



# HSA

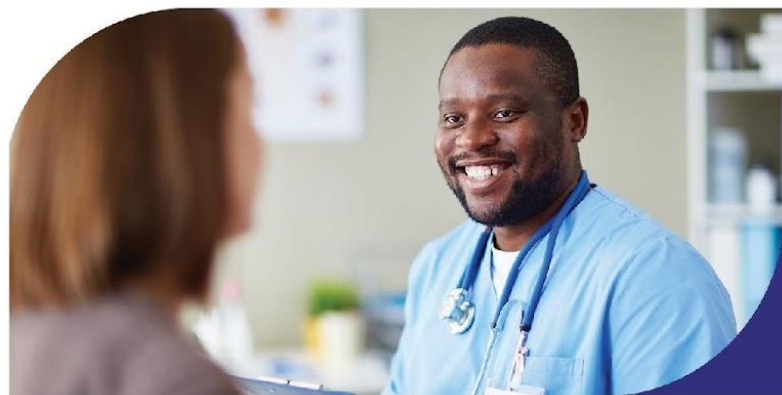
An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

## **Asbestos Worker Directive (2023/2668).**

## **Amendments and Implications**

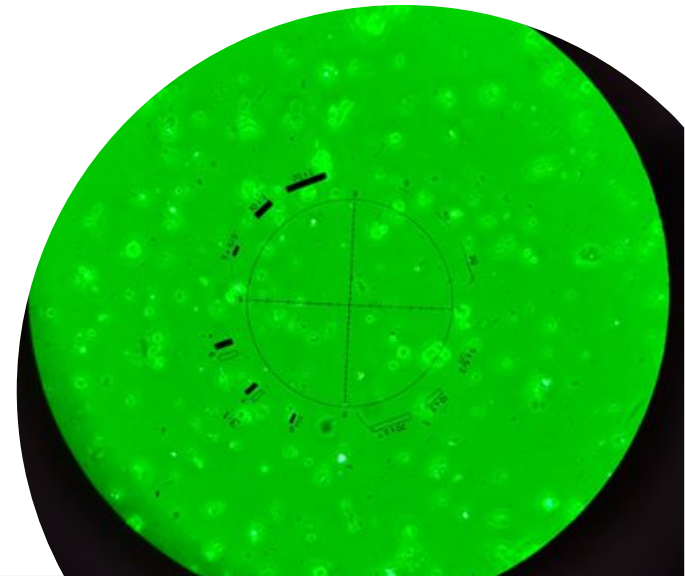
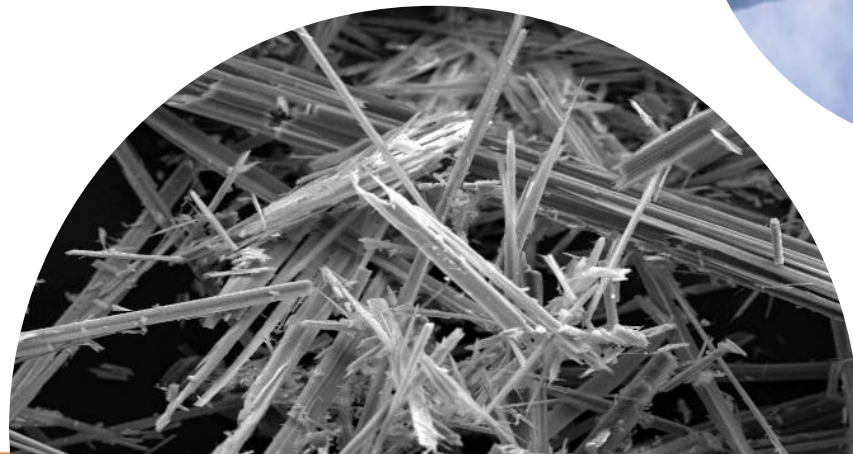
Derek Conerney, Inspector

Date: 2<sup>nd</sup> April 2025



# Agenda

- Asbestos – is that still around?
- The 2023/2668 Asbestos Worker Directive and timelines
- Main Provisions and likely impacts of the amendments introduced by (EU) 2023/2668
- Key Take-Aways
- Questions





## Asbestos discovered at military camp used to house Ukrainian refugees



The cancer-causing material was in an isolated area at the Gormanston base, Co Meath

## Contractor fined €100,000 for failure to conduct asbestos risk assessment

Breach occurred in relation to part of a Dublin city office building

© Mon, Mar 9, 2020, 18:13 Updated: Mon, Mar 9, 2020, 18:14

Fiona Ferguson



## 'No logic' to asbestos removal at hospital

by Sean O'Riordan

The HSE has been accused of making a removal decision.

## Asbestos dumps health worries

Navy staff exposed to asbestos fear for families

by Sean O'Riordan

Civilian staff exposed to asbestos in the ship's hull. The HSE has been accused of making a removal decision.

## Asbestos blown off Albatros removed

THE CRITERIA of the Albatros site has changed for all the asbestos containing items that are to be cleared.

## HSA demands risk assessment before asbestos removal

Sean O'Riordan

## Call for asbestos probe of all older Naval ships

by Michael W. Butler

## Who pays the bill for asbestos clean-up?

by Michael W. Butler



A car passes by the barricades outside the old crown paints warehouses on Tuesday. Credit: Shamim Malekian

Fires at the old Crown Paints warehouse complex on Malahide Road haven't triggered the release of asbestos into the air: an official at Dublin Fire Brigade said

## Asbestos deaths set to hit record levels



THU, 05 JAN, 2017 - 00:00

CAROLINE O'DOHERTY

And safety experts have warned the danger will remain high for another 10 to 15 years, with asbestos finds rising 80% in recent years as the recovering economy sees an increase in building renovations and refurbishments.

Notifications to the Health and Safety Authority (HSA) — which are mandatory when asbestos finds exceed a certain limit in a building about to undergo demolition or renovation works — increased from 164 in 2010 to 290 up to the middle of December this year.

### LATEST

Taoiseach sugi breaking Covic

Woman who s on ice awarde

Connacht rebc of life

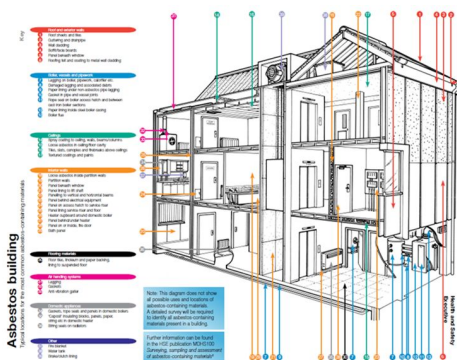
High Court app firm behind Jo

### PODCASTS

# What is Asbestos and where is it found?

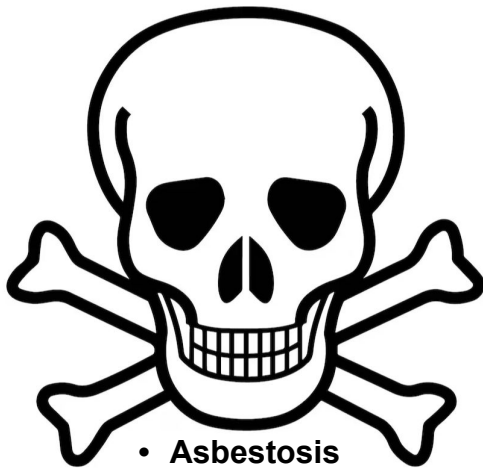
- Asbestos is a naturally occurring mineral
- Soft and flexible fibers that are resistant to heat and corrosion and are mechanically strong
- Asbestos is an effective insulation material, used in cloth, paper, cement, plastic and other materials
- Over 3000 items containing asbestos
- Its use in Ireland banned 2000-2004 – Other countries still use it!

Where is it Found? – Industrial, Agricultural, Domestic - Everywhere!





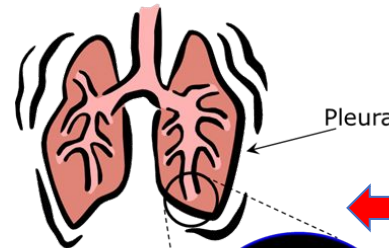
# How does it harm people?



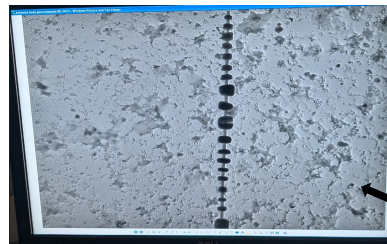
- Asbestosis
- Mesothelioma
- Lung Cancer
- And more...



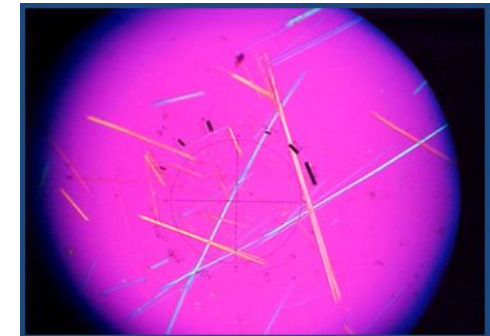
10 to 40 years  
later!



Alveoli



TEM image – single asbestos fibre with asbestos bodies



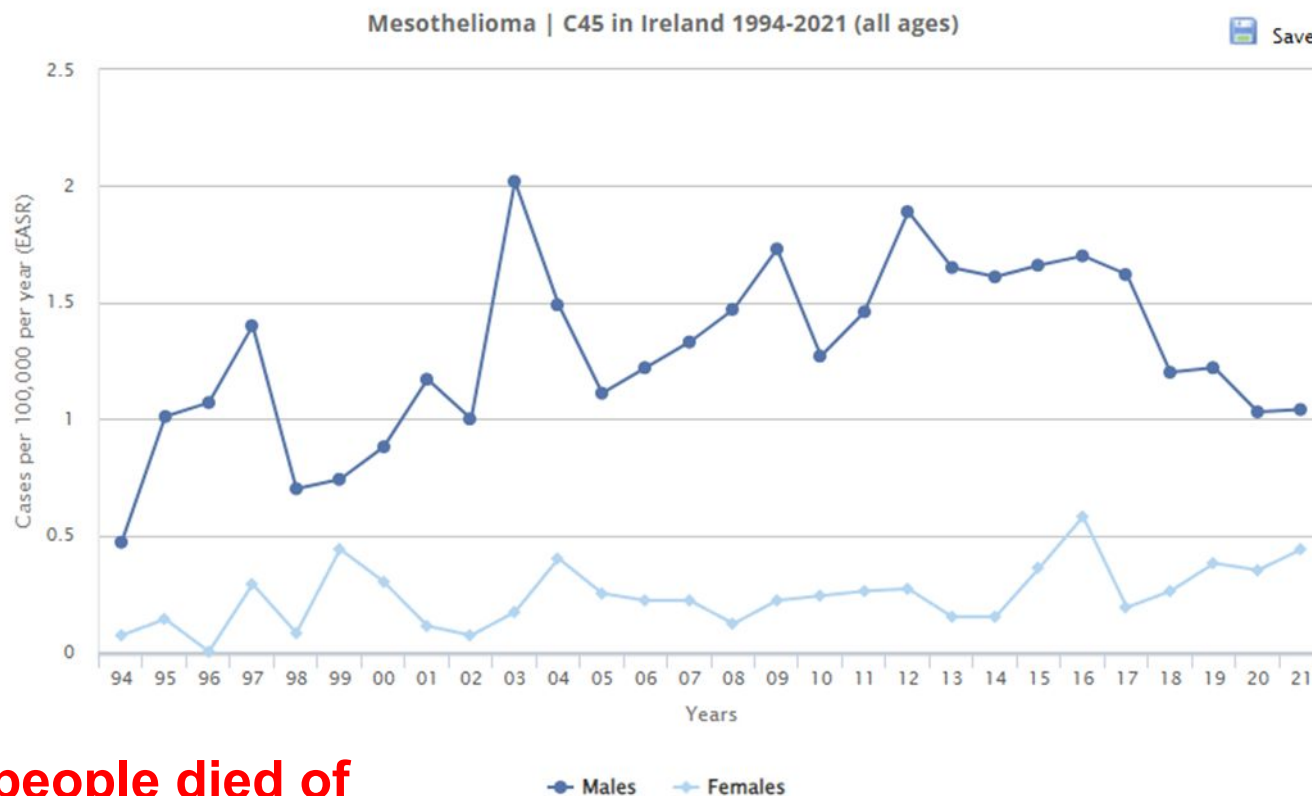
# Mesothelioma – 1.5 / 2 people per 100,000 each year in Ireland

How many of these were exposed at work?

How many of these were due to passive or secondary exposure?

In 2021 - 49 people died of Mesothelioma

38 Workplace fatalities in 2021



Studies estimated that 2x – 4x cases of Asbestosis and Lung Cancer per Mesothelioma death.

In 2019, over 70,000 people in the EU died of illness related to asbestos exposure.

[www.NCRI.ie](http://www.NCRI.ie)

# Asbestos at Work Directive (AWD)

## Objectives:

- Protection of workers against risks from exposure to asbestos at work (**including passive and secondary exposures**); and
- To achieve a more uniform and better protection of workers across the EU against asbestos through the setting of limit values for this exposure as well as other requirements

## The proposal was based on:

- A scientific assessment
- An opinion by the tri-partite Advisory Committee on Safety and Health at Work also taking account of a socio-economic and feasibility analysis
- A two-stage social partner consultation
- An Impact Assessment



# EU Policy - Context for the Amendment

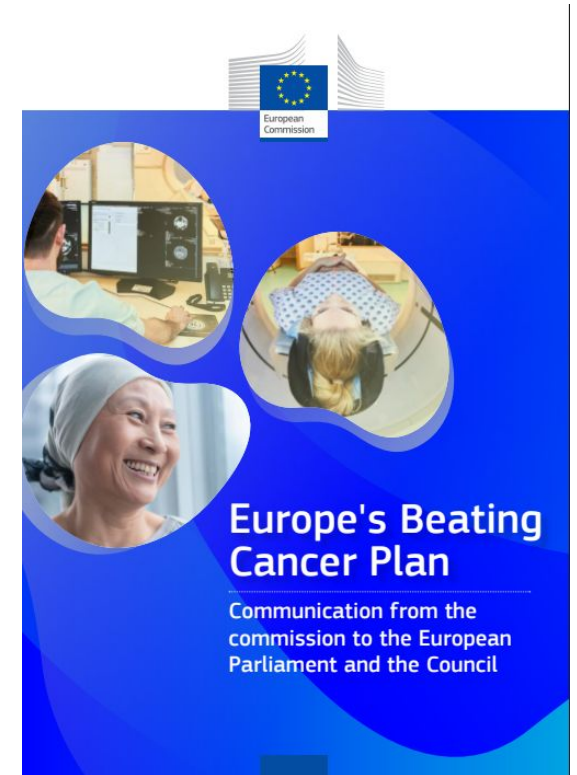
Tackling work-related exposure to asbestos is:

- One of the priorities under the EU OSH strategic framework 2021-2027
- An important action of the cancer prevention pillar of Europe's Beating Cancer Plan



HSA

An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority





# Directive (EU) 2023/2668 - Timelines

On 28<sup>th</sup> September 2022, the European Commission proposed a revision of the 2009 Directive on the protection of workers from the risk of exposure to asbestos.

The European Parliament Plenary voted in favour of the updates on 3<sup>rd</sup> October 2023

The Directive was formally adopted on 22<sup>nd</sup> November 2023.

Member States have until **21<sup>st</sup> December 2025** to transpose the bulk of the provisions, with the remainder to be in national law by **21<sup>st</sup> December 2029**.



# Current Asbestos Legislation in place to protect Workers



An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority



## **S.I. No. 386/2006 - Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006**

Which was amended by -

## **S.I. No. 589/2010 - Safety, Health and Welfare at Work (Exposure to Asbestos) (Amendment) Regulations 2010.**

With the new directive (2023/2668) amendments these will become -

## **XXX.....Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2025**

# AWD Revised Provisions

## Prioritisation of Asbestos Removal - Article 3(2)

- Emphasises the **removal of asbestos** rather than encapsulation or containment.

### Implications:

- Priority must be given to **removal**
- Increased demand for **asbestos removal**.
- Cost implications for property owners / employers but **long-term risk reduction**.





# AWD Revised Provisions

## Health & Worker Protection Measures (Articles 3, 6, 10, 12)

- **Health assessments and exposure registers** required for all asbestos workers, even those with **low-intensity exposure** (Article 3(3)).
- **Minimisation requirements** – exposure must be kept as **low as technically possible**, even below the new OEL (Article 6).
- **Immediate work stoppage** required if asbestos limit value is exceeded (Article 10).
- Provision of suitable PPE / RPE (Article 12).

### Implications:

- No exemptions in legislation from **monitoring of worker health** for those liable to be exposed over the new OEL.
- Employers must **maintain documentation** on worker exposure (based on personal exposure monitoring).
- Due to the lower OEL both existing and new duties will be relevant to a **greater number of employers**.
- **Improved long-term worker protection.**



# AWD Revised Provisions

## Health & Worker Protection Measures (Articles 13, 18, 19, 21)

- **Post-removal verification** needed to ensure no residual asbestos risk before resuming other activities (Article 13).
- **Exposure registers** must be maintained for all workers and an expanded list of medically diagnosed **asbestos related disease** to be held by the authority (Articles 18, 19, 21).

### Implications:

- More enclosure work – **increased air monitoring** as part of site clearance procedures and the availability of competent analysts.
- Stricter **monitoring of worker health**, requiring **medical checks** for those liable to be exposed above the OEL.



# AWD Revised Provisions

## Measurement & Exposure Limits

- **Lower exposure limits:** 0.01 fibres/cm<sup>3</sup> from **21<sup>st</sup> December 2025** (Article 8).
- **Representative and Regular air monitoring** required during asbestos-related work (Article 7.1, 7.2).
- Sampling must be **representative of an 8-hour shift** (Article 7(5)) by measurement or TWA calc.
- **Fibre counting** using **electron microscopy by 21 December 2029** (Article 8) – two OELs (0.01f/cm<sup>3</sup> or 0.002f/cm<sup>3</sup>) depending on whether thin fibres are detected.
- **Implications:**
  - **More frequent personal sampling** required for compliance – all stages of the work.
  - Lower OEL – even short duration work may exceed – **higher standard of control required.**
  - **Cost, availability and turnaround time** challenges for Electron Microscope results (2029).

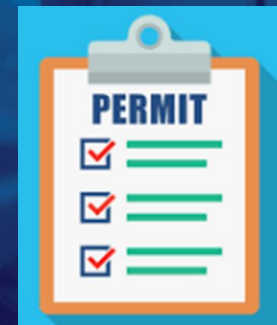




# AWD Revised Provisions

## Training & Notification / Permit (Articles 4, 14, 15)

- Enhanced training requirements including **theoretical and practical training** for workers (Article 14).
- Employers must **notify authorities before starting work** (Article 4) and a **Permit** system will be introduced for asbestos-removal (or encapsulation) - Employers must obtain a Permit before starting work (Article 15).
- H.S.A required to make publicly available **list of employers** who obtained a **Permit** (Article 15).
- **Implications:**
  - Increased training** requirements – particularly those undertaking (lower risk ACM work) e.g, **decontamination training** (before December 21<sup>st</sup> 2025!)
  - Employers must provide **additional documentation** (training) in advance of obtaining permit.



# AWD Revised Provisions

## Identification of Asbestos Materials (Articles 11)

- Before beginning demolition, maintenance or renovation work, employers must **identify all asbestos materials** (Article 11).
- The Directive calls for improved identification of asbestos containing materials in advance of work. It also requires sharing of information between property owners, employers, self employed and workers.

## Implications:

- Asbestos **must be identified in all workplaces** not just construction sites (as already required).
- **Increased** duties on property owners, contractors and designers to identify asbestos before work and share that information.
- Encourages **early asbestos detection** before construction projects – reduced likelihood of accidental or inadvertent exposure.



# Asbestos Removal – Key Impacts

**Article 6** – exposure as low level as technically possible below the exposure limit value: requires enhanced control measures to be specified in plan of work / method statement and implemented on site. Including **prevention of passive and secondary exposure – more work undertaken in sealed enclosures with full decontamination facilities. Enhanced procedures for non-enclosure work.**

**Article 7(1) and (2) and (5)** - measurement of asbestos fibres in the air shall be carried out at regular intervals during different phases of the work. **Challenges in terms of dust control and achieving a valid result with appropriate LOQ.**

**Article 7(6)** – Measurement method changes from 2029 (Electron Microscope) – **Availability!**

**Article 13(2)** – Site clearance for re-occupation before other activities resume **(competent person – increased air testing requirements** as more work undertaken within enclosures)

**Article 14** – training - **some workers will require upskilling**

**Article 12** – choice of **PPE / RPE** based on lower OEL

**Article 15** – **permit** must be obtained

**Article 18 & 19** – medical surveillance and exposure registers for **all asbestos workers** liable to be exposed over new OEL





# Key Take-Aways

- The changes coming on 21<sup>st</sup> December 2025 & 21<sup>st</sup> December 2029 will enhance worker protection.
- Asbestos containing materials must be identified in all workplaces – fundamental for the protection of workers.
- Employers of those liable to be exposed above the OEL will need to increase personal exposure monitoring & improve control measures to ensure exposure is controlled as far as technically possible below the OEL.
- Employers must obtain a permit in advance of asbestos work & ensure workers have the minimum training requirements
- From 21<sup>st</sup> December 2029 exposure monitoring analysis by Electron Microscope.

## What employers should do now!

- Ensure all workplaces have asbestos surveys (to protect all workers).
- Review worker training – upskilling may be required before 21 December 2025.
- Review and update work procedures – decontamination (asbestos workers)
- Develop effective personal exposure monitoring programme and exposure registers (asbestos workers).
- Identify occupational health provider for workers liable to be exposed above the lower OEL (asbestos workers).

# Your Questions?





# HSA

An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

Go raibh maith agaibh  
Thank you

T: 0818 289 389

E: [contactus@hsa.ie](mailto:contactus@hsa.ie)

W: [www.hsa.ie](http://www.hsa.ie)

T: 087 4087613

E: [derek\\_conerney@hsa.ie](mailto:derek_conerney@hsa.ie)

