgear with washers, electrical panel partitioning, electrical cloths and tape.

Motor vehicles/bikes and parts - particularly gaskets, seals and friction materials (brake linings or blocks, clutch linings).

Mining/heavy industry equipment - including pre-assembled switch rooms, flash vessels, effluent treatment equipment, various gaskets, joining material in flues, washers and friction materials.

Ships and resources installations in excess of 150 gross tonnage - resources installations, ships, barges and tugs may have electrical panel partitioning, insulation for bulkheads, pipes and cables and manhole gaskets.

Trains/locomotives - insulation applications around the exhaust and muffler systems as well as pipe systems.

Testing to ensure imported materials do not contain asbestos

The importer and supplier must ensure goods do not contain asbestos. Customers can reasonably expect the supplier to provide evidence (as outlined below) that the material or product does not contain asbestos.

If you receive imported goods or materials from a supplier within Australia, you can ask the importer or supplier for evidence the goods or materials are asbestos free, for example a test analysis certificate that complies with the standards specified.

If you are sourcing imported goods from outside Australia, you should seek confirmation from your suppliers that the supply chain is assured and that products and materials do not contain asbestos.

The only way to be certain a material or product does not contain asbestos is for a sample to be analysed by a laboratory accredited for asbestos identification. Accredited laboratories can be found at nata.com.au/accredited-facility.

Testing options for importers:

Option 1:

- Arrange for a competent person* to sample the goods or materials for testing by a laboratory prior to shipping to Australia. The laboratory can be in the country of origin of the material if it meets the following standards:
 - it is accredited for compliance with ISO/IEC:17025, and
 - it uses test method AS 4964-2004 Qualitative identification of asbestos type in bulk samples by polarised light microscopy including dispersion staining techniques, or
 - it follows British method HSG248 - Asbestos: The analysts' guide for sampling, analysis and clearance procedures, the USA NIOSH Method 9002 Qualitative identification of asbestos type in bulk samples, the USA OSHA Method ID-191 Polarised Light Microscopy of Asbestos, or the USA EPA Method 600/R-93/116 Method for the Determination of Asbestos in Bulk Building Materials, which are all very similar to AS 4964-2004, or

- it uses another method equivalent to AS 4964-2004.

*The person doing the sampling should have experience in sample collection. A specific qualification or licence is not required. An example of a sampling methodology can be found in the *How to Manage and Control Asbestos in the Workplace Code of Practice 2011*. Samples should be packaged in such a way to prevent the release of fibres, double bagged in 200 micrometre thickness sample bags or wrapping, labelled and secured within an outer rigid packing container.

Option 2:

If the country of origin of the material does not have a laboratory that meets the above standards, the importer should, prior to shipping the goods or materials to Australia, arrange for a sample to be sent to an Australian-based laboratory that meets the above Australian standards and has an import permission allowing the importation to Australia of samples suspected of containing asbestos.

Importers must apply to the relevant Australian Government Minister for an exemption to import asbestos for the purpose of analysis. For application information, contact the Asbestos Safety and Eradication Agency enquiries@asbestossafety.gov.au.

A list of companies that have applied for permits to analyse possible asbestos content and who can be engaged to test imported samples, can be found at: asbestossafety.gov.au/current-permits-import-asbestos-containing-materials-australia.

More information on how to apply for a permit to import suspected ACM for the purpose of testing in Australia can be found at: asbestossafety.gov.au/testing-goods-or-materials-asbestos-australian-laboratories.

Option 3:

For materials that have already arrived in Australia, importers, suppliers and customers can arrange for a competent person to sample the material and the sample to be sent to an Australian-based laboratory that:

- is accredited for compliance with ISO/IEC:17025
- uses test method AS 4964-2004 Qualitative identification of asbestos type in bulk samples by polarised light microscopy including dispersion staining techniques.

Additional testing method information

In some cases, the laboratory will be able identify that mineral fibres are present, but may not be able to identify if the fibre is asbestos.

If the test analysis is uncertain regarding asbestos content, you must either:

- assume asbestos fibres are present and manage the product as an asbestos containing material, or
- have the samples analysed using electron microscopy.

Test analysis certificates

All test analysis certificates must:

- include a statement that the laboratory complies with ISO/IEC:17025 and state the test method used
- state if asbestos is present, including the type of asbestos, or state no asbestos detected when no asbestos has been detected
- state the limit of detection of the analytical method
- state if unknown mineral fibre/s were identified
- have a batch number or unique identifier such as a serial number to identify the goods or materials tested.

NATA-accredited laboratories in Australia and internationally accredited laboratories, are listed at nata.com.au.

What to do if you have unintentionally imported, supplied or received ACM?

Stop using the product containing asbestos and do not supply the product to others.

Contact Workplace Health and Safety Queensland on 1300 362 128.