

# **SAFE AND RESPONSIBLE USE OF CHRYSOTILE ASBESTOS FROM POLICY AND LEGISLATIVE FRAMEWORK OF THE PHILIPPINES**

## **I. CHRYSOTILE MANAGEMENT AND CONTROL AGENCIES**

The state and non-state agencies and organizations involving in management of matters relevant to the chrysotile include the following:

### **Governmental agencies**

Department of Environment and Natural Resources: Establish the rules and regulations on management of chemicals and hazardous wastes.

Department of Labor and Employment: Bureau of Working Conditions<sup>1</sup>: Establish the rules and regulations on control of works related to the hazardous sources, accidents and injuries at workplaces.

Department of Health: National Center for Diseases Prevention and Control<sup>2</sup>: Establish the rules and regulations on assurance of health and welfare.

Inter-Agency Committee on Environmental Health<sup>3</sup>: Deals with the specialized matters requiring the coordination among different agencies.

### **Non-governmental organizations**

Asbestos industry of the Philippines (including the manufacturers of products made of asbestos-input materials; associations of manufacturers): ACIP

Workers and trade unions (Associated Labor Union, Trade Union Congress of the Philippines, etc)

Scientists and professors (chemical industry) NGOs and media communication agencies.

## **II. POLICY FRAMEWORK**

Asbestos-containing materials have been used in the Philippines over the past 60 years; however, the statistics faces numerous difficulties because there is no reliable data source. A draft law was compiled by the Department of Environment and Natural Resources (DENR) in 1995, listing the

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<sup>1</sup> DOLE: BWc

<sup>2</sup> DOH: NCDPC

<sup>3</sup> IACEH – EO 489

asbestos as one of the chemicals subject to the strict management to prevent, as much as possible, its damage to the human and environment. After 5 years, the Chemical Control Order (CCO) for Asbestos was approved in 2000, marking a new milestone in awareness of asbestos hazard in the Philippines. In order for this law to be put into the fact of the life, the relevant parties' representatives are nominated to involve in consultation and advice-giving: government, asbestos industry, scientists and other representatives.<sup>4</sup>

### **III. LEGISLATION FRAMEWORK ON CHRYSOTILE ASBESTOS IN CERTAIN FIELDS**

#### **Import and Export**

The import of chrysotile in the Philippines must be subject to permission. Paragraph b, Sub-clause 1, Clause 6, Circular No.2000-02 of the Department of Environment and Natural Resources specifies: “any individuals or organizations importing the asbestos or asbestos-containing products must be subject to the approval of the Environment Management Bureau” (EMB).

#### **Transport and Storage**

According to Circular No.2000-02 of Department of Environment and Natural Resources (DENR) on “Regulations on chrysotile asbestos management”, Section 8, Clause 3, the storage means the supply or preservation for future use, preservation at the safe conditions or disposal.

At Section 7, Clause 9, this Circular specifies: on the ground, the asbestos must be controlled for proper storage and there shall be no fiber escaping. The asbestos fibers must be contained in a rigid polyethylene bag, 0.2 mm thick or in other approved bag.

#### **Regulations on manufacturing of chrysotile containing products**

In the Philippines, the mine exploitation has no commercial value. The manufacturers shall comply with the requirements as follows:

- Proper techniques, dust control, prevention measures, working methods and preventive sanitation programmes for securing safety.
- Employees must be supplied with appropriate respiratory protection equipment and full information on potential exposure to asbestos.
- There is no exhaust emission which is externally visible from any production activit

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<sup>4</sup> Asbestos in Philippines: Country Report, Feb 12,2004. OSHS

- Supervise the air of workplace to ensure that the airborne concentration of asbestos shall not exceed 2 fibers per one cubic centimeter in an interval of 8 hours.
- Carry out frequent inspection of each potential source of exhaust emission from any part of production facility, including the air cleaner and ventilation system at least once per week in the morning hours of the date of emission to the outside air.

### **Regulations on use of chrysotile-containing products**

All manufacturers, TSD facilities and premises, transporter, haulers, and disposers of asbestos-containing materials and asbestos-containing waste must comply with the labeling requirements: Visible signs will be required on all packaging for all asbestos and asbestos containing products, marking “containing asbestos”<sup>5</sup>.

The use of asbestos and asbestos-containing materials as high-density (not in loose, crisp status) products shall be strictly limited to the following: fire proof clothing; roofing felts or related products; asbestos cement roofing; asbestos cement flat sheet; friction materials; high temperature textiles products; gaskets; mechanical packing materials; high-grade electrical paper; battery separators; and other high-density products.

The use of Amosite (Brown) and Crocidolite (Blue) Asbestos fibers and of products containing these fibers is strictly prohibited; No spraying of all forms of asbestos in buildings shall be allowed; No new use of asbestos shall be permitted.

Other products where new use of all forms of asbestos are prohibited: Toys; Pipe and boiler lagging; Low-density jointing compounds; Corrugated and commercial paper; Untreated textiles; Flooring felt and covering; Rollboard; Specialty paper; and other low-density products<sup>6</sup>.

### **Regulations on environment**

According to Procedural Manual, Title III of DAO 92-29 “Hazardous Waste Management” DENR AO 36, Series of 2004 of the Philippines, only the friable wastes containing asbestos or amosite and crocidolite amphibole wastes are considered as hazardous wastes.

According to the Chemical Control Order for asbestos, the disposal of hazardous asbestos wastes includes the demolition contractors, shipbrokers, owner/operator of a demolition or renovation activity (Section 4). The asbestos waste treatment service providers must register with the Bureau (Section 6.1.c).

The applicant must also provide necessary equipment and devices to carry out the asbestos waste disposal with certification of their existence executed by EMB relevant authorities. For security

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<sup>5</sup> Order No. 02 by DENR Philippines in 2000, Section 9

<sup>6</sup> Order No. 02 of DENR Philippines 2000, Section 6

and protection of asbestos disposal sequences and the public in general, the relevant staff must be trained as appropriate to carry out the asbestos disposal, storage and treatment, which forms an integral part of documentation requirement before approving the application.

A provider of asbestos waste disposal service who applies for registration must have an Environmental Compliance Certificate (ECC), clearly stating the Asbestos Claim Facility (ACF). A document on a far landfill satisfying the requirements of a sanitary landfill approved by DENR and/or asbestos claim facilities are required as attachment to the application. However, an on-site asbestos storage and disposal site are also permitted provided that there exists a memorandum of understanding between the service provider and the clients, who must inform the local relevant offices to amend the ECC as appropriate to the asbestos disposal site.

Production of asbestos products generating asbestos wastes must be recorded, filed and reported to the Department of Environment and Natural Resources (DENR) following the form issued by this agency. The recording results must be presented when the competent persons of DENR and Environmental Management Bureau inspect at the official or ad-hoc request in the emergencies which may be harmful to the environment.

All friable asbestos and friable asbestos containing wastes must be placed in a special waste disposal site, the plans and specifications of which are in accordance with the DENR standards and criteria. During the disposal operations, there should be no visible emissions of asbestos fibers. Materials for disposal should be transported and handled in accordance with the requirements of asbestos transportation.

Once asbestos-containing waste material has been placed in the disposal site at the end of the operating day, it must be covered with at least 15 centimeters of compacted non-asbestos-containing material or dust suppression agent that effectively binds dust and controls emissions from wind erosion.

The waste disposal premises and facilities must maintain records of all shipments received. The information includes the following:

- Name and address of the waste generator;
- Name and address of the transporter;
- Quantity of the asbestos-containing waste material in cubic meters; and
- Date of receipt of the waste.

This information will be submitted to the Bureau as part of the Annual Report due March 31 of the following year.

The owners/operators of on-site landfill sites shall submit an abandonment plan as part of the plans and specifications mentioned hereinabove to be similarly approved and registered with the Bureau.

Non-hazardous asbestos containing waste materials can be disposed of in any authorized municipal or industrial landfills.

### **Regulations on health and employees**

DENR is, in conjunction with the Association of Asbestos Industries of the Philippines, concerned government agencies, and non-government organizations, responsible to promote industry and enhance public awareness of the ways and means, including technologies, on the safe and responsible use of asbestos.

The importers and manufacturers of asbestos fibers and friable asbestos containing products shall be responsible for informing and training transporters and users on the precautionary measures in the transit, use, handling and disposal of asbestos and asbestos wastes.

The maximum exposure limit to asbestos dust for workers under the Labor Law is 2 fibers/ml of air in an eight-hour working shift<sup>7</sup>.

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<sup>7</sup> Chemical Control Order for Asbestos, Sections 7 and 9