

POSITION STATEMENT

MANAGING OCCUPATIONAL HEALTH ON POTENTIALLY CONTAMINATED SITES

Purpose of position statement

This document clarifies WorkSafe New Zealand's position on small-scale work that disturbs soil on potentially contaminated land. These are sites that have been used for activities in the Hazardous Activities and Industries List (HAIL)¹.

This position statement is for

People and PCBUs working on potentially contaminated sites, including:

- > PCBUs and workers
- > agents such as insurance companies and project management officers
- > local and regional government agencies.

Relevant industries or workplaces

Demolition, construction, repair, excavation and site preparation activities and industries across New Zealand.

Legal obligations

PCBUs must ensure that workers have their exposure to contaminants minimised as per the Health and Safety at Work Act 2015.

Contact your regional council to check whether you are working on a HAIL site and to make sure you comply with the Resource Management (National Environmental

Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES)² before starting earthworks.

ISSUE: SOIL DISTURBANCE ON POTENTIALLY CONTAMINATED SITES

Concerns have been raised about health and safety hazards on potentially contaminated sites. Many of these sites are being redeveloped, or have structures that need repair, which may disturb the soil (for example, re-piling foundations, repairing driveways).

Detailed site investigation has not been required on many of these sites, so the extent and exact nature of the contamination and its risks are not known.

Managing the health and safety risks of people working on potentially contaminated sites

Workers and other people must be protected from risks associated with exposure to soil, including breathing in, ingesting or skin contact with contaminants. In the absence of detailed risk assessments, which identify the nature and extent of contamination, basic health precautions are needed.

¹ The Hazardous Industries and Activity List is available at www.mfe.govt.nz.

² The NES is available at www.mfe.govt.nz.

SOLUTION

For any work where sites are suspected to be contaminated, but the exact nature and extent of contamination is not known:

- > Workers must have personal protective equipment (PPE) including protective coveralls, non-laced boots, gloves and appropriate respiratory protective equipment (RPE) where required. RPE must be at least P2³.
- > Workers must be trained and educated in how to use RPE effectively.
- > Provide washing facilities.
- > Tell workers about hygiene practices to avoid possible contamination.
- > If required undertake appropriate health monitoring.
- > Talk to the resident about why workers are using PPE.

Warning: If there are signs that the soil is contaminated such as discolouration, buried waste, dying or dead vegetation, unidentified odour or geotextile markers, stop work and reassess the situation.

This may require more detailed testing, including soil analysis or other tests. Contact local and regional councils.

Refer to Ministry for the Environment guidelines on contaminated land.

When contamination is known or strongly suspected

A detailed site investigation is needed on sites with known contamination. The requirements for worker protection are covered in guidance such as the *Health and Safety Guidelines on the Clean-up of Contaminated Sites*⁴.

If the site is contaminated with asbestos and there is a risk that the asbestos is friable, WorkSafe may need to be notified and specialist staff engaged to properly supervise this work.

SUMMARY

PCBUs must ensure that the risks that arise from their work activities are effectively managed. Risks must be eliminated so far as is reasonably practicable. If a risk cannot be eliminated, it must be minimised so far as is reasonably practicable.

FURTHER INFORMATION

For information on contaminated land, the NES and HAIL, contact the Ministry for the Environment:

Phone: 0800 499 700

Email: info@mfe.govt.nz

Website: www.mfe.govt.nz

WORKSAFE NEW ZEALAND GUIDANCE

To view the following publications, go to www.worksafe.govt.nz:

- > *An Introduction to the Guidelines for Workplace Health Surveillance*
- > *Health and Safety Guidelines on the Clean-Up of Contaminated Sites*
- > *New Zealand Guidelines for the Management and Removal of Asbestos (3rd edition)*
- > *Best Practice Guidelines for Demolition in New Zealand*

For information on occupational health, phone WorkSafe New Zealand on 0800 030 040.

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³ Respiratory equipment should be certified and comply with AS/NZS 1716 *Respiratory Protective Devices*. USA and European certification is also suitable.

⁴ There are other international sources of information such as: WorkSafe Australia (2005) *Industry Standard Contaminated Construction Sites. Construction and Utilities*. Australia: Victoria.