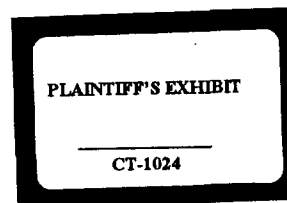


I.P. McGinley



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The Asbestos International Association for environmental and occupational health protection wherever asbestos or other fibres are used for the same purposes

EUROPEAN ADVISORY COUNCIL OF THE A.I.A.

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EEC Situation, 15 December 1990

1. SUMMARY

The end-phase is now in sight in the process of updating the two EEC Asbestos Directives, dealing respectively with **Worker Protection** (the 1983 'DG V Directive') and with marketing and use of asbestos products (the 1983/1985 'DG III Directives').

Although the final decisions will only be taken early 1991, it can already be anticipated that the result of this updating will be

- a considerable **tightening up** of the **exposure limits**
- further **prohibitions** on a number of **asbestos uses**
- a general **prohibition** on all further use of **amphiboles**

The **lowering** of the exposure limits will however **not be as drastic** as requested by the European Parliament, and the **total ban** on all uses of asbestos throughout the EEC, as requested by the European Parliament, has also been avoided, for the time being at least.

Regarding the 3rd asbestos Directive, on the **protection of the Environment** from asbestos pollution, there are no new developments, except that the date of **June 30, 1991**, being the date of enforcement of the asbestos **emission limit** (0.1 mg asbestos per m³ of exhaust air) is coming very close now, with a number of measurement problems still unsolved.

Apart from the above mentioned 3 Directives aiming specifically and exclusively at the asbestos industry and its products, discussions are going on in the various EEC Institutions on a number of Directives of a **more general character**, aiming at a **wide range of toxic and harmful substances**. Some of these Directives have recently been adopted, and other are underway. They cover the whole area from **worker protection**, **consumer protection** and **environment protection**, and their consequences for the asbestos industry could be dramatic. As they address a great number of industries (including the powerful chemical and food industry), the impact which the asbestos industry can have on the development of these Directives is extremely limited.

2. ACTIVITY OF AIA's EEC ADVISORY COUNCIL.

Since the last Governing Council Meeting, the EEC Panel of AIA ('EAC') has met with a much higher frequency than usual. Instead of the traditional 3-monthly meetings, EAC has met 5 times since the end of June, as a consequence of the fast developments at the EEC scene. In September, an extraordinary EAC meeting was held to which managers of asbestos using and producing companies had been invited as well, alongside the regular EAC panel members. On suggestion of the Canadian Asbestos Mining Industry, it was decided at this **emergency meeting** to set up an **'EEC Task Force'** in all EEC countries to coordinate and activate the action of industry representatives towards their Governments and their National Representatives in the various EEC Institutions.

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EAC and members of these EEC Task Forces have met monthly since (Sept. 14, Oct. 11, Nov. 5 and Dec. 5).

Another important response of EAC to the climax building up in EEC was a **two-day training seminar** on dealing with the European Parliament which was organized in November on site in Strasbourg by EAC's E.P. consultant R. Linning (from PRP, Brussels). The initiative had been suggested to EAC by the joint **Strategy Committee** which was set up earlier this year between AIA and the Canadian Asbestos Institute.

On a national level, the Task Force Members have been extremely active in contacting and briefing people in their Governments and in the EEC bodies.

3. RECENT DEVELOPMENTS IN THE EEC.

3.1. Updating of the WORKER PROTECTION (DG V) Directive.

Art. 9 of the 1983 DG V Directive required the EC Commission to update the exposure limits by 1990. A proposal to that end was submitted to the EC Council of Ministers in June. The EEC Advisory Bodies (European Parliament and Economic & Social Committee) have given their view on this proposal and several meetings on the subject have taken place of Member State Experts. The European Parliament's Opinion strongly criticized the proposal as totally insufficient and requested the Commission to amend it considerably, in particular by

- **banning ALL uses** of asbestos (except a few essential uses, to be allowed on a case by case basis)
- lowering the exposure limit for chrysotile from 1.0 (= 1983 limit) to 0.2 rather than to 0.8 (= June 1990 proposal).

Fortunately, the EC Commission, backed by a majority of member States, decided to overrule the European Parliament and only gave in to a very limited extent to the wishes of the Parliament when revising their original proposal. The revised proposal was adopted by the Council of Ministers on November 26, with quite reasonable figures, as can be seen in the following table :

	1983 DG V Asbestos Directive	EC Commission's June 1990 updating pro- posal	European Parliament's, request, October '90	Common Position of EC Council of Ministers, November 1990
<u>CHRYSTILE</u>				
limit value	1.0	0.8	0.2	0.6
action level	0.25	0.2	-	0.2
<u>CROCIDOLITE</u>				
limit value	0.50	0.3	-	0.3
action level	0.25	0.1	-	0.1

As can be seen from these figures, we have lost some ground (compared to the original Commission proposal) on chrysotile as a consequence of EP and Member States' objections, but not on amphiboles.

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3.2. Updating of the DG III Marketing of Products Directive.

In its present (and probably final) version, the Commission proposal seeks to introduce a ban on

- all uses of amphiboles (natural contamination of chrysotile by tremolite excluded)
- the following uses of any type of asbestos :
 - a) filters for liquids (except for pharmaceutical use)
 - b) road surfacing material with more than 2% asbestos
 - c) mortars, coatings, fillers, etc.
 - d) insulating materials of low density (less than 1 g/cm³)
 - e) air and gas filters
 - f) underlays for floor and wall coverings
 - g) non dust-suppressed textiles

This version is considered more acceptable to industry than previous ones which included prohibitions on brake linings, joints and gaskets, insulation products for protection against heat, cold, humidity and noise, and some other applications.

The proposed prohibition on amphiboles puts into practice an ILO recommendation, to which not a single EEC Country has been found ready to object (Art. 11 of the ILO Convention on Asbestos).

3.3. Other EEC Directives.

A verbal report will be given on the various 'umbrella' directives which may affect asbestos.

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