

CURRENT STATUS OF ASBESTOS MANAGEMENT

COUNTRY: ITALY

YEAR: 2014

REQUIREMENTS

WHICH ARE THE MAIN REQUIREMENTS ESTABLISHED BY LAW FOR ITALY?

Works with exposure to asbestos [Related to Companies and/or Workers]

The most relevant requirements are contained in **D.lgs. 9 aprile 2008, n. 81**, known as **TESTO UNICO SULLA SALUTE E SICUREZZA SUL LAVORO (health and safety at work)** establishing minimum health and safety requirements applicable to works with exposure to asbestos; prevention and protection; obligations of the employer; identification of the presence of asbestos; risk assessment; hygiene measures; exposure controls; demolition or asbestos removal; information for workers; training of workers; health surveillance.

All the Italian regions have developed specific legislation on asbestos.

Managing asbestos as a waste [Including all waste management operations: transportation, handling and disposal]

Legge 27 marzo 1992, n. 257: Norme relative alla cessazione dell'impiego dell'amianto - Law of March 27, 1992. Nr. 257: Rules relating to the cessation of the use of asbestos. Article 9 - Control over losses caused by manufacturing processes and operations concerning disposal and clean-up.

1 . The companies which use asbestos, directly or indirectly, in the production process, or perform activities of asbestos disposal or remediation, will send annually to the regions, to the Autonomous Provinces of Trento and Bolzano and to local health departments where companies are located with their activities, a report indicating :

- a) the types and quantities of asbestos used and asbestos waste which are subject to activities of disposal or clean-up;
- b) the activities carried out, the processes involved, the number and personal data of employees, the nature and duration of their activities and their asbestos exposure;
- c) the characteristics of any asbestos-containing product
- d) the measures taken or to be adopted in order to protect the health of workers and the environment.

2 . The local health departments will ensure compliance with the concentration limits referred to in Article 3, paragraph 1, and prepare annual reports on the conditions of workers exposed, which will be forwarded to the regions and autonomous provinces of Trento and Bolzano, together as to the Ministry of Health.

3 . In the first implementation of this law the report referred to in paragraph 1 shall relate also to the activities of the company which have been undertaken in the last five years and targeted for each year.

PROCEDURES FOR REQUIREMENTS INSPECTION:

[Regulated procedures for monitoring accomplishment with legal requirements in works with risk of exposures to asbestos: e.g. Authorities' Work Inspections to companies,...]

- Companies with activities in which workers may be exposed to asbestos, must be included in the Registration of Companies with Asbestos Risk in the region in which are developing these activities.
- Inspectors review the work plans submitted by each company in order to decide if their contents are adequate. They also can visit the works.

GUIDELINES / RECOMMENDATIONS FOR APPLICATION OF REQUIREMENTS:

[Recommendations arising from national and/or regional published guidelines referring to in force legislation]

The main guide on asbestos is **D.lgs. 9 aprile 2008, n. 81**, on
CHAPTER II - OBLIGATIONS OF THE EMPLOYER, articles 271-278 on:

Risk Assessment
Technical, organizational, procedural measures
Hygiene measures
Specific measures for medical facilities and veterinary
Specific measures for laboratories
Specific measures for industrial processes
Emergency measures
Information and training

- Different regions have developed their own guidelines which include valuable recommendations for workers exposed to asbestos.

References [Summary stating the most important sources of information, such as laws and responsible organizations for guidelines]

Institutional references:

Ministry of Health (Istituto Superiore di Sanità); Ministry of Labour (INAIL - National Insurance Institute for Accidents at Work).

FACTS ANALYSIS

STUDIES

Which are the main results related to the present situation of asbestos management?
[Only a brief description of each result]

In Italy, the number of cases of occupationally-related disease and number of workers exposed are underestimated. This impede that victims

reach their rights and social acknowledgement and also difficult to develop effective risk prevention programs.

According to the IV National Report on Mesothelioma (RE.NA.M.), the number of mesothelioma cases reported to ReNaM at a level of diagnostic certainty and by age group (Italian, 1993-2008) sum up to 12,329 units (77,8%). The disease bursts out in the pleura in 93% of cases.

- The sub-sectors in which are found more companies registered are: buildings construction, shipyards, mechanical industry in general, demolitions.

- The regions with the biggest number of current exposed workers registered are: Piemonte, Liguria, Lombardia, Veneto, Friuli Venezia Giulia, Toscana, and Puglia.

Are there any trends identified? [If there are, list which are they]

The findings, as reported on the International Journal of Cancer, have predicted a peak with about 800 mesothelioma annual deaths in the period 2012- 2024.

Which are the most important actions proposed for improvement? [Only a brief description of each proposal]

Starting from a problem such as asbestos, you can proceed to monitorizing with the use of a geographic information system, better known as GIS, which provides data related to the territory under consideration, the safety of contaminated areas with coverages, and finally tiling with photovoltaic.

The group of prof. Norberto Roveri, University of Bologna, has realized a very important discovery: the development of a transformation process of asbestos cement materials based on

the denaturation of asbestos fibres with milk whey.

NEWS:

[Recent news related with asbestos management: e.g. Environmental or H&S work incidents, events, conferences. legislation, technical or management improvements, etc.] [Listing news' headline, main theme and year]

II Conferenza governativa sull'Amianto, Venezia - November 22-24, 2012 (The Conference had the aim of discussing an authentic national emergency and identify actions to give effect to the preparation of a national Plan for Asbestos).

Former Health Minister prof. Renato Balduzzi presented to the press and institutions on April 8, 2013 in Casale Monferrato, the national Plan for Asbestos - Guidelines for coordinated action by State and territory governments (http://www.salute.gov.it/imgs/C_17_pubblicazioni_1945_allegato.pdf).

References [Summary stating the most important sources of information: e.g. for studies: universities, institutes and other organizations, for news : publishing sources]

- Registro Nazionale Mesoteliomi (I – IV Rapporto/Report)
- QUADERNI DEL MINISTERO DELLA SALUTE n. 15, maggio-giugno 2012: 'Stato dell'arte e prospettive in materia di contrasto alle patologie asbesto-correlate'

IDENTIFIED ISSUES

Identified PROBLEMS

[Weaknesses about asbestos management identified in current legislation (e.g. lack or not suitability of some requirements, differences in requirements among regions, etc.), guidelines, research in this field, news, etc.]

- In Italy the **use, production and trading of asbestos** in all its varieties became **prohibited** since 1992, with the **Legge/Law 27 Marzo 1992, n. 257**.
- The country has a large number of regional legal **requirements related to health and safety in works with asbestos exposure risk**.
- The most important and relevant requirements on asbestos – as specified before - are contained in **D.Lgs 9 Aprile 2008, n. 81, establishing minimum health and safety requirements applicable to works with exposure to asbestos**.
- Several **national and regional regulations** establishing requirements for an appropriate **management of asbestos-containing waste have been issued**. These waste regulations are adjusted in order to bring it into line with European legislation regarding these matters.
- Asbestos is considered as a **hazardous waste** and its handling and management is **regulated under hazardous waste legislation**.
- Its **disposal in landfills** has been established in the regulations, and although it is a hazardous waste, recently have been defined the **particular criteria to allow admission of asbestos-containing waste in non-hazardous waste landfills**.
- The enforcement of the regulation for **construction and demolition waste** is also mandatory for asbestos waste. **Specific legal requirements** in this issue are currently well defined both at national and regional level.
- The regional regulations in Italy regarding to asbestos are established to clarify and implement in regions the provisions approved by Italian legislation**.

Identified STRENGTHS

[Strengths identified in current legislation, guidelines, research in this field (studies, articles), etc.;

It could be considered also as strengths potential solutions in process such as proposals for current problems in the country: law and/or guidelines proposals, national projects currently in process, etc.]

The issues relating to asbestos primarily concern the medical-scientific sector, especially that of research, which has very scarce funds available.

At the moment, there are no early detection or effective treatments to contrast adequately asbestos-related diseases.

Prognostic factors are still subject to age and histological type (with a better prognosis for the younger subjects suffering from a disease of morphology epithelioid), while the other personal factors and occupational exposure are not decisive, the average survival time is unfortunately still below average for a year (for pleural cases) and even less for extrapleural localization.

There have been repeatedly analyzed economic sectors involved in the exposition, demonstrating the very wide spectrum of industries in addition to the already known shipbuilding and the manufacture of asbestos cement products.

The measurement of latency for mesothelioma cases is considered complex as it is difficult, in front of people in poor and often dramatic health conditions, to determine the exact start time of the exposure.

With this limit and as part of a study design, such as surveillance, which is by its very nature cross-sectional, the average latency for the cases of mesothelioma register was estimated of more than 40 years and with an extremely large range of variation. It also seems significant the trend of this measure to increase for cases with a more recent diagnosis.

Regarding the situation of rights awarded to exposed to asbestos victims and their families, the Italian Justice is about to collapse, with the Courts plagued by slow processes, neglect and lack of attention on issues related to deaths at work by indolent, bad-structured judiciary offices, while social security institutions do not recognize certain situations, harming workers, especially those exposed to asbestos who ask for nothing more than a fair recognition to their concerns.

According to the deputy prosecutor of Turin, dr. Guariniello, it is necessary to establish a National Public Prosecutor's Office on work security, with very wide powers. It could investigate swiftly on the tragedy of asbestos, set up preventive actions timely. It could also be necessary an observatory which records all cases and then sends them to the Court as soon as possible.

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This project has been funded with support from the European Commission. This publication reflects the views only of the author, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

Project No. 540447-LLP-1-2013-1-ES-LEONARDO-LMP



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