

**POTENTIAL RISK OF EXPOSURE TO AND SPREAD OF
ASBESTOS CONTAINING MATERIAL FOLLOWING
FLOODING IN PARTS OF ENGLAND AND SCOTLAND**

HSE Pro-Active Response to Assist Dutyholders

The recent severe flooding in parts of England and Scotland is likely to result in greater numbers of buildings needing urgent repairs. From previous flood events HSE is aware that those repairs are likely to be associated with more licenced asbestos removal work and requests to waive the statutory notification period. Following the severe flooding in Cumbria in November 2009, it was not until the following January 2010 when properties were sufficiently dried out for repair work to commence. Taking this as a benchmark, it may be February 2016 before work commences on damaged properties across the North of England and Scotland; however some emergency work may start sooner.

In order to assist dutyholders in planning for this work, HSE has temporarily simplified the waiver process in order that large amounts of essential remediation work can be carried out without delay.

The following actions have been agreed with ALU and will be applied for six months after the flooding and reviewed after that (by ALU and the Chief Inspector of Construction).

- The requirement for positive confirmation from HSE that a waiver has been granted will be relaxed where 48 hours' notice is provided **FOR URGENT WORK RELATING TO FLOOD REMEDIATION AND CLEAN UP ONLY**.
- This does not replace the notification process: when possible work should be planned to meet the standard 14 days notification period.
- All waivers should continue to be submitted according to the requirements in the ALG Memo with ASB5 (notification form) submitted then ASB5 reference, POW and client letter forwarded to the local ALPI.
- Waivers relating to the flooding should be annotated **“flood remediation and clean-up”**.
- Where at least 48 hours' notice is being provided under this relaxation contractors' may assume that the waiver has been granted unless they hear to the contrary, hence the need for 48 hours' notice.
- Where the emergency is such that works are required to start before this 48 hour period the usual requirements detailed in ALG memo 6/12 apply. The waiver should first be discussed and agreed by phone with the local ALPI or in their absence any available HSE ALPI. The ALG memo at para 14 also explains the arrangements where disaster recovery work is proposed at short notice out of normal hours.
- All waivers giving at least 48 hours' notice will be fed through the local ALPI for triage and consideration to maintain consistency and prevent abuse of the relaxation.

- Full licence terms and compliance with the Control of Asbestos Regulations 2012 should be maintained throughout the remediation and clean-up operation.

HSE are also providing advice to businesses and individuals regarding [recovering your business safely after flooding](#).

This information is being sent to licenced contractors, directly by email, through the HSE asbestos community page and directly to the main trade associations through the asbestos liaison group (ALG).