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The *Workers Compensation Act* requires that the employer must post a copy of this report in a conspicuous place at or near the workplace inspected for at least seven days, or until compliance has been achieved, whichever is the longer period. A copy of this report must also be given to the joint committee or worker health and safety representative, as applicable.

Inspection Report #201914696012A

Employer Name	Jobsite Inspected	Scope of Inspection
THE UNIVERSITY OF BRITISH COLUMBIA	FACULTY OF MEDICINE-ADMIN VANCOUVER HOSPITAL 910 W 10TH AVE Vancouver BC V5Z 4E3	Asbestos Risk Assessment Partial

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Aug 13, 2019	Aug 13, 2019	Aug 19, 2019	Email

THERE IS ONE (1) ORDER OR OTHER ITEM OUTSTANDING**ACTION REQUIRED****Summary of Orders or other Items**

See "Orders/Items – Full Details" section of this Inspection Report for orders/items cited

Order/Item No.1 <input type="checkbox"/>	Status: Outstanding	Cited: OHS6.6(1)
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Notice of Compliance Required.

ORDER STATUS LEGEND

Order Status	Description
Outstanding	Order Outstanding - Action Required to Achieve Compliance
Complied	Compliance Achieved - No Further Action Required
Closed	Order is Closed
Rescinded	Order has been cancelled – No Further Action Required

INSPECTION NOTES

On Tuesday, August 13, 2019, WorkSafeBC officers Chloe Eaton and Aaron Kong (this officer) conducted an inspection at this workplace. The officers met with the Administrative Manager, Faculty of Medicine, Infectious Disease Department (IDD), the Health and Safety (H&S) Advisor, Faculty of Medicine, and an available worker. Representatives from the owner were also present. The purpose of the site visit was to follow-up on the status of potentially damaged building materials in the Faculty of Medicine IDD, located in Heather Pavilion D Floor (Heather D). The following was discussed/observed.

Background

Both the owner and this employer were well aware of indoor air quality (IAQ) and hazardous materials (e.g. asbestos) concerns arising from the Faculty of Medicine IDD in Heather D. This area has had a history of water leaks, resulting in water damage to building materials causing those materials to degrade. In addition, there was a concern with regards to potential mould growth as a result of the water intrusion.

A consultant, retained by the owner, conducted an IAQ investigation, and documented the findings of the investigation in a report dated April 24, 2019 (IAQ report). The IAQ report was previously provided to this officer, and this officer noted that the consultant reported performing a walkthrough inspection and collected air samples, including samples for mould and asbestos. The consultant determined that the air samples did not indicate that contaminants were impacting IAQ. For example, mould samples indicated results that were quantitatively and qualitatively similar to the outdoor control sample, and asbestos air clearance sample results were acceptable (i.e. asbestos fibre levels were below 0.02 f/mL).

The consultant did identify areas where some of the building materials were damaged, and recommended that a risk assessment on these areas be performed, and to undertake any necessary corrective actions necessary to meet applicable WorkSafeBC regulations. The consultant further recommended that water damaged and mould-impacted building materials be removed or isolated, following required safe work procedures (e.g. taking into account potential exposure to mould, lead, and asbestos that may result from abating these areas).

The owner advised that the UBC IDD will be soon moving to another area of the building (Heather C) that had been recently renovated. The owner further reported that the Heather Pavilion is scheduled to be demolished sometime in the future. Therefore once the workers have moved, the area on Heather D will be isolated and unoccupied until it is eventually demolished with the rest of the building. Upon further discussion with the Administrative Manager, this officer was informed that the move will not likely occur until late September.

Asbestos Requirements - Inventory, Assessment, and Control

This officer discussed the requirement for the owner and the employer to prepare and maintain an asbestos inventory for the workplace. The *Occupational Health and Safety Regulation (OHSR)* requires that a copy of the inventory be provided to the employer by the owner if the employer does not have a copy, and vice versa. The *OHSR* further requires that a risk assessment by a qualified person be conducted on asbestos-containing material (ACM) identified in the inventory with due regard for the condition of the material, its friability, accessibility and likelihood of damage, and the potential for fibre release and exposure of workers.

This officer was provided a copy of the Asbestos Inventory for Heather Pavilion East (dated 2004). The owner stated that there was additional amendments to the inventory to account for renovations that have occurred over the years. The inventory report does include information about the condition of ACM; however, it was determined that the condition of some of these materials has changed.

Hazardous Materials Risk Assessment - Order 1

This officers were provided a tour of the IDD area, and this officer spoke to the Administrative Manager and an available worker. The Administrative Manager advised that there were some areas (e.g. storage areas 4A and 4B) which are not used by workers. Access to 4A was observed to consist of a locked door with a facilities maintenance request posted on the door. The owner

advised that additional signage/tape will be applied to this door to inform workers that this area is not accessible. Storage area 4B was observed to not be physically secured (i.e. there was no door or other physical barrier to the room). The owner advised that this area will be physically sealed the next day.

The hallway outside of the IDD reception area was observed to have damaged areas of texture coated ceiling which would be suspect ACM. This area was also identified by the consultant who conducted the IAQ investigation. In addition there were other areas where there was damaged/peeling paint which was presumed to be lead-containing. The consultant also noted additional damaged suspect ACM building materials in the IAQ report. At the time of this inspection, there was no evidence to support that a qualified person conducted an asbestos risk assessment on these materials. Noting that the IDD is still occupied by workers, order 1 is issued for the employer to address this matter.

In addition to order 1, it is further expected that the qualified person will also conduct an assessment on the peeling lead-containing paint on the walls that are accessible to workers to assess the potential for worker exposure to lead dust. Refer to Regulation References.

The officers were also provided a tour of the area located on Heather C floor where the IDD will be moving. The H&S Advisor questioned whether a risk assessment is required for the new area. Considering that this area was recently renovated, and building materials in the new area appeared to be in good condition, this officer agreed that a risk assessment on ACM building materials was not required as long as the asbestos inventory for this area is up to date and complete. However, it should be noted for the owner that ACM building materials elsewhere on Heather C that are damaged or in poor condition will need to be assessed.

Control of Hazardous Materials

Depending on the outcome of the risk assessment by the qualified person, additional measures may need to be taken to control potential exposures. *OHSR s.6.7* applies and states the following:

(1) The employer must ensure that all friable asbestos-containing materials in the workplace are controlled by removal, enclosure or encapsulation so as to prevent the release of airborne asbestos fibre.

(2) The employer must not allow any work that would disturb asbestos-containing material unless necessary precautions have been taken to protect workers.

With respect to controlling potential lead exposure, the employer must apply control measures that are consistent with the risk assessment by the qualified person. This may include abatement or containment of the peeling lead-containing paint, depending on the outcome of the lead risk assessment by a qualified person mentioned above.

Responsibility when Obligations Overlap

In addition to this inspection report, a separate inspection report has been issued to the owner with an order citing the same regulation section. In this case, *Workers Compensation Act (WCA) Section 124* applies and states the following:

If

(a) one or more provisions of this Part or the regulations impose the same obligation on more than one person, and

(b) one of the persons subject to the obligation complies with the applicable provision,

the other persons subject to the obligation are relieved of that obligation only during the time when

(c) simultaneous compliance by more than one person would result in unnecessary duplication of effort and expense, and

(d) the health and safety of persons at the workplace is not put at risk by compliance by only one person.

Next Steps

The employer is required to provide a Notice of Compliance to WorkSafeBC, describing the steps taken or planned to comply with order 1, by September 16, 2019. In addition, the employer shall also provide an action plan that addresses the following pertaining to the UBC Faculty of Medicine Infectious Disease Department on Heather D:

- ensuring that a qualified person conducts a risk assessment on peeling/damaged lead-containing paint on any walls or surfaces that are accessible to workers,
- controlling worker exposure to asbestos or lead from damaged building materials, which may involve removal, enclosure, encapsulation, or containment - to be determined by the required risk assessments
- confirmation that areas not accessible or occupied by workers are effectively sealed or contained (e.g. Storage Area 4B)

Correspondence may be emailed, faxed (604-231-8662) or mailed to:

Aaron Kong, CIH, CRSP
Supervisor
Prevention Field Services
WorkSafeBC
PO Box 5350 Stn Terminal
Vancouver, BC V6B 5L5
Email: Aaron.Kong@worksafebc.com

If there are any questions regarding this inspection report, please contact this officer at (604) 276-3100.

ORDERS/ITEMS

An employer who fails to comply with Part 3 of the *Workers Compensation Act*, the *Occupational Health & Safety Regulation*, or WorkSafeBC orders may be subject to monetary or other sanctions as prescribed by the *Workers Compensation Act*.

Orders/Items - Full Details

Order/Item No.1 <input type="checkbox"/>	Status: Outstanding	Cited: OHS6.6(1)
<p>An asbestos inventory has been prepared for the Heather Pavilion, including the Heather D Floor where workers of this employer are present. A consultant was retained in April 2019, and the consultant identified a number of areas where suspect asbestos-containing material (ACM) was observed in damaged condition. Damaged suspect ACM was also observed during this inspection (e.g. damaged texture coat ceiling in the area outside of reception), and a risk assessment has not been conducted on this material by a qualified person. Refer to inspection notes for further detail.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 6.6(1).</p> <p>The employer must ensure that a risk assessment is conducted by a qualified person on asbestos-containing material identified in the inventory referred to in section 6.4(1)(c) or (3), as applicable, with due regard for the condition of the material, its friability, accessibility and likelihood of damage, and the potential for fibre release and exposure of workers.</p> <p><u>Measures to Ensure Compliance:</u> Without undue delay, ensure that a qualified person conducts a risk assessment on the damaged asbestos-containing material at this workplace, with due regard for the condition of the material, its friability, accessibility and likelihood of damage, and the potential for fibre release and exposure of workers. This assessment shall be conducted in areas that are occupied or accessible to workers.</p> <p>Pursuant to section 194 (1) of the Workers Compensation Act, the employer must prepare a Notice of Compliance report. In accordance with section 194 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than September 16, 2019.</p>		

REFERENCES

In addition to any orders, or other items, and the information provided in the Inspection Notes section in this Inspection Report, the officer may discuss other health and safety issues with the employer arising out of the inspection. The information below sets out the health and safety requirements discussed with the employer, and unless otherwise noted, violations of these requirements were not observed.

Reference	Details Discussed
<p>OHS6.59.1(2)</p> <p>An employer must not permit workers to engage in a work activity or lead process that may expose workers to lead dust, fumes or mist unless a risk assessment has first been completed by a qualified person.</p>	<p>The employer is reminded of the requirement for a qualified person to conduct a risk assessment on the peeling lead paint to determine the potential for exposure of workers to lead dust.</p>
<p>OHS6.7(1)</p> <p>The employer must ensure that all friable asbestos-containing materials in the workplace are controlled by removal, enclosure or encapsulation so as to prevent the release of airborne asbestos fibre.</p>	<p>The employer is reminded of the obligation to ensure that all friable asbestos-containing materials in the workplace are controlled by removal, enclosure or encapsulation so as to prevent the release of airborne asbestos fibre.</p>
<p>OHS6.7(2)</p> <p>The employer must not allow any work that would disturb asbestos-containing material unless necessary precautions have been taken to protect workers.</p>	<p>The employer is reminded to not allow any work that would disturb asbestos-containing material unless necessary precautions have have been taken to protect workers.</p>
<p>WCA124</p> <p>If</p> <p>(a) one or more provisions of this Part or the regulations impose the same obligation on more than one person, and</p> <p>(b) one of the persons subject to the obligation complies with the applicable provision,</p> <p>the other persons subject to the obligation are relieved of that obligation only during the time when</p> <p>(c) simultaneous compliance by more than one person would result in unnecessary duplication of effort and expense, and</p> <p>(d) the health and safety of persons at the workplace is not put at risk by compliance by only one person.</p>	<p>The employer is advised of the application of this section when one or more provisions of the act or regulations impose the same obligation on more than one person.</p>

Reference	Details Discussed
WCA194(1) This Inspection Report contains one or more orders requiring you to submit a Notice of Compliance report. This report must be prepared in accordance with section 194(2) of the Workers Compensation Act.	Notice of Compliance
WCA194(2) The employer or other person directed by an order under subsection (1) must prepare a compliance report that specifies: (a) what has been done to comply with the order, and (b) if compliance has not been achieved at the time of the report, a plan of what will be done to comply and when compliance will be achieved.	Notice of Compliance

Employer #	Mailing Address	Classification Unit #	Operating Location
11284	C/O WCB CLAIMS ADMINISTRATOR HUMAN RESOURCES 6TH FLOOR 6190 AGRONOMY RD VANCOUVER BC V6T 1Z3	765010	093

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)
N	N	N	

Workers onsite during Inspection	Notice of Project Number
3	

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Lainie Burgess	Lainie Burgess	Keely Wu	CUPE 2950

WorkSafeBC Officer Conducting Inspection
Aaron Kong

*Inspection Time	*Travel Time
2.00 hrs	0.25 hrs

*The time recorded above reflects the inspection time and travel time associated with this inspection report and includes time spent on pre and post-inspection activities. Additional time may be added for subsequent activity.

Right to Review

Any employer, worker, owner, supplier, union, or a member of a deceased worker's family directly affected may, within 45 calendar days of the delivery date of this report, in writing, request the Review Division of WorkSafeBC to conduct a review of an order, or the non-issuance of an order, by contacting the Review Division. Employers requiring assistance may contact the Employers' Advisers at 1-800-925-2233.

WorkSafeBC values your feedback. To obtain that feedback, an external market research provider may be contacting you to complete a survey.