

**Opinion of the European Economic and Social Committee on ‘Working with Asbestos in Energy Renovation’  
(own-initiative opinion)**

(2019/C 240/04)

Rapporteur: **Aurel Laurențiu PLOSCEANU**

Co-rapporteur: **Enrico GIBELLIERI**

|  |  |
|--|--|
| Plenary Assembly decision                    | 12.7.2018  |
| Legal basis                                  | Rule 32(2) of the Rules of Procedure<br>Own-initiative opinion |
| Body responsible                             | Consultative Commission on Industrial Change (CCMI)            |
| Adopted in CCMI                              | 26.3.2019  |
| Adopted at plenary                           | 15.5.2019  |
| Plenary session No                           | 543  |
| Outcome of vote<br>(for/against/abstentions) | 199/4/1  |

## 1. Conclusions and recommendations

1.1. The EESC welcomes the ambitious revision of the Energy Performance of Buildings Directive (EPBD), but also recognises the considerable danger posed by asbestos, which is the number one source of occupational cancer in Europe today. To achieve the ambitious goals of renewing the European building stock to create healthy and energy efficient homes and work places, the EESC deems it necessary to create synergies with the removal of harmful substances during energy renovation so that this burden is not left to the next generation.

1.2. The European Commission must follow up on the European Parliament resolution on asbestos related occupational health threats and prospects for abolishing all existing asbestos (2012/2065(INI)) and the EESC own-initiative opinion on Freeing Europe from Asbestos and follow up on their proposals.

1.3. The European Commission should seek collaboration with the International Labour Organization (ILO) and the World Health Organization (WHO) using previous ILO/WHO programmes. The European Agency for Occupational Safety and Health and the European Commission should jointly support such action in the EU.

1.4. The European Commission should actively promote a life cycle approach to building design and construction materials with a view to recyclability and end-of-life use as well as the EU goal of creating a circular economy.

1.5. The European Commission should make the removal of harmful substances a priority when developing complimentary tools such as a digital building logbook and building renovation passport to inform consumers about the renovation potential of buildings and support the implementation of customised renovation plans based on audits by professionals. This could include additional complimentary tools at EU level for the registration of harmful substances in buildings that are publicly accessible with a view to protecting consumers.

1.6. The European Commission and Member States shall review the transposition and practical implementation of the directive on exposure to asbestos at work (Directive 2009/148/EC) from the perspective of different risk groups, so as to improve the protection of all workers at risk of asbestos exposure. The European Commission and Member States should work together to make effective use of EU structural and investment funds for asbestos abatement.

1.7. Energy renovation is at the crossroads of multiple areas of European law. EU and national legislation should be assessed to ensure policy coherence in dealing with harmful substances. This includes waste legislation and guaranteeing a sufficient number of landfills to handle asbestos waste.

1.8. Member States should develop registers and make harmful substances a core component of any existing building renovation passports or when developing new ones.

1.9. It is crucial that Member States design their long-term renovation strategies with a view to the inherent dangers of asbestos and other harmful substances.

1.10. Member States must ensure that the criteria for financial support of energy renovation, such as tax rebates or subsidies, are explicitly defined in a way that enables homeowners to completely remove harmful substances in the course of renovation.

1.11. Member States must support social partners in adapting training, qualifications and job profiles to the future needs. This should be done with a view to increasing the attractiveness of the sector for young workers and women.

1.12. The particular role and responsibility of the social partners in combatting the hazards and protecting workers should be fully recognised and supported. A range of organised civil society should also take part as asbestos affects working life, health, consumer protection and the environment. This is particularly the case when it comes to recognition and compensation of victims of asbestos related diseases.

1.13. Member States can help to evaluate and promote good practices and new technologies to protect the health and safety of workers and inhabitants of buildings.

1.14. Considering the great importance of the matter, the EESC will present this opinion at a joint conference with the European Parliament, the European Committee of the Regions and the European Commission.

## 2. General comments

2.1. The revised EPBD will have a significant impact on economic activities in the construction sector by increasing the average rate of annual renovation. One of the most significant changes to the revised EPBD is the level of ambition as the average annual renovation rate should increase from 1 % to 3 %. This will have a positive impact on employment and open the opportunity to promote new and additional skills and qualifications in order to ensure sustainable quality employment and the competitiveness of the sector.

2.2. Policy-makers and stakeholders have to be aware of the potential health risk involved in renewing the European building stock, in particular stemming from exposure to harmful substances such as asbestos. Homeowners, inhabitants and employees working indoors are at risk. The revised EPBD emphasises health issues, and in particular Recital 14 of the amending Directive (EU) 2018/844 provides that 'Member States should support energy performance upgrades of existing buildings that contribute to achieving a healthy indoor environment, including through the removal of asbestos and other harmful substances, preventing the illegal removal of harmful substances, and facilitating compliance with existing legislative acts such as Directives 2009/148/EC <sup>(1)</sup> and (EU) 2016/2284 <sup>(2)</sup> of the European Parliament and of the Council'.

2.3. Indeed, many buildings in need of improvements to their energy performance pre-date the ban on asbestos. Estimates suggest that currently, about 35 % of the EU's buildings are over 50 years old and almost 75 % of the building stock is energy inefficient, which means that the bulk of buildings in Europe are eligible for renovation before 2050. Accordingly, large amounts of asbestos will have to be removed safely.

2.4. According to paragraph 2 of Article 2a of the revised EPBD, in their long-term renovation strategies Member States must prepare a roadmap with an action plan on how to transform their building stock by 2050. Given the high proportion of buildings in Europe containing asbestos, Member States should formulate their long-term renovation strategies with a view to minimising the health risk to workers, inhabitants and the general public.

2.5. The energy renovation of existing buildings demands specific knowledge and skills on the part of workers. The Vocational Educational Training for Low Energy Construction project (VET4LEC) of the European sectoral social partners of the construction industry, has outlined these needs. It is important to all occupations dealing professionally or accidentally with asbestos to have proper qualifications.

2.6. Asbestos continues to be the number one source of occupational cancer in the EU. According to the International Commission on Occupational Health (ICOH) asbestos claims approximately 88 000 lives in Europe annually, accounting for 55-85 % of lung cancers at work. Mortality rates will continue to increase until the late 2020s and 2030s. Even work on bound asbestos can cause a significant release of harmful asbestos fibres.

2.7. The governance structure of the EPBD at national level must meet the present and upcoming challenges. Paragraph 5 of Article 2a of the EPBD states that, to support the development of its long-term renovation strategy, each Member State shall carry out a public consultation. Member States shall establish the modalities for consultation in an inclusive way while engaging relevant public and private actors in a more effective way based on wide consultation and real participation.

### 3. Comments concerning the European Institutions

3.1. The European Parliament adopted a resolution on asbestos related occupational health threats and prospects for abolishing all existing asbestos (2012/2065(INI)) in which, amongst other things, it called on the Commission to develop a holistic approach to energy renovation and asbestos removal. The EESC own-initiative opinion on Freeing Europe from Asbestos gave similar recommendations. The European Commission has taken some measures in following up on the proposals but should do more to accelerate their efforts.

3.2. Because of the use of asbestos containing products in virtually every part of existing buildings that pre-date the asbestos ban, any kind of renovation activity carries the potential risk of releasing asbestos fibres. Potential exposure to workers needs to be controlled and the European Commission must start an assessment of the existing European workplace limit value for asbestos fibres of 100 000 fibres/m<sup>3</sup> (Directive 2009/148/EC) in order to determine whether or not it guarantees sufficient safety for workers. The ICOH recommends lowering the limit values to 1 000 fibres/m<sup>3</sup>.

3.3. Current models for the registration of asbestos and other harmful substances in Member States are by and large not fit for purpose. Although many Member States or regions feature registers of harmful substances they are often incomplete, not publicly available and most are not updated. In some countries they do not exist at all. Poland is a notable exception: the country has an ambitious asbestos abatement programme that enjoys public support and is facilitated by the existence of a publicly accessible register for asbestos.

3.4. A state of the art register for harmful substances in buildings should feature: building specific indication of location and amounts of harmful substances, diagnosis of threat potential and timeline for removal, central data collection by public authorities for statistical purposes and information for the design of removal strategies and financial incentives, as well as public accessibility of safety and health relevant information for public authorities, inhabitants, contractors and workers.

3.5. Recognition and compensation procedures for victims of asbestos exposure need to be improved and access to the necessary information should be facilitated in order to give victims a voice, together with legal, financial and personal support. Asbestos victim associations should be supported. This can reduce the personal burden they bear within such recognition procedures, which always adds to their personal suffering from the disease.

3.6. Within the governance structure of the EPBD at every level precise objectives should be established based on identification of main issues and assessment of progress. European instruments to support implementation of the national long-term renovation strategies should be developed in the form of guidelines and indicators, benchmarking, sharing of best practice and peer reviews.

### 4. Comments concerning implementation of the EPBD at national level

4.1. The revised EPBD obliges Member States to develop long-term renovation strategies. In line with Article 7 of the EPBD, it is crucial that these long-term strategies are designed in view of the inherent dangers of asbestos and other harmful substances.

4.2. Member States are obliged to set up and implement long-term renovation strategies. This should be done in concertation with the relevant actors, including different territorial levels such as regions and municipalities. Consideration must of course be given to national differences in administrative and organisational structures.

4.3. The criteria for financial support of energy renovation, such as tax rebates or subsidies, should be explicitly defined in a way that enables homeowners to remove harmful substances in the course of energy renovation measures; this can include the use of energy active materials such as integrated photovoltaic systems. It is important that financial incentives for the abatement of harmful substances are also available when their removal is not directly linked to the energy performance of the building. This can help to create healthy and energy-efficient living and working spaces and facilitate ambitious asbestos removal.

4.4. Consumers require additional support in the form of awareness-raising about the dangers of harmful substances in buildings that can have negative effects on health and indoor air quality, and how to alleviate these dangers in the process of energy renovation. Energy advisers and auditors and other consumer support providers should be knowledgeable and qualified to provide information about abatement and funding possibilities.

4.5. Currently, training requirements and provisions in many Member States are insufficient to adequately protect workers from the risks of asbestos. In principle, every worker in the construction industry runs the potential risk of encountering asbestos in the course of their work. According to the Directive on exposure to asbestos at work (Directive 2009/148/EC), every worker at risk needs training appropriate to the level of risk; however, this is not sufficiently reflected in the transposition into the domestic law of many Member States which are often limited to workers who are potentially exposed to high concentrations (e.g. asbestos removal/demolition). Member States are encouraged to review their respective transposition and practical implementation of the directive from the perspective of different risk groups, so as to improve the protection of all workers at risk of asbestos exposure.

4.6. It is important to mainstream awareness and trade specific training, including general awareness-raising especially among young workers, which can include vocational and educational training. Training should be designed to meet the needs of workers who will encounter asbestos on an occasional basis and enable them to remove low-risk materials such as undamaged asbestos cement roofs and pipes. This is particularly relevant to SMEs. Finally, the needs of specialised asbestos abatement companies who can also handle high-risk materials and large quantities on a regular basis should be considered separately.

4.7. The European Social Partners in the construction industry have developed asbestos information modules for the safer handling of asbestos, which are available in many languages. Member States are encouraged to undertake awareness-raising activities of their own or to disseminate existing material.

4.8. New technologies and new work practices to protect the health and safety of workers and inhabitants of buildings are available and their use and implementation need to be promoted. General dust reduction in the work place can reduce a wide range of adverse health effects resulting from crystalline silica, wood dust and asbestos, among others. This can be done by different means, such as suction at source, binding dust with water or gel. Remote-controlled robots are already used for removal of materials from surfaces, confined spaces, ceilings and building walls. Taking the danger of harmful substances seriously can drive innovation.

4.9. It is important to address the sometimes accurate perception of dangerous and unhealthy work places in the construction sector. This is an important consideration in light of an ageing work force. Managing the risk of asbestos and other harmful substances in a holistic way during energy renovation can help to make the sector more attractive to young men and women.

4.10. Energy renovation creates new occupations and transforms existing job profiles. This is an opportunity to improve the attractiveness of the sector and create new and attractive work places. It is increasingly important to address the demographic change in the sector by providing job profiles and working conditions that cater to the expectations of young workers and women in particular.

4.11. The average person spends about 90 % of their time indoors. Nowadays building materials rarely consist of homogeneous materials. Even apparently simple products are produced using a range of chemical products and additives; this is often linked to technical processes. Sometimes the long-term effects on human health are unknown. Nano materials, for example, feature similar geometric properties as asbestos and could potentially be dangerous in the long run. Policy-makers and building material producers should apply the precautionary principle as the guiding rule in building material research and development.

4.12. A life cycle approach to building design and construction materials with view to end-of-life use and recyclability should be mainstreamed. Policy-makers could stimulate or provide incentives for the use of sustainable building techniques and natural building materials such as, but not limited to wood, ideally from local sources. For example, we are witnessing an increase in timber framed buildings and technological developments in bio-based insulation materials such as hempcrete or new applications for wood-based products. These developments in using more sustainable materials and products should be more actively promoted and supported through various EU instruments and initiatives. This should also take into account the EU goal of creating a circular economy.

4.13. One of the main motivations for revising the EPBD was to reduce the impact of climate change. Nonetheless, we can anticipate a higher frequency of natural disasters that can result in the uncontrolled release of asbestos fibres from buildings and public infrastructure. This should be an additional incentive to accelerate asbestos removal and should feature in the response plans to natural disasters. Emergency services are at risk in such situations and need to be protected adequately.

Brussels, 15 May 2019.

*The President*  
*of the European Economic and Social Committee*  
Luca JAHIER

---