



Asbestos at Work Directive

Directive amending Directive 2009/148/EC on the protection of workers from the risks related to exposure to asbestos at work (AWD)

DG EMPL

Key Features of the New Amending Directive - Directive (EU) 2023/2668 of 22 November 2023:

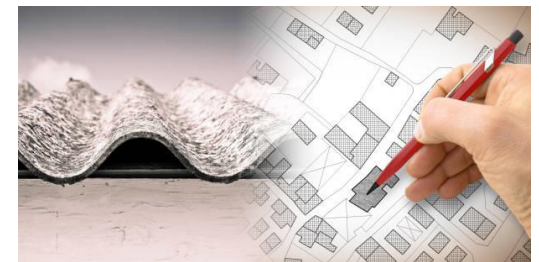
- **Prioritizing removal of asbestos or materials containing asbestos over other forms of asbestos handling (Article 3(2))**
- Cases of **sporadic and low intensity exposure** (Article 3(3) – cases) – derogation from Article 4 (notification to competent authorities) vs. previous derogations – that are no longer applicable – Art. 18 (assessment of each worker's state of health) and Art. 19 (entering the name of the concerned workers in a register)



Revised provisions:

More technical details regarding:

- the **notification system to competent authorities - Article 4(3)**
- **Article 6 – minimization requirement measures (exposure as low level as technically possible below the LV) also through the following measures:**
 - (i) asbestos dust suppression;**
 - (ii) the suction of asbestos dust at source;**
 - (iii) the continuous sedimentation of asbestos fibres suspended in the air;**
 - (ba) workers shall be subject to an appropriate decontamination procedure;**
 - (bb) for work carried out under confinement, adequate protection shall be ensured;**



Revised provisions

MEASUREMENT of ASBESTOS

- Article 7(1) and (2)
 - **at regular intervals during specific operational phases**
 - **sampling shall reflect the personal exposure of the worker**

NEW MEASUREMENT METHOD

- Article 7(6) – fibre counting by **electron microscopy** or by any alternative method that provides equivalent or more accurate results.
- Article 7(7) - only fibres with a length of **more than 5 micrometres, a breadth of less than 3 micrometres and a length/breadth ratio greater than 3:1** shall be taken into consideration. Fibres with a breadth of **less than 0,2 micrometres** shall also be taken into consideration for the purposes of the LV of 0,01 fibres per cm³ (Article 8(2), point (a)) **after six years** from entry into force.

Revised provisions:

- **Article 8(1), (2) and (3) – NEW LIMIT VALUES**

Until (one day before 6 years after entry into force), employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of **0,01 fibres per cm³** as an 8-hour time-weighted average (TWA).

From (6 years after the date of entry into force), employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of:

(a) 0,01 fibres per cm³ but counting also fibres with a breadth of less than 0,2 micrometres;

And/or

(b) 0,002 fibres per cm³ as an 8-hour TWA (counting also bigger fibers of length of more than 5 micrometres, breadth of less than 3 micrometres and a length/breadth ratio greater than 3:1).

Revised provisions:

- Article 10(1) – exceeding limit value or reason to **believe that non identified asbestos was disturbed so as to generate dust, work shall stop immediately** until adequate measures have been taken (obligation to identify reasons and take appropriate measures as soon as possible – immediate measurement checks).
- Article 10(3) - wearing of individual **respiratory** protective equipment (no other means to comply with the limit value) - not permanent and kept to the strict minimum (regular breaks appropriate to the physical and climatological conditions)
- Article 11(1) - Before beginning demolition, maintenance or **renovation work on premises built before the entry into force of the Member State's asbestos ban**, employers shall take all necessary steps to identify presumed materials containing asbestos, **in particular** by obtaining information from the owners of premises, from other employers and from other sources, including relevant registers. **If such information is not available, the employer shall ensure an examination, by a qualified operator in accordance with national law and practice, of the occurrence of materials containing asbestos and shall obtain the result of such examination before the start of the work.** The employer shall make available to another employer, upon request and solely for the purpose of complying with the obligation laid down in this paragraph, any information obtained within the framework of such an examination.

Revised provisions:

Technical details added in Article 12 – regarding the use of **all possible** technical preventive measures including:

- suitable personal protective equipment, **which shall be appropriately handled and, in particular with regard to respiratory equipment, which shall be individually adjusted, including through fitting checks, in accordance with Council Directive 89/656/EEC** (on the use of PPE at work)
- **for work performed under confinement, the enclosure shall be airtight and under mechanical extraction ventilation**

Article 14 – training requirements (at regular intervals & no cost for workers):

paragraph 2 - content of the training easily understandable for workers, enabling them to acquire the necessary knowledge and skills in terms of prevention and safety **in accordance with the national law and practice applicable where the work takes place.**

paragraph 3 - **minimum requirements with regard to the content, duration and frequency of the training and the documentation relating thereto set out in Annex Ia (removed from Art. 2).**

Revised provisions:

- Article 15 – **permit from the competent authority** (instead of evidence of ability) before the start of the work for undertakings that intend to carry out demolition or asbestos removal work. Provide the competent authority with at least **proof of compliance with minimization requirements and related measures (Article 6) and certificates indicating the completion of training** in accordance with Article 14 and Annex Ia.

Paragraph 2 - the list of undertakings that have obtained a permit **publicly available**, in accordance with national law and practice

- Article 19(2) – medical surveillance (linguistic changes)
- Article 21 –register of all cases of medically diagnosed asbestos-related occupational diseases. Indicative list set out in Annex I. Addition of:
 - **lung carcinoma,**
 - **carcinoma of the larynx,**
 - **carcinoma of the ovary,**
 - **non-malignant pleural diseases**

TRANSPOSITION DEADLINE



- 2 years from the entry into force (20 days after publication in the OJ)
- Derogation – 6 years transposition deadline for:
 - Introducing the **electron microscopy** method for measuring fibres with a breadth of less than 0,2 micrometres as regards the limit value of 0,01 fibres per cm³
 - limit value not to be exceeded
0,01 fibres per cm³ (electron microscopy measuring fibres with a breadth of less than 0,2 micrometres)
OR
0,002 fibres per cm³
- phase-contrast microscopy (PCM) or any other method that provides equivalent or more accurate results to be used until the transition to electron microscopy (**latest 6 years after entry into force**)

Thank you



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