

Written evidence from Prof Dr Thomas Kuhlbusch, Head of Unit Hazardous Substances Management, Federal Institute of Occupational Safety and Health (BAuA) (ASB0045)

Question	Position in Germany
<p><b>1. What Government Ministry(ies) or Agency(ies) are responsible for overseeing asbestos management in non-domestic buildings in your country?</b></p> <p><i>Please identify (a) the Ministries/Agencies responsible for the policy and regulatory regime; and</i></p> <p><i>(b) the organisations charged with enforcing the regulations</i></p>	<p>(a) The ministry responsible for buildings has just change with our new government and the responsibility will be with the Federal Ministry of Interior and Community. They will be responsible for policy and the overall regulatory regime. However, other Ministries such as for Environment and for Labour and Social affairs will be closely involved as well.</p> <p>(b) The Federal States are responsible in Germany for the enforcement of the regulation.</p>
<p><b>2. What is/are the current occupational or workplace asbestos exposure limit(s) in your country (in cm<sup>3</sup>)? In what circumstances do(es) they/it apply?</b></p> <p><i>Please distinguish between mandatory and desirable limits</i></p> <p><i>Please also provide information on any plans to change these limits in the next two years (include reference to any current debates, even if no conclusions have yet been reached)</i></p>	<p>The acceptance concentration for workplaces is current 0.01 f/cm<sup>3</sup> and the tolerance concentration 0.1 f/cm<sup>3</sup>. The difference in the values is determined by the necessary risk management measures when handling asbestos containing material.</p> <p>A lowering of the acceptance concentration to 0.001 f/cm<sup>3</sup> is currently discussed.</p> <p>After renovation work with handling of asbestos and before existing risk measures are removed measurements have to be made. The area can only be made general accessible if the fibre concentration of asbestos is below 0.0005 f/cm<sup>3</sup>.</p>
<p><b>3. Does your country have an <i>environmental</i> asbestos exposure limit?</b></p> <p><b><i>If yes, what is the environmental limit for asbestos (in cm<sup>3</sup>)? In what circumstances does it apply?</i></b></p> <p><i>Please also provide information on any plans to change these limits in the next two years (include reference to any current debates, even if no conclusions have yet been reached)</i></p>	<p>No environmental limit values for asbestos exist in Germany and I am not aware of any plans.</p>
<p><b>4. Which types of asbestos/asbestos containing materials should be</b></p>	<p>Asbestos has to be removed from any building once it is handled.</p>

<p><b>removed from non-domestic buildings, including workplaces, if discovered?</b></p> <p><i>Please say if a distinction is made between building types/uses.</i></p> <p><i>Please also say if these rules apply to domestic buildings (or whether different rules apply for domestic buildings).</i></p>	<p>Asbestos containing material can stay in buildings if it is intact and no release of asbestos fibres can be expected.</p> <p>E.g. drilling of holes for functional maintenance purposes in tiles fixed with asbestos containing glue is not viewed as handling of asbestos and can be done without the removal of all tiles. Anyhow, the waste has to be handled as hazardous waste.</p> <p>No differences between domestic and non-domestic buildings are known to me.</p>
<p><b>5. Which types of asbestos/asbestos containing materials can be left 'in situ' in buildings?</b></p> <p><i>Please say if a distinction is made between building types/uses.</i></p> <p><i>Please also say if these rules apply to domestic buildings (or whether different rules apply for domestic buildings).</i></p>	<p>Asbestos containing fire claps can be left "in-situ" in buildings.</p> <p>Asbestos containing material can stay in buildings if it is intact and no release of asbestos fibres can be expected.</p> <p>No differences between building types / uses are known to me.</p>
<p><b>6. Are owners/managers of non-domestic buildings (including workplaces) required to have their buildings surveyed for asbestos?</b></p>	<p>Owners /manager of non-domestic buildings are not required to have their buildings surveyed for asbestos.</p> <p>It is discussed that an obligation for owners /managers to survey those parts of the buildings, which will be handled during renovation, reconstruction or maintenance, will be implemented.</p> <p>Obligations of employers to survey for asbestos in these parts is already implemented in the form of conducting a risk assessment to derive the adequate risk management.</p>
<p><b>7. How frequently are building owners/ managers required to commission asbestos repeat-surveys when asbestos-containing materials have previously been found but considered safe to leave in the building?</b></p>	<p>Currently only if any work is foreseen.</p>
<p><b>8. Do asbestos surveyors or inspectors need to hold a license to survey non-domestic buildings?</b></p>	<p>It is currently advised to ask experts in this area for their assessment. Only experts and educated people in the specific areas are allowed to conduct a</p>

	corresponding risk assessment.
<p><b>9. Are building owners/managers required to keep an asbestos management plan?</b></p> <p><i>If Yes: How frequently are building owners/ managers required to review asbestos management plans?</i></p>	The building owners / managers are only advised to keep an asbestos management plan.
<p><b>10. In addition to visual inspection, is routine air monitoring conducted in buildings where surveys have previously detected asbestos (if yes, how frequently)?</b></p>	No
<p><b>11. For all air monitoring of asbestos fibres, please advise what microscopy technology is <i>routinely and mostly</i> used for this purpose.</b></p>	The most often used method to detect asbestos fibres in materials or from air samples is the scanning electron microscopy. Additionally, phase contrast microscopy is also used for the analysis of asbestos in air at e.g. work places.
<p><b>12. For all non-domestic buildings, please specify whether, and in what circumstances, a national or regional register of asbestos is maintained?</b></p>	There is no register of asbestos in Germany.
<p><b>13. If a national or regional register is maintained for some or all non-domestic buildings: Are some, or all, of the contents of this register made publicly available?</b></p> <p><i>Please specify the scope of any national or regional register of asbestos in non-domestic buildings. For example, whether for public and/or private buildings. For public buildings, whether schools, hospitals etc.)</i></p>	n/a
<p><b>14. Do contractors removing asbestos <i>always</i> have to be licensed?</b></p> <p><i>Please specify any circumstances where asbestos can be removed by a contractor or other person who is not licensed.</i></p>	All contractors removing asbestos have to be licensed.