

**[DENR ADMINISTRATIVE ORDER NO. 2000-02,
January 06, 2000]**

CHEMICAL CONTROL ORDER FOR ASBESTOS

SECTION I. LEGAL AUTHORITY . - This Chemical Control Order (CCO) is issued on the basis of authority given to the Department of Environment and Natural Resources under the Republic Act 6969 of 1990 and DENR Administrative Order (DAO) 29, Series of 1992, specifically, Title II, Toxic Chemical Substances (Chapter IV, Section 20) and Title III, Hazardous and Nuclear Wastes (Chapter VII, Section 25).

The requirements and procedures presented in this CCO are in addition to all the other requirements of Title II and Title III of DAO 29 as they pertain to the importation, manufacture and use of asbestos and the storage, transport and disposal of their wastes.

SECTION II. RATIONALE AND POLICY - Asbestos is a naturally occurring fibrous hydrated mineral silicates that have been used in a wide variety of products and various uses over the years. Its unique properties of fire resistance and insulation have made its use common in a variety of products including friction materials, fire proof clothing, insulation, construction materials, fire and heat shielding equipment, mechanical packings and gaskets, textiles, and other products. Epidemiological studies have linked prolonged exposure to certain varieties of asbestos fibers to forms of lung cancer. Asbestos is considered as known human carcinogen by the International Agency for Research on Cancer. Several countries have prohibited and/or regulated the manufacture, export, and import of asbestos and asbestos containing materials, particularly, friable asbestos materials and low density products.

This CCO is meant to control and regulate the use and disposal of asbestos into the environment to avoid the aforesaid adverse consequences. It is the policy of the DENR to minimize the hazard to human health and the environment from the improper use, management, disposal and subsequent release, and exposure to harmful substances.

SECTION III. DEFINITION - In this CCO, unless inconsistent with the context or subject matter, the following definitions apply:

- (1) "DAO 29" means Implementing Rules and Regulations of Republic Act 6969.
- (2) "Department" means the Department of Environment and Natural Resources.
- (3) "Bureau" means the Environmental Management Bureau.
- (4) "Asbestos" means the fibrous forms of varieties of mineral silicates belonging to rock forming minerals of the serpentine group, i.e. chrysotile (white

asbestos); and the amphibole group i.e. actinolite, amosite (brown asbestos, cummingtonite-grunerite), anthophyllite, crocidolite (blue asbestos) and tremolite.

(5) "*Friable asbestos material*" means any material containing more than one percent (1%) asbestos, as determined using standard polarized light microscopy techniques, which when dry can be crumbled, pulverized, or reduced to powder by hand pressure thereby, releasing airborne fibers.

(6) "*Non-friable asbestos containing material*" means any material containing more than one percent (1%) asbestos, as determined by using standard polarized light microscopy techniques, which when dry, can not be crumbled, pulverized, or reduced to powder by hand pressure.

(7) "*Importer*" means any person or corporation that undertakes the entry of a product or substance into the country which is intended for direct consumption, warehousing or distribution to manufacturers or end users.

(8) "*Storage*" means supply or stock reserved, put away for future use, safekeeping or disposal.

(9) "*Disposal*" means throwing away, destroying or getting rid of waste materials.

(10) "*Manufacturer*" means any person or corporation that undertakes the mechanical or chemical transformation of substances into new products performed either by power-driven machines or by hand.

(11) "*Asbestos Containing Wastes*" means process residues from manufacturing operations and consumer discards of manufactured products.

(12) "*Adequately wet asbestos*" means to sufficiently moisten or saturate with water the friable asbestos containing materials that will be exposed during removal or demolition activities to prevent the possible release of asbestos fibers into the air.

(13) "*Premises*" shall include but not limited to building or part of a building, a tent, stall or other structures whether permanent or temporary, land, vehicle or ship.

(14) "*Equipment*" shall include but not limited to tools, devices, furnishings, apparatus, and materials for any undertaking such as hoods, enclosures, ducts, dust suppressant, among others.

SECTION IV. SCOPE AND COVERAGE - This CCO applies to the importation and manufacturing of asbestos. It also addresses the treatment, storage, disposal of asbestos containing materials and asbestos containing wastes in the Philippines. This order will covers the following interest groups:

- (1) Importers;
- (2) Manufacturers;
- (3) Transporters;
- (4) Industrial facility owners/operators and contractors;
- (5) Shipbuilders;
- (6) Waste management service providers;

- (i) demolition contractors (haulers, transporters and disposers)
- (ii) shipbreakers
- (iii) owner/operator of a demolition or renovation activity

SECTION V. OBJECTIVES

- (1) **General Objective:** Control and regulate the use and disposal of asbestos to minimize hazards to human health and the environment.
- (2) **Specific Objectives:**
 - (a) Increase awareness on the safe and responsible use of asbestos.
 - (b) Develop the framework for the proper management of asbestos raw material, products and wastes.
 - (c) Define the requirements and procedures for importation, manufacturing and proper treatment, storage and disposal of asbestos.
 - (d) Establish limitation of use of certain variety of asbestos and asbestos containing materials and products.
 - (e) Establish a compliance monitoring program to enforce the tenets and covenants of this Order.

SECTION VI. GENERAL REQUIREMENTS AND PROCEDURES - In addition to the general requirements under Title II and III of R.A. 6969, DAO 29, the following requirements and procedures are hereby provided:

(1) Registration and Permitting

- (a) Any person or entity who imports and manufactures asbestos or asbestos containing products in the Philippines must register with the Bureau.
- (b) Any person or entity who imports asbestos and asbestos containing products must get an importation clearance from the Bureau.
- (c) Any person or entity involved in the treatment, storage, demolition, transport and disposal of asbestos and friable asbestos containing wastes must register with the Bureau.
- (d) Existing industrial, commercial and institutional structures with sprayed on asbestos and friable asbestos containing materials shall register with the Bureau.

(2) Reports and Records

- (a) Any importer and manufacturer of asbestos and asbestos containing products must submit an annual report to the Bureau and retain records of imports and manufactured products in accordance with this CCO.
- (b) All the reports submitted to the Bureau and records retained at the premise must include, among others, the names and addresses of importer, manufacturer, end-use category of asbestos or asbestos

containing products, quantity of wastes produced as a result of manufacturing, in accordance with the reporting format(s) issued by the Department under this CCO.

(c) Records retained at the premises must be available for inspection at any time by authorized DENR-EMB personnel upon proper request, during emergency cases when conditions presenting a clear and present hazard to health and environment actually exists.

(3) Limitations, Prohibitions and Regulations of Use - It is the intention of this CCO to control and regulate the use of asbestos and asbestos containing products.

(a) The use of asbestos and asbestos-containing materials and high-density products shall be strictly limited to the following:

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| (i) Fire proof clothing; | (vii) Gaskets; |
| (ii) Roofing felts or related products; | (viii) Mechanical packing materials; |
| (iii) Asbestos cement roofing; | (ix) High-grad electrical paper; |
| (iv) Asbestos cement flat sheet; | (x) Battery separators; and |
| (v) Friction materials; | (xi) Other high density products. |
| (vi) High temperature textiles products; | |

(b) The use of Amosite (Brown) and Crocidolite (Blue) Asbestos fibers and of products containing these fibers is strictly prohibited.

(c) No spraying of all forms of asbestos in buildings shall be allowed.

(d) No new use of asbestos.

(e) Other products where new use of all forms of asbestos are prohibited:

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| (i) Toys; | (vi) Flooring felt and covering; |
| (ii) Pipe and boiler lagging; | (vii) Rollboard; |
| (iii) Low density jointing compounds; | (viii) Specialty paper; and |
| (iv) Corrugated and commercial paper; | (ix) Other low density products. |
| (v) Untreated textiles; | |

SECTION VII. INFORMATION, EDUCATION, COMMUNICATION AND TRAINING REQUIREMENTS

(1) The Department, in conjunction with the Association of Asbestos Industries of the Philippines, Inc., concerned government agencies, and non-government organizations, shall promote industry and public awareness of the ways and means, including technologies, on the safe and responsible use of asbestos.