

Standard Interpretations / Asbestos training for removing asphaltic coatings from utility pipes

- **Standard Number:** 1926.1101 ; 1926.1101(g)(11)

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>.

May 19 2014

Mr. Michael Panepresso
Criterion Laboratories, Inc.
3370 Progress Drive, Suite J
Bensalem, Pennsylvania 19020

Dear Mr. Panepresso:

Thank you for your letter dated February 19, 2014, to the Occupational Safety and Health Administration (OSHA), which was referred to the Agency's Directorate of Enforcement Programs. You asked a question about the training requirements of OSHA's Asbestos Construction standard, 29 CFR 1926.1101. This reply letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any question not detailed in your original correspondence. Your paraphrased question and our reply are below.

Background: Your organization provides asbestos training. You have a client that is a utility company, and you provide the utility company's employees with training in how to remove non-friable asphalt coatings from exterior underground piping. You stated that the company treats this work as a Class II asbestos operation.

Question: How many hours of asbestos training are necessary for the personnel who supervise this Class II work? Would 16 hours of supervisor/competent person training be sufficient? And how many hours of asbestos training are required for the utility company employees who perform the work?

Reply: Class II asbestos work must be performed in a regulated area. 29 CFR 1926.1101(e)(1).¹ And work in regulated areas must be supervised by a competent person. 29 CFR 1926.1101(e)(6). Therefore, the supervisors you are training need to be competent persons for purposes of the Asbestos Construction standard.

The standard defines a competent person, in part, as "one who . . . for . . . Class II work . . . is specially trained in a training course which meets the criteria of EPA's Model Accreditation Plan (40 CFR part 763) for supervisor, or its equivalent." 29 CFR 1926.1101(b). Furthermore, 29 CFR 1926.1101(o)(4)(i) provides that "[f]or Class . . . II asbestos work the competent person shall be trained . . . in a comprehensive course for supervisors that meets the criteria of EPA's Model Accreditation Plan (40 CFR part 763, subpart E, Appendix C), such as a course conducted by an EPA-approved or state-approved training provider, certified by EPA or a state, or a course

equivalent in stringency, content, and length." EPA's Model Accreditation Plan calls for supervisors to complete a 5-day (40 hour) training course. Therefore, under the Asbestos Construction standard, competent persons generally must receive 40 hours of training.

Note, however, that a competent person supervising only the installation, removal, repair or maintenance of intact pipeline asphaltic wrap using the alternative methods of compliance specified in 29 CFR 1926.1101(g)(11) is not subject to the training requirements that generally apply to Class II work. See 60 FR 33974, 33976 (June 29, 1995) and 60 FR 50411 (Sept. 29, 1995). In this case, there is no specified minimum duration for supervisor training, but the training must be sufficient to ensure that the competent person "is capable of identifying asbestos hazards in the workplace and selecting the appropriate control strategy for asbestos exposure." 29 CFR 1926.1101(g)(11)(i). More information about the necessary content of such training is available at 60 FR 33976.

With respect to training for non-supervisory employees, OSHA's requirements for Class II operations that do not require the use of critical barriers (or equivalent isolation methods) and/or negative pressure enclosures, and that do not involve work with asbestos containing roofing materials, flooring materials, siding materials, ceiling tiles, or transite panels, are found at 29 CFR 1926.1101(k)(9)(iv)(C). And to the extent the work being performed involves only the installation, removal, repair or maintenance of intact pipeline asphaltic wrap using the alternative methods of compliance specified in 29 CFR 1926.1101(g)(11), employee training requirements are found at 29 CFR 1926.1101(g)(11)(ii). Neither of the two potentially applicable training provisions specifies a minimum duration of training, but in either event, the content of the training must address the elements described in 29 CFR 1926.1101(k)(9)(viii). And more information about the required content for worker training is available at 60 FR 33976.

Thank you for your interest in occupational safety and health. We hope you find this information helpful. OSHA's requirements are set by statute, standards, and regulations. Our letters of interpretation do not create new or additional requirements but rather explain these requirements and how they apply to particular circumstances. This letter constitutes OSHA's interpretation of the requirements discussed. From time to time, letters are affected when the Agency updates a standard, a legal decision impacts a standard, or changes in technology affect the interpretation. To assure that you are using the correct information and guidance, please consult OSHA's website at <http://www.osha.gov>. If you have further questions, please feel free to contact the Office of Health Enforcement at (202) 693-2190.

Sincerely,

Thomas Galassi, Director
Directorate of Enforcement Programs

¹ Per 29 CFR 1926.1101(b), Class II asbestos work means activities involving the removal of asbestos-containing material that is not thermal system insulation or surfacing material. This includes, but is not limited to, the removal of asbestos-containing wallboard, floor tile and sheeting, roofing and siding shingles, and construction mastics

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