Asbestos policy - The EC and its role

Seminar on the Recognition and Compensation of Asbestos Related Diseases in Europe

Project: Asbestos-related Diseases in Europe

Europe’s Asbestos Catastrophe: Supporting Victims, Preventing Future Tragedy

International Trade Union House

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• Activities related to the treatment and processing of asbestos can pose risks to health. Workers exposed to asbestos must be protected under the best possible conditions, by limits on exposure and by appropriate procedures.
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Legal instrument

Summary

The Directive establishes protective and preventive rules intended to limit these risks.

The term asbestos applies to the following substances: asbestos actinolite, asbestos grunerite, asbestos anthophyllite, chrysotile, crocidolite, and asbestos tremolite.
Exposure to asbestos

The Directive prohibits:

• the application of asbestos by means of the spraying process and all activities that involve using low-density (less than 1 g/cm³) insulating or soundproofing materials;

• the extraction, manufacture and processing of asbestos, including products containing asbestos.
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However, the processing and disposal of products resulting from demolition and asbestos removal shall be permitted. The exposure of workers must be reduced to a minimum, with regard to:

- the number of workers;
- work processes, which must not produce dust, especially in the air;
- premises and equipment, which must be cleaned and maintained regularly;
- storage and transport, in suitable sealed packing;
- the collection of waste, which must be removed quickly, labeled and processed in accordance with Directive 91/689/EEC on hazardous waste.
Limit values for exposure to asbestos

- Employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of 0.1 fibres per cm³ as an 8-hour time-weighted average (TWA).
Risk assessment

• A risk assessment must be carried out before beginning an activity involving exposure to asbestos dust or to materials containing asbestos. This assessment shall be based on representative sampling of the worker’s personal exposure.
The measuring of asbestos in the air shall take account only of fibres with:

- a length of more than 5 micrometres and a breadth of less than 3 micrometres;
- a length/breadth ratio greater than 3:1.
Working procedure

Before the start of the work, the employer must inform its national authorities of:

- the location of the worksite,
- the type and quantity of asbestos,
- the activities and processes involved,
- the number of workers,
- the duration of the work,
- measures taken to limit exposure.
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- The place where the work is carried out must be accessible only to workers – it must be demarcated and signed. In addition, it must be a no smoking area.

- Demolition or asbestos removal work shall take place according to a pre-established plan aimed at guaranteeing the removal of asbestos before demolition techniques are applied, and at reducing the risks to a minimum.

- Workers shall receive training particularly as regards the properties of asbestos and its effects on health, and as regards emergency, decontamination and medical surveillance procedures.
Assessment of the state of health

• Each worker’s state of health must be assessed before exposure to asbestos. In addition, an individual health record must be established in order to provide for protective or preventive measures. Medical surveillance may continue after the end of the work.

• Every European Union country shall keep a register of recognised cases of diseases related to asbestos (for example, asbestosis and mesothelioma).
Context

This Directive **repeals Directive 83/477/EEC** with a view to clarifying its provisions.

**REFERENCES**

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PRACTICAL GUIDELINES
FOR THE INFORMATION AND TRAINING OF WORKERS
INVOLVED WITH ASBESTOS REMOVAL OR MAINTENANCE WORK
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**WHAT**

**are the legal requirements for waste disposal?**

- Make sure you know all waste disposal requirements before you start working.
- Asbestos waste is a hazardous material and must therefore be transported to an approved waste disposal site. If permitted, you can do this yourself; otherwise you must use an asbestos waste disposal contractor.

**WHAT**

**may happen if you don't follow the good practice in this leaflet?**

- You may cause serious harm to your own health and to that of your family or friends, and cause damage to the environment.
- Legal consequences! Private persons must likewise comply with the applicable laws, provisions and measures vis-à-vis third parties and regarding the environment. Otherwise legal proceedings may be initiated.
- It is always safer to entrust an expert company with the work on asbestos-containing materials.

**MORE INFORMATION:**

On the website of the European Commission:

On the website of the European Agency for Safety and Health at Work:
http://osha.europa.eu

The views expressed in this publication do not necessarily reflect the views of the European Commission.

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WHERE

are you likely to come across asbestos?

- Asbestos was widely used in homes, cars and other domestic and leisure locations, mainly to provide protection against fire or heat. It was also used as a binding material in a range of other products.
- You may come across asbestos during building renovation or maintenance work, or while repairing cars, boats or caravans. Asbestos-cement panels on roofs and facades, windowsills and gutters/downpipes.
- Indoors asbestos might be contained in floor and ceiling coverings, insulation boards, inner windowsills, burner gaskets.
- In cars, brake pads contained asbestos, as did gaskets, and in boats and caravans, asbestos was used in similar locations to houses.

WHY

is asbestos an issue?

- Asbestos fibres threaten your health!
- When inhaled, the fine dust generated while working can cause asbestosis, a disease of the lungs which causes severe breathlessness, it can also cause lung cancer, and mesothelioma, a fatal cancer of the lining of the lung.
- Smoking significantly increases the risks of disease from asbestos exposure.

WHAT

to keep in mind when working with asbestos?

- Keep dust release at a minimum!
- Keep materials wet at all times!
- If you need to saw or break material, use a sharp handsaw!
- Do not use power tools!
- Put all components and small parts removed into special plastic sacks, seal tightly with adhesive tape and label as asbestos. Slates and other objects should be handled carefully so that they do not break!

HOW

do you know if the materials you'll be working on contain asbestos?

- White, brown or blue fibrous material, but difficult to recognise from its outward appearance, particularly when painted or covered!
- The use of asbestos has been progressively banned in Europe since the mid 1980s. Older building parts and products might still contain asbestos.
- The materials have to be analysed by a laboratory to be sure.

HOW

to protect yourself?

- Protect against the inhalation of airborne fibres with respirators, particulate filter P2 or P3.
- Wear protective overalls and do not leave the work place with these overalls.
- Contaminated protective equipment must be disposed of together with asbestos waste.
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Senior Labour Inspectors Committee (SLIC) Report (2009)

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Generally speaking the campaign and information activities were widely noticed and accepted in most countries. Exceptions seem to be countries with only a few inspectors involved and a smaller number of sites to be inspected due to earlier national campaigns; this was the case in Ireland and Austria, for example. The translated campaign documents were used for the national campaigns and published in national designs. In some countries such as the UK, Sweden and Denmark the SLIC campaign was a starting point for specific and long-running asbestos programmes, or it helped to get the asbestos problem on the public agenda again (e.g. Austria, Germany). Austria, Luxembourg and Sweden also mention the low qualifications of workers, especially those in small businesses. This is also related to very different systems of notification and certification in EU Member States. This subject should be discussed further.
The campaign raised awareness to the danger of asbestos among inspectors, employers and employees and to some extent the general public.

A trend can be observed towards smaller-scale work with asbestos-containing material, now often done by small and micro businesses. This down-scaling has led to a decline in employers’ and employees’ awareness, knowledge and experience of the risks and necessary OSH measures. This is clear from the high degree of non-compliance on key factors for asbestos risk management such as risk assessment, information and training of workers, preparation of work plans and proof of competence.
We found a high level of non-compliance with asbestos-related OSH-legislation and regulations, suggesting that there is a need to tighten up inspection strategies, and to apply stricter administrative interventions and coercive measures. Inspection strategies also need to focus more on the organisational aspects of DMR activities to achieve sustainable effects.
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• In all Member States the health hazard of (legal) handling of asbestos-containing material is still on the agenda; it needs continuous action by labour inspectorates to keep OSH standards high and to keep risk levels as low as achievable. As one outcome of the campaign some labour inspectorates have already decided to continue inspection activities and develop new inspection strategies (e.g. UK, IE, SL).
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• Prevention of asbestos-related health hazards can’t be managed by labour inspectorates alone. It requires commitment by all players in this field. Information and training of inspectors, social partners and experts will help to build commitment; with common standards for work with asbestos-containing material, efforts could be combined and the activities of each group would be more effective. SLIC should consider developing a common training and information strategy for stakeholders.
The new Guide was widely used as information material. There was broad acceptance by national and international experts, as it displayed a common European standard of good practice; it will also be used in other EU-funded programmes and projects. The guide should be further developed to reflect state-of-the-art techniques and updated regularly. The European Commission should be asked to provide funds to update the guide in cooperation with SLIC and ACSH, and to improve language versions.
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• One side-effect of the campaign was that the first steps were taken towards internet-based exchange of experience. To further develop this communication an asbestos forum for labour inspectors in the CIRCA network would be promising; members of the present SLIC working group could act as future contact Persons.
The regulations on notification of asbestos-related works and certification of competence of companies and/or workers differ widely between Member States. The absence of regulation in this field seems to be a major factor leading to low competence on sites, and hampers adequate monitoring by labour inspectorates. Europewide approximation of the relevant legislation would merit careful consideration.
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• **OSHA PUBLICATIONS:**
  http://osha.europa.eu/en/slc_cse_search_results?cx=002729247433086747365%3Ac1c8w5hnuam&cof=FORID%3A11
  &ie=UTF-8&q=asbestos&siteurl=osha.europa.eu%2Fen&ref=&ss=1170j225464j8

• SAFE MAINTENANCE – ASBESTOS IN BUILDING MAINTENANCE ...
• OSH Monitoring Systems — Safety and Health at Work - EU-OSHA
• Tackling major hazards and risks — Safety and Health at Work …
• Safe maintenance — Safe workers
• ACTIONS TO IMPROVE SAFETY AND HEALTH IN CONSTRUCTION
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OSHA CAMPAIGNS

- 2012 - 2013: Working together for risk prevention

Past European week campaigns
- The Agency has run an annual European Campaign since 2000. With more than 30 countries participating, and some 4 million information materials distributed in all official community languages, the European Campaign has become one of Europe’s largest annual awareness-raising campaigns.

- 2010 - 2011: Safe Maintenance
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- At the Danish Presidency Conference on the EU Strategy on HSW (Copenhagen 27-29 June 2012), Commissioner Andor announced that the Commission will present by November 2012 the results of the final evaluation of the Strategy, together with an outline of the strategic priorities for health and safety at work for the forthcoming period. At the same time, a public consultation will be launched on priorities for 2013 to 2020.
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In this context, it is necessary to continue a joint reflection on the specific priorities to be proposed. As can be seen from the speech, the three key priority areas would be:

• 1. Tackling health issues and preventing work-related health problems more effectively.

• 2. More effective implementation of the EU legislation.

• 3. To make working life sustainable.

Specific issues to be proposed under each of these areas; some of them are mentioned in the speech, have to developed. Asbestos related diseases mentioned by default (occupational diseases) but not specifically.
Thank you for taking the time to listen!