

## Standard Interpretations / Requirements for work with materials containing less than 1 percent asbestos.

▪ **Standard Number:** 1926.1101(b) ; 1926.1101(g)

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>.

August 7, 1998

Mr. Joseph A. Rosenthal  
Updike, Kelly & Spellacy, P.C.  
One Century Tower  
265 Church Street  
New Haven, Connecticut 06510-7002

Dear Mr. Rosenthal:

We have received your letter addressed to Edith Nash of our Solicitor's office, asking us to reconsider our prior interpretation of June 6, 1997, that work concerning building materials containing less than 1% asbestos is covered by the Occupational Safety and Health Administration's (OSHA's) asbestos construction standard (29 CFR 1926.1101). We are confirming some parts and modifying other parts of our earlier interpretation.

As we stated in the earlier letter, we agree that plaster that contains less than 1% is not "asbestos-containing material" under the standard. However, as we noted, certain precautions set out in paragraph (g) are universal and apply to all work with asbestos, regardless of airborne exposures, or asbestos content of previously installed materials. These requirements are to utilize wet methods, to the extent feasible, (paragraph (g)(1)(ii)); and to promptly clean up and dispose in closed containers, waste and debris contaminated with asbestos, (paragraph (g)(1)(iii)). However, in a change from our June letter, we interpret that paragraph (g)(1)(i) which requires HEPA vacuuming, does not apply to work with material that contains less than 1% asbestos.

We note that the asbestos content of plaster in an area is particularly difficult to assess, in large part because the asbestos often had been mixed into the plaster at the site, and the asbestos content may vary even when the area which is being disturbed looks homogenous. For these reasons an assessment that the plaster in a disturbed area contains less than 1% asbestos must be based on analysis of sufficient samples to represent the entire area.

We hope that this letter clarifies OSHA's position on these issues.

Sincerely,

John B. Miles, Jr.  
Director  
Directorate of Compliance Programs