

Director Order

WHEREAS, under subsection 21(1) of the *Occupational Health and Safety Act*, a Director may allow a person or class of persons to vary from any provision of the *Occupational Health and Safety Code* if the Director is satisfied that no person's health or safety is materially affected by the allowance,

AND WHEREAS, under subsection 21(2) of the *Occupational Health and Safety Act*, the Director may impose any terms or conditions in connection with the allowance that the Director considers necessary, and those terms and conditions are part of the allowance,

AND WHEREAS section 34 of the *Occupational Health and Safety Code* includes provisions pertaining to removal of materials with the potential to release asbestos fibres prior to demolition of a building,

AND WHEREAS removal of materials with the potential to release asbestos fibres prior to demolition of a building may pose additional hazards that can place a worker's health and safety at risk when the structural integrity of a building is or may become compromised,

AND WHEREAS alternative controls that can protect the health and safety of workers and other persons in the vicinity of a work site are available,

AND WHEREAS I, Matthew Rogerson, a Director designated under the *Occupational Health and Safety Act*, am satisfied that no person's health or safety is materially affected by allowing for a variance of the requirements under section 34 of the *Occupational Health and Safety Code* as provided for in this allowance,

I hereby order that:

- 1 If a professional engineer certifies that the structural integrity of a building is or may become compromised and create a hazard to workers if they enter the building to remove materials with the potential to release asbestos fibers, an employer may demolish the building without first removing those materials provided the employer meets the terms and conditions set out below.

This order and allowance apply to the following persons or class of persons:

1. Any employer to which section 34 of the *Occupational Health and Safety Code* applies where a professional engineer has certified that the structural integrity of a building is or may become compromised and create a hazard to workers if they enter the building to remove materials with the potential to release asbestos fibers.

This order and allowance are subject to the following terms and conditions, which are part of this allowance:

- 1 If a building is demolished under this order and allowance, the employer must ensure that:
 - (a) a work perimeter is established around the building consisting of fencing or other barriers, which includes signage indicating the presence of an asbestos hazard, and waste receptacles and equipment used for the demolition are located inside the work perimeter,
 - (b) when demolition and demolition debris cleanup is occurring, workers within the work perimeter wear, at a minimum, half-facepiece air purifying respiratory protective equipment equipped with N100, R100 or P100 cartridges,
 - (c) demolition is done by powered mobile equipment,
 - (d) the portion of the building including content and debris within the work area undergoing demolition is saturated with water during the demolition work. If temperatures at the work site are or have the potential to be below zero degrees Celsius during demolition, an employer may use alternatives other than water for dust control,
 - (e) demolition is stopped if wind speeds including gusts exceed 20 kilometres per hour,
 - (f) on the days demolition is occurring, air monitoring is conducted by a competent person, which at a minimum includes
 - (i) one personal sample collected from a worker inside the work perimeter who may be exposed to dust from demolition debris, and
 - (ii) one area sample collected from the downwind side of the work perimeter,
 - (g) results of the air monitoring in clause (f) are available at the start of the next workday,
 - (h) demolition is stopped until work procedures are reviewed and adjusted if air monitoring results show that airborne asbestos fibres are detected at or above
 - (i) 50 per cent of the occupational exposure limit for asbestos for a personal sample, or
 - (ii) 10 per cent of the occupational exposure limit for asbestos for an area sample,
 - (i) if demolition is stopped, controls are in place to prevent the release of asbestos fibres,
 - (j) demolition debris is handled as asbestos waste as defined by the *Occupational Health and Safety Code*,
 - (k) a waste disposal site or landfill to which the demolition debris is sent is informed in advance that the material is considered asbestos waste as defined by the *Occupational Health and Safety Code*,
 - (l) if the building's foundation is not demolished or if it is to be recycled, it is cleaned and sealed with an encapsulant after the demolition debris is removed, and
 - (m) equipment used for the demolition is decontaminated before it leaves the work perimeter.

This order and allowance come into effect on January 16, 2023. This order and allowance shall be effective for a period of five (5) years from the effective date, unless varied, suspended or revoked under subsection 21(5) of the *Occupational Health and Safety Act*.

This order and allowance may be varied, suspended or revoked by a director at any time.

The terms and conditions of this allowance are enforceable and must be followed if the allowance is used: as per subsection 21(4) of the *Occupational Health and Safety Act*, a person or class of persons to whom this order and allowance applies shall ensure that this allowance or the original legislative requirement is complied with. All other requirements of the occupational health and safety legislation must continue to be met.

DATED at Edmonton, Alberta this 16th day of January, 2023.



Matthew Rogerson
Director, Occupational Health, and Safety