

Montreal, August 16, 2020

Dear Premier Legault,

The Bureau d'audiences publiques sur l'environnement (BAPE) has just submitted an exhaustive and rigorous report on the State and Management of Asbestos and Asbestos Mining Residues. The report addresses the vast majority of concerns raised by the groups and individuals who participated in the sectoral and inter-sectoral consultations held by the BAPE.

We wish to bring to your attention three of the BAPE's key recommendations which require the immediate attention of your government.

### **1) Immediately lower the exposure standard for asbestos in the workplace**

Quebec is at least 20 years behind the laws on asbestos of most economically advanced nations. In fact, the workplace exposure standard presently in effect in Quebec is 10 times higher (1 f / cc) than the standard allowed elsewhere in Canada and the United States and 100 higher than the most rigorous national standards. The BAPE therefore recommends that: *"the Quebec standard for all types of asbestos should be immediately lowered to 0.1 f / cc, which would harmonize it with the federal standard."*

We therefore wish to know:

- if the CNESST does not act promptly to lower the standard, will your government do so in its place?
- does your government agree to lower this standard again within 5 years to reach the standard which is in force in some European countries?

### **2) Facilitate support for victims of asbestos diseases**

Your government is preparing to modernize the LATMP (the Act governing work accidents and occupational diseases) in the coming months. The BAPE stresses the importance of making the compensation process for workers with occupational diseases simpler and more humane. More specifically, the BAPE recommends making "irrefutable" (indisputable) the presumption that exists in law for workers suffering from mesothelioma (a fatal cancer typical of asbestos exposure) who have been exposed to asbestos fibres.

- We therefore wish to know if your government will modify the nature of the presumption that exists for workers with mesothelioma who have been exposed to asbestos fibres so as to make this presumption irrefutable, as recommended by the authors of the BAPE report and as currently exists in Ontario.

### **3) Health requirements prior to any exploitation of asbestos mining residues (AMR)**

The authors of the BAPE report clearly set out two essential conditions that must be met **before** any exploitation project can proceed: not cause any increase in environmental concentrations or any additional risk for workers and the general public, and ensure that the

extraction process completely destroys the processed asbestos fibres without adversely affecting air quality. However, at the time of this writing, companies are rushing to use the asbestos mining residues without any consideration for the essential controls specified in the BAPE report.

- We therefore wish to know if your government will immediately suspend this AMR “commercialization” work as long as the essential conditions stipulated by the BAPE are not in place and the companies have not obtained a written approval notice from the Ministry of the Environment and the Fight against Climate Change and the Ministry of Health and Social Services.

We thank you for your attention to this letter and we are confident that your government will respond positively to our requests.

Sincerely,

Gilles Mercier, President, Association des victimes de l'amiante du Québec (AVAQ)

Norman King, epidemiologist, scientific adviser, Association des victimes de l'amiante du Québec (AVAQ)

CC : Opposition parties and media