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9 January 2017

Mr. Anthony CHU
Clerk to Public Accounts Committee
Legislative Council Secretariat
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong.

BY FAX (2543 9197) & POST

Dear Mr. CHU,

Public Accounts Committee
Consideration of Chapter 1 of the Director of Audit's Report No. 67
Maintenance and safety-related improvements of
public rental housing flats

I refer to your letter dated 30 December 2016. I am pleased to provide the requested information on management of asbestos-containing materials in public rental housing estates in the Annex to this letter.

Yours sincerely,

(Raymond W.M. WONG)

for Director of Environmental Protection

c.c. Secretary for Transport and Housing (fax. no. 2523 9187)
Secretary for Financial Services and the Treasury (fax no. 2147 5239)
Director of Housing (fax. no. 2761 6700)
Director of Buildings (fax. no. 2868 3248)
Director of Fire Services (fax. no. 2368 9744)
Director of Water Supplies (fax. no. 2802 2537)
Commissioner for Labour (fax no. 3101 1066)
Director of Audit (fax no. 2583 9063)

Public Accounts Committee
Consideration of Chapter 1 of the Director of Audit's Report No. 67

**Maintenance and safety-related improvements of
public rental housing flats**

Management of asbestos-containing materials (“ACMs”) in public rental housing (“PRH”) estates

- (a) **Whether Environmental Protection Department (“EPD”) would consider reviewing the label in Figure 1 of the Audit Report so that the messages on the existence of ACMs could be conveyed more effectively in order that tenants, workers and other users would be alerted to take necessary precaution not to disturb or damage the ACMs, and the public would be aware of the adverse impact on health caused by ACMs?**

EPD response:

The ACM warning label (including its color, messages, and size) currently adopted by the EPD was designed with reference to international standards, including the one used by the Health and Safety Executive of UK. We consider that the current asbestos warning label with the wording of “material contains ASBESTOS DO NOT DISTURB,” “Breathing asbestos dust is dangerous to health” and “Follows safety instructions” in black on a red background can clearly alert all parties of the potential harm arising from asbestos, and thus should not disturb or damage ACM. We note that there was no suggestion in the Audit Report for reviewing the existing asbestos warning label.

- (b) **Whether EPD has followed up on Case 3 to paragraph 4.34 to ascertain whether the chimney in question was removed in compliance with the requirements of the Air Pollution Control Ordinance (APCO) (Cap. 311)?**

EPD response:

The EPD investigated Case 3 of the Audit Report on suspected non-compliance concerning the removal of an asbestos-containing chimney. The chimney was owned by a tenant of the public housing estate. In 2011, the estate management office of the Housing Department (“HD”) issued three letters to the concerned

tenant requesting him to appoint a qualified contractor to carry out the maintenance works as soon as possible and provided him with information on registered asbestos contractors (“RACs”). In July 2011, the tenant removed the chimney whilst the EPD did not receive any notification from RACs on the removal of the asbestos-containing chimney. The tenant therefore might have contravened the Air Pollution Control Ordinance. Given the responsible person of the tenancy already passed away in 2012 whilst the case came to EPD’s notice in last year, no prosecution action could be taken on this case.

The EPD agrees with the Director of Audit’s recommendations and is liaising with the HD on strengthening the monitoring and control of the remaining asbestos-containing chimneys in public housing estates, clarifying the responsibilities of the owners of these chimneys and reminding them of the statutory requirements on asbestos abatement works. Moreover, the EPD is taking follow-up action with the HD and the chimney owners, requiring them to give the EPD the notification before carrying out works involving ACM in public housing estates so as to prevent the recurrence of similar incidents.

- (c) **According to paragraphs 4:13 to 4:16, there were cases of lobby grille panels/un-encapsulated balcony grille panels being damaged. Paragraphs 4:28 to 4:30 also indicate that PRH estate tenants had undertaken unauthorized minor works in their flats which might have disturbed ACMs and exposed the workers/tenants concerned to asbestos released. What follow up actions had been done and what improvements could be made?**

EPD response:

On the damaged lobby grille panels/un-encapsulated balcony grille panels and the balcony grille panels that were affected by minor works carried out by tenants, the HD advised that it had engaged RACs to complete the maintenance of damaged panels in accordance with the statutory requirements and had duly followed the technical advice of the EPD. The EPD also conducted spot checks during the works to ensure that the contractor completed the works in accordance with the method statements.

The EPD is following up with the HD to strengthen the monitoring and liaison mechanisms and to provide further training to HD’s staff with a view to enhancing its management of the remaining ACMs in public housing estates.