

Media Release

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EPA welcomes sentencing of asbestos removalist

The EPA has today welcomed the Environment Resources and Development (ERD) Court's decision in sentencing a Bradbury man for breaching the *Environment Protection Act 1993*.

Anthony Rosier pleaded guilty to nine separate breaches of the Act, with eight of these relating to providing false and misleading information to the EPA for asbestos removal work undertaken in Kanmantoo, in the Adelaide Hills, in March 2016.

The matter related to Rosier removing 800 sqm of asbestos sheeting from a site at Kanmantoo in January 2016 when his licence to remove asbestos had been cancelled by SafeWork SA. To enable disposal and transport of the asbestos Rosier falsified the producer on eight Waste Transport Certificates entering false business and personal names.

Rosier was convicted and fined \$15,600 after a 40% reduction for an early plea. He was also ordered to pay \$160 Victims of Crime levy and \$800 prosecution costs.

In sentencing Judge Cole said the charges are serious and there has been a demonstrated disregard for the requirements of the regulatory systems.

"This is always undesirable, but particularly so when the subject matter of the system is an activity such as asbestos removal which has the real potential to harm human health," she said.

The conviction follows an EPA intelligence-led operation targeting Rosier trading as Eco Asbestos.

EPA Manager Investigations and Waste Compliance, Steve Barry said the outcome of this case demonstrates the seriousness of these type of offences.

"The removal and transport of asbestos is treated seriously in South Australia because sufficient quantities of inhalation of fine asbestos fibres over time, can cause significant health issues," he said.

"In this particular case, the EPA's operation led to detection of Rosier undertaking unlicensed asbestos work and falsifying asbestos transport certificates. Rosier had his asbestos removal licence cancelled by Safework SA in August 2015 as a result of 2 separate prior convictions pursuant to their legislation.

"All removalists need to ensure that they provide accurate information to the EPA. The completion of waste transport certificates is a requirement of a standard licence condition and enables the EPA to ensure that hazardous waste such as asbestos is collected, transported and disposed of in a manner that is a safe and controlled to prevent risk to the public," he said.

All renovators are urged to use only licensed asbestos removalists and transporters.

"Before any demolition or refurbishment takes place, ensure that you have identified any potential asbestos by contracting a licenced asbestos assessor or removalist. Disposal of asbestos to an EPA-licenced landfill is the only responsible and safe option," Mr Barry said.

For further information please contact EPA Media: 0439 137 641 or epamedia@sa.gov.au

Environment Protection Authority

“Costs for asbestos removal will vary from contractor to contractor, and it is recommended that the renovator contacts a few assessors and removalists to ensure any work will be undertaken in a planned safe manner.

“Requesting copies of receipts from the transporter for their asbestos disposal to a licenced asbestos landfill can ensure good practice,” Mr Barry said.

Penalties for non-compliance or illegally dumping asbestos materials applies. If anyone is found to have illegally disposed asbestos, a maximum penalty of \$500,000 or four years imprisonment applies for an individual, or a maximum of \$2 million for a body corporate.

In South Australia, the EPA and SafeWork SA are the two agencies that work together to ensure that when a home renovation requires the removal of asbestos that it is done properly and safely.

More information about licenced asbestos removal, transport and disposal services can be found on the [EPA website](#) or the South Australian Government [asbestos website](#).