Response: M Dunbavan

List of questions for submissions

Thresholds and screening levels

Question 1: What factors should be considered when deriving a threshold or screening level for asbestos in recovered fines and material for beneficial reuse?

In the context of professional services related to contaminated land, the Responder suggests that asbestos impacted material in which the asbestos has the potential to become air-borne (that is, it is friable) should be precluded from inclusion in recovered fines or any other beneficial reuse outside the source site of that material. The intention is to stop unnecessary increase in extent of asbestos impacted fill.

Impacted material in which the asbestos has minimal potential to become friable may be suitable for reuse in commercial / industrial exposure settings where a cover layer is included (for example, a ground floor concrete slab, or a layer of suitable fill material). The presence of such asbestos impacted material must be clearly identified in an asbestos register for the site / premises.

Asbestos waste management at recycling facilities

Question 2: Can you provide any data on annual volumes of C&D waste being recycled or alternatively sent to landfill? Data on rejected loads due to asbestos presence and any other data related to all TOR items is welcomed.

No – The Responder is not able to provide such data.

Question 3: Can you provide any other information on the potential presence of asbestos in recycled C&D material?

i. Information on the methods of separating and removing asbestos from waste that can inform alternative approaches?

ii. What reuse scenarios are there for recycled waste, including end-products and their use?

No – The Responder is not able to provide such data.

Question 4: While this section focuses on C&D waste, are there other waste types which are suitable for beneficial reuse which have the potential to be contaminated with asbestos?

None to the best of the Responder's knowledge.

Management of asbestos in soil

Question 5: Is it appropriate for the health screening levels for asbestos in soils to apply to asbestos in waste? Note that the threshold level in this instance refers to a level where further action is required.

Why or why not?

In the context of professional services related to contaminated land, the Responder suggests that asbestos impacted material in which the asbestos has the potential to become air-borne (that is, it is friable) should be controlled to mitigate exposure of potential receptors (that is, workers involved in activity which disturbs asbestos impact material). The issue is not the assigned screening levels, but the potential health risk posed by exposure to asbestos impacted material to potential receptors.

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Question 6: Health screening levels are not the only tool used for managing asbestos in soils. If threshold levels in soils are applied to asbestos in **waste for beneficial reuse**,

i. what other tools can support managing asbestos in waste for beneficial reuse?
ii. what would be the limitations, costs or feasibility of safely removing asbestos in waste?
iii. are there certain scenarios where recycled C&D material should not be reused?
iv. are there certain scenarios where reuse of recycled C&D material could result in land legacy issues?

As stated previously, in the context of professional services related to contaminated land the Responder suggests that asbestos impacted material in which the asbestos has the potential to become air-borne (that is, it is friable) should be controlled to mitigate exposure of potential receptors (that is, workers involved in activity which disturbs asbestos impact material). The issue is not the assigned screening levels, but the potential health risk posed by exposure to asbestos impacted material to potential receptors.

Standards and guidelines for asbestos in waste

Question 7: Are there other standards or guidelines that would be applicable for managing asbestos in waste for beneficial reuse that can be provided?

The Responder has no comment to this question in the context of professional services related to contaminated land.

Question 8: Should the approach in the WA guideline (*Managing asbestos at construction and demolition waste recycling facilities*), be implemented in NSW and if so, why or why not?

i. Are there other factors that should be considered if the WA Guideline is to be implemented?
ii. Is there an alternative approach that could be considered?

The Responder has no comment to this question in the context of professional services related to contaminated land.

Sampling and analysis

Question 9: Apart from AS4964 and ASC NEPM, are there other sampling and analysis methods for detecting and quantifying asbestos in waste materials or recycled products that are being received and processed at recycling facilities?

i. Are you aware of any other methods/processes for sampling and analysis of asbestos that the Review should consider? If so, please provide details and basis for their relevance to this Review.
ii. How reliable and accurate are these methods in ensuring that recycled waste is not contaminated?

The Responder has no comment to this question in the context of professional services related to contaminated land.

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Risk-based approaches for managing asbestos in waste

Question 10: Would a through-chain approach to managing asbestos in waste, where each business looks to minimise or eliminate the risk from asbestos in waste for beneficial reuse, work?

i. What elements would be part of the system/approach?

ii. What would be the advantages/disadvantages of such a system?

As an "end user" of such a possible management system, the reliability of information provided to "consumers" is fundamental. The end-user or consumer must be in a position where reliance on information from such a management system does not imply responsibility or liability for the acceptance of such material. If such reliance is not provided by regulation, then the value of any such management system would be worthless.

The contribution of each business in the chain has the potential to expose more individuals to asbestos impacted material which is not identified immediately, that is, at the first step in the management process. Assessment of potential harm should be approached on a "life-cycle" basis rather than step wise.

Question 11: Are there other risk-based approaches to managing asbestos in waste for beneficial reuse?

The Responder has no comment to this question.

General

Questions 12: Is there any further information you would like to provide the Review to assist us with in responding to the Terms of Reference?

The Responder suggests that "asbestos in waste" and "asbestos in soil" are two distinct issues, but related by the potential health risk posed by human exposure to potentially respirable fibres of asbestos.

The Responder considers that asbestos impact in soil as a legacy issue is not addressed satisfactorily in this Discussion Paper because current controls do not give appropriate weight to retention of asbestos impacted soil in its present location. Relevant control of human health risk is required, but differences in regulatory "standards" cause unnecessary complication for cost-effective management of this issue.

The opinions presented above are those of the Responder as an individual, and do not necessarily represent the opinions of his employer Tetra Tech Coffey Pty Ltd.

Respondent: Dr Michael Dunbavan, NSW EPA accredited site auditor (number 0804)

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