

**Translation from Finnish
Legally binding only in Finnish and Swedish
Ministry of Social Affairs and Health, Finland**

**Government Decree on the Safety of Asbestos Work
(798/2015)**

Section 1

Scope of application

- (1) This Decree applies to asbestos work.
- (2) Separate provisions shall be issued on licences required for asbestos work, competence of asbestos workers and worker health examinations.
- (3) Separate provisions shall be issued on treatment of asbestos-containing waste.

Section 2

Definitions

- (1) For the purposes of this Decree:

- 1) *asbestos* means the following fibrous silicates:

- a) asbestos actinolite, CAS No 77536-66-4;
- b) asbestos grunerite (amosite), CAS No 12172-73-5;
- c) asbestos anthophyllite, CAS No 77536-67-5;
- d) chrysotile, CAS No 12001-29-5;
- e) crocidolite, CAS No 12001-28-4;
- f) asbestos tremolite, CAS No 77536-68-6;
- g) erionite, CAS No 12150-42-8;

- 2) *asbestos work means* asbestos removal work or other handling of asbestos-containing product or substance in a way that can cause exposure to asbestos dust;

- 3) *asbestos removal work* means demolition or removal of asbestos-containing structures or technical systems, protection of such structures to be left undisturbed, asbestos demolition site clearance and other such work directly connected with demolition and removal of asbestos-containing structures that involves a risk of exposure to asbestos dust.

- (2) The provisions of this Act concerning asbestos removal work also apply to such work in maintenance and service of asbestos-containing structures and equipment in buildings and on ships where asbestos dust is created.

Section 3

Assessment, limit values and follow-up of exposure

- (1) Section 10(1) of the Occupational Safety and Health Act (738/2002) lays down provisions on employers' duty to analyse and assess whether their employees are at risk of exposure to asbestos. The employer shall ensure that asbestos work is carried out in a way where the employees' risk of exposure to asbestos is kept to a minimum. The risk shall always be smaller than the limit value, 0.1 fibres per cubic centimetre in the breathing air as an 8-hour average, set by article 7 of the directive 2009/148/EC on the protection of workers from the risks related to exposure to asbestos at work.
- (2) When assessing an employees' exposure to asbestos, only such fibrous asbestos particles are taken into account whose length is five micrometers at the minimum and whose diameter is three micrometers at the maximum, and where the relation between the length and the diameter is 3:1 or more.
- (3) The employer shall through regular measurements follow-up and ensure that the limit value referred to in section 3(1) is not exceeded. The measurements shall be carried out in such a way that the samples represent employees' personal exposure to asbestos dust. The person carrying out the measurements must have the necessary vocational skills to take the samples needed and to assess them. The measurements shall be documented.

Section 4

Enclosure of the exposure zone and working in the zone

- (1) The zone where a worker can be exposed to asbestos must be clearly enclosed and marked with warning signs. No other persons than those necessary for the asbestos work may enter the zone.
- (2) In the exposure zone, the workers need to use protective clothing and personal protective equipment that is required for asbestos work.
- (3) Asbestos shall be prevented from spreading outside the exposure zone. Asbestos-containing substances and equipment shall be labelled and packed in such a way that they do not cause hazard when transported from the exposure zone. Workers shall clean up themselves from asbestos dust before they leave the exposure zone.
- (4) Suitable spaces with appropriate equipment shall be available for personal decontamination from asbestos

Section 5

Service space

- (1) A separate service space shall be available for safe maintenance and servicing of dusty working equipment used for asbestos work.
- (2) The service spaces shall be cleaned regularly.

Section 6

Specific instruction and guidance

- (1) The employers shall give instruction and guidance on the following to their workers carrying out asbestos work:
 - 1) the properties and health effects of asbestos;
 - 2) the limit value set for exposure to asbestos as referred to in section 3(1), the follow-up to ensure that the limit value is not exceeded, and the use of the measurement equipment;
 - 3) the types of products or materials which are likely to contain asbestos;
 - 4) activities exposing to asbestos, and the significance of preventive measures to reduce the exposure;
 - 5) safe work practices, measures and protective equipment;
 - 6) protective clothing and decontamination;
 - 7) how to select, use and clean up respiratory protective equipment and ensure that the equipment functions well;
 - 8) treatment of asbestos-containing waste;
 - 9) emergency procedures;
 - 10) health examinations.

- (2) The instruction and guidance given to the employees shall be complemented, when necessary.

Section 7

Asbestos surveys

- (1) The developer or other party steering or controlling a construction project that can include asbestos removal work shall ensure that an asbestos survey is carried out.

- (2) The asbestos survey shall include the following:
 - 1) identification of any asbestos in the structure to be demolished
 - 2) examination of the quality and amount of asbestos and material containing asbestos;
 - 3) examination of whether the asbestos and asbestos-containing material in the structures will create dust when they are handled or demolished.

- (3) The person carrying out the asbestos survey shall be well enough acquainted with asbestos, its occurrence and demolition of structures and vocationally competent to carry out the planned survey with regard to the quality and extent required of the survey.

- (4) The asbestos survey shall be documented and the document shall be given to the employer or self-employed person who is going to carry out the asbestos removal work.

- (5) The provisions in this section regarding the developer or other party steering and controlling the construction project shall also apply to the employer exercising the main authority in a shared workplace referred to in section 49 of the Occupational Safety and Health Act (738/2002).

Section 8

Safety plan in writing

- (1) The employer initiating asbestos removal work shall draw up a plan in writing for the asbestos removal work. The plan shall be based on the asbestos survey referred to in section 7 and on the analysis and assessment of the risks of the work referred to in section 10(1) of the Occupational Safety and Health Act.
- (2) The safety plan shall, to the extent necessary, indicate any measures required to assess, reduce and follow-up the exposure in order to ensure that the work and working environment are safe.
- (3) The safety plan shall be made known to the workers participating in the asbestos removal work and the entrepreneurs and their workers in the area affected by the work.
- (4) In a shared workplace referred to in section 49 of the Occupational Safety and Health Act, a self-employed person shall observe the provisions laid down in section 8(1–3).

Section 9

Prior notification

- (1) Employers and self-employed persons shall in advance notify the regional competent occupational safety and health authority of asbestos removal work that requires a licence. The notification shall be issued in writing seven days before starting the work at the latest, if possible.
- (2) The notification shall include any necessary information on the following:
- 1) nature, start date and probable duration of the work;
 - 2) place where the work will be performed;
 - 3) contractor's name and contact information;
 - 4) names of the workers to be used for the work;
 - 5) suitability of the health status of the workers for asbestos work, date of the latest health examination of each worker and validity period of the examination;
 - 6) central observations made during the asbestos survey, date of the survey and name of the person who carried out the survey;
 - 7) methods to be used for demolition and removal of asbestos or asbestos-containing material;
 - 8) equipment to be used for protection and decontamination of the workers and properties of the equipment;

- 9) equipment to be used for preventing asbestos dust from spreading in the working environment and properties of the equipment
 - 10) name of the landfill site where the waste is to be delivered;
 - 11) name and contact information of the person making the notification.
- (3) The notification to the occupational safety and health authority shall be renewed if such a change occurs in working conditions that significantly increases the exposure to dust from asbestos or asbestos-containing material. In addition, the notification shall be complemented if another worker starts to carry out asbestos work than the worker mentioned in the prior notification.
 - (4) Before the work is started, a notice shall be fastened outside the exposure zone to indicate the information referred to in this section 9(2)(1–2 and 11).

Section 10

Management and supervision of asbestos removal work

- (1) The employer shall designate a site manager for the asbestos removal work.
- (2) The site manager shall continuously monitor and assess whether the safety plan referred to in section 8 is followed and ensure that the asbestos removal work is carried out in accordance with the safety plan.

Section 11

Principles for safe asbestos removal work

- (1) Asbestos removal work shall be carried out in a way that creates as little dust as possible and any dust created shall be removed at its origin.
- (2) As much asbestos shall be removed from the structures to be demolished as is considered adequate and appropriate for a safe use of the premises. Any asbestos that will be left undisturbed in the structures shall be covered and, where necessary, appropriately labelled.
- (3) When demolishing asbestos-containing structures, any asbestos and asbestos-containing materials shall be removed before other parts of the structures are demolished if the demolition of asbestos does not expose the workers to asbestos more than leaving the asbestos undisturbed

Section 12

Working methods for asbestos removal work

- (1) When selecting a suitable method for asbestos removal work, the extent of the demolition work and the conditions at the demolition site shall be taken into account in addition to the principles referred to in section 11.
- (2) Asbestos removal work can be carried out by:
 - 1) using enclosure method where the demolition work is carried out in the exposure zone whose atmosphere is isolated from surrounding spaces by an air-tight enclosure;

- 2) using bags manufactured for that particular purpose to isolate a rather small structure or technical system containing asbestos from the surrounding spaces under negative pressure. The structure or technical system shall then be demolished inside the bag and the bag containing asbestos waste shall be removed from the demolition site.
 - 3) removing the whole asbestos-containing part from the structure or equipment and removing it from the site covered by material that prevents any dust from spreading;
 - 4) sinking the detached structure or equipment part containing asbestos into a basin where asbestos is removed under water;
 - 5) using wet stripping method where the asbestos-containing structure is thoroughly wetted before its removal to prevent any dust, or where the face coating of a building is removed by wet sand blasting;
 - 6) using any other method than those referred to in sections 1–5 if the method guarantees the same safety level.
- (3) When removing crocidolite, the method shall always be the enclosure method referred to in section 12(2)(1).
- (4) When there is no certainty about the asbestos content of the material to be demolished, the demolition work shall be carried out by using the enclosure method referred to in section 12(2)(1).

Section 13

Additional requirements concerning the enclosure method

- (1) When using the enclosure method referred to in section 12(2)(1), spreading of asbestos dust shall be prevented by isolating the exposure zone atmosphere from the surrounding working environment using at least 5 Pascal pressure difference, and at least 10 Pascal pressure difference if crocidolite is demolished. The pressure level shall be maintained by monitoring the situation with the help of a device that registers the pressure levels and sends an alarm signal when the pressure difference decreases harmfully.
- (2) Passage to the exposure zone referred to in section 13(1) shall be arranged by barriers or other reliable means in a way that ensures that the handling of asbestos-containing materials and equipment, decontamination of workers and any other necessary measures can be carried out in a safe manner.

Section 14

Use of work equipment and testing their operation

- (1) The employer shall make sure that the asbestos workers use protective clothing and personal protective equipment that are suitable for asbestos removal work and meet the relevant requirements. The asbestos content in workers' breathing air may not exceed 0.01 fibres per cubic centimetre of air.
- (2) In an enclosed space for asbestos removal work, workers shall use powered respiratory protective devices incorporating full face masks. A worker demolishing crocidolite shall use a compressed air breathing apparatus with full face mask.

- (3) The respiratory protective equipment shall be fit tested before its use. In addition, at least once a year the fitting of the respiratory protective equipment shall be ensured by testing the worker's breathing air inside the equipment.
- (4) The employer shall ensure that the capacity of the filters on the air handling equipment is good enough and no more than 0.01 fibres per cubic centimetre of asbestos dust can be spread from the working equipment to the clean areas of the site
- (5) Work equipment shall be kept safe through regular maintenance and servicing. Work equipment shall be cleaned up after their use before they are taken into use again. The maintenance manual of the air handling equipment shall be kept up to date by entering any servicing and other measures carried out to maintain the working condition of the equipment.
- (6) Separate provisions are laid down on how to select and use work equipment and ensure their working condition.

Section 15

Ensuring the cleanliness of the exposure zone and its safe use later

- (1) After the asbestos removal work has been completed, the employer shall ensure that the exposure zone has been carefully cleaned up of asbestos and asbestos-containing material.
- (2) After the site has been cleaned up, the employer shall by measurements ensure that the air of the exposure zone does not contain more than 0.01 asbestos fibres per cubic centimetre of air.
- (3) The employer who carried out the asbestos removal work and the developer who contracted the work shall together draw up a document where the cleanliness of the site is verified and any observations concerning further use of the site are indicated.
- (4) The provisions in this section regarding employers shall also apply to self-employed persons operating in a shared workplace referred to in section 49 of the Occupational Safety and Health Act.

Section 16

Asbestos survey on a ship

- (1) The shipowner shall ensure that any structures of the ship containing asbestos are identified and labelled when carrying out an asbestos survey.
- (2) The person carrying out the asbestos survey shall be acquainted with asbestos, the structures of the ship and the materials used.

Section 17

Asbestos work carried out on a foreign shipyard

- (1) If asbestos work has been carried out on a ship on a foreign shipyard, the shipowner shall ensure that any such spaces are cleaned up where asbestos work was carried out and to which asbestos dust may have been spread.

- (2) After the spaces have been cleaned up, the shipowner shall by measurements ensure that the air of the exposure zone does not contain more than 0.01 asbestos fibres per cubic centimetre of air.

Section 18

Entry into force

- (1) This Act enters into force on 1 January 2016.
- (2) This Decree repeals:
 - 1) Government Decision on Asbestos Work (1380/1994);
 - 2) Government Decision on Applying the Government Decision on Asbestos Work on Work Done on Board Ships (536/1988);
 - 3) Decision of the National Board of Labour Protection on Preparedness for Asbestos Work on Board Ships (952/1989);
 - 4) Decision of the National Board of Labour Protection on Methods and Equipment Approved for Asbestos Removal Work (231/1989).