



On November 1, 2005 Ontario Regulation 278/05 under the Occupational Health and Safety Act become the regulation covering Asbestos in Construction and in Buildings and Repair Operations. The main components of the Regulation have been presented earlier in DCN and numerous other publications. The impact on construction projects tendered both before and after November 1, 2005 is remarkable in many types of construction projects, not just in Asbestos Abatement work. The impact on consultants, architects, and engineers involved in project design is equally great.

Some recently tendered projects and discussions with General Contractors have left the Asbestos Abatement Industry with the clear understanding that the Construction Industry in general has not yet grasped the impact of the new regulation. This is leaving contractors who are knowledgeable of the regulation in a severe disadvantage in bidding these projects and contractors who are unaware of the regulation at serious risk of charges under the regulation.

The following are questions that Consultants, Owners General Contractors and Sub-contractors have to ask prior to tendering or bidding work or performing work bid prior to November 1, 2005.

- Have all materials which may contain asbestos been properly tested as required by O. Reg. 278/05?
- Does this include all drywall joint compound installed prior to 1986? (Yes it is true – removal of this really does require Type 2 Procedures!)
- If work has been bid prior to November 1, 2005 remember that the work still must comply with O. Reg. 278/05. Almost certainly this will increase the cost of virtually all building renovation and demolition work if the building was constructed earlier than 1986
- If you have submitted budgets for work prior to this regulation have you made your client aware of these changes? The impacts are sufficiently great that the economics of some projects will be affected.

Remember it is your responsibility to be aware of new regulations. Ensure you keep up to date on this regulation. It is available from the Ministry of Labour, Publications Unit:

Telephone: 416-326-7731/800-268-8013

Fax: 416-326-7745

Acts and regulations can also be directly accessed on the following websites:

www.gov.on.ca/lab/english/about/leg

www.e-laws.gov.on.ca

The Toronto Construction Association is planning a seminar on Thursday, April 13 from 9 am to 12 noon. Some members of the Environmental Abatement Council of Ontario are also presenting free seminars on the regulation. For a listing of companies, please contact Mary Thorburn at the EACO offices at (416) 499-4000 ext. 14, or by email at mthorburn@tcanetworks.com. It is important that the construction industry in general and not just the specialized abatement contractors take note of the new regulation and its impacts.