File - State Asbestos Laws

REGULATORY REPORT

PLAINTIFF'S EXHIBIT AL-891

OTHER HIGHLIGHTS

STATE-BY-STATE ASBESTOS REGULATIONS BREAKDOWN/ **56**

EPA ENDORSES TRAINING CURRICULA/ **56**

STATE ASBESTOS REGULATIONS ON THE RISE

Eight more states enacted asbestos-related statutes in 1987, bringing the total amount of states participating in asbestos regulation to 40, according to a survey conducted by the Bureau of National Affairs. The eight states joining the list in 1987 were Arizona, Delaware, Hawaii, Idaho, Nevada, Oregon, Texas and Wisconsin. Laws affecting worker compensation claims for asbestos-related diseases were passed in Nevada and Idaho, while the other six states put forth regulations to deal with the abatement of asbestos.

According to the survey, legislative trends emphasized laws dealing with contractor and worker licensing. Eleven states set certification requirements in motion during 1987, bringing to 32 the number of states with statutes protecting people engaged in asbestos abatement activities. All in all, 22 states passed 33 different asbestos-related laws during the year. The report can be purchased for $150, with multi-copy discounts available, from the Bureau of National Affairs Response Center, (800) 372-1033, or from the BNA Customer Service Center, 9435 Key West Ave., Rockville, MD 20850. A state-by-state breakdown of the Bureau's findings can be found in this section.

EPA PLANS DISBURSEMENT OF AIMPAP FUNDS

In keeping with the second funding cycle of its new Asbestos Inspection and Management Plan Assistance Program (AIMPAP), the EPA began doling out $15 million in federal assistance in February to help states comply with the inspection and management plans required by AHERA. Appropriations for AHERA funding were tripled by Congress from the $5 million allocated last year in an effort to support fledgling school districts that are scrambling to keep up with the growing body of asbestos-related regulations. States hoping to garner their share of AIMPAP dollars must pledge to match at least five percent of the total federal funds received under the program. The state is then free to pass the money along to the school districts.

Amounts awarded by the EPA to the states will range between $100,000 and $1 million, though no state may exceed $1 million in combined grants for 1987 and 1988. States must then guarantee that the federal funds are used exclusively for inspections and management planning. In addition, all school districts receiving assistance must meet the AHERA deadline of October 12, 1988, for completion of inspections and management plans. Although the deadline to apply for AIMPAP funds was February 26, late application inquiries can be made at any of the EPA's 10 regional headquarters.

COLORADO REVISES ASBESTOS REGULATIONS

As part of a package of proposed revisions in Solid Waste Disposal laws, the Colorado Department of Health is requiring that the outermost layer of any containers holding friable asbestos waste must bear the following warning: "Caution. Contains asbestos. Avoid opening or breaking container. Breathing asbestos is hazardous to your health."

The revised regulations deal exclusively with the disposal of asbestos wastes in Colorado and will take

DOES ASBESTOS BOTHER YOU?

EXPERIENCE COMPETENCE, SAFETY AND AN ON-TIME COMPLETION RECORD THAT WILL MAKE YOU FEEL BETTER.

LAST YEAR WE MADE PROPERTY OWNERS, MANAGERS AND TENANTS BREATHE EASIER.

UNDERSTANDING THE SPECIAL NEEDS OF THE PROPERTY OWNER, MANAGER AND TENANTS ALLOWS AAMI-QHI ENCAPCO TO PROVIDE THE SKILLS AND SUPPORT NECESSARY DURING THE ABATEMENT PROCESS.

DURING 1987, WE REMOVED MILLIONS OF SQUARE FEET OF ASBESTOS CONTAINING MATERIALS FROM OCCUPIED HIGH-RISE OFFICE BUILDINGS THROUGHOUT THE UNITED STATES AND PUERTO RICO.

WE OFFER:

1. PROFESSIONAL ENGINEERING APPROACHES.
2. STATE-OF-THE-ART PROCEDURES.
3. INDEMNIFICATION FROM PROJECT RELATED LIABILITY 20-30 YEARS IN THE FUTURE, WITH $5,000,000 PER OCCURRENCE FORM ASBESTOS PROCEDURES INSURANCE.

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CIRCLE READER SERVICE NO. 6

STATE ASBESTOS REGULATIONS

	Alaska	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	Fla.	Ga.	Haw.	Ill.	Iowa	Kan.	Ky.	La.
Scope Of Law															
Public Schools	X		X	X	X	X	X	X	X		X	X	X		X
Private Schools	X		X	X	X	X	X		X		X	X	X		X
State Government Buildings	X		X	X	X	X	X	X	X		X	X	X	X	X
Some Privately-owned Buildings	X		X	X	X	X	X	X	X			X	X		X
Administration															
Single Department			X								X	X	X	X	
Multi-agency or Cooperative	X	X		X	X	X	X	X	X	X					X
New Agency, Board, or Commission				X				X	X		X				
Enforcement															
Cease and Desist/Injunctions					X			X	X	X			X		
Contractor/Worker Penalties	X		X	X	X	X	X	X		X	X	X	X		
Whistleblower Protection															
Owner Penalties				X											
Financing															
Bond Issues															
Special Funds			X	X							X				
Contractor and Worker Standards															
Licensing/Certification Required	X		X	X	X	X	X	X	X	X	X	X	X		
Application Specifications				X	X	X						X	X		
Liability Insurance Proof			X					X			X				
Training Requirements	X		X	X	X	X	X	X	X	X		X	X		
License/Certification Examination	X		X	X	X			X		X					
Physical Examination							X			X		X	X		
Reciprocity with Other States						X	X		X						
License/Certificate on Worksite															
Required Work Records															
Worksite Inspections						X	X			X		X	X		
Inspection Standards															
Inspection for Asbestos Hazard	X			X	X	X	X	X	X		X			X	X
with Some Standards Specified				X				X			X				X
Notification of Results	X			X	X	X									
Records of Inspections	X			X			X	X							
Abatement Procedures															
Provisions for Abatement Procedure	X		X	X	X	X	X	X	X	X	X	X	X		X
with Some Standards Specified				X		X		X	X		X				X
Consumer Information Provisions					X										
Studies				X	X	X									

AN "X" INDICATES THAT THE STATE DESIGNATED HAS AN ASBESTOS REGULATION IN PLACE FOR THE AREAS LISTED AT LEFT

effect in June. Pam Harley, spokesperson for the Hazardous Waste Division of the Colorado Department of Health, says that asbestos has been relegated to its own category. "Asbestos is not a hazardous waste by our judgments, but rather in a special class by itself as a solid waste. The new regulations stipulate the container, permit and recordkeeping processes."

EPA ENDORSES TRAINING CURRICULA

The EPA has cleared the way for 22 asbestos abatement training providers that will give accreditation to individuals performing school inspections in compliance with the AHERA regulations. There are currently eight EPA-funded asbestos training centers around the country which, according to the Agency, have accredited 1,400 AHERA inspectors and management planners. The EPA is permitted under law to sanction course work in those states that do not have accreditation plans. Only seven states have course plans in effect, a list that includes Alaska, Arkansas, Illinois, Kansas, Michigan, New Jersey and Washington.

	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Neb.	N.H.	N.J.	N.Y.	N.D.	Ohio	Okla.	Ore.
Scope Of Law															
Public Schools	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Private Schools	X	X		X	X		X	X	X	X	X		X	X	X
State Government Buildings	X	X	X	X	X		X	X	X	X	X	X	X	X	X
Some Privately-owned Buildings	X	X		X	X		X	X	X	X	X	X	X	X	X
Administration															
State Department								X				X			
Multi-agency or Cooperative	X	X		X	X	X	X		X	X	X		X	X	X
New Agency, Board, or Commission			X	X							X				X
Enforcement															
Cease and Desist/Injunctions					X			X	X	X	X			X	
Contractor/Worker Penalties	X	X		X	X		X	X	X	X	X		X	X	X
Whistleblower Protection					X				X	X					
Owner Penalties															
Financing															
Bond Issues	X		X									X			
Special Funds					X	X		X					X		
Contractor and Worker Standards															
Licensing/Certification Required	X	X		X	X		X	X	X	X	X	X	X	X	X
Application Specifications		X						X					X		
Liability Insurance Proof				X											
Training Requirements	X	X		X	X		X	X	X	X	X	X	X	X	X
License/Certification Examination	X			X	X				X	X		X	X	X	
Physical Examination								X							
Reciprocity with Other States	X								X						X
License/Certificate on Worksite	X				X				X	X	X				
Required Work Records		X		X		X		X			X		X		
Worksite Inspections		X			X		X	X	X	X	X		X	X	X
Inspection Standards															
Inspection for Asbestos Hazard	X	X			X	X	X	X	X	X	X	X	X	X	
with Some Standards Specified		X				X	X	X	X		X		X	X	
Notification of Results						X	X	X	X						
Records of Inspections	X	X					X				X				
Abatement Procedures															
Provisions for Abatement Procedure	X	X	X	X	X	X	X		X	X	X	X	X	X	X
with Some Standards Specified	X	X		X	X	X	X		X	X	X		X		
Consumer Information Provisions									X				X		
Studies		X	X						X				X		

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The recent push for a nationwide extension of the October 12 deadline for compliance with AHERA is the result of widespread concern among school officials that there aren't enough accredited personnel to go around. The EPA says it will continue to increase the amount of training courses available to deal with the onslaught of schools in need of asbestos management plans. The EPA estimates that approximately 45,000 schools will need management plans to deal with potential asbestos hazards. A list of the 22 EPA-approved Inspector/Management Planner courses is provided below:

Region 1: **(1) Hygienetics Inc.**, 150 Causeway St., Boston, MA 02114, contact John Cowdery, (617) 723-4664. **(2) Institute for Environmental Education,** 208 West Cummings Park, Woburn, MA 01801; contact Janet Oppenheim-McMullen, (617) 935-7370. **(3) Tufts University,** 475 Boston Ave., Medford, MA 02155; contact Brenda Cole, (617) 381-3531.

Region 2: **Mid-Atlantic Asbestos Training Center,** UMDNJ, Robert

STATE REGULATIONS

	R.I.	Tenn.	Tex.	Utah	Va.	Vt.	Wash.	Wis.
Scope Of Law								
Public Schools	X	X	X	X	X	X	X	X
Private Schools	X					X	X	X
State Government Buildings	X		X	X	X	X	X	X
Some Privately-owned Buildings	X		X	X		X	X	X
Administration								
Single Department				X		X	X	
Multi-agency or Cooperative	X				X			
New Agency, Board, or Commission			X					
Enforcement								
Cease and Desist/Injunctions			X					X
Contractor/Worker Penalties	X		X			X	X	X
Whistleblower Protection	X							
Owner Penalties	X							
Financing								
Bond Issues	X							
Special Funds	X							
Contractor and Worker Standards								
Licensing/Certification Required	X		X	X		X	X	X
Application Specifications	X		X					
Liability Insurance Proof								
Training Requirements	X		X				X	X
License/Certification Examination								X
Physical Examination								
Reciprocity with Other States								
License/Certificate on Worksite	X							X
Required Work Records			X					
Worksite Inspections	X		X					X
Inspection Standards								
Inspection for Asbestos Hazard	X			X	X			
with Some Standards Specified	X							
Notification of Results	X				X			
Records of Inspections	X							
Abatement Procedures								
Provisions for Abatement Procedure	X		X	X	X	X	X	
with Some Standards Specified	X				X	X	X	
Consumer Information Provisions	X							
Studies		X						

Wood Johnson Medical School, 675 Hoes Lane, Piscataway, NJ 08854; contact Lee Lausten, (201) 463-4500.

Region 3: **(1) Temple University, College of Engineering,** 12th & Norris streets, Philadelphia, PA 19122; contact Lester Levin, (215) 787-6479. **(2) White Lung Association,** 1114 Cathedral St., Baltimore, MD 21201; contact James Fite, (301) 727-6029.

Region 4: **(1) AHP Research Inc.,** 1501 Johnsons Ferry Rd., Ste. 230, P.O. Box 71926, Marietta, GA 30007; contact Dwight Brown, (404) 565-0061. **(2) BCM Converse,** 108 St. Anthony St., P.O. Box 1784, Mobile, AL 36633; contact Gail Conner, (205) 433-3981. **(3) The Environmental Institute,** COBB Corporate Center/300, 350 Franklin Rd., Marietta, GA 30067; contact Eva Clay, (404) 435-2000. **(4) The University of Florida TREEO Center,** 3900 SW 63rd Blvd., Gainesville, FL 32608; contact Sandra Scraggs, (904) 392-9570. **(5) Georgia Tech Research Institute, Environmental Health and Safety Division,** Room 029, O'Keefe Building, Atlanta, GA 30332; contact Mark Demyanek, (404) 894-3086.

Region 5: **(1) University of Cincinnati Medical Center, Institute of Environmental Health,** Kettering Laboratory, 3223 Eden Ave., Cincinnati, OH 45267; contact Susan Millman, (513) 872-5733. **(2) DeLisle Consulting Laboratories Inc.,** 6946 E. North Ave., Kalamazoo, MI 49002; contact: Mark DeLisle, (616) 343-9698. **(3) University of Illinois at Chicago, Midwest Asbestos Information Center,** 2035 Taylor, School of Public Health, Chicago, IL 60612; contact Tony Billotti, (312) 996-5762.

Region 6: **(1) The Texas A&M University System,** Texas Engineering Extension Service, Building Codes Inspection Training Division, College Station, TX 77843; contact Albert Sterling, (409) 845-6682. **(2) The University of Texas at Arlington Satellite Center,** Bureau of Engineering Research, P.O. Box 19020, Arlington, TX 76019; contact Ernest Crosby, (817) 273-2557.

Region 7: **(1) Hall-Kimbrell Environmental Services,** 4840 West 15th St., Lawrence, KS 66046; contact Alice Hart, (913) 749-2381. **(2) The University of Kansas, National Asbestos Training Center,** 6000 College Blvd., Ste. 315, Overland Park, KS 66211; contact Lani Himegarner, (913) 491-0181.

Region 8: **Rocky Mountain Center for Occupational and Environmental Health,** University of Utah, Building 512, Salt Lake City, UT 84112; contact Jeffrey Lee, (801) 581-5710.

Region 9: **(1) Environmental Sciences,** 375 S. Meyer, Tucson, AZ 85701; contact Paula Keyes, (602) 792-0097. **(2) University of California at Berkeley, Pacific Asbestos Information Center,** U.C. Extension, 2223 Fulton St., Berkeley, CA 94720; contact Debra Dobin, (415) 643-7143.

Region 10: **Heavey Engineering Inc.,** 113 Russell St., P.O. Box 832, Stevenson, WA 98648; contact Bernard Heavey, (509) 427-8936. ■