

Ventilation testing company fined for putting hundreds at risk

A company that tests ventilation systems has been fined for putting hundreds of workers at risk of serious lung diseases.

Airtec Filtration Ltd was used by businesses across the UK to test extract ventilation systems, which reduce exposures to airborne contaminants in a workplace.

An investigation by the Health and Safety Executive (HSE) found the firm, which is based in St Helens, Merseyside provided its customers with inaccurate test results, potentially leaving staff in those businesses unaware of the risks they faced.

In one incident, when assessing a car manufacturing business, the Airtec engineer failed to identify the presence of rubber fumes, which are carcinogenic and can lead to cancer.

In another, a baking company used flour and other respiratory allergens, which the engineer identified inadequately as food dusts. The Airtec engineer failed to provide any other information to highlight the presence of asthmagens, which can lead to occupational asthma.

Between 2018 and 2019 Airtec Filtration Ltd were providing Through Examination and Tests (TEt) of local exhaust ventilation (LEV) systems, which are designed to control substances dangerous to health.

The company claimed their work met the requirements of the Control of Substances Hazardous to Health Regulations (COSHH) 2002.

However, the testing the testing reports provided to businesses were insufficient as hazardous substances were not adequately identified, and the local exhaust ventilation tests were not carried out correctly.

HSE inspectors visited multiple sites, where testing was undertaken by Airtec and at each one a number of significant and common failings were found.

As a result, Airtec was served with an Improvement Notice on 23 October 2019.

The Improvement Notice required Airtec to provide training to their engineers to ensure that they had adequate knowledge, training and expertise in the assessment, evaluation and control of risk arising from exposure to hazardous substances, so as to not expose persons who might be affected, to a potential health risk.

An investigation by HSE found that Airtec was aware of the need for a competent person who held professional qualifications to carry out the testing but did not provide the necessary training for their engineers.

Airtec Filtration Ltd, of Manor Street, St Helens pleaded guilty to contravening Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £2,666 and ordered to pay costs of £4,074 at Manchester Magistrates' Court on 4 November 2022.

The issue came to light when HSE inspectors requested TExT reports relating to LEV systems from a number of businesses as part of routine inspections and investigations. LEV is an engineering control system installed to reduce exposures to airborne contaminants such as dust, mist, fume, vapour, or gas in a workplace.

The documents received by inspectors raised concerns about the accuracy of Airtec Filtration Ltd's services who had tested the LEV systems for a number of businesses.

HSE inspector Rose Leese-Weller said: "Airtec Filtration Ltd provided inadequate training to their engineers while claiming to provide a thorough testing service for LEV systems.

"They provided businesses with unsatisfactory reports based on limited or inconclusive evidence, with little or no consideration of the level of risk of different hazardous substances.

"Inhalation of hazardous substances at work can have devastating consequences to workers leading to occupational asthma, cancer, chemical asphyxiation or neuro-toxic effects.

"This company completely flouted regulations potentially putting hundreds of workers at serious risk. HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards, we hope this sentencing sends out a stark warning to the industry."

People who believe they may have been exposed to a hazardous airborne substance in the workplace will understandably be anxious and concerned about the possible effects on their health.

Anyone who is concerned about possible exposure to hazardous substances from work activities is advised to consult their GP and ask for a note to be made in their personal record about possible exposure, including date(s), duration, type of substance and likely exposure levels (if known).

In some circumstances, the GP may refer them to a specialist in respiratory medicine.

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. www.hse.gov.uk
2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/

3. HSE news releases are available at <http://press.hse.gov.uk>^[3]
4. For further guidance on Local Exhaust Ventilation (LEV) workplace fume and dust extraction visit: [Local exhaust ventilation – workplace fume and dust extraction \(hse.gov.uk\)](http://www.hse.gov.uk/leh/leh.htm) and [Local exhaust ventilation – Frequently asked questions \(hse.gov.uk\)](http://www.hse.gov.uk/leh/leh.htm)