

ARKSAFE HEALTH AND SAFETY NEWS

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KEEPING YOU INFORMED ON HEALTH & SAFETY ISSUES

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HSE ISSUES ASBESTOS WARNING FOLLOWING PROSECUTION

The Health and Safety Executive (HSE) warns employers of the requirement to manage asbestos on their premises after a Canadian company was prosecuted for potentially exposing employees and contractors to carcinogenic fibres at their Swansea plant.

Vale Inco Europe Ltd pleaded guilty, on 9 June 2009, at Swansea Magistrates' Court, to four charges under the Control of Asbestos Regulations 2006 in relation to refurbishment work being carried by a contractor, A-Weld, on a furnace at the company's premises in Clydach.

The Company was subsequently fined £12,000 with further costs of £28,000.

The company had carried out asbestos surveys on the buildings, but had not surveyed the interior of plant and equipment. As a result, asbestos insulation material within the reformer furnace was disturbed and broken, causing a release of powder and fibres, to create a potentially severe health risk to both the contractors and any employees in the vicinity.

Workers discovered a white material they suspected of being asbestos, and a sample was sent for analysis, but the site was not isolated and work allowed to continue until the test results confirmed that the material was asbestos.

However, whilst the company then followed advice from a licensed asbestos contractor to damp down the area, the men originally working on the furnace had already removed their overalls and external clothing in an area in which no-one was wearing masks or protective equipment.

HSE Principal Inspector Andrew Knowles said: "There are numerous failures in this case, including the failure to assume that asbestos would be present in the reformer furnace unless it could be proved that it was not. Knowledge that asbestos insulation was present would have resulted in a licensed contractor being used to remove the material and prevented these workers coming into contact with asbestos at all".

"Another important aspect was the failure to provide asbestos awareness training for employees, which is a specific requirement where asbestos may be present in a workplace".

"The failures in this case were entirely preventable and the defendant fell far short of the high standards required. This should serve as a warning to others about the dangers of asbestos and the legal requirement to manage it properly."

HSE has been running a campaign, called "Hidden Killer," to raise awareness of asbestos amongst tradespeople. The campaign website is <http://www.hse.gov.uk/asbestos/hiddenkiller/index.htm> contains information about asbestos and how to manage it.

OBTAINING HSE PUBLICATIONS

HSE publications are available from:-

HSE Books

PO Box 1999, Sudbury

Suffolk CO10 6FS

Tel: 01787 881165

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E-Mail: <http://www.hsebooks.co.uk>

HSE WARNING - ILLEGAL GAS WORK COSTS LIVES

The Health and Safety Executive (HSE) warns anyone working on gas appliances and systems without having their competence assessed that they are acting illegally and dangerously.

The warning comes as Peter Tongue, a gas fitter from Brecon, was jailed for three years for each manslaughter charge, to run concurrently, after being found guilty by the jury at Cardiff Crown Court of two charges of manslaughter and six charges under the Health and Safety at Work etc Act 1974.

Margaret Powell, and Thomas Morgan died from carbon monoxide poisoning from a warm air central heating system that Tongue had worked on at Mrs Powell's home in Brecon in December 2006.

HSE Inspector Hugh Emmet said:

"Peter Tongue worked on Mrs Powell's gas central heating system but his accreditation to work on that particular system had lapsed three years previously. As a result, his knowledge of the system was not up to date.

"This sends out a stark message to gas engineers that working outside their assessed competence can cost them their liberty but more importantly can cost lives.

All gas engineers must be Gas Safe registered and carry a card detailing the appliances they are permitted to work on. Householders should always check these details before allowing work to be carried out, as properly registered engineers will be more than happy to prove their competence.

AEROSPACE COMPANY "IGNORED RULES FOR 8 YEARS"

The Health and Safety Executive (HSE) recently prosecuted Greater Manchester based Crest Engineering Company Ltd after finding safety guards missing or not in use on several 'milling' machines, which are used to shape metal.

The company had previously been ordered to replace the guards on the machines at its factory, at Throstle Bank Works on Dukinfield Road in Hyde, but they were later removed or unlocked.

Crest Engineering, which is based in Stalybridge, pleaded guilty to two health and safety offences at Trafford Magistrates Court on Tuesday 23 June. It was fined £13,000 and ordered to pay costs of £3,003.

The company was prosecuted for failing to ensure the safety of its employees, and for failing to make sure that machine guards were well maintained, in an efficient working order and in good repair.

HSE Inspector David Norton said: "Crest Engineering took a deliberate decision to remove the safety guards on the machines, despite receiving a formal warning from us about the issue.

The HSE first served Crest Engineering with an Enforcement Notice in 1999 for failing to have a safety switch on a piece of machinery. When inspectors visited the site again in 2001, they served eight Enforcement Notices after finding safety guards missing on several machines.

Witness statements given to the HSE revealed that, although the guards were initially provided following the visit, they were removed or put out of use within a few months. Inspectors took the decision to prosecute the company after revisiting the site in May 2007.

HSE RELAUNCHES "LADDER EXCHANGE" FOR AUTUMN 2009

HSE has re-launched the successful "Ladder Exchange" initiative, first piloted last year, in order to renew its "Shattered Lives" campaign, which focuses on reducing the number of slips, trips and falls from height suffered in the construction industry. The initiative is intended to remove unsafe ladders from construction sites and to replace them with safe equipment.

What is the Ladder Exchange Initiative?

The Ladder Exchange Initiative is simple; if you have a ladder which is bent, broken or battered you can part exchange it for a new one at any one of our partner outlets who are offering discounts on the sales of all ladders at very competitive rates. It also provides duty-holders with an opportunity to review pre-use checks, training, supervision and other arrangements for ladder work.

What has been achieved between HSE and its partners to date?

Over the last two years HSE has worked collaboratively with Local Authorities, and several partner outlets, to remove over 5,500 'dodgy' ladders from the workplace.. As a result of these successes, Ladder Exchange will now be an annual initiative.

Why will this become an annual initiative?

During 2007/8, 58 workers died and 3623 suffered a serious injury as a result of a fall from height. Ladders remain the most common agent involved and account for more than a quarter of all reported falls from height incidents.

HSE has cited unsafe ladders as one of the most common causes of serious accidents, which is the reason why it now intends to repeat this initiative each year, in order to ensure that as many as possible are removed from the workplace.

CONFINED SPACE RISKS WARNING AFTER 2 WORKERS DIE

Warnings have been issued concerning the dangers of working in confined spaces, following the prosecution of part of a multinational group after two of its employees died while undertaking routine tasks.

Bodycote H.I.P. Ltd of Macclesfield, pleaded guilty at Worcester Crown Court. Then company was subsequently fined £533,000 and ordered to pay costs of £200,000 for breaching the Health and Safety at Work etc Act 1974 following the deaths at its Hereford Factory.

The court heard that in June 2004, the company's Works Manager and Maintenance Engineer were found collapsed on the stairs leading to a concrete-lined pit into which argon gas had leaked from a large pressure vessel. The pit's oxygen alarm system was switched off and the ventilation system was not running.

HSE Inspector Luke Messenger said:- "The company failed to undertake a proper risk assessment for entry into the confined space. Although they had implemented a safe system of work and permit to work procedure, they had not properly trained employees in their use, or ensured that these systems and procedures were being followed through their auditing procedure. On the day of the incident, the ventilation system, which could have removed the leaking argon before it became a problem, and the oxygen alarm system, which would have warned of the oxygen-depleted atmosphere, were not switched on. Had these systems been working, these two deaths may not have occurred.

Entry into confined spaces should be avoided if possible, but where entry has to be made, the work should only be done by properly trained and authorised persons, in accordance with a safe system of work.