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• **Standard Number:** 1926.1101(g)(1)(ii); 1926.1101(g)(6); 1926.1101(g)(8)(vi); 1926.1101(k)(8)(i); 1926.1101(k)(8)(iii); 1926.1101(k)(9); 1926.1101(l)(2); 1926.1101(o)(4)

August 26, 2002

Brian F. Karlovich, IHIT  
Baker Environmental, Inc.  
Airport Office Park, Building 5  
420 Rouser Road  
Coraopolis, PA 15108

Dear Mr. Karlovich:

Thank you for your May 9, 2001 letter to the Occupational Safety and Health Administration's (OSHA's) [Directorate of Enforcement Programs]. We apologize for the delay in our response. This letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any question not delineated within your original correspondence. You have questions about the OSHA requirements to be followed when a building with asbestos-containing material (ACM) is demolished with this material left in place. Your questions and our replies are provided below.

**Scenario:** EPA regulations permit demolition of buildings without prior removal if less than threshold quantities of friable ACMs are present. EPA also permits demolition without prior removal when any quantity of nonfriable ACM is present as long as the material is not likely to become friable.

**Question 1:** What OSHA Asbestos Standard requirements apply to a situation where ACM is present in a building and complete demolition is planned without prior removal of the ACM?

**Reply:** Demolition of a building with ACM left in place falls under the definition of removal of installed ACM. The removal of installed ACM is either Class I or Class II asbestos work, and all applicable requirements of the standard apply. Whether such demolition is Class I asbestos work or Class II asbestos work is determined by the type of ACM left in place. If any asbestos-containing thermal system insulation or surfacing material is left installed in the building, then the work being performed is Class I asbestos work. If the ACM left installed in the building does not include any thermal system insulation or surfacing material, then the work being performed is Class II asbestos work. See 29 CFR 1926.1101(b) (definitions).

In a building demolition situation, neither the control methods referenced at 29 CFR 1926.1101(g)(5) (Class I work) nor all of the work practices and controls described in 29 CFR 1926.1101(g)(8)(i)-(v) (Class II work) can be used. Therefore, if the work performed is Class I asbestos work, you must abide by 29 CFR 1926.1101(g)(6) which sets forth requirements for instituting alternative control methods for Class I asbestos work. If the work performed is Class II asbestos work, you must abide by 29 CFR 1926.1101(g)(8)(vi) which sets forth procedures for using different or modified engineering and work practice controls. We have specifically mentioned the applicability of 29 CFR 1926.1101(g)(6) or (g)(8)(vi). Of course, the standard's general requirements covering subjects such as permissible exposure limits, multi-employer worksites, regulated areas, exposure assessments and monitoring, etc. also apply.

**Question 2:** Do the worker training, wet methods, bagging, and labeling requirements apply?

**Reply:** Yes. Also, you should take special note of the following provisions.

The standard indicates worker training requirements throughout its text. However, its main focus on training requirements for ordinary workers is at 29 CFR 1926.1101(k)(9); its main focus on training requirements for competent persons is at 29 CFR 1926.1101(o)(4).

Its general training requirements and its training requirements for performing Class I or Class II asbestos work apply to a building demolition situation. In addition, if you use a separate crew of workers for doing final cleanup at the demolition site, the standard's training requirements for performing Class IV asbestos work apply for those workers. It is apparent that building demolition does not involve the performance of any Class III asbestos work, therefore the standard's training requirements for workers who perform Class III work do not apply.

In accordance with 29 CFR 1926.1101(g)(1)(ii), you must use wet methods or wetting agents except where you can demonstrate that the use of wet methods is

infeasible. Also, please be aware that the asbestos-containing waste produced by the demolition operation must be kept wet at all times until it has been loaded for transport away from the demolition site.

When you demolish a building without first removing the ACM you produce asbestos waste. In accordance with 29 CFR 1926.1101(l)(2), asbestos waste must be placed in sealed, labeled, impermeable bags or other closed, labeled, impermeable containers. We assume that you will have a vast amount of rubble intermixed with asbestos waste when you demolish a building with the ACM left in place. If that is the case, in order to pick up asbestos waste and place it in a container, you will no doubt have to pick up at the same time a much greater amount of other rubble. In that situation, where such a large total amount of material must be picked up in order to pick up the asbestos waste, please be advised that you could comply with 29 CFR 1926.1101(l)(2) by using trucks with water-tight, dust-tight cargo haulers as your containers.

The asbestos waste produced by your described demolition contains 1% or greater asbestos because it comes from ACM. (ACM is defined in 29 CFR 1910.1101(b) as material containing greater than 1% asbestos.) Thus, in accordance with 29 CFR 1926.1101(k)(8)(i), you must label those containers in which you put the asbestos waste. Labeling must be in accordance with the stipulations of 29 CFR 1926.1101(k)(8)(iii).

**Question 3:** Do the alternative work practices and control requirements apply?

**Reply:** Yes. See the last two paragraphs of our response to your first question.

Thank you for your interest in occupational safety and health. We hope you find this information helpful. OSHA requirements are set by statutes, standards, 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 interpretations of the requirements discussed. 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>. If you have any further questions, please feel free to contact the [Office of Health Enforcement] at 202-693-2190.

Sincerely,

Richard E. Fairfax, Director  
[Directorate of Enforcement Programs]

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## UNITED STATES DEPARTMENT OF LABOR

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