



## ASBESTOS REGULATORY CLARIFICATIONS

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Toxic Substances Control Division

ARC – 016

November 2001

### Subject:        **The Meaning of “During the Project” in Public Buildings**

#### **BACKGROUND**

The Texas Department of Health (TDH) has been asked to clarify the meaning of *during the project* as it relates to the Texas Asbestos Health Protection Rules (TAHPR).

#### **RESPONSE**

The phrase *during the project*, as the phrase refers to the use of personal protective equipment and air monitoring in public buildings, means that personal protection equipment and ambient air monitoring will be utilized whenever asbestos is disturbed. The phrase also means that personal protective equipment and ambient air monitoring must be conducted every day of the project, throughout the start and completion dates of the project.

#### **DISCUSSION**

The phrase *during the project* with regard to personal protective equipment is contained in several sections of the TAHPR. Under the Definition section of 25 TAC 295.32, *Asbestos Consulting Activities* is defined as:

***Consulting activities in public buildings include: ... abatement procedures for personal protection employed during the project ... .***

In Section 25 TAC 295.34, *Asbestos Project Design* by addressing personal protective equipment as follows:

***Asbestos abatement project design includes ... personal protection equipment employed during the project.***



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The *Individual Asbestos Consultant* licensing requirements in section 296.47(1) reinforces the above noted definitions by stating:

***Asbestos abatement project design includes ... and the review of environmental controls, abatement procedures and personal protection equipment employed during the project.***

TAHPR contains a second reference to the phrase *during the project* with regard to ambient air monitoring. According to Section 295.58(i)(2)(A),

***Ambient samples will be collected during the project ... .***

The project start date for asbestos abatement in a public building, as clarified in ARC 006 (March 2000, revised June 2000), is the day actual asbestos disturbance begins. Preparations that do not disturb asbestos do not constitute the start date. The asbestos abatement completion date in a public building, as clarified in ARC-011, is the date that final air clearance is obtained. The wearing of personal protection and monitoring of airborne asbestos fibers is necessary for the health and protection of employees, and monitoring the effectiveness of engineering controls and abatement work practices. Therefore, *during the project* would be throughout each day of the asbestos abatement, while asbestos is being disturbed.

## FREQUENTLY ASKED QUESTIONS

1. When is the use of personal protective equipment required on an abatement project?

Answer: Personal protective equipment is required each day abatement activity is taking place, and throughout the time abatement is being conducted.

2. Is air monitoring required each day of an abatement project?

Answer: Yes.

3. Are air monitoring pumps required to be collecting air samples all day during an abatement project?

Answer: Yes.



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Agree to form and substance

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