



Phased Removal: Lessons from Europe

Introduction

Asbestos is a toxic mineral that has been used in construction all over the world. There are different types of asbestos but the three most used in construction are: chrysotile (white), amosite (brown) and crocidolite (blue). They increase in harm respectively; chrysotile is a serpentine form of asbestos while amosite and crocidolite are amphibole forms. Asbestos is still produced and sold in certain parts of the world, despite many countries prohibiting its use. Some have gone further in calling for the removal of asbestos. However, each of these countries has a different history of asbestos use, which presents unique challenges. This paper looks at the recent and ongoing experience of removing asbestos from buildings across different European countries and the lessons that could inform policy and practice for the phased removal of asbestos in the United Kingdom (UK).

Background

Attitudes towards asbestos have changed significantly across Europe, over the past 50 years. The use of asbestos peaked in the 1970s. During the 1980/90s many European countries prohibited its use, as awareness of its carcinogenicity spread. In 1999, the European Union (EU) introduced a 'total ban' across member states, which was finalised by the EU directive in 2005 (Asbestos Victim Advice 2015). The European Parliament went further in 2013, when Stephen Hughes (vice-president of the S & D Group) called for a coordinated strategy to remove all asbestos from all EU public buildings by 2028. The resolution was passed by a large majority (558 in favour & 51 against). Asbestos removal initiatives are now ongoing in Belgium, the Netherlands, Italy, and Poland. And while their approaches differ, they share a common objective – moving towards an 'asbestos free society'.

Examples from Europe

There has been little research into the efficacy of national asbestos removal initiatives across Europe. Perhaps because these initiatives are relatively new, making it difficult to accurately measure their outcomes. However, there is still much we can learn from the various experiences in Belgium, the Netherlands, Italy, and Poland. This paper identifies effective measures and practice, which may be applied within the UK. It also examines the challenges these countries have encountered and proposes ways these may be avoided in the UK.



Belgium

Belgium was one of the last European countries to prohibit asbestos, formally banning the use of all types of asbestos in 1998. This slow response is a consequence of: the long latency period of many asbestos-related diseases, faulty communication about the health risks posed by asbestos, and a strong asbestos industry able to capitalise from an ambivalent government (Van den Borre and Deboosere 2017: 116). Studies have correlated high rates of mesothelioma with proximity to former asbestos factories, pointing to the need for thorough screening of potentially contaminated sites (Van den Borre and Deboosere 2014). The Flemish Government has introduced ‘Asbestos Decree’, which aims to remove all accessible asbestos-containing materials in ‘bad condition’ from society by 2040 (Clifford Chance 2019).

The ‘Asbestos Decree’ has expanded the requirement for an ‘asbestos inventory’, added new requirements to owners of buildings occupied by public authorities, introduced new preventative measures, such as an obligation to remove all easily accessible asbestos during construction works (Clifford Chance 2019). This came after OVAM conducted research which found that out of 300 schools checked, 69 had an urgent asbestos problem (VRT NWS 2018). The ‘Asbestos Decree’ will be rolled out in phases to allow building owners time to adjust. An asbestos survey is required upon the sale of every building by 2022; every building must contain one by 2032, and any accessible asbestos must be removed from the outer shell of a building by 2034 (Clifford Chance 2019).

The Netherlands

The Netherlands banned the use of crocidolite in 1977, followed by a ban on all types of asbestos for public use in 1993 and private use in 1998 (Salvatori, Santoni and Michaels: 18). They now calling for the removal of exterior asbestos-containing materials in roofing by 2024, such as corrugates sheets and slate roofing, which tend to be made with chrysolite. Wilma Mansveld, the former Undersecretary for Infrastructure and Environment, has led on the ban, arguing that asbestos roofs are now commonly in a deteriorated state and are becoming a risk to people’s safety (Mauney 2016).

The Dutch Government has introduced a \$16.7 million subsidy to help building owners pay for the cost of removal; unfortunately, experts predict that the actual cost of asbestos removal will be between \$3.3 – \$4.5 billion (Mauney 2016). In addition, corporations have been selling properties with asbestos roofing, to avoid paying the cost of removal (Mauney 2016). The approach has also been criticised more generally for targeting the least harmful forms of asbestos. Aedes, a housing corporation group, has pointed out that asbestos roofs present a low risk compared to other asbestos products (DutchNew.nl 2019).



Italy

In Italy, a ban on the use of all asbestos came into effect in 1993 (Salvatori, Santoni and Michaels: 18). The introduction of a tax relief on those who replace asbestos roofs with photovoltaic, has encouraged the asbestos removal in certain regions. In Tuscany, this tax relief substantially increased the amount of asbestos removed between 2010 (20,640 tons removed) and 2011 (31,665 tons removed) (Silvestri 2012: 491). Unfortunately, Italy has a myriad of complicated laws surrounding asbestos removal, which have slowed progress in other regions (Bainbridge 2017).

In 2016, the Italian Government introduced a 5.6 million Euro fund for asbestos removal, though only 6.5% (368,000 Euros) of the total funding available for applied for (Catalona and Zanotti 2019). Unfortunately, these were only for planning and did not guarantee covering the cost of execution, local authorities do not have the resources or personnel to transport asbestos to disposal sites, disposal sites are already at full capacity (Catalona and Zanotti 2019). Italy therefore dispose of much asbestos in Germany, who are expected to soon stop accepting Italian asbestos (Catalona and Zanotti 2019). There have been serious concerns about the safety standards in Italian landfill sites, with asbestos frequently being disposed of in sites unsuitable for hazardous waste (European Commission 2016). Alternative methods for recycling asbestos, such as thermal treatment, are being considered to tackle this (Silvestri 2012: 495).

Poland

Poland banned the use of all asbestos in 1997 and has since adopted a localised approach to achieve their target of removing all in-situ asbestos by 2032. Authorities collect data on the quantity of asbestos in each territory; the accuracy required in the process, means that most tasks are performed by municipal governments, who are required to: gather data, estimate the quantity and time of removal, and determine necessary funding (Bernaciak and Bernaciak 2016: 788). As asbestos is removed, municipalities are required to update this data on a national database (Baza Azbestowa).

There is significant regional variation in rates of asbestos removal across Poland. In 2014, 32% of asbestos had been removed from the Lower Silesia Province, while only 1% had been removed from the Lodz Province; rates averaged between 1% - 4.7% in other provinces (Bernaciak and Bernaciak 2016: 793). Unfortunately, there has been no specific guidance on how to carry out an asbestos inventory, potential beneficiaries have been poorly informed about their eligibility for funding, and funding requests are often managed by a different entity to the funder (Bernaciak and Bernaciak 2016: 798).



Discussion

The UK context presents its own unique challenges, which differ from those in the countries examined. There are, however, still important lessons we can learn, though they will require modification to be directly applicable.

The UK banned the use of amphiboles (amosite and crocidolite) in 1985 and serpentines (chrysotile) in 1999. Some argue this response was too slow, resulting in an unnecessarily high human and economic cost (Gee and Greenberg 2001: 53). The UK imported large quantities of amosite asbestos in the 1970s, to manufacture insulation board (AIB) amongst other things (Peto, Matthews, Hodgson and Jones 1995: 538). Regions associated with manufacturing in the past, have been found to have higher rates of asbestos-related disease (McElvenny, Darnton, Hodgson and Price 2005: 82). These amphiboles were used extensively in the construction of system buildings between 1945 -1980, many of which were schools (HSE). And while large quantities remain in-situ, the Health and Safety Executive (HSE) argue that in-situ asbestos poses no risk if managed adequately (Control of Asbestos Regulations 2012: 37).

The Flemish Government does accept that in-situ asbestos poses a risk, even when managed correctly. By accepting this risk, they are learning from Belgium's slow response to the use of asbestos. It is unfortunate that other regions have not followed suit, as a strong central government response would place an impetus on removal. The Flemish Government have developed a realistic and coherent approach, which occurs in phases and begins with data collection on the quantity and location of all asbestos. The UK would also benefit from an incremental approach to asbestos removal, that sets deadlines which allow building owner time to adjust to the change. Changing legislation quickly creates problems with enforcement. OVAM have also carried out testing in schools to determine the threat in-situ asbestos is posing to pupils. The UK should carry out similar testing in public buildings to determine the urgency of the need for asbestos removal in regions and at large.

The Netherlands have adopted a highly targeted approach to asbestos removal. The Dutch Government have focused on chrysotile roofing, because they consider them to pose a high-risk. This targeted approach has allowed for an early deadline of 2024 to be set, with funding for removal being provided to people and businesses. However, the funding for removal has been both inadequate and ineffective. Not only have experts argued that the initiative is underfunded but they also feel it should be targeted at other more harmful asbestos products. Furthermore, this funding has effectively disincentivised asbestos removal, with certain businesses selling rather than refurbished their property. The UK would benefit from a targeted approach removing the highest-risk asbestos, which would be amphiboles in



schools and not chrysotile roofs. Experts must be consulted with when drafting a budget, to ensure it is adequately costed and effectively incentivises asbestos removal.

The Italian Government was able to introduce an effective tax relief, which encouraged the removal of tons of asbestos in Tuscany and other regions. They are also exploring new technologies for disposing of asbestos, to ease the burden on landfill sites. The UK must ensure that funding for asbestos removal does not burden people and businesses with exorbitant costs. The use of fiscal incentives may be successful if applied appropriately. Investment in new disposal technology will also be useful, safeguarding us from the disposal problem Italy are experiencing. Although the Italian Government have provided funding for removal, the disposal problem is disincentivising removal and creating other costs. People and businesses are uncertain as to whether they will have a place to dispose of removed asbestos. Furthermore, asbestos often needs to be transported to Germany, which increases costs substantially. Unfortunately, in Italy this has led to poor safety standards on domestic landfill sites. It is crucial to have disposal sites, which are managed to a high standard, built close to areas where large quantities of asbestos are to be removed.

The Polish Government have taken a localised approach to asbestos removal, with many responsibilities resting on municipalities. However, there is collaboration across levels of government, with municipalities submitting data on asbestos to a national database. The UK would benefit from creating a national database and the adoption of new digital platforms, so that data can be shared. It would allow for greater transparency over the amount of asbestos and enable targeting the highest risk materials and buildings as a priority. There is great regional variation in rates of in-situ asbestos in the UK. Consequently, delegating responsibilities to local authorities will allow for the specific demands of each region to be better met. It is pivotal that there is clear lines of communication and enforced standards between central and local authorities, to ensure that asbestos removal occurs equally and fairly across the whole country.

Recommendations

- 1. The UK should create a national database recording the quantity, condition and type of asbestos present in buildings, as our current data on this is piecemeal.**
- 2. The UK should consult with experts to draft a budget for asbestos removal.**
- 3. The UK should prioritise the removal of amphibole asbestos from public buildings, such as schools.**



4. **The UK should invest in asbestos disposal sites and technologies, so that we have adequate capacity to dispose of asbestos.**
5. **The UK should delegate responsibilities for asbestos removal to local authorities, who will be better able to identify the needs in their region.**

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