

090558



Interoffice Memorandum

TO (Name and Location) See Below	DATE September 2, 1986
FROM (Name and Location) Tom W. Scott	REFERENCE NO. TWS-86-52

E. F. Bazen - Palmetto
R. E. Caldwell - Greenville
N. A. Culbertson - Celriver
K. E. Hart - Celco
J. J. Henley - Fayetteville
D. A. James - Palmetto
J. R. Kelley - Greenville

D. V. Perry - Salisbury
D. B. Smith - Salisbury *
R. S. Smith - Charlotte
C. M. Spangler - Shelby
R. D. Tankersley - Celco
C. W. Whaley - Charlotte
R. V. Williams - Celriver

SUBJECT: Minutes of ORC's Asbestos Task Force Meeting

On Wednesday, August 27th, I had the opportunity of attending ORC's Asbestos Task Force Meeting. Two OSHA representatives, who are responsible for publishing the federal Inspection Procedures for the new asbestos standards, and other Industry representatives were in attendance. I thought some of you would be interested in the proceedings, particularly the way OSHA is presently interpreting the standards.

As you might imagine, the most frequently asked question is: "Do I fall under the General Industry Standard or the Construction Standard?" Most of us representing industry were concerned with removing asbestos insulation and were pretty much in agreement that this kind of operation would fall under the Construction Standard. So when the OSHA representative stated the contrary, it was no surprise that more than a few heads snapped in his direction. He contended that if maintenance operations involved the removal of insulation from non-structural components at a facility (e.g., pipes and vessels), the operations fell under the General Industry Standard. The discussion that ensued consisted of Industry representatives citing numerous references in the standards, the preamble and the clarification letter that this same OSHA representative handed out at this same meeting not ten minutes earlier (Attachment 1), all substantiating Industry's interpretation. After about fifteen minutes of having scripture and verse quoted to him, he agreed that he and his staff would look into this further.

Their decision is important to us because the General Industry Standard does not exempt small scale, short duration operations from certain requirements, specifically showering after the work shift is over. I know some of you have some real concerns with implementing this requirement. After the OSHA representatives left, the task force concluded that if an industry documented its rationale for complying with one or the other standard, then that industry had an excellent chance of defending its position. After all, didn't both standards provide for adequate employee protection?

Another question that was posed to the OSHA representatives was the definition of small scale, short duration operations as they related to removal projects. Attachment 2, page 5, gives insight into OSHA's first try at defining the operations. The note in the left hand margin is OSHA's, by the way. OSHA's position at the meeting, however, perhaps gave a little more insight. His example defined an operation that could be conducted in a glove-bag or

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profo-bag, even if the bag had to be moved down a pipe as the operation proceeded. Apparently, his position seemed to indicate that isolating the asbestos from the employees, including those performing the removal, dictated what was meant by small scale. No definite time limit for completing the operation was stated, although he did say that an eight hour shift seemed reasonable. His final comment on the subject made it clear that larger scale operations should not be modified or conducted in such a manner so as to qualify them as a number of small scale operations in order to avoid requirements of the standard.

In answering the question "If an employer has a facility with undisturbed asbestos insulation (e.g., pipe and vessel insulation), is initial monitoring necessary to assess exposures?", the OSHA representative stated that it would be a prudent measure in documenting the employees' exposures during undisturbed conditions. Therefore, if an industry was in agreement with this approach, it would mean that all areas containing asbestos insulation in a facility would have to be monitored to assess exposures during periods when asbestos was not being removed. This would probably be a one shot sampling battery to prove that during periods of normal operations (e.g., no removal going on), the exposure levels are below the action level. If statistically proven, the monitoring can be discontinued, as stated in section 1910.1001(d)(4).

When asked about the labeling requirements for asbestos insulation around piping and vessels, the OSHA representative stated that the standards did not specifically address the labeling of pipes. In my estimation, however, both standards do seem to indicate that labeling is required for pipes and vessels which are insulated with asbestos. For example, 1910.1001(j)(2)(i) states, "Warning labels shall be affixed to all raw materials, mixtures, scrap, debris, and other products containing asbestos, or to their containers." 1926.58(k)(2)(i) states, "Where feasible, installed asbestos products shall contain a visible label." Both standards do list two exceptions to the labeling requirements, one triggering the labeling requirement where the use of such products may result in employee exposures above the action level. The question of whether removal can and should be defined as use is open for interpretation. Another possible exception for labeling asbestos insulated piping systems is the Hazard Communication Standard's exception for labeling piping systems that contain hazardous chemicals, which is referred to in both asbestos standards. This HC exception rationale would not pertain to vessels, however. In any event, I would sure appreciate your thoughts in the matter.

Referring to Attachments 2 and 3, please remember that these were only the first drafts submitted for comment.



Tom Scott

Attachments

cc: B. T. Bowyer