

6951 Westminster Highway, Richmond, BC  
Mailing Address: PO Box 5350, Vancouver BC, V6B 5L5  
Telephone 604 276-3100 Toll Free 1-888-621-7233 Fax 604 276-3247

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 #201817000023B**

Employer Name	Jobsite Inspected	Scope of Inspection
KLAUS FUERNISS ENTERPRISES INC	409, 397 & 385 Gower Point Road Gibsons BC V0N 1V0	Demolition

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Aug 09, 2018	Sep 14, 2018	Sep 20, 2018	Email

**THERE ARE TWO (2) ORDERS OR OTHER ITEMS 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: <b>Outstanding</b>	Cited: <b>WCA191(1)</b>
Order/Item No.2 <input type="checkbox"/>	Status: <b>Outstanding</b>	Cited: <b>OHS20.112(2)</b>

**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Rescinded	Order has been cancelled – No Further Action Required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**

This was a follow-up inspection to authenticate appropriate compliance with the orders noted.

If you require clarification or assistance regarding this Inspection Report, contact Occupational Safety Officer Daniel Farley at the following:

OFFICE: (604)232-1963

FAX: (604)232-1946

EMAIL: [daniel.farley@worksafebc.com](mailto:daniel.farley@worksafebc.com)

More information can also be found at [www.worksafebc.com](http://www.worksafebc.com)

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**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: <b>Outstanding</b>	Cited: <b>WCA191(1)</b>
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**Progress towards compliance:**

Sep 14, 2018 - The employer is actively pursuing compliance. The employer is permitted to install silt fence at the south property line to the third property marker from the west side of the property.

**Initiating order:**

Aug 09, 2018 - Based upon the violation(s) cited in this Inspection Report, the Board has reasonable grounds to believe there is a high risk of serious injury, serious illness or death to a worker at this workplace.

The Board, in accordance with subsection (1.1), may order that work at a workplace or any part of a workplace stop until the order to stop work is cancelled by the Board.

Pursuant to section 191(1) of the Workers Compensation Act, the Board orders that demolition and salvage activities at this workplace is immediately stopped, and that the workplace or any part of the workplace be cleared of persons and isolated by barricades, fencing or any other means suitable to prevent access to the area until the danger is removed.

This stop work order is in effect as of August 8th, 2018 at 1:30 pm, and in accordance with section 191 (4) of the Workers Compensation Act, expires 72 hours from this time, unless this order is confirmed in writing by WorkSafeBC.

A written confirmation of this order to stop work was provided at the time this Inspection Report was delivered.

Order/Item No.2 <input type="checkbox"/>	Status: <b>Outstanding</b>	Cited: <b>OHS20.112(2)</b>
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**Progress towards compliance:**

Sep 14, 2018 - The employer is actively pursuing compliance. The employer engaged a qualified hazardous materials consultant to conduct a detailed risk assessment (including an inspection for hazardous materials) to determine the extent of potential asbestos contamination. The employer is in the process of securing a qualified abatement contractor to develop compliant procedures based on the risk assessment and conduct the clean-up/abatement.

**Orders/Items - Full Details****Initiating order:**

Aug 09, 2018 - Before work began on the demolition of the buildings on 385, 397 & 409 Gower Point Rd, Gibsons, BC, the employer, and/or the owner, did not ensure that a qualified person inspects the buildings and the worksite to identify the hazardous materials, if any. This was made evident by the following:

- The owner/ developer was requested to provide Hazardous Material Surveys for the buildings to be demolished and the employer provided 3 certificates of analysis.
- The owner/ developer's workers collected a total of 11 bulk samples that were analyzed, this number of bulk samples is not consistent with recognized industry standard.
- The sampling technique was not consistent with principles of good occupational hygiene practices, as the samples that were taken were not from areas likely to contain asbestos.
- A qualified person did not conduct an inspection and identify the hazardous materials, if any.

This is in contravention of the Occupational Health and Safety Regulation Section 20.112(2).

Before work begins on the demolition or salvage of machinery, equipment, a building or a structure, or the renovation of a building or structure, all employers responsible for that work, and the owner, must ensure that a qualified person inspects the machinery, equipment, building or structure and the worksite to identify the hazardous materials, if any.

**Measures to Ensure Compliance:**

No further work of any type shall be permitted at this worksite until the following conditions have been met:

1) A qualified hazardous materials consultant must be retained to conduct a detailed risk assessment (including an inspection for hazardous materials) to determine the extent of potential asbestos contamination in and around the buildings and demolished building materials at 385, 397 & 409 Gower Point Rd, Gibsons, BC (**including the bin of drywall that has been removed from this worksite**) and clean-up requirements.

This officer must be notified of the qualified consultant selected to conduct the sampling and assessment, the qualified person must meet the definition described in the Guideline for OHS 6.1-1

**NOTE: The consultant must be informed that the building and surrounding property is possibly contaminated with asbestos prior to entering for any reason. The risk assessment must be submitted to this officer for review.**

If asbestos containing materials and/or asbestos contaminated materials are identified through step 1:

2) A qualified abatement contractor must develop compliant procedures based on the risk assessment and conduct the clean-up/abatement if required. This officer must be notified of the qualified abatement contractor selected to conduct the abatement.

3) A final inspection must be conducted and documented in a written confirmation by a third party qualified person to ensure that all asbestos-containing materials have been completely removed.

4) This officer will issue a follow-up inspection report after review of the documentation confirming that the above conditions have been met.

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Employer #	Mailing Address	Classification Unit #	Operating Location
976023	PO BOX 570 GIBSONS BC V0N 1V0	761051	001

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N		1	

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Ernie Turner	Ernie Turner	Not Applicable	

WorkSafeBC Officer Conducting Inspection
Daniel Farley

*Inspection Time	*Travel Time
2.00 hrs	3.00 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.