

Chief Administrative Office	Date of issue	Expiration Date	No.
POLICY MEMORANDUM	6/28/99	N/A	26
TO: All Divisions and Departments	Subject:		
SIGNATURE:	ASBESTOS COMPLIANCE POLICY		
Comments:			

I. POLICY STATEMENT

An Asbestos Compliance Policy has been developed by the Lexington-Fayette Urban County Government to meet the requirements of the Occupational Safety & Health Administration (OSHA) and the Environmental Protection Agency (EPA). OSHA regulations concerning asbestos exposures codified as 29 CFR 1926.1101 for the construction industry and 29 CFR 1910.1001 for general industry. EPA regulations are codified as 401 KAR 58:0005 (accreditation of asbestos professionals) and 401 KAR 58:025 (asbestos NESHAP standards), 401 KAR 58:010 (AHERA requirements for schools) and 401 KAR 58:040 (certification and work-practice requirements for abatement entities). In 1995 OSHA implemented changes to their regulation to remove much of the independent decision making with regard to asbestos removal and management. Effective July 1998 two of the Division for Air Quality's asbestos regulations were revised to reflect new federal requirements.

The objective of this policy is to inform employees of the possible hazards of asbestos containing materials that they work with or could be exposed to in their work area. The key program elements are: Program Management, Exposure Determination, and Compliance.

II. RESPONSIBLE PERSONS

The Risk Manager for Safety, Health & Environmental Compliance will be responsible for overall management and support of the Government's Asbestos Compliance Program.

The Industrial Hygienist/Loss Control Specialist will be responsible for assisting divisions with their programs and training.

The Asbestos Abatement Section Manager is responsible for maintaining the written compliance program for the Division of Building Maintenance & Construction. He/She is also responsible for administering the Asbestos Abatement Team.

The Asbestos Inspector is responsible for obtaining all samples for the determination of asbestos presence.

The Management Planner is responsible for giving recommendations as to abatement choice based on hazard assessment.

The Asbestos Abatement Supervisor is responsible for the Asbestos Abatement Team.

The Asbestos Abatement Team is responsible for performing abatement as necessary for LFUCG properties.

The Director of Human Resources is responsible for ensuring that the LFUCG is complying with medical surveillance requirements of the asbestos regulations.

The Director of the Division of Purchasing is responsible for ensuring the purchase of items that do not contain asbestos, in addition to including in bid documents, that outside contractors do not use ACM in their contracts.

The Division Directors & Supervisors are responsible for asbestos control in their respective areas. They shall work directly with the Asbestos Abatement Team in the Division of Building Maintenance & Construction, the Risk Manager for Safety, Health & Environmental Compliance in the Division of Risk Management, and their employees, to ensure that proper exposure control procedures are followed.

General employees have the most important role in our Asbestos Compliance Program. They are responsible for informing Risk Management of what tasks they perform which may have possible exposure to asbestos. They must also attend asbestos compliance training and conduct all operations in accordance with the LFUCG Asbestos Compliance Program.

Employees who work with asbestos as their job assignment must know what tasks they perform that may lead to possible exposure to asbestos. They must comply with the Asbestos Compliance Program.

III. REVIEW AND UPDATE OF THE POLICY

This policy will be reviewed and updated by the Risk Manager of Safety, Health & Environmental Compliance annually, noting any change in procedures.

IV. EXPOSURE DETERMINATION

Employees shall be assessed for exposure by evaluating their work activities, equipment used, and work location.

V. TRAINING

The LFUCG will meet the requirements of training as specified in the asbestos standards. In addition, each employee will receive asbestos awareness training.

The Division of Building Maintenance & Construction will be responsible for training of their Asbestos Abatement Team employees.

VI. COMPLIANCE FOR IDENTIFICATION OF ASBESTOS CONTAINING MATERIAL

The LFUCG will comply with all KOSH and EPA regulations regarding the identification of asbestos in buildings. The compliance issues are different in different situations.

At a minimum, warning signs or labels shall be posted in regulated areas of ACM or PACM.

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1. PURPOSE OF THE ASBESTOS COMPLIANCE PROGRAM

The purpose of the Asbestos Compliance Program is two fold:

- To protect all persons working in or around LFUCG leased or owned buildings which could have been constructed with asbestos containing building materials
- To protect all persons who may work with asbestos containing materials as a part of their employment with the LFUCG

The LFUCG will make provisions to control asbestos health hazards by removing accessible, friable asbestos from every property. All asbestos containing building materials shall be managed in place until it is removed. Employees who work with asbestos as a part of their employment will be protected through engineering controls, task rotation or personal protective equipment.

The Occupational Safety & Health Administration has enacted standards relating to asbestos exposures codified as 29 CFR 1926.1101 for the construction industry and 29 CFR 1910.1001 for general industry. The permissible exposure level for airborne asbestos is 0.10 fibers /cc.

The Environmental Protection Agency, Division for Air Quality has recently revised two of their asbestos regulation to reflect new federal requirements. The regulations are 401 KAR 58:0005 (accreditation of asbestos professionals) and 401 KAR 58:025 (asbestos NESHAP standards). Their other two asbestos regulations, 401 KAR 58:010 (AHERA requirements for schools) and 401 KAR 58:040 (certification and work-practice requirements for abatement entities) remain unchanged.

II. DEFINITIONS

Asbestos	Natural occurring mineral from the earth's crust including Amphiboles and Serpentine (chrysotile, amosite, crocidolite, tremolite, anthophyllite, and actinolite)
ACM	Asbestos Containing Material
ACBM	Asbestos Containing Building Material
PACM	Presumed Asbestos Containing Material
O & M	Operations and Maintenance
PPE	Personal Protective Equipment
OSHA	Occupational Safety and Health Administration
EPA	Environmental Protection Agency
MAP	Model Accreditation Plan
NESHAPS	National Emissions Standard for Hazardous Air Pollutants
PEL	Permissible Exposure Limit
STEL	Short Term Exposure Limit
TSI	Thermal System Insulation
Friable	Easily crumbled by hand

III. GENERAL PROGRAM MANAGEMENT

A. RESPONSIBLE PERSONS

There are six major “Categories of Responsibility” that are central to the effective implementation of the Asbestos Compliance Program. These are:

Division of Risk Management
Risk Manager of Safety, Health & Environmental Compliance
Industrial Hygiene/Loss Control Specialists

Division of Building Maintenance and Construction
Asbestos Abatement Section Manager
Asbestos Inspector/Planner
Asbestos Abatement Supervisor
Members of the Asbestos Abatement Team

Division of Human Resources
Director

Division of Purchasing
Director

Divisions that may have asbestos exposure
Director
Supervisors

All divisions
Each employee
Employees who perform tasks which involve asbestos

The following sections define the roles played by each of these groups in carrying out the Asbestos Compliance Program:

RISK MANAGER FOR SAFETY, HEALTH & ENVIRONMENTAL COMPLIANCE

The “Risk Manager for Safety, Health & Environmental Compliance” will be responsible for overall management and support of the governments’ Asbestos Compliance Program. Activities which are delegated to the Risk Manager typically include, but are not limited to:

- Overall responsibility for maintaining the Asbestos Compliance Program for each division of the LFUCG

- Working with management and other employees to develop and administer any additional asbestos related projects and practices needed to support the effective implementation of this plan
- Improving the Asbestos Compliance Program, as well as revising and updating the plan when necessary
- Staying abreast of current legal requirements concerning asbestos
- Appointing the government liaison during OSHA inspections
- Conducting periodic government audits to maintain up-to-date Asbestos Compliance Programs in divisions where tasks are performed involving asbestos

THE INDUSTRIAL HYGIENIST/LOSS CONTROL SPECIALIST

The Industrial Hygiene/Loss Control Specialist is responsible for:

- Making sure all divisional Asbestos Compliance Programs meet all federal, state, and local laws and regulations
- Assisting divisions, that have general industry uses of asbestos, with remediation, i.e. engineering controls, task rotation, PPE
- Assisting divisions with air monitoring and periodic surveillance
- Overseeing the respirator program for the government
- Awareness training for employees who may encounter asbestos

ASBESTOS ABATEMENT SECTION MANAGER

Maintaining the written compliance program for the Division of Building Maintenance & Construction

- Administering the Asbestos Abatement Section
 - Recruit and train new employees
 - Provide respirator fit testing
 - Purchase supplies and equipment
 - Develop and administer the section budget
 - Maintain and retain all abatement and employee exposure records
- Negotiating contracts with other agencies for abatement sources
- Providing final visual inspection for each abatement project
- Coordinating medical exams, initial and update training for abatement employees
- Working with other divisions that have asbestos involved activities to determine which activities will be done by Building Maintenance & Construction and which are to be done by the division, if they have an in-house approved Asbestos Compliance Program
- Submitting all required notifications to regulatory agencies

ASBESTOS INSPECTOR/MANAGEMENT PLANNER

The Asbestos Inspector/Management Planner is responsible for:

- Determining whether asbestos is present in government owned buildings, in construction materials, in or on equipment, in any other properties owned by the LFUCG or about to be purchased by same
- Giving recommendations as to abatement choice based on hazard assessment
- Maintaining inventory of all asbestos in government owned buildings
- Implementing O & M (operations and maintenance) program to maintain all remaining ACM (asbestos containing material) and evaluating its condition and hazard potential on an annual basis
- Record keeping to comply with all regulations concerning asbestos in government owned buildings and all related activities

ASBESTOS ABATEMENT SUPERVISOR

The Asbestos Abatement Supervisor is responsible for:

- Working with other divisions to protect their employees from asbestos exposures while the Asbestos Abatement Team is engaged in asbestos activities within the divisions
- Determining what procedures will be followed by the Division of Building Maintenance and Construction Asbestos Abatement Team including individual worker duty assignment
- Assuring that all work done by the Asbestos Abatement Team is in compliance with all federal, state, and local laws and regulations
- Supervising work site to include time keeping, discipline, and on site activity records
- All OSHA required air monitoring and EPA required clearance air monitoring, and conduct area safety monitoring
- Maintaining equipment
- Disposing of ACM waste properly observing all local, state and federal regulations
- Completing and maintaining all required paperwork

MEMBERS OF THE ASBESTOS ABATEMENT TEAM

Each member of the Asbestos Abatement Team is responsible for:

- Performing asbestos abatement as necessary for any and all Lexington-Fayette Urban County Government properties
- Following all federal, state, and local laws during asbestos abatement activities
- Attending all required asbestos training activities
- Wearing all protective equipment required for asbestos abatement activities

- Following asbestos abatement procedures with precision and accuracy
- Practicing good hygiene procedures

DIRECTOR OF THE DIVISION OF HUMAN RESOURCES

The Director of the Division of Human Resources is responsible for:

- Ensuring that the LFUCG is complying with all of the initial medical surveillance requirements of all asbestos regulations
- Ensuring that employees are scheduled for all required asbestos medical physicals
- Ensuring that employees are notified of the results of medical tests within five business days of receipt of such results by LFUCG
- Keeping all medical records (including x-rays), task rotation records, and any other required records involving asbestos exposures for 30 years after the last employment of all involved employees

DIRECTOR OF THE DIVISION OF PURCHASING

The Director of the Division of Purchasing is responsible for:

- Including in bid contract documents that outside contractors do not engage in any prohibited activities involving asbestos materials unless included in the contract
- Including in bid and contract documents for outside contractors who will engage in activities involving asbestos materials, that their plans for such activities and their written Asbestos Compliance Programs are submitted in advance to the Division of Risk Management and the Division of Building Maintenance and Construction
- Ensuring the purchase of items that do not contain asbestos
- Notifying the Risk Manager of Safety, Health & Environmental Compliance when any division has requested the purchase of a material containing asbestos

DIVISION DIRECTORS AND SUPERVISORS

Division Directors and Supervisors are responsible for asbestos control in their respective areas including:

- Purchasing of asbestos-free materials
- Monitoring requirements regarding outside contractors to ensure their compliance with all applicable asbestos regulations

Directors and Supervisors shall work directly with the Asbestos Abatement Team in the Division of Building Maintenance and Construction, the Risk Manager for Safety, Health & Environmental Compliance in the Division of Risk Management, and their employees, to ensure that proper exposure control procedures are followed.

GENERAL EMPLOYEES

LFUCG employees have the most important role in our Asbestos Compliance Program. The ultimate execution of our compliance program rests in their hands. In this role they are responsible for such things as:

- Knowing what tasks they perform that have possible exposure to asbestos
- Attending the asbestos compliance training sessions
- Not disturbing plaster material (holes should not be drilled or nails hammered into ceilings or walls)
- Not disturbing ceiling tiles or light fixtures from suspended ceiling grids
- Not installing curtains, drapes or blinds if it would disturb any PACM
- Not scraping floor tiles, walls or duct work when moving furniture
- Not removing or shaking ventilation system filters to remove dust
- Not dusting, sweeping, or vacuuming PACM with a regular vacuum

Vinyl flooring finishes should be stripped only by wet methods using low-abrasion pads at speeds less than 300 revolutions per minute. Areas where asbestos abatement is taking place should be well marked and only authorized individuals with appropriate PPE should enter such areas.

EMPLOYEES WHO WORK WITH ASBESTOS AS THEIR JOB ASSIGNMENT

These employees are responsible for:

- Knowing what tasks they perform that have possible exposure to asbestos
- Attending the asbestos compliance training sessions
- Planning and conducting all operations in accordance with good work practice controls
- Developing good personal hygiene habits, such as washing hands before eating, smoking, drinking etc.

B. AVAILABILITY OF THE PROGRAM

To help them with their efforts, the Lexington-Fayette Urban County Government Asbestos Compliance Program will be available to our employees at any time. Employees are advised of this availability during their education /training sessions. Copies of the Asbestos Compliance Program are kept in the following locations:

- Council Clerk's Office
- Division of Risk Management
- Each Commissioner's Office
- Each Division Director's Office

C. REVIEW AND UPDATE OF THE PROGRAM

Recognizing that it is important to keep the Asbestos Compliance Program up-to-date, the program will be reviewed and updated under the following circumstances:

- Annually, in December
- Whenever new or modified tasks and procedures are implemented which affect occupational exposures to employees
- Whenever employees' jobs are revised such that additional occupational exposure may occur
- Whenever established functional positions change ,so that they may involve exposure to asbestos

The Supervisor in the Division of Building Maintenance and Construction and the Risk Manager for Safety, Health & Environmental Compliance in the Division of Risk Management will review the program.

IV. EXPOSURE DETERMINATION

Essential to implementing a successful Asbestos Compliance Program is to identify exposure situations which employees may encounter. In general employees who do the following activities could be exposed to asbestos:

- Demolition or salvage of structures with asbestos-containing materials
- Removal or encapsulation of materials containing asbestos
- Installation of products containing asbestos (e.g. brakes)
- Asbestos contamination/emergency clean-up
- Transportation, disposal, storage, or containment of asbestos-containing materials at the construction site.
- Maintenance operations associated with these construction activities
- Scraping, sanding, abrasive blasting on any asbestos-containing material
- Maintenance of asbestos-containing brake mechanisms
- Entering buildings which could contain asbestos

Each division involved must submit a description of all possible asbestos exposure activities, including materials involved, crew size, job responsibilities, equipment used, controls in place, operating procedures and maintenance practices, to the Divisions of Building Maintenance & Construction and Risk Management. From this information, it shall be determined which employees are at risk in addition to medical surveillance, training, etc. that will be needed. The training shall meet the guidelines of KOSH and EPA regulations.

Employees will be categorized as follows

- General Employees not involved with asbestos as their job assignment
- Maintenance Personnel who may have to make modifications which involve asbestos containing materials
- Housekeeping & Custodial Personnel who may come into contact with ACM while performing their job duties
- Asbestos Removal Team who address ACM as part of their job assignment.

Each division must determine which identified activities they wish to continue to perform with the individuals within their division and which activities the Division of Building Maintenance & Construction's Asbestos Abatement Team will perform. If a division chooses to perform asbestos involved activities utilizing employees within the division, all requirements of the Asbestos Compliance Program must be in place. This includes having a written Compliance Program for the division to include: medical surveillance, respiratory protection, air monitoring, training, and the provision for the use of personal protective equipment and hygiene facilities. The Industrial Hygiene/Loss Control Specialist and the Asbestos Abatement Team Supervisor will be responsible for evaluating divisional programs to see if all aspects of compliance are covered. No division can undertake asbestos activities until such approval is received.

When any division requires an employee to perform one of the identified possible asbestos contaminating tasks, the Division of Building Maintenance & Construction shall be contacted to confirm that the material is asbestos-free. Unless otherwise verified through an asbestos-free product label, MSD sheet, analytical analysis or acceptable method, the material must be treated as PACM.

If the presence of asbestos is determined, the division may proceed; meeting all requirements as specified herein, or arrange for the Division of Building Maintenance & Construction to abate the asbestos. *Supervisors will be responsible to ensure that no prohibited activity will be performed on asbestos containing materials or materials of unknown content.*

If the division requests the Division of Building Maintenance & Construction abate the asbestos hazard, the two divisions will work together on a plan which will provide maximum efficiency and minimal chance of contamination or exposure. The Division of Building Maintenance & Construction will be responsible for meeting all regulations and providing the requesting division with final air sampling data indicating a clear work environment.

In addition, each Division will be responsible for ensuring that outside contractors on any of their work sites do not engage in any prohibited activities involving asbestos materials. When in doubt, or the material's asbestos content is unknown, laboratory analysis of the material must be conducted. These requirements must be included in bid and contract

documents and the contractor required to have an Asbestos Compliance Program in effect.

V. TRAINING

The LFUCG will meet all the requirements of training as specified in the asbestos standards. In addition, each employee will receive asbestos awareness training. Once exposure determinations have been made, employees at risk shall participate in more extensive training. This training will include the following topics:

- The purpose of the standard pertaining to asbestos
- Information on the adverse health effects of asbestos
- A description of the asbestos standard's content including the appendices
- The contents of the Asbestos Compliance Program and the nature of specific asbestos fiber releasing operations that could result in exposure above the PEL
- A description of engineering controls and work practices used to limit asbestos exposures
- The purpose, limitations, selection, fitting and use of respirators
- A description of the medical surveillance program and an explanation of medical removal protection

The Division of Building Maintenance & Construction will be responsible for training of their employees to meet the required and necessary level, dependent upon the class of work to be performed. The Division of Risk Management will provide awareness training for the employees in other divisions who could have asbestos exposures. Any division that undertakes asbestos abatement activities (with an approved Compliance Program) must provide the level of training required by these standards.

VI. COMPLIANCE FOR IDENTIFICATION OF FRIABLE AND NONFRIABLE ASBESTOS CONTAINING MATERIAL

The LFUCG will comply with all OSHA and EPA regulation regarding the identification of asbestos in buildings. The compliance issues are different for different situations. The LFUCG has separated these into the following descriptions:

- Asbestos Containing Material in child occupied facilities. Child occupied facilities shall be inspected for ACM as per Appendix A
- ACM in buildings scheduled for renovation or demolition. These buildings shall be inspected by an EPA accredited inspector.
- All other LFUCG owned or leased buildings. All friable ACM will be identified and removed. Non friable ACM or PACM shall be managed in place until removal.

Several items may or may not be required

- Inspections
- Reinspections
- Sampling
- Analysis
- Assessment
- Management Plans
- Operations & Maintenance
- Periodic Surveillance
- Recordkeeping
- Warning Labels
- Air monitoring
- Medical Surveillance
- Training