



EFBWW Position paper

Save the climate and protect workers! A European Strategy for the Removal of All Asbestos

The EFBWW welcomes the European Green Deal and the ambition to kick-off a “[Renovation Wave for Europe - greening our buildings, creating jobs, improving lives](#)”. Boosting building renovation in Europe can save millions of tons of CO₂ and do its part to keep the planet a habitable place for our children. Practically, a renovation wave implies that millions of old buildings will be refurbished – concrete walls dismantled, floors replaced, ceilings removed, roofs renewed, pipes replaced, isolation restored. A terrifying fact: All these materials may contain highly dangerous asbestos fibres. Inhaling those fibres causes terrible diseases, leading to painful suffering and death.

Many Member States have banned the use of asbestos in the 1990s. The EU ultimately banned asbestos in 2005. Since then, placing asbestos on the market, the use of asbestos fibres and of articles containing them is [prohibited](#) throughout the EU. However, in the 20th century millions of tons of the deadly material were used in thousands of products, mostly in construction. As a result, tens of thousands of Europeans have died from asbestos related diseases. And thousands still die. The incubation period for asbestos related cancer is often 30 years and longer. The first wave of death killed asbestos miners. The second wave kills the men and women who worked in the asbestos processing factories, in construction, for cleaning services, in ship building, or as car mechanics. Now it is urgent to review and tighten the EU standards as well as national measures and enforcement to protect workers, inhabitants, and citizens from asbestos. Given the high degree of labour mobility within the construction sector on the EU internal market, there is an unequivocal European added value for more ambitious common standards.

The EFBWW calls for an urgent update of the EU minimum standards to protect workers’ health and safety when working with asbestos, while connecting this task with other important initiatives to build a comprehensive approach. If the EU and Member States fail to act, we risk a new wave of asbestos victims.

EFBWW call for European Strategy for the Removal of All Asbestos (ESRAA)

Before this background, the EFBWW calls for a comprehensive European Strategy for the Removal of All Asbestos (ESRAA). The elimination of asbestos from the built environment demands a global approach. The EFBWW reminds that there is a direct connection between several important ongoing EU policy initiatives and an ESRAA: The Green Deal with the

[Building Renovation Wave](#), the implementation of the [European Pillar of Social Rights \(EPSR\)](#), the [Beating Cancer Plan](#), the EU [Multiannual Financial Framework \(MFF\)](#) and the [recovery strategy](#), the [New EU Strategic Framework for Health and Safety at Work](#), and the [Circular Economy Action Plan](#) where it addresses construction and buildings. The EFBWW calls on the Commission, the Council, and the European Parliament to use the momentum of the Green Deal for an ambitious ESRAA to get rid of the hazardous asbestos legacy once and for all. Otherwise, we will pass on the deadly threat to a generation of workers who today are still in their infancy.

Let's get to work! What the EU needs to do now

The safe removal of asbestos has many dimensions and encompasses a field of shared competences between the EU and its Member States. It demands decisive action on both levels, with a comprehensive EU framework and the Member States implementing, enforcing, and further developing the measures, in close cooperation with the social partners and other stakeholders like victims' organisation, labour inspection or prevention authorities. The EFBWW calls on the European institutions to build an ESRAA on the following pillars:

- 1) National asbestos removal plans – call for an EU framework*
- 2) Detect and register asbestos – call for an EU framework*
- 3) Support building owners financially – call for an EU framework*
- 4) Protect workers' health and safety – revise Directive 2009/148/EC*
- 5) Enforce the rules – boost labour inspections*
- 6) Recognise and compensate asbestos victims – for a new EU directive*
- 7) Asbestos out of the circular economy – a hazardous waste strategy*

1) National asbestos removal plans – call for an EU framework

All asbestos must be removed once and for all from buildings and infrastructure to protect workers and citizens now and our children in the future. The EFBWW calls on the Commission to establish a legal European framework for Member States to set up asbestos removal strategies with a clear timeline on when this should be accomplished. Some Member States are already pursuing programmes of asbestos removal from the built environment with clear timelines, including Poland (2032), the Netherlands (removal of all asbestos roofs by 2024), and Flanders/Belgium (remove an estimated 2.09 million tonnes of asbestos containing materials by 2040). The EFBWW proposes, as a first step, to focus the removal strategies on sensitive public buildings and infrastructure like schools, hospitals, or gyms. The removal plans should incorporate all elements necessary (see below) for safe removal, including detection and registration, financing and support, health and safety, enforcement, and waste disposal.

2) Detect and register asbestos – call for an EU framework

National removal strategies should be based on comprehensive digital asbestos registries which map all existing asbestos in a country or region. Asbestos registries must be accessible for workers, companies, and affected inhabitants and citizens and regularly updated. We call on the European Commission to propose EU minimum standards for publicly accessible national registers for asbestos and other hazardous substances in buildings and infrastructure, including public buildings like schools, gyms or public administrations, and privately owned buildings.

Workers and companies, but also owners, buyers, tenants, inhabitants, and users need to know where asbestos is hidden. The EFBWW proposes to invent an A-B-C approach for mandatory access points for asbestos detection and subsequent removal:

A – National asbestos registries;

B – Mandatory screening before (energy) renovation works;

C – Mandatory screening before selling or renting out a building.

A – National asbestos registration: The EFBWW calls on the Commission to present a legislative European framework for national asbestos registries. In the framework of a national asbestos removal strategy, all buildings and infrastructure built before the national asbestos ban should be screened and a plan and an ambitious and realistic timeline for the asbestos removal should be set up. The digital asbestos registries should include at least the following minimum requirements (*see page 113ff of the [EFBWW guide on registries](#)*):

- Information about the type of building or infrastructure in which asbestos is located (private, public or business premises);
- The specific location of harmful substances and an indication of where the work will be performed (inside/outside) as well as the part of the building (floors, walls, ceilings, roofs) or infrastructure;
- The year of construction of the respective building or infrastructure (before or after the national asbestos ban);
- The type of material worked with (asbestos cement, insulation, putty etc.) and an indication of the amounts;
- The kind of works that need to be conducted (repairs, removal, etc.), and an indication of work methods that may disturb asbestos containing materials (drilling, cutting etc.) and the duration of the planned activities (e.g. more than 2 hours);
- A timeline for removal and a management plan for the duration until all asbestos is removed;
- Public accessibility, especially for companies and workers who carry out work on the premises in question (e.g. in a centralised digital database or a building specific ‘log book’, such as a building renovation passport).

B - Mandatory screening prior to energy renovation and/or demolition: With the latest revision of Directive 2010/31/EU on the energy performance of buildings (EPBD) the legislators called on Member States to support the removal of asbestos and other harmful

substances, preventing the illegal removal of harmful substances, and facilitating compliance with existing legislative acts in their energy renovation plans. Unfortunately, this call is hidden in a non-committal recital of the amending act only. This is why the EFBWW is calling on the Commission to make a proposal for a targeted amendment to Article 7 of Directive 2010/31/EU in the context of the “Building Renovation Wave”, introducing a requirement for the mandatory screening and subsequent removal of asbestos and other dangerous substances before renovation works can start.

C - Mandatory screening before selling or renting out a building: The EFBWW calls on the Commission to make a legislative proposal for establishing asbestos certificates for buildings built before 2005 that are being sold or rented out. The proposal should contain as a minimum the following elements:

- An obligation for owners of buildings (public and private) to commission a screening of the building to locate and identify all asbestos containing materials before the building (or a part of it) is sold or rented out.
- Screenings shall be carried out by qualified and certified operators only, in accordance with directive 2009/148/EC and national law and practice and under the supervision of a competent national body.
- The result of the screening should be reported to a competent national body (a one-stop shop), which should issue the certificate, keep a national registry of the certificates, and give advice to owners about applicable laws and regulation, the correct and safe removal of the asbestos found, and the financial support available.
- The asbestos certificates shall contain the result of the screening, including a list of the types of asbestos containing materials found, their exact location, and concept for the safe removal.
- Effective, proportionate, and dissuasive fines shall be established for sellers and lessors of buildings who do not commission the prescribed screening and report it to the competent body before selling or renting out the property.
- Selling or lessors of the property shall be liable for a period of 30 years if they do not commission the mandatory screening and report the results to the competent national body.

3) Financially support building owners – call for an EU framework

Homeowners should not be left alone with the poisonous asbestos inheritance. Sufficient public financing is therefore needed to put the safe removal of asbestos into praxis in a socially responsible way, also to prevent illegal and unsafe removal. The EFBWW calls on the Commission to present a legislative proposal for EU financial support programmes to public or private owners of buildings for the safe and orderly removal of asbestos and other hazardous substances, and a European framework for national funds set up to cover the costs of asbestos removal and disposal in a socially responsible way and without unduly burdening private homeowners or tenants. These asbestos removal funds should be part of the European recovery strategy and the Building Renovation Wave as one decisive element of the EU’s Green Deal.

4) Protect workers' health and safety – revise Directive 2009/148/EC

Reinforced health and safety standards on EU and Member State level must ensure that workers working with - or likely to get in contact with - asbestos containing materials are fully protected across the EU. The health and safety protection measures laid down in Directive 2009/148/EU must be updated to be fit for purpose and reflect the newest available scientific and technical knowledge. Given the high degree of company and labour mobility within the EU internal market for construction, there is a clear need for robust EU minimum standards to make sure workers' health and safety is protected under all circumstances and in all workplaces. Dreadful asbestos related diseases do not differentiate according to nationality or employment status. Migrant and posted workers are particularly vulnerable and must be protected. Thus, we need a robust level playing field for high-standard health and safety rules. The EFBWW calls on the European Commission to present a legislative proposal for a revision of Directive 2009/148/EC to update the EU measures for protecting workers from the threat of asbestos. We must prevent a new wave of asbestos victims.

A revised directive should include the following changes:

Concept of asbestos and its characteristics in the light of health and safety: The directive should clearly refer to the fact that all varieties of asbestos are dangerous and not only highlight certain types like crocidolite, giving the impression that work with some types of asbestos is not dangerous for the health of workers.

Furthermore, the list of fibrous silicates should be updated with all known forms of fibres with similar harmful effects on human health as asbestos. The EFBWW calls on the European Commission to verify an inclusion of the fibrous fragments from actinolite, anthophyllite, tremolite, grunerite and riebeckite as well as winchite, richterite, fluoro-edenite, and erionite into the scope of the directive.

Eliminate concepts of sporadic exposure and low intensity: The concept of sporadic exposure and low intensity should no longer be used to allow the removal of personal protective equipment and other protective measures. According to the latest scientific medical research and recommendations, a threshold under which asbestos fibre air concentration is harmless does not exist. The EFBWW calls for a modification of the directive's concept of sporadic exposures and to refer to the occupational exposure limit value (OELV) and to the obligatory measurement of exposure during the work process. The removal of asbestos allegedly without corrosion is a dangerous concept and should be removed from the directive. Furthermore, there should be no exemption from protection measures for short duration work with asbestos, especially if the OELV would be exceeded if the time of work would be equivalent to an 8-hour reference period. The concept of friable and non-friable asbestos containing materials should not be used to determine the risk level for the health of the worker working with asbestos. Instead, an individual risk assessment related to the planned work process should determine the necessary and obligatory protective measures.

Prohibiting encapsulating and sealing: Asbestos containing parts and materials already in use must be removed and disposed of safely and not be repaired, maintained, sealed, encapsulated, or covered. These practices lead to a hidden asbestos problem bearing risks

for inhabitants and workers years later, not knowing that they are confronted with a highly dangerous material. Therefore, encapsulation and sealing of asbestos must be prohibited. The directive should also state clearly that work on existing products is included in the prohibition of the “processing of products”.

Notification system: The information included in the notification to the competent authorities should be complemented with the specific areas in which the work will be conducted, the characteristics of the equipment used for the protection and decontamination of workers, the characteristics of the equipment used for waste disposal, and a provisional aeraulic balance for work carried out under confinement. There should be a description of the procedure for the decontamination of workers and equipment, and information about durations of work processes and planned working hours. Furthermore, the information should include the list of workers (likely to be) assigned to the site, the individual certificates proving their competence and the training absolved, and the dates of their mandatory medical examinations.

Measures and advanced technology to reduce dust to the minimum: In health and safety prevention, it is a fundamental legal principle that always the technical state of the art must be applied to achieve the highest possible level of protection. Therefore, the directive should specify technical minimum requirements to lower the concentration of asbestos fibres in the air to the lowest level which is technically possible, including through dust suppression and suction of dust at the source, continuous sedimentation, means of decontamination and minimum requirements for the pressure difference between asbestos enclosures and surroundings, fresh air supply and HEPA filters. There should be a minimum pressure difference of -10 (minus 10) to ensure a sufficient margin of safety against external factors, such as person traffic between the enclosure and surroundings, filter clogging, and high wind speed. Fresh air must be supplied from a point far enough away. The performance of negative pressure units and portable vacuums of local exhaust ventilation systems should be confirmed after the change of a HEPA filter and before the start of asbestos removal or at least once a year, by measuring the removal efficiencies of filters with a direct-reading particle counter.

The (mandatory) use of robots and other advanced technologies in this regard should be further explored, including through a more systematic exchange of best practices to continuously develop new standards for the protection of workers’ health and safety.

Sampling: The EFBWW insists that the directive shall determine that sampling must be representative of the personal exposure of the worker to dust arising from materials containing asbestos. This implies that samples must be taken in representative and realistic situations of workers’ exposure. If – for whatever reason – sampling cannot be done in way representative of the personal exposure of the individual worker, all available protective measures must be applied.

Fibre counting methodology Optical microscopy is not the latest available technology to count asbestos fibres in the breathing air. Analytical Transmission Electron Microscopy is more sensitive and makes it possible to distinguish and count asbestos fibres. Thus, wherever possible, fibre counting should be carried out by Analytical Transmission Electron Microscopy.

Occupational Exposure Limit Value (OELV): The EFBWW welcomes the European Commission's assignment to the European Chemicals Agency (ECHA) to prepare a scientific opinion to update the EU OELV on asbestos. It is obvious that the current EU minimum standard for the OELV (100.000 fibres per m³ (0,1 fibres/cm³) is absolutely outdated. The praxis in some Member States shows that much lower OELVs can and must be applied to protect the health of workers, for example the OELV of 2000 fibres/m³ (0.002) in the Netherlands. The International Commission of Occupational Health (ICOH) and medical research conclude that exposure limits do not protect properly against cancer. But for asbestos removal and equivalent exposure elimination work a limit value of 1000 fibres/m³ (0.001 f/cm³) is proposed. The EFBWW therefore demands to set the EU OELV at this level.

Asbestos screening prior to the start of work: The EFBWW emphasises that not only employers, but also main contractors, contracting authorities, and owners should be obliged to carry out an asbestos diagnosis before commissioning any work in buildings, ships, aircraft, on equipment, or products. Only qualified and certified operators should be commissioned with the search for asbestos prior to the start of work. The process must include a diagnosis adapted to the characteristics of the workplace. A report should state either the absence or the presence of asbestos. In the latter case, the nature of contamination and its location must be specified, and the quantity of asbestos containing materials estimated.

Plan of work: A plan of work shall be drawn up before any works in relation to asbestos starts. This must not only apply to demolition work or work on removing asbestos and/or asbestos-containing products, but to all possible ways of working with asbestos.

Training requirements for workers: The EFBWW is alerted that training requirements and the documentation of training absolved by workers still vary greatly between Member States. This situation poses a severe hazard for workers' health and safety, given the very high degree of cross-border mobility of construction workers. The EFBWW therefore calls for a new annex to the directive with obligatory minimum requirements for training on work with asbestos a) for workers in specialised decontamination companies and b) for any worker in any profession who could come into contact with asbestos containing materials while performing work. In addition to the requirements already laid down in the directive, the annex should include:

- Requirements for the qualification of the training instructors;
- Mandatory training certificates stating that the training has been concluded in a satisfactory manner;
- A minimum duration of training of 3 working days;
- Regular intervals of maximum 4 years in which an individual worker must attend a training.

Workers engaging in demolition or asbestos removal work shall receive additional training regarding the use of technological equipment and machines to contain the release and spreading of asbestos fibres during the work processes (in accordance with Directive 2009/104/EC) and on the newest available technologies and machines for emission-free or, where this is not technically possible yet, low-emission working procedures, to contain the release and spreading of asbestos fibres.

Evidence of competence for asbestos removal companies: The EFBWW is alerted that asbestos removal work is often conducted without the necessary safety measures in place and without the use of proper and up-to-date technical equipment. For the workers involved this situation poses a serious health risk. The EFBWW calls for the establishment of a renewable permit obtained from the competent national authority for firms which intend to carry out demolition or asbestos removal work. This permit shall be granted only if the applicant offers proof of adequate state of the art technical equipment and training certificates for their individual workers. A permit shall only be given if there is no doubt about the reliability of the firm and its management. The permit shall be renewable every 5 years.

Member States should establish public registers of the companies which obtained a permit. These registers help ensuring that only firms with the technical means and skills can carry out asbestos removal. They also establish a level playing field for competition which is not at the detriment of health and safety of workers.

Equipment and decontamination procedures: The EFBWW observes that in practice rules for the use of personal protective equipment and decontamination are often not clear enough. The directive should therefore specify that individual protective breathing equipment must be subject to a mandatory fitting check. This is essential to make the respiratory protective equipment safe for the individual worker. Furthermore, the directive should prescribe a decontamination procedure.

Medical follow-up and post-professional follow-up: The EFBWW insists that employees exposed to asbestos must be subject to enhanced individual health monitoring by a qualified occupational physician. Regular screenings and medical follow-up must actively be made available to workers during their professional career and continue without restrictions after the professional activities involving asbestos exposure have ended. Asbestos-related diseases typically develop with latency periods of many years or even decades. A qualified occupational history and a detailed industrial hygienist report is needed to estimate the causative exposures. The occupational physician should receive a copy of the asbestos exposure sheet established by the employer to be included in the employee's individual medical file. The employer must also provide the employee with an exposure certificate once a year and a complete file listing all his specific activities involving asbestos exposure when he leaves the company.

Asbestos related diseases and new annex: Member States are already obliged to keep a register of recognised cases of asbestosis and mesothelioma. The EFBWW demands that the directive should establish that all diagnosed cases of asbestos related diseases must be listed and not be limited to cases where compensation is granted. The EFBWW calls for a new annex to the directive including a binding, though non-exhaustive list of asbestos related diseases which must be recognised in all Member States. The list shall include:

- Asbestosis;
- Mesothelioma following the inhalation of asbestos dust;
- Benign pleural diseases including fibrotic lesions, rounded atelectasis and benign pleural effusion caused by asbestos;
- Lung cancer including bronchial cancer following the inhalation of asbestos dust;

- Cancer of the larynx following the inhalation of asbestos dust;
- Ovarian cancer caused by asbestos;
- Colorectal cancer caused by asbestos;
- Stomach cancer caused by asbestos.

5) Enforce the rules – boost labour inspections

In many cases, asbestos removal takes place without observation of the applicable health and safety rules. Due to a lack of controls, breaches of the existing regulations often go unnoticed and are not sanctioned. For the EFBWW is unacceptable that throughout Europe labour inspectorates are suffering a shortage of financial and human resources, which is to the detriment of compliance with EU and national health and safety obligations at the workplace. The EFBWW therefore calls on the Member States to extend support and resources for labour inspectorates to significantly improve the number, frequency, and quality of the inspections. The EU and the Member States should go well beyond the International Labour Organisation's (ILO) minimum objective of one inspector for every 10.000 workers.

6) Recognise and compensate asbestos victims – for a new EU directive

The EFBWW emphasises that victims of asbestos related occupational diseases must be recognised in an easy and unbureaucratic manner and receive the best treatment and compensation to alleviate their suffering. In many cases, asbestos victims are left alone when they are confronted with bureaucratic systems which put the full burden of proof for the disease on the individual worker. Because of the long latency periods this often puts the sick person in a hopeless and impossible situation. The EFBWW calls on the European Commission to present a legislative proposal for robust European minimum standards for the recognition and adequate compensation for victims of occupational diseases, including all known asbestos related diseases. As a principle, the burden of proof must be revised. A one-stop-shop should deal with all matters regarding occupational diseases. As a material basis for the new directive the Commission should update the Recommendation of 19 September 2003 concerning the European schedule of occupational diseases. The proposal for the new directive should also include the establishment of national ombudspersons to assist victims of occupational diseases in recognition procedures.

As a first step in the direction for better standards on recognition and compensation procedures, the EFBWW calls for a new annex to complement Directive 2009/148/EC with all known asbestos related diseases to be recognised by the Member States' competent institutions (see point 4).

7) Keep asbestos out of the circular economy – an asbestos waste strategy

The EFBWW emphasises that the built environment is only sustainable with a proper life-cycle-management of building materials as a part of the circular economy. Asbestos containing materials categorise as dangerous, hazardous waste which needs to be disposed of safely. It must be prevented under all circumstances that asbestos containing materials re-enter the economic cycle. According to the European Commission, the [key actions](#) of the new Circular Economy Action Plan will include, among others, a strategy for a sustainable built environment, methodologies to track and minimise the presence of substances of concern in recycled materials and articles made thereof, and a harmonised information systems for the presence of substances of concern. For asbestos containing waste, the registration of existing asbestos in existing buildings and infrastructure (see point 2) should be a first step to eliminate asbestos once and for all from the economic cycle. The EFBWW calls on the Commission to integrate the removal of asbestos in its strategy for a sustainable built environment.

EFBWW role in combating asbestos

The EFBWW is the leading sectoral trade union federation on EU level to address the asbestos threat from a European point of view. As a recognised social partner, the EFBWW is working intensively on practical aspects and political strategies to protect workers from asbestos. The [EFBWW Trade Union Guide on the Use of Asbestos Registries](#) portraits existing registries for harmful substances throughout Europe, provides comprehensive information on alternative detection measures, and proposes minimum requirements for national asbestos registries. Together with training providers and institutions, the EFBWW developed the [ABClean asbestos awareness e-learning course](#) to support asbestos awareness in construction companies that are not specialized in asbestos removal. Jointly with our social partners from FIEC, the EFBWW has developed a practical handout for workers and companies on [Detecting Asbestos and Taking Appropriate Action](#). The social partners EFBWW and FIEC have also jointly supported the opinions of the European Social and Economic Committee (EESC) on [Freeing the EU from Asbestos](#) and [Working with Asbestos in Energy Renovation](#).

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