



European Communities

EUROPEAN PARLIAMENT

SESSION DOCUMENTS

English Edition

21 March 1991

A3-0065/91

**II

R E C O M M E N D A T I O N

of the Committee on Social Affairs, Employment and the Working Environment

on the COMMON POSITION established by the Council with a view to the adoption of a directive amending directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC)
(C3-0015/91 - SYN 256)

Rapporteur: Lord O'HAGAN

PE 146.351/def.

Or. EN

A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

*

= Consultation procedure requiring a single reading

**II

= Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment

**I

= Cooperation procedure (first reading)

= Parliamentary assent which requires the votes of a majority of the current Members of Parliament

C O N T E N T S

	<u>Page</u>
Procedural page	3
RECOMMENDATION	4

At its sitting of 10 October 1990 (¹) the European Parliament delivered its opinion at first reading on the Commission proposal for a Council directive amending Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work.

On 24 January 1991 the President of the European Parliament announced that the common position had been received (Doc. C3-0015/91) and referred to the Committee on Social Affairs, Employment and the Working Environment as the committee responsible.

At its meeting of 17 September 1990 the Committee on Social Affairs, Employment and the Working Environment had appointed Lord O'HAGAN rapporteur.

The Committee on Social Affairs, Employment and the Working Environment considered the common position and the draft recommendation at its meetings of 31 January, 27 February and 21 March 1991.

At the last meeting it adopted the following recommendation by 16 votes to 1.

The following took part in the vote: Mr Van Velzen, chairman; Lord O'Hagan, rapporteur; Mr Brok, Mrs Van Dijk, Mr Donnelly (for Mr Hughes), Mrs Elmalan, Mr McCubbin (for Mr Glinne), Mr Marques Mendes, Mr Megahy, Mr Menrad, Mr Nianias, Mrs Nielsen, Mr Peter, Mr Pronk, Mrs Salisch, Mrs Sandbæk and Mr Van Outrive (for Mrs Buron).

The explanatory statement will be presented orally in plenary sitting.

The recommendation was tabled on 21 March 1991.

The deadline for tabling amendments to the common position or proposals to reject it will appear on the draft agenda for the part-session at which the recommendation is to be considered.

¹) OJ No. C 284, 12.11.1990, p. 95

A.
RECOMMENDATION

(Cooperation procedure: second reading)

on the common position established by the Council with a view to the adoption of a directive amending directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC) (COM(90) 184 final ⁽²⁾ and COM(90) 539 final ⁽³⁾)

The Committee on Social Affairs, Employment and the Working Environment

- having regard to the common position of the Council (C3-0015/91 - SYN 256),
recommends that the European Parliament amend the common position as follows:

Common position of the Council

Amendments

(Amendment No 1)

ARTICLE 1 (1)

Article 3(3) of Directive 83/477/EEC

3. If the assessment referred to in paragraph 2 shows that the concentration of asbestos fibres in the air at the place of work in the absence of any personal protective equipment is, at the option of the Member States, at a level as measured or calculated:

a) for chrysotile:

- lower than 0,20 fibres per cm³ in relation to an eight-hour reference period and/or

- lower than a cumulative dose of 12,00 fibre-days per cm³ over a three-month period;

b) for all other forms of asbestos either alone or in mixtures, including mixtures containing chrysotile;

3. If the assessment referred to in paragraph 2 shows that the concentration of asbestos fibres in the air at the place of work in the absence of any personal protective equipment at a level as measured or calculated at the option of the Member States and concentrations of chrysotile in the absence of other forms of asbestos and of all other forms of asbestos either alone or in mixtures, including mixtures containing chrysotile, are inferior to the limit values set out in Article 8, Articles 4, 7, 13, 14(2), 15 and 16 shall not apply.

²⁾ OJ No. C 161, 30.06.1990, p. 14

³⁾ OJ No. C 300, 29.11.1990, p. 9

Common Position of the Council

Amendments

- lower than 0,10 fibres per cm³ in relation to an eight-hour reference period and/or

- lower than a cumulative dose of 6,00 fibre-days per cm³ over a three-month period.

Articles 4, 7, 13, 14(2), 15 and 16 shall not apply.

(Amendment No 2)

ARTICLE 1(2)

Article 5 of Directive 83/477/CEE

The application of asbestos by means of the spraying process and working procedures that involve using low-density (less than 1 g/cm³) insulating or soundproofing materials which contain asbestos shall be prohibited.

The use of asbestos shall be prohibited except in cases classified as essential by a Commission group of experts.

(Amendment No 3)

ARTICLE 1(4)

Article 8(a) and (b) of Directive 83/477/EEC

(a) concentration of chrysotile fibres in the air at the place of work:

0,60 fibres per cm³ measured or calculated in relation to an eight-hour reference period;

b) concentration in the air at the place of work of all other forms of asbestos fibres, either alone or in mixtures, including mixtures containing chrysotile:

0,30 fibres per cm³ measured or calculated in relation to an eight-hour reference period;

(a) concentration of chrysotile fibres in the air at the place of work:

0,25 fibres per cm³ measured or calculated in relation to an eight-hour reference period;

b) concentration of crocidolite, amosite or any form of asbestos other than chrysotile, either alone or in combination in the air at the place of work:

0,10 fibres per cm³ measured or calculated in relation to an eight-hour reference period;

Common Position of the Council

Amendments

(Amendment No 4)

ARTICLE 2(1), first and second subparagraph

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1993.

They shall forthwith inform the Commission thereof.

1. Member States shall adopt the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1992 and shall forthwith inform the Commission thereof.

(Amendment No 5)

ARTICLE 2(2a) (new)

2a. The Commission will publish an annual report on the implementation of this Directive in the Member States. This report will be submitted to the European Parliament, for examination and discussion by the Social Affairs Committee which may decide to make a further report to the European Parliament as a whole.