

UNITED STATES
DEPARTMENT OF LABOR

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• **Standard Number:** 1910.1001

OSHA requirements are set by statute, standards and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>.

February 16, 1996

Ms. Jeanna R. Sellmeyer
President
ASSET Environmental Consultants
5011 Argosy Avenue, Suite 5
Huntington Beach, California 92649

Dear Ms. Sellmeyer:

Thank you for your letter of December 5, 1995, regarding the requirements of a building owner for conducting a survey and the labeling of asbestos materials under the OSHA asbestos standard (1910.1001).

You asked if you could do a general survey of a building complex that was constructed of the same materials.

The survey should be an evaluation of each building, unless the owner can demonstrate that no modifications have been made to the original materials. The standard does not require that samples be taken during the survey, unless the owner is trying to demonstrate that no asbestos is present in the building.

You also inquired whether you could use the work order to identify ACM/PACM for maintenance employees, in lieu of labels.

The agency does realize that labeling all materials (e.g., flooring, ceiling tile, wall board, etc.) that may contain asbestos, is not feasible in most cases. Therefore, the use of a work order could serve as a method to inform maintenance employees of those areas where asbestos materials have been identified during the building survey.

Thank you for your interest in safety and health.

Sincerely,

Ruth McCully, Director
Office of Health Compliance

[Corrected 06/23/08]

December 5, 1995

OSHA/USDOL
Mr. John B. Miles, Jr.
Directorate of Compliance
Programs
200 Constitution Avenue Northwest
Room # N 3468
Washington, DC 20210

RE: Labeling Requirements for Asbestos-Containing Material/Presumed Asbestos-Containing Material

Dear Mr. Miles,

I spoke today with Mr. Gail Brinkerhoff in your office regarding the new asbestos labeling requirements. I explained to Mr. Brinkerhoff that I am an Environmental Consultant for many residential apartment management companies and office buildings and am in the process of updating their current Operation and Maintenance Programs. Although the current OSHA Regulations state that all PACM and/or identified ACM must be labeled to protect employees who may have to work in the apartments or tenant areas, this is not practical for apartment units or office buildings. Signs regarding asbestos are unsightly to most residents and tenants, who fully expect to have control over the decor within living and working spaces. Signage is often removed by residents/tenants. For many of these complexes, there are no interior corridors suitable for signage, nor would the residents be likely to leave signs in public areas undisturbed.

While we understand OSHA's goal of advising apartment and commercial management company employees of ACM/PACM, so we propose that in lieu of posting signs on the ACM/PACM, that we list the identified ACM/PACM on the work order forms. Each time a maintenance worker receives a work order form, they will see a listing of all the identified ACM/PACM for that complex. All maintenance activity is reported to the worker on a work order form thereby ensuring that each time the employee enters the apartment unit to provide maintenance, the previously identified ACM/PACM will remain undisturbed as it will be listed on the work order.

We feel that the above solution will adequately satisfy the intent of the labeling requirement since each employee will be notified of possible ACM/PACM prior to entering the unit. Should you find this solution unacceptable please advise us of an alternative method of complying with this regulation.

Although it is my understanding that each building is considered separate for the purpose of asbestos surveys, we would like to consider multiple buildings built at the same time and with the same construction materials as one building (i.e., apartment complexes with multiple buildings). This would reduce the number of samples to be taken while satisfying the sampling requirements.

I would appreciate a response to both of these questions at your earliest convenience. Should you have any questions please do not hesitate to call me.

Sincerely, ASSET Environmental Consultants

Jeanna R. Sellmeyer
President

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