

**RULES
OF
GEORGIA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION**

CHAPTER 391-3-14

ASBESTOS REMOVAL AND ENCAPSULATION

June 1996

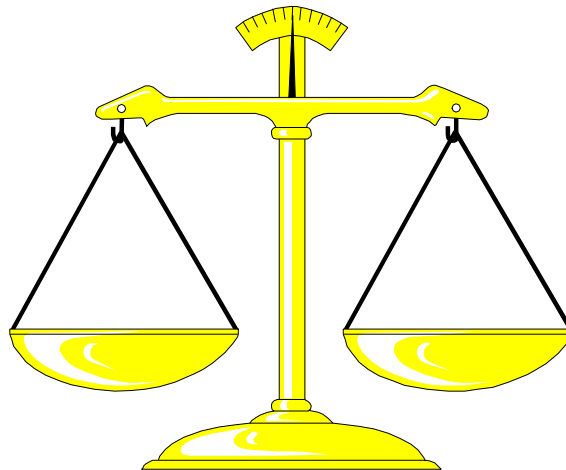


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391-3-14-.01 Definitions. Unless a different meaning is required by the context, the following terms as used in these rules shall have the meaning hereinafter respectively ascribed, except that to the extent terms are not defined in these rules, the Act's definitions control; and provided, that definitions within any subsequent rule, or subdivision thereof, which are expressly made applicable to the rule or subdivision within which they appear, shall apply for purposes of such specific rule or subdivision thereof.

- (a) "Act" means the "Georgia Asbestos Safety Act", O.C.G.A. Section 12-12-1 et seq.
- (b) "Asbestos" means any naturally-occurring hydrated mineral silicates separable into commercially used fibers, specifically the asbestiform varieties of serpentine, chrysotile; cummingtonite-grunerite, amosite; riebeckite, crocidolite; anthophyllite; tremolite; and actinolite.
- (c) "Asbestos Supervisor" means any individual who is employed or engaged by a contractor to supervise the removal, encapsulation, cleaning, or disposal of friable asbestos-containing materials.
- (d) "Contractor" means any person who contracts with an owner or operator of a facility or residential dwelling to perform the removal or encapsulation of friable asbestos-containing material from any such facility or residential dwelling. 'Contractor' shall not include any employee of such owner or operator.
- (e) "Department" means the Department of Natural Resources of the State of Georgia.
- (f) "Demolition" means the wrecking or taking out of any load supporting structural member of a facility together with related handling operations.
- (g) "Director" means the director of the Environmental Protection Division of the Department of Natural Resources of the State of Georgia or his designee.
- (h) "Division" means the Environmental Protection Division of the Department of Natural Resources of the State of Georgia.

- (i) "Emergency Project" means the removal or encapsulation of friable asbestos-containing material from any facility where such activity must be conducted immediately in order to prevent disruption of a commercial or industrial process or activity or destruction of property.
- (j) "Encapsulation" means to coat, bind, or resurface walls, ceilings, pipes, or other structures with a sealant to prevent friable asbestos from becoming airborne.
- (k) "Facility" means any institutional, commercial, or industrial structure, installation, or building, including apartment buildings having more than four dwelling units.
- (l) "Friable Asbestos-Containing Material" means any material which is applied onto ceilings, walls, structural members, piping, boilers, tanks, pumps, ductwork or any other part of the building containing more than 1 percent asbestos, by weight, and which when dry may be crumbled, pulverized, or reduced to powder by hand pressure.
- (m) "Outside Air" means the air outside buildings and structures.
- (n) "Person" means any individual, partnership, association, trust, firm, corporation, county, municipality, or other entity, including the state and federal governments.
- (o) "Project" means the removal or encapsulation by a contractor of friable asbestos-containing material from any facility or residential dwelling.
- (p) "Removal" means to take out, strip, clean up, or dispose of friable or potentially friable asbestos-containing materials from any facility or residential dwelling as defined by this Chapter.
- (q) "Residential Dwelling" means any family residence or apartment building with four or fewer dwelling units.
- (r) "Small Project" means any asbestos removal or encapsulation project involving less than 160 square feet or 260 linear feet of friable asbestos-containing materials.
- (s) "Structural Member" means any load supporting member of a facility, such as beams and load supporting walls; or any nonload supporting member, such as ceilings and nonload supporting walls.
- (t) "Visible Emissions" means any emissions containing particulate asbestos material that are visually detectable without the aid of instruments. This does not include condensed, uncombined water vapor.

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Sec. 12-12-1 et seq.

391-3-14-.02 Provisions.

(1) Standards for Removal and Encapsulation.

(a) Standard for Asbestos Emission Control.

1. Each contractor to whom this section applies shall comply with the following procedures to prevent emissions of particulate asbestos material to the outside air:
 - (i) Remove friable asbestos materials from a facility or residential dwelling being demolished or renovated before any wrecking or dismantling that would break up the materials or preclude access to the materials for subsequent removal. However, friable asbestos materials need not be removed before demolition if:
 - (I) They are on a facility or residential dwelling component that is encased in concrete or other similar material; and
 - (II) These materials are adequately wetted whenever exposed during demolition.
 - (ii) When components of a facility or residential dwelling covered or coated with friable asbestos materials are being taken out of the facility or residential dwelling as units or in sections:
 - (I) Adequately wet any friable asbestos materials exposed during cutting or disjoining operations; and
 - (II) Carefully lower the units or sections to ground level, not dropping them or throwing them.
 - (iii) Adequately wet friable containing asbestos materials when they are being stripped from components of a facility or residential dwelling before the components are removed from the facility or residential dwelling. In removal operations, wetting that would unavoidably damage equipment is not required if the contractor or owner/operator:
 - (I) Asks the Director to determine whether wetting to comply with this paragraph would unavoidably damage equipment, and, before beginning to strip, supplies the Director with adequate information to make this determination; and
 - (II) When the Director does determine that equipment damage would be unavoidable, use a local exhaust ventilation and

collection system designed and operated to capture the particulate asbestos containing material produced by the stripping and removal of the friable asbestos containing materials. The system must exhibit no visible emissions to the outside air and must be designed and operated in accordance with the requirements in 391-3-14-.02(1)(c).

- (iv) After components of a facility or residential dwelling have been taken out of the facility or residential dwelling as units or in sections, either:
 - (I) Adequately wet friable asbestos containing materials during stripping; or
 - (II) Use a local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping. The system must exhibit no visible emissions to the outside air and must be designed in accordance with the requirements of 391-3-14-.02(1)(c).
- (v) For friable asbestos-containing materials that have been removed or stripped:
 - (I) Adequately wet the materials to insure that they remain wet until they are collected for disposal; and
 - (II) Carefully lower the materials to the ground or lower floor, not dropping or throwing them; and
 - (III) Transport the material to the ground by way of dust-tight chutes or containers if they have been removed or stripped more than 50 feet above ground level and were not removed as units or in sections.
- (vi) When the temperature at the point of wetting is below 32°F:
 - (I) Comply with the requirements of paragraphs (iv) and (v) of this section. The contractor or owner/operator need not comply with the other wetting requirements in this section; and
 - (II) Remove facility or residential dwelling components coated or covered with friable asbestos-containing materials as units or in sections to the maximum extent possible.

- (vii) For facilities or residential dwellings being demolished under order of State or local governmental agencies, issued because the facility or residential dwelling is structurally unsound and in danger of imminent collapse, adequately wet the portion of the facility that contains friable asbestos containing material during the wrecking operation.

(b) Standard for Waste Disposal:

1. Each contractor to whom this section applies shall comply with the following procedures:
 - (i) Deposit all asbestos containing waste material at waste disposal sites approved by the Division for disposal of asbestos-containing material; and
 - (ii) Discharge no visible emissions to the outside air during the collection, processing, packaging, transporting or deposition of any asbestos-containing waste material, or use one of the disposal methods as follows:
 - (I) Treat asbestos-containing waste material with water;
 - I. Mix asbestos-containing waste from control devices with water to form a slurry; adequately wet other asbestos-containing waste material; and
 - II. Discharge no visible emissions to the outside air from collection, mixing and wetting operations, or use the methods specified by 391-3-14-.02(1)(c) to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air; and
 - III. After wetting, seal all asbestos-containing waste material in leak-tight containers while wet; and
 - IV. Label the containers as follows: **CAUTION! CONTAINS ASBESTOS - AVOID OPENING OR BREAKING CONTAINER. BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH.** Alternatively, use warning labels specified by Occupational Safety and Health Standards of the United States Department of Labor, Occupational Safety and Health Administration (OSHA) under 29 CFR 1910.1001(g)(2)(ii).

- (II) Use an alternative disposal method that has received prior approval by the Director.

(c) Standard for Air Cleaning:

1. The contractor who elects to use air cleaning shall:
 - (i) Use fabric filter collection devices doing all of the following:
 - (I) Operating the fabric filter collection devices at a pressure drop of no more than four inches water gauge, as measured across the fabric filter; and
 - (II) Ensuring that the air flow permeability, as measured by ASTM Method D 737-75 does not exceed $30\text{ft}^3/\text{min}/\text{ft}^2$ for woven fabrics or $35\text{ft}^3/\text{min}/\text{ft}^2$ for felted fabrics; and
 - (III) Ensuring that felted fabric weighs at least 14 ounces per square yard and is at least one-sixteenth inch thick throughout;
 - (IV) Avoiding the use of synthetic fabrics that contain fill yarn other than that which is spun.
 - (ii) Properly install, use, operate and maintain all air cleaning equipment. Bypass devices may be used only during upset or emergency conditions and then only for as long as it takes to shut down the operation generating the particulate asbestos material.
2. If the use of fabric creates a fire or explosion hazard, the Director may authorize as a substitute the use of wet collectors designed to operate with a unit contacting energy of at least 40 inches water gauge pressure.
3. The Director may authorize the use of filtering equipment other than described in this paragraph if the contractor demonstrates to the Director's satisfaction that it is equivalent to the described equipment in filtering particulate asbestos material.

- (2) Project Notification: No contractor shall engage in a project prior to notifying the Director of such activities at least seven calendar days prior to commencement of same. Such prior notice need not be provided for an emergency project; however, the contractor shall notify the Director of the activity within seven calendar days after the commencement of such emergency project. The notification shall be made in the manner and form required by the Director and shall be accompanied by a project fee. The notification shall state the location of the project, the owner's name and address, the expected dates on which the project will begin and end and any other information as may be required by the Director. Upon completion of the project, the contractor shall certify to the Director, on forms specified by the Director, that the project was conducted in accordance with the Rules contained in this Chapter.

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Sec. 12-12-1 et seq.

391-3-14-.03 Schedule of Project Fees. A contractor shall remit a fee to the Department of Natural Resources based upon the following formula:

- (a) \$0.10 per square foot of friable asbestos-containing materials plus \$0.10 per linear foot of friable asbestos-containing materials, with a minimum of \$25 for any project; but not to exceed \$50 for any small project or residential dwelling project nor to exceed \$1,000 for any other project.
- (b) Such fee remittance shall be made at least seven calendar days prior to commencement of the project.

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Sec. 12-12-1 et seq.

391-3-14-.04 Contractor Licensing.

- (1) From and after July 1, 1996, any contractor shall obtain a license prior to engaging in the removal or encapsulation of friable asbestos-containing materials from any facility or residential dwelling.
- (2) A copy of the license and evidence of satisfactory training shall be available for review by the Division at all project sites.
- (3) The application for a license or renewal of a license shall be accompanied by an application fee of \$100, and shall be submitted in such manner, and on such forms, as specified by the Director. The application shall include information sufficient to demonstrate:
 - (a) Satisfactory completion of an initial training course or required annual update courses, as applicable, in the removal and abatement of asbestos as described in 391-3-14-.06. The initial training course must have been completed within 48 months prior to submittal of the application;

- (b) Reliability in performance of general contracting activities;
- (c) Prior experience in performing asbestos abatement activities as demonstrated through the submission of information that the applicant has successfully completed or supervised three previous asbestos abatement projects;
- (d) Satisfactory in-use written standard operating procedures for employee respiratory protection, overall work practices, worker and public protection practices, and bulk and air sampling procedures for asbestos abatement activities; and
- (e) Applicant's competence in the performance of asbestos abatement activities, as documented by:
 - 1. A description of any asbestos abatement activities conducted by the applicant that have been terminated prior to completion including the circumstances of the termination;
 - 2. A list of any contractual penalties that the applicant has paid for breach of or noncompliance with contract specifications for asbestos abatement activities;
 - 3. Identification of any citations levied against the applicant by any Federal, State, or local governmental agencies for violations relating to asbestos abatement;
 - 4. A description of all legal proceedings, law suits, or claims that have been filed or levied against the applicant for asbestos-related activities;
 - 5. A training process for applicant's employees in the hazards and procedures of asbestos abatement activities; and
 - 6. The availability of personal and public protective equipment appropriate to asbestos abatement activity.
- (4) The Director shall license contractors whose qualifications meet or exceed the criteria set forth in this Rule. Any license issued in accordance with this Rule shall be valid for a period of time not to exceed three years. Any contractor holding a valid license on June 30, 1996 shall be considered to hold a valid license until June 30, 1999.

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Section 12-12-1 et seq.

391-3-14-.05 Asbestos Supervisor Training.

- (1) From and after July 1, 1996, no person shall be employed as an asbestos supervisor unless that person has satisfactorily completed training in the removal and abatement of asbestos as described in Rule 391-3-14-.06.

- (2) Evidence of satisfactory training shall be available for review by the Division at all project sites which are being supervised.

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Section 12-12-1 et seq.

391-3-14-.06 Asbestos Abatement Training Criteria.

- (1) Contractors and supervisors must have completed initial and annual update courses approved by the Director in supervision of asbestos abatement projects and have satisfactorily completed an examination with a passing grade of at least 70 percent. To be approved, the training shall meet or exceed the following criteria:
- (a) The initial training course shall consist of 32 hours or more, and provide, at a minimum, information on the following topics:
1. The physical characteristics of asbestos including fiber size, aerodynamic characteristics and physical appearance;
 2. The health hazards of asbestos including the nature of asbestos related diseases, routes of exposure, dose-response relationships, synergism between cigarette smoking and asbestos exposure, latency period for disease and health basis for standards;
 3. Employee personal protective equipment including the classes and characteristics of respirator types, limitations of respirators, proper selection, inspection, donning, use, maintenance and storage procedures, methods for field testing of the face piece-to-face seal (positive and negative pressure fitting tests), qualitative and quantitative fit testing procedures, variability between field and laboratory protection factors, factors that alter respirator fit (e.g., facial hair), the components of a proper respiratory protection program, selection and use of personal protective clothing, use, storage and handling of launderable clothing, non-slip footwear, gloves, eye-protection and hard hats, procedures and requirements of 29 CFR 1926.58 and 29 CFR 1910.134, benefits of medical monitoring and employee access to records;
 4. Air monitoring procedures and requirements included under 29 CFR 1926.58 including a description of equipment and methods, reasons for air monitoring, types of samples and current standards with proposed changes;
 5. State-of-the-art work practices for asbestos abatement activities including purpose, proper construction and maintenance of barriers and decontamination enclosure systems, posting of warning signs, electrical and ventilation system lock-out, proper working techniques for minimizing fiber release, use of wet methods and surfactants, use of

negative pressure ventilation equipment, use of HEPA vacuums and proper clean-up and disposal procedures. Work practice requirements as they apply to removal, encapsulation, enclosure and repair shall be discussed individually;

6. Personal hygiene including entry and exit procedures for the work area, use of showers and prohibition of eating, drinking, smoking and chewing (gum or tobacco) in the work area;
 7. Additional safety hazards that may be encountered during abatement activities and how to deal with them including electrical hazards, heat stress, air contaminants other than asbestos, fire and explosion hazards, scaffold and ladder hazards, slips, trips and falls, confined spaces and noise; and
 8. The requirements, procedures and standards established by:
 - (i) 40 CFR Part 61, Subpart M; and
 - (ii) 40 CFR Part 763, Subpart E.
- (b) The annual update course shall consist of 8 hours or more and at a minimum, adequately review the topics in subsection (a), update information on state-of-the-art procedures and equipment and review regulatory changes and interpretations. Such training shall have been completed within 12 months of completion of previous training.
- (2) Approval of initial and update courses.
- (a) Any person responsible for conducting asbestos abatement training and examination who has received approval from the State of Georgia for such training and examination prior to April 1, 1996, shall be considered to have approval from the Director under these Rules and Regulations.
 - (b) After April 1, 1996, persons responsible for conducting asbestos abatement training and examination shall submit adequate documentation of the course content and coverage, as well as examination practices, to enable the Director to determine that the course meets the requirements of this Rule. Approval will be granted by a letter from the Director, with any conditions or term limits deemed appropriate by the Director.

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Section 12-12-1 et seq.

391-3-14-.07 Licensing By Reciprocity.

- (1) Any person requesting licensing by reciprocity shall complete and submit an approved application form, together with a copy of the applicant's valid license or certificate or equivalent issued by another State, territory or possession of the United States.
- (2) Reciprocity privileges are granted to contractors or asbestos foremen holding valid licenses or certificates from outside the State of Georgia only when the standards of such licenses are not less than those in Georgia, and reciprocity privileges are granted to licensed contractors of Georgia.

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Section 12-12-1 et seq.

391-3-14-.08 Refusal, Suspension and Revocation of License.

- (1) The Director may refuse to grant a license to an applicant or may revoke or suspend the license of a person licensed upon a finding that the licensee or applicant has:
 - (a) Made any false statement or given any false information in connection with an application for license, including an application for renewal thereof;
 - (b) Violated the Act or violated any rule or regulation promulgated pursuant to the authority contained in the Act; or
 - (c) Failed to demonstrate the qualifications or standards for licensure contained in this chapter. It shall be incumbent upon the applicant to demonstrate to the satisfaction of the Director that he meets all the requirements for licensure; and, if the Director is not satisfied as to the applicant's qualifications, he shall have the power to deny such licensure.
- (2) Review of a decision of the Director under this Chapter shall be in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedures Act."

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Section 12-12-1 et seq.

391-3-14-.09 Exemptions.

- (1) Any person who is licensed under Chapter 14 of Title 43 shall be exempt from the licensing and training requirements of this Chapter when performing asbestos removal or installation which is incidental to the performance of the business or profession for which said person is licensed and when the project involved includes less than:
 - (a) Ten continuous linear feet of material constructed of asbestos; or
 - (b) Ten square feet of material constructed of asbestos.

- (2) Any project involving less than the amounts in (1)(a) or (1)(b) above shall be exempt from the project notification required by Rule 391-3-14-.02(2) and the project fee required by Rule 391-3-14-.03.

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Section 12-12-1 et seq.

391-3-14-.10 Enforcement. The Administration of the enforcement of these Rules and Regulations shall be as prescribed in the Georgia Asbestos Safety Act, O.C.G.A. Section 12-12-1 et seq. and in compliance with the applicable minimal requirements as described by the Georgia Administrative Procedures Act, O.C.G.A. 50-13-1 et seq.

Authority: The Georgia Asbestos Safety Act, O.C.G.A. Section 12-12-1 et seq.

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