

Pursuant to Article 13 paragraphs 2 and 3 of the Law on Safety and Health at Work * (OGM 34/14), The Ministry of Labour and Social Welfare adopted the

RULEBOOK ON PROTECTION MEASURES FROM RISK OF EXPOSURE TO ASBESTOS AT WORK*

Article 1

This Rulebook lays down the minimum requirements that an employer shall fulfil in providing a safety and health measure at work, including limit values, with a view to eliminating or reducing the risk of injuries, occupational diseases and diseases related to work that arise during work while employees being exposed to asbestos.

Article 2

The provisions of this Rulebook shall apply to activities in which workers are or may be exposed in the course of their work to dust arising from asbestos or materials containing asbestos.

Article 3

Asbestos shall contain the following fibre silicates:

- crocidolite (blue asbestos) CAS No. 12001-28-4;
- actinolite CAS No. 77536-66-4;
- anthophyllite CAS No. 77536-67-5;
- chrysotile (white asbestos) CAS No. 12001-29-5;
- amosite (asbestos grunerite, brown asbestos) CAS No. 12172-73-5; i
- tremolite CAS No. 77536-68-6.

CAS No. shall be identification number according to Chemical Abstract Service.

Article 4

Limit values for exposure to asbestos shall be 0.1 asbestos fibre per 1 cubic centimetre of air during the eight-hour working time.

Asbestos fibre referred to in paragraph 1 above shall be the fibre with the length over 5 mm, the width less than 3 micrometres and the length/width ratio greater than 3:1.

Article 5

Performing tasks in which asbestos or asbestos-containing materials are sprayed, and the use of insulation material with density less than 1 gram/cubic centimetre containing asbestos shall not be allowed.

Performing the tasks of asbestos exploitation, the production and processing of asbestos products or the production and processing of products to which asbestos was added intentionally, in which employees are exposed to asbestos, except the tasks carried out for the removal of asbestos or asbestos-containing materials shall not be allowed.

Article 6

The employer shall ensure the application and implementation of protection measures and health at work to employees who are, or may be, exposed to dust originating from asbestos or asbestos-containing materials, in particular:

- that jobs where they perform the above tasks are clearly defined;
- the appropriate auxiliary facilities, as well as that employees are not exposed to dust originating from asbestos or materials containing asbestos in those areas; and
- marking of hazardous areas with corresponding signs for the protection of health and safety in areas where employees are, or may be, exposed to asbestos.

The employer shall ensure that the personal protection resources and equipment at work:

- shall not be removed from employer's location, and if their cleaning and maintenance is performed in adequately equipped services, the resources and equipment for personal protection at work shall be transported to these services in closed containers;
- shall be kept separate from personal clothing and belongings of employees; and
- shall be deposited in a designated place.

Article 7

Employees who are, or may be, exposed to asbestos or asbestos-containing materials should neither consume food and liquids, nor smoke in work areas where there is a risk of contamination.

Article 8

The employer should inform relevant public authority responsible for inspection on tasks in which employees are, or may be, exposed to dust originating from asbestos or asbestos-containing materials, at least five days prior to the performance of such tasks.

The information referred to above shall contain the following data:

- the location where the tasks are performed;
- type and quantity of asbestos used;
- tasks and work processes that are performed;
- number of employees that might be exposed;
- the starting date and the expected duration of such activities;
- foreseen protection measures and health at work; and
- technical and organizational measures taken to prevent employee's exposure.

Article 9

With a view to reducing exposure of employees to dust originating from asbestos or asbestos-containing materials, the employer shall ensure the implementation of measures for protecting health and safety, and in particular:

- reducing the number of employees who are, or may be, exposed to dust originating from asbestos or materials containing asbestos to a minimum;
- that the dust originating from asbestos or asbestos-containing materials shall not be created in work processes or, if that is impossible, to prevent the release of this dust into the air;
- the means for the work that can be regularly and effectively cleaned and maintained;
- transporting and storage of asbestos or asbestos-containing materials in an appropriate, hermetically sealed containers;
- the management of asbestos-containing waste in accordance with the regulations governing the manner of packing and removal of asbestos-containing waste and the handling of construction waste, the manner and procedure of construction waste treatment, the conditions and the manner of disposal of asbestos cement waste.

By way of derogation from paragraph 1 above, waste management in surface and underground exploitation of mineral resources shall be carried out in accordance with the regulations governing waste management.

Article 10

Measures of Article 9 above shall not apply to workplaces where employees are exposed to dust originating from asbestos or asbestos-containing materials occasionally and with low intensity and that, based on risk assessment, indicate that the limit exposure to asbestos will not be exceeded, such as:

- short-term occasional maintenance jobs in which only non-fibrous materials are used;
- removal jobs without distorting the decomposed materials in which the asbestos is tightly linked;
- hermetic sealing jobs or sealing of asbestos-containing materials that are in good condition;
- tasks for which the monitoring and control of air quality is provided and sampling is carried out in order to ascertain whether a specific material contains asbestos.

Article 11

Based on recognized hazards arising, or that may arise, in the working environment due to the presence of asbestos-originating dust or asbestos-containing materials for demolition, reconstruction or renovation of construction objects containing asbestos and the removal of the asbestos, the employer shall hire a legal person or entrepreneur who has employees specially trained for safe work with asbestos.

Article 12

The employer shall reduce the exposures to of employees from asbestos or asbestos-containing materials to the value below the limit value.

If the exposure is higher than the limit value of exposure to asbestos, the employer shall determine as soon as possible the reasons for exceeding the exposure limit value and act appropriately.

The employer shall ensure that the workplaces, where exposure is higher than the limit values of asbestos exposure, terminate performing of tasks until appropriate measures are taken. After acting appropriately, it shall engage a legal entity or an entrepreneur, authorized to perform the examination of working environment conditions, to carry out testing and to assess in the report the provision of measures for health and safety at work to reduce the exposure below the limit values of asbestos exposure.

Article 13

Depending on the physical and climatic conditions, the employer shall provide the employees who perform tasks in workplaces where the application of safety and health protection to dust originating from asbestos or asbestos-containing materials cannot be reduced below the limit values of exposure to asbestos with the necessary rest periods.

Article 14

Prior to the commencement of works on construction, reconstruction, demolition or maintenance, the employer shall take all necessary actions to determine the presence of asbestos or asbestos-containing materials and to thereby obtain all necessary information from the owner of the property or means of work.

Article 15

During the process of demolition, removal, reconstruction, repair and maintenance, when the exceeding of the limit exposure to asbestos can be assumed, the employer shall implement measures to protect health and safety, and in particular:

- provide and highlight warning signs that to asbestos exposure limit can be exceeded;
- prevent the spreading of dust from asbestos or asbestos-containing materials outside the workplace.

Article 16

This Rulebook shall enter into force on the eighth day following its publication in the “Official Gazette of Montenegro”.

* This Rulebook has transposed The Directive 2009/148/EC of the European Parliament and of the Council of 30 November 2009 on the protection of workers from the risks related to exposure to asbestos at work.

No: 170-144/16-5
Podgorica, 27 February 2017

MINISTER

Kemal Purišić