FILE NAME: Asbestos Sacks and Bags (ASB)

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Copy also sent to Mr. C.M. Fenton, B.B.A. Group Ltd.

SH/HS

16th November, 1967.

Dr. R. Gaze,
The Cape Asbestos Co. Ltd.,
114/116, Park Street,
LONDON W.1.

Dear Dr. Gaze,

Preliminary Draft of the Docks Regulations

I enclose herewith extracts from the above Regulations which affect the handling of asbestos.

It has been suggested that the Asbestosis Research Council should comment on the implications of these Regulations and I attach for your approval a draft letter prepared by Mr. Atkinson and myself.

The Asbestos Fibre Importers Committee has made a separate reply and a copy of this is also enclosed.

Yours sincerely,

S. Holmes.

Encl.

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To:- Mr. J. Waddell

16th November, 1967

Copies :- Dr. R. Case,
Mr. C.M. Fenton.

For information :- Mr. J.M. Atkinson.
Mr. M.F. Howe.

Preliminary Draft of the Docks Regulations

I enclose herewith extracts from the above Regulations which affect the handling of asbestos.

It has been suggested that the Asbestosis Research Council should comment on the implications of these Regulations and I attach for your approval a draft letter prepared by Mr. Atkinson and myself.

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S. Holmes.

Encl.

SH/HS

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Extract from Draft Statutory Instruments, The Docks Regulations 196. Preliminary draft August, 1967

PART VI

DANGEROUS GOODS

Notifications

72. - (1) Before the unloading of any dangerous goods from any ship is commenced, the master or officer in charge of the ship shall furnish the employer of the persons who are to carry out the unloading with a statement in writing identifying the goods and specifying the nature of the danger to which they give rise and to which of the categories set out in Sechedule 2 to these Regulations the goods belong.

(2) Before the loading of any dangerous goods into any ships is commenced, the shipper shall furnish either the employer of the persons who are to carry out the loading or the port authority for the place in which the loading is to be carried out with such a statement as aforesaid and in the latter case that authority shall forthwith upon receipt of the statement communicate its contents to the employer of the persons who are to carry out the loading.

Appointment of competent person

73. Every employer of person employed in the processes shall on the coming into operation of these Regulations and from time to time appoint a sufficient number of competent persons for the purposes of this Part of these Regulations and for the purpose of advising persons employed of the nature of the danger to which any dangerous goods they may be required to handle may give rise, of the precautions to be taken in connection with the handling of such goods and of the emergency measures to be taken in the event of any accident in connection with the handling of such goods.

Loading and unloading of packages and containers of dangerous goods

76. (1) Mats, sling nets, boxes, high-sided pallets or other suitable equipment shall be provided and used in the loading and unloading of packages and containers of dangerous goods so as to reduce as far as practicable the risk of such packages or containers being broken or damaged.

(2) Where packages or containers of dangerous goods are broken or are damaged to such an extent as to cause danger from the goods to persons employed -

(a) all practicable measures shall be taken forthwith to safeguard those persons, including where necessary the immediate vacation of any area; and

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(b) any leaks or spills shall be cleaned up as soon as practicable by or under the supervision of a competent person appointed under Regulation 73 who, together with any person working under his supervision, shall be provided for the purpose of the work with proper equipment and suitable protective clothing.

Asbestos

78. - (1) No asbestos shall be loaded, unloaded or handled unless it is securely packed in impermeable bags or containers and mechanical means are used for the loading, unloading or handling so as to reduce the risk to person employed from asbestos dust.

(2) Effective measures shall be taken to ensure that bags or containers of asbestos are loaded, unloaded and handled in such a way that they are not damaged.

(3) Where asbestos dust is given off in the course of loading, unloading or handling asbestos to such an extent as to be likely to be injurious to the health of persons employed, all practicable means shall be provided and used to prevent those persons inhaling asbestos dust.

(4) The method of cleaning any hold which has contained asbestos shall be such that it does not raise dust.

PART VII

HEALTH - MISCELLANEOUS PROVISIONS

Protection against danger from dust, etc.

84. Goods which may give off during handling any dust or fume or other impurity to such an extent as to be likely to be injurious, to the health of persons employed shall not be loaded or unloaded unless effective measures have been taken to ensure either -

(a) that the goods are safe to handle; or

(b) that persons employed are protected from the danger involved in handling the goods.

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Regulation 72

SCHEDULE 2

Categories of dangerous goods

1. Explosives.
2. Gases: compressed, liquefied or dissolved under pressure.
3. Inflammable liquids.
4. Inflammable solids.
5. Inflammable solids or substances liable to spontaneous combustion.
6. Inflammable solids or substances which in contact with water emit inflammable gases.
7. Oxydising substances.
8. Organic peroxides.
9. Poisonous (toxic? substances.
10. Infectious substances (other than those specified in paragraph 14).
11. Radio-active substances.
12. Corrosives.
13. Asbestos.
14. Goods liable to be infected with anthrax -

    Cashmere, raw or dehaired,

    goat hair,

    mohair,

    horsehair,

    alpaca,

    camel hair,

    wool exported from Iran, Iraq, Saudi Arabia, India, Pakistan, Egypt, the People's Republic of China, the Mongolian People's Republic, or any Persian Gulf port.

    Persian locks, that is to say, cuttings and fallings separate from the fleece from Iran, Iraq, Saudi Arabia, Kuwait, or exported from any Persian Gulf port,

    dry and dry-salted raw hides or skins imported from Africa, (including Madagascar), Asia (including Japan and the Malay Archipelago), or South America,

    bones,

    bone-meal.

15. Other dangerous substances.

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DRAFT NO. 1

Miss J.C. Allen,
Ministry of Labour,
H.M. Factory Inspectorate,
Baynards House,
1-13, Chepstow Place,
Westbourne Grove,
LONDON W.2.

Dear Miss Allen,

Preliminary Draft of the Docks Regulations.

We have studied the provisions of the Preliminary Draft of the Docks Regulations dated August, 1967, as far as they affect the handling of asbestos cargoes in British ports and would like to put forward for your consideration the following comments:-

1. To avoid confusion with the many other forms in which asbestos might be handled in the Docks, it should be made clear that the Regulations only apply to asbestos in loose, fibrous form and are not intended to cover asbestos products in general. It would, therefore, be helpful if asbestos were defined for the purpose of these Regulations as follows:-

'Asbestos means any naturally occurring fibrous silicate mineral or any dry unbonded admixture containing any such mineral whether crude crushed or opened'.

2. It is not considered that asbestos should be included in the list of Dangerous Goods in Schedule 2. Asbestos is not dangerous, per se, in the sense that accidental mishandling of a bag or container could be catastrophic. The only danger which can ensue is that due to the release of respirable dust containing asbestos and if this happens, momentary exposure is not generally considered hazardous. If asbestos is deleted from Schedule 2, then the provisions of Part VI of the Regulations will not apply.

3. The suggestion in paragraph 2 above is not meant to imply that no reference to asbestos should be made in the Regulations. It is our view that the handling of the

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Miss J.C. Allen
Ministry of Labour, London W.2.

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material can well be covered by Part VII of the Regulations (Health - Miscellaneous Provisions), as the possible hazard is exactly as described in Regulation 84. The specific reference to asbestos could then be made by transferring Regulation 78 from Part VI to Part VII, inserting it immediately after Regulation 84.

We hope that the above comments will be helpful to you and look forward to having your observations.

Yours sincerely,

S. Holmes, Secretary,
Asbestosis Research Council.

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Copy of a letter received from the Asbestos Fibre Importers Committee.

6th October, 1967.

Miss J.C. Allen,
Ministry of Labour,
H.M. Factory Inspectorate,
Baynards House,
1-13, Chepstow Place,
Westbourne Grove, W.2.

Dear Miss Allen,

A meeting of the Asbestos Fibre Importers Committee was held yesterday to discuss the Preliminary Draft of The Docks Regulations, and the members present felt that from the items listed under Schedule 2 (Catagories of dangerous goods) and the overlapping of paragraphs 76 and 78, it is evident that there is no case for Asbestos Fibre to be included under the heading of Dangerous Goods.

The A.F.I.C. feel that Part VI is therefore very misleading and suggest that an additional Part should be included, headed "Other goods to be given special consideration". The heading "Asbestos" under this Part should be worded as follows, in view of the overlapping of the existing Sections 76 and 78 :

(1) No asbestos shall be loaded, unloaded or handled until it is securely packed in impervious bags or other impermeable packages. When practicable, mechanical means are to be used for loading, unloading and handling so as to reduce the possibility of dust.

(2) Measures shall be taken to ensure that bags or packages of asbestos are loaded, unloaded and handled in such a way that they are not damaged.

(3) Where asbestos dust is given off in the course of loading, unloading or handling asbestos, all practicable means shall be provided and used to prevent thos persons employed from inhaling asbestos dust.

(4) The method of cleaning any hold which has contained asbestos shall be such that it does not raise dust.

Natually I look forward to receiving your comments on the above as soon as possible.

Yours sincerely,

(signed).....
W.J. Brasier