

This is an official version.

Copyright © 2006: Queen's Printer,
St. John's, Newfoundland and Labrador, Canada

[Important Information](#)

(Includes details about the availability of printed and electronic versions of the Statutes.)

[Table of Regulations](#)

[Main Site](#)

[How current is this regulation?](#)

CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 1144/96

Asbestos Exposure Code Regulations
under the
Mines Act
(O.C. 96-477)

Under the authority of subsection 2(2) of the *Mines Act* and the *Subordinate Legislation Revision and Consolidation Act*, the Lieutenant-Governor in Council makes the following regulations.

REGULATIONS

Analysis

- [1. Short title](#)
- [2. Application of code](#)
- [3. Current code](#)
- [4. Limits of exposure](#)
- [5. Fibre concentration](#)
- [6. Sampling](#)
- [7. Methods of sampling](#)
- [8. Additional sampling](#)
- [9. Meetings](#)
- [10. Statistics](#)
- [11. Repeal](#)

Short title

1. These regulations may be cited as the *Asbestos Exposure Code Regulations* .

[Back to Top](#)

Application of code

2. (1) The Code of Practice in these regulations called the "Asbestos Exposure Code" shall apply to all mining and milling under the jurisdiction of the Chief Inspector of Mines, referred to as the "chief inspector" in the *Mines Act* and the *Mines Safety of Workers Regulations*.

(2) The Asbestos Exposure Code shall describe mandatory methods of sampling, analysis and determination of results, monitoring programs, standards to be maintained and the method of determining compliance with those standards.

83/81

[Back to Top](#)

Current code

3. (1) Except as otherwise stated in the Asbestos Exposure Code, the procedures recommended by the American Conference of Governmental Industrial Hygienists shall be followed.

(2) The current issue of the Asbestos Exposure Code, the issue in print at the time of an infraction, will be used as a controlling document for enforcement.

(3) Where the minister adopts a deviation, it shall be published in an amended code and once published, the current issue shall be enforced.

83/81

[Back to Top](#)

Limits of exposure

4. The minister has adopted the following limits of exposure to asbestos fibre as acceptable in this industry; each occupation shall be sampled to the satisfaction of the chief inspector not less than once in every 90 days.

	Average 90 days previous ¹	Maximum Allowable Concentration ² (single shift - 8 hr.)	Short Term ³ (15 min.)
Chrysotile Asbestos	2 fibres/ml	5 fibres/ml	12 fibres/ml
Amphibole Asbestos	0.5 fibres/ml	2 fibres/ml	5 fibres/ml
Crocidolite Asbestos	Not to be used		
Crystalline Silica	As in ACGIH		

¹ A 90 day previous average shall be the average of all program samples taken during the last 90 days.

² A maximum allowable concentration shall be determined by the time weighted average of the samples taken of a single occupation during a single eight hour shift. The sum of the sampling times of all samples used for this determination is to total not less than one hour.

³ A short term exposure shall be determined by the time weighted average of consecutive samples taken of a single occupation during a single shift. The sum of the sampling times of all samples used for this determination is to total not less than 15 minutes. Each exposure over the short term limit shall be reported in writing to the chief inspector with a description of the action taken to correct the

condition and reduce the exposure.

83/81

[Back to Top](#)

Fibre concentration

5. The fibre concentration shall be determined by the method described in the following documents:

- (a) *Recommended Procedures for Sampling and Counting Asbestos Fibres* published by the Joint AIHA-ACGIH, Aerosol Hazards Evaluation Committee in February, 1975;
- (b) *Fibre Counting; source of error corrected* published by the AIHA Journal May, 1978; and
- (c) *Dust Counting - Asbestos Fibre* published by the Nfld. Department of Labour and Manpower, March 1979 which describes personal sampling methods in brief.

83/81

[Back to Top](#)

Sampling

6. The following practices are required when taking samples for the regular monitoring program:

- (a) the whole working pattern of all occupations shall be covered by sampling;
- (b) the prescribed routine of sampling shall be followed which is a set series of samples at specific places and the personal sampling of all occupations at random in intervals in an approved time framework, in any place or works;
- (c) a series of samples are to be taken by officials of the inspectorate in parallel to and sometimes covering the same territory and men as the regular monitoring traverse to assure that the total work period and environment of the worker are covered;
- (d) counting methods and the personal performance of counters from management, labour and inspectorate shall be scrutinized by their respective managers and crosschecks made of the results;
- (e) in all counts, a minimum of 100 fields of view or enough total fields of view that 100 fibres are included shall be counted; and
- (f) during the periodic visits of Inspectorate Officers, they will audit the regular monitoring program.

83/81

[Back to Top](#)

Methods of sampling

7. (1) During periodic visits, the inspectorate will take samples for silica and respirable dust by approved methods.

(2) High volume sampling will be generally by Hexhlet and low volume by prefilters with a penetration curve of ACGIH standard and approved membrane filters.

(3) The exposure will be determined by gravimetry and the silica content determined by x-ray diffraction or infra-red spectrophotometry.

[Back to Top](#)

Additional sampling

8. The Asbestos Exposure Code does not preclude the sampling of areas or workers at other times than those in the monitoring program, but requires that the results of that sampling be communicated to the chief inspector.

83/81

[Back to Top](#)

Meetings

9. Management, labour and the chief inspector or his or her delegate shall meet periodically to discuss the Asbestos Exposure Code and from these meetings, the minister may adopt and publish changes or modifications to the code.

83/81

[Back to Top](#)

Statistics

10. (1) The results of sampling by management, labour and the inspectorate shall be reviewed statistically and tests made to determine if there is a divergence of results.

(2) The results of this determination shall be published by the normal procedures.

83/81

[Back to Top](#)

Repeal

11. The Asbestos Exposure Code adopted pursuant to the Mines (Safety of Workmen) Regulations, 1957, Newfoundland Regulation 83/81, is repealed.

©Earl G. Tucker, Queen's Printer