

Keeping Connecticut Healthy

July 2003

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**For More
Information**

**Contact the
DPH Asbestos
Program**

(860) 509-7367

This newsletter is the second in a series of newsletters produced by the Connecticut Department of Public Health (DPH) concerning the management of asbestos-containing materials in schools.

Pre-Construction Considerations

Many public and private schools need to be renovated to meet the demands of expanding enrollments, to satisfy building and fire code requirements, or simply to modernize existing facilities. Any renovation project that may impact asbestos-containing materials will first require the abatement of the affected materials.

This newsletter serves to highlight specific regulatory requirements related to pre-construction inspections and asbestos abatement activities.

Pre-Renovation and Pre-Demolition Inspections

The DPH "Asbestos-Containing Materials in Schools" regulation (Section 19a-333-1 to Section 19a-333-13 of the Regulations of Connecticut State Agencies) requires that all public and non-public, elementary and secondary schools be inspected to determine if asbestos-containing building materials are present. This requirement also extends to all temporary facilities or newly acquired facilities used by a school system.

Following this inspection, an asbestos management plan must be developed and maintained in the school.

Inspections that are conducted to meet the requirements of this regulation are typically non-destructive in nature and will only characterize the asbestos content of accessible building materials. Inaccessible areas, such as bathroom plumbing walls, multiple flooring layers, and spaces behind fixed walls and ceilings are typically not included in the asbestos management plan.

Copies of the regulations enforced by the DPH, Asbestos Program are available on the Program web page (<http://www.dph.state.ct.us/> click on Agency Service Directory; then Asbestos Program.)

Federal Requirements Under the NESHAP Regulation

The Asbestos “National Emission Standards for Hazardous Air Pollutants” (NESHAP) is a federal regulation (40 CFR Part 61, Subpart M) promulgated by the U.S. Environmental Protection Agency (EPA) that also applies to schools and other facilities.

This federal regulation requires that a *thorough inspection* be conducted to determine if asbestos is present before commencement of any renovation or demolition activity.

In order to achieve compliance with the EPA asbestos NESHAP requirements, an inspection that is destructive in nature is often needed to augment an inspection performed under the “Asbestos-Containing Materials in Schools” regulation.

This “NESHAP” inspection only applies to materials that will be impacted by the renovation or demolition activity, but would include an assessment of building materials located in inaccessible areas such as those materials found within wall cavities, multi-layers of flooring or materials in areas above permanent ceilings.

This inspection would also include an assessment of those asbestos-containing materials not recognized under the “Asbestos-Containing Materials in Schools” regulation such as blackboard or tack board adhesives, laboratory tables, and roofing materials. An asbestos consultant (either licensed by the DPH as an Inspector or Inspector/Management Planner) must perform this NESHAP inspection. The results of this type of inspection should be incorporated into the school asbestos management plan.

“Abatement

means the
removal,

encapsulation,

enclosure,

renovation,

repair,

demolition or

other

disturbance of

asbestos-

containing

materials...”¹

What to do if asbestos has been identified ?



Asbestos Abatement

Asbestos abatement must be performed before the commencement of renovation or demolition activities that would otherwise result in the disturbance of asbestos-containing materials.

A DPH licensed asbestos abatement contractor must perform asbestos abatement that involves more than three (3) linear feet or more than three (3) square feet of asbestos-containing material

Notification of asbestos abatement to the DPH is required for asbestos abatement involving more than ten (10) linear feet or more than twenty-five (25) square feet of material. Such notification must be postmarked or hand delivered at least ten (10) days prior to the start of asbestos abatement.

In the case of an emergency requiring asbestos abatement, the notification must be postmarked or hand delivered within one (1) working day after the start of the asbestos abatement.



NOTE: Section 19a-333-7(a) of the “Asbestos-Containing Materials in Schools” regulation requires that “no asbestos abatement shall occur while school is in session without prior written approval of the DPH.”

REVIEW THE ASBESTOS MANAGEMENT PLAN AND PROJECT DESIGN AND HIRE
CT LICENSED ASBESTOS CONTRACTORS AND CONSULTANTS

¹ (Section 19a-332a-1(d) Regulations of CT State Agencies)

Recordkeeping Requirements



DPH regulations require that certain records be kept in association with asbestos abatement activities. Local Education Agencies (LEAs) should be aware of these requirements and make certain that these records are incorporated in the school asbestos management plan. Both the “Asbestos-Containing Materials in School” regulation and the “Standards for Asbestos Abatement” regulation require that records be retained. The records that must be retained are summarized as follows:

Asbestos-Containing Materials in Schools Regulation

A response action is defined as a method, including removal, encapsulation, repair, and operations and maintenance, that protects human health and the environment from friable asbestos-containing building material. For each response action taken to address such material, the LEA shall maintain as part of its management plan the following:

- A detailed written description of the measure or action, including methods used;
- The location where the measure or action was taken;
- The reasons for selecting the measure or action;
- The start and completion date of the work;
- The names and addresses of all contractors involved and if applicable, their state of accreditation and accreditation numbers;
- If asbestos-containing building material is removed, the name and location of the disposal site of the material;
- The name and signature of the person collecting air samples at the completion of the response action;
- The location where air samples were collected and the date of collection;
- The date of the analysis of the air samples and the results of the analysis;
- The method of analysis of the air samples, the name and signature of the person performing the analysis, and a statement by the laboratory that it is accredited in accordance with applicable regulatory requirements.

TAKE THE TIME TO REVIEW THE RECORDS ASSOCIATED WITH ASBESTOS ABATEMENT AND TO ENSURE THAT THEY ARE INCLUDED IN THE AMP

Standards for Asbestos Abatement Regulation

An asbestos abatement project is defined in the “Standards for Asbestos Abatement” regulation as any asbestos abatement performed within a facility involving more than three (3) linear feet or more than three (3) square feet of asbestos-containing material. For each asbestos abatement project, the asbestos abatement contractor shall record the following information. A copy of these records shall be provided to the facility owner and should be incorporated into the school asbestos management plan. The LEA and asbestos contractor are required to retain these records for a minimum of thirty (30) years following completion of any project.

(continued on back page)

The DPH is committed to providing assistance to ensure compliance with regulatory requirements. LEAs, licensed asbestos abatement contractors, and licensed consultants are encouraged to keep these regulatory requirements in mind during construction and abatement activities. Entities or individuals that fail to comply with existing regulatory requirements will be subject to enforcement action.

continued from page 3 (Recordkeeping for Standards for Asbestos Abatement)

- A log of control of access to the work area;
- All records for compliance with the requirements of the Department of Labor, Occupational Safety and Health Administration (OSHA), the Department of Environmental Protection, and the U.S. Environmental Protection Agency regulations;
- Documentation to demonstrate compliance with the post abatement reoccupancy criteria of the Standards for Asbestos Abatement regulation;
- The starting and completion dates of the project;
- A summary of the procedures used to comply with the Standards for Asbestos Abatement;
- The location and description of the project and the estimated amount and type of asbestos involved;
- The name and address of the authorized asbestos disposal facility and verification of disposal indicating the amount of asbestos received;
- The methodology and results of all air sampling conducted during the abatement process;
- A complete list of the names and social security numbers of asbestos abatement workers, asbestos abatement site supervisors and other agents involved in the abatement activity and working for the asbestos contractor on the project and individuals entering the enclosed work area.

**State of Connecticut
Department of Public Health**

Asbestos Program
410 Capitol Avenue, MS 51 AIR
P.O. Box 340308
Hartford, CT 06134-0308



RONALD D. ARENA
15 MOULTHROP ST
NORTH HAVEN, CT 06473