

Standard Interpretations (Archived) / Clarification of "mechanical chipping device" used in floor tile removal.

- **Standard Number:** 1926.1101

OSHA ARCHIVE

NOTICE: This is an OSHA Archive Document, and may no longer represent OSHA Policy. It is presented here as historical content, for research and review purposes only.

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>.

November 1, 1995

Roger Wiggins, President
Innovatech Products & Equipment Company
7034 N.E. 153rd Place
Bothell, Washington 98011

Dear Mr. Wiggins:

This is in response to your letter to John Miles and Richard Terrill. Your letter requested clarification of "mechanical chipping device" used in floor tile removal as defined in 29 CFR 1926.1101, Occupational Exposure to Asbestos. Specifically, you wanted to know if OSHA would consider the Innovatech Products and Equipment device called the "Terminator" a mechanical chipping device which can only be used in a negative pressure enclosure as stated in 29 CFR 1926.1101(g)(8)(i)(F).

To ascertain if the "Terminator" is a mechanical chipping device is dependent on how it is used, and the conditions present at the time of use. The standard in 29 CFR 1926.1101(g)(8)(i)(G) requires the floor tile to be removed, essentially intact, if possible. "Intact" is defined by the standard, as not crumbled, pulverized or otherwise deteriorated so asbestos fibers are no longer bound with the matrix.

Also, please bear in mind that OSHA does not endorse or approve products. Final determination regarding compliance with OSHA standards is made in the workplace by direct compliance officer observation of employee work practices and the conditions present at that particular workplace.

Your interest in occupational safety and health is appreciated. If you need additional assistance, please call Ron Tsunehara, Assistant Regional Administrator for Technical Support in Seattle, Washington at (206) 553-5930.

Sincerely,

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

OSHA ARCHIVE

NOTICE: This is an OSHA Archive Document, and may no longer represent OSHA Policy. It is presented here as historical content, for research and review purposes only.

UNITED STATES DEPARTMENT OF LABOR

Occupational Safety & Health Administration
200 Constitution Ave NW
Washington, DC 20210
☎ 800-321-6742 (OSHA)
TTY
www.OSHA.gov

FEDERAL GOVERNMENT

White House
Severe Storm and Flood Recovery
Assistance
Disaster Recovery Assistance
DisasterAssistance.gov
USA.gov
No Fear Act Data
U.S. Office of Special Counsel

OCCUPATIONAL SAFETY & HEALTH