

**AHERA REINSPECTION
The Kings Valley Charter School
at
38840 Kings valley Highway
Philomath, Oregon 97101**

Prepared For:

**Joey Digiovannangelo, Facilities Manager
Philomath SD 17J
1620 Applegate Street
Philomath, Oregon 97370**

EIS Job No. 2019034.Kings Valley Charter School

Prepared By:

**Charles A. Spear
AHERA Certification #IR-19-2439A
Environmental Inspection Services
11981 Fargo Road
Aurora, Oregon 97002
cell # (503) 680-6398
E MAIL: charles_a_spear@yahoo.com**



Charles A. Spear, Partner

May 27, 2019



EIS

ENVIRONMENTAL INSPECTION SERVICES



TABLE OF CONTENTS

<u>DESCRIPTION</u>	<u>PAGE NO</u>
EXECUTIVE SUMMARY.....	1-4
ACCREDITATION / RESUME.....	5-8
REGULATIONS (BACKGROUND).....	9-11
ACTIVITY (BACKGROUND).....	12
REINSPECTION REPORT.....	13
REINSPECTION SCOPE OF WORK.....	13
SUMMARY OF FRIABLE / NONFRIABLE ACBM	14-15
RECOMMENDATIONS AND CONCLUSIONS.....	16
LIMITATIONS.....	17

APPENDIX 1.0

SITE PLAN

APPENDIX 2.0

RECORDING FORMS FOR ASSESSMENT DATA

APPENDIX 3.0

REGULATIONS

May 27, 2019

EIS JOB No. 2019034.Philomath. Kings Valley

Joey Digiovannangelo, Facilities Manager
Philomath SD 17J
1620 Applegate Street
Philomath, Oregon 97370

RE: Asbestos 2019 AHERA 3-year Reinspection of the Kings Valley
Charter School located at 38840 Kings Valley Highway
in Philomath, Oregon

Dear Mr. Digiovannangelo,

AHERA requires both private and public non-profit primary and secondary schools to inspect all buildings that are leased, owned, or otherwise used as school buildings for the presence of asbestos-containing building materials (ACBM). The U.S. Environmental Protection Agency (EPA) published regulations and enforces AHERA.

EIS is pleased to present the May, 2019 AHERA reinspection for The Kings Valley Charter School located at 38840 Kings Valley Highway in Philomath, Oregon. A number of suspect asbestos-containing building materials (ACBM) in the forms of nine (9) inch perforated ceiling tiles; boiler TSI flanges; blue speckled floor linoleum; nine (9) inch tan pattern vinyl asbestos tile (VAT); ceiling panels; nine (9) inch green pattern vinyl asbestos tile (VAT); moulding mastics and plaster surface texture was observed on all wall surfaces. All the aforementioned suspect ACBM were noted in good condition and no ACBM concerns were noted for Kings Valley Charter School.

The subject original functional spaces were examined throughout for the presence of confirmed and suspect asbestos-containing building materials (ACBM). All representative functional spaces and relative homogeneous sampling areas were examined during the inspection process.

A total of ten (10) data sheets were completed for the school and no noteworthy damages were observed. The sheets summarize the accessibility and condition of identified confirmed and/or suspect asbestos-containing building materials (ACBM) observed throughout the original Kings Valley Charter School building.

All identified ACBM are candidate materials for in-place operations and maintenance and asbestos abatement is not recommended or required. The condition of the existing suspect ACBM is good to excellent and considered to be protective of student safety and health. No bulk samples were collected from suspect asbestos-containing building materials (ACBM) at the Kings Valley Charter school building.

THERMAL SYSTEM INSULATION (TSI)

Asbestos -containing TSI was observed as a fire door insulation, boiler jacket, seals and gaskets. No other asbestos-containing thermal system insulation (TSI) piperun materials were observed in overhead piperuns. TSI seals, and gaskets were observed within a totally remodeled boiler room on-site.

RESILIENT FLOOR COVERINGS

(VINYL FLOOR TILE & SHEET FLOOR LINOLEUM)

Varieties of suspect resilient floor coverings to include one foot square tan pattern VAT were observed in the multi-purposes room, classrooms, and science laboratory. No samples were collected from vinyl floor tile floor surfaces.

All examined floor coverings to include floor linoleum floor coverings and nine-inch vinyl asbestos tile were observed in bathrooms and kitchen and are in good to excellent condition, well maintained, accessible, and intact. No floor covering condition or damage concerns were noted. New vinyl floor coverings were also noted.

COVE-BASE ADHESIVE

Cove-base mastic adhesive was observed on floor moulding within various functional spaces throughout the subject charter school. The moulding is intact and in good condition. No samples were collected in moulding mastics.

TAPE JOINT COMPOUND

This compound is typically applied to taped joints applied between sheet rock wall surfaces. Tape joint compound exists on sheet rock panels throughout the subject building. The compound usage was extensive and is likely throughout the entire structure original pre-1980 wall panel tape joints. The compound is in good condition, sealed and or encapsulated, and a candidate building material for operations and maintenance.

ACOUSTIC CEILING TILES

Ceiling tiles were observed on ceiling surfaces in the classrooms and gymnasium and no ceiling tiles concerns were observed. No samples were collected from ceiling tiles or mastics. No specific ceiling tile quality concerns were noted. No problematic ceiling tiles were observed on ceiling surfaces throughout the building.

PLASTER (SKIM COAT)

Original wall surfaces have plaster skim coat applications observed within functional classroom and hallway areas of the building. No samples were collected. EIS noted no plaster condition considerations.

The wall plaster surfaces were noted to be in good condition and candidate building materials for in-place operations and maintenance. The existing plaster surfaces are sealed and coated in latex paint applications and considered to be in good condition. No concerns were noted.

All suspect and previously analytically confirmed ACBM were noted to be in good to excellent condition. All ACBM are considered candidate building materials for operations and maintenance in accordance with the standard O&M recommendations stated in The AHERA Management Plan and the EPA Manual known as Managing Asbestos in Place - A Builder Owners Guide to Operations and Maintenance Programs for Asbestos-Containing Materials per EPA Manual No. 20T 2003 dated July, 1990.

Candidate ACBM include skim coat applications on wall surfaces, acoustic ceiling tiles, ceiling tile mastics, moulding mastic adhesive, thermal system insulation, and vinyl asbestos tiles. No asbestos containing debris or other related asbestos material concerns were noted at the aforementioned functional areas.

No asbestos containing debris, damaged and disturbed ACBM or other related asbestos material concerns were noted at the aforementioned materials. No asbestos-containing thermally insulated pipe runs were noted. Asbestos abatement is not recommended or necessary for the subject kings valley Charter School facility at this time.

Thank you for the opportunity to perform the May, 2019 asbestos reinspection. Progress has been made since the AHERA Management Plan issuance and initial inspections. The Kings Valley Charter School remaining plaster skim coats and original VAT and ceiling tile materials are well maintained and no asbestos material safety concerns were noted. If there are any questions feel free to contact us at (503) 680-6398.

Respectfully,



Charles A. Spear

Partner

AHERA Inspector IR-19-2439A

This reinspection of the Kings Valley Charter School Building and outbuildings was performed on Thursday, April 25, 2019 by Charles A. Spear. AHERA Inspector Certification No. IR-19-2439A. The AHERA Inspector expiration date is March, 8, 2020. All inspection / assessment activities were performed in accordance with the reinspection requirements of Part III 40 CFR Part 763. Asbestos-Containing Materials in Schools; Final Rule and Notice.

RESUME

**CHARLES ARTHUR SPEAR
REGISTERED ENVIRONMENTAL ASSESSOR
REA - 01241**

AHERA INSPECTOR (EPA CERTIFICATION NO. IR-19-2439A)

**CERTIFIED ENVIRONMENTAL INSPECTOR
CEI - 10364**

Professional Background

Charles A. Spear, President and founder of Environmental Inspection Services has over 20 years technical experience ranging from facility food technologist to hazardous waste site remediation at Federal SUPERFUND sites from California to Maryland. Mr. Spear has successfully performed over 32,000 Phase One, Phase Two, and Phase Three Environmental Site Assessment inspections on properties from California to Alaska and east to Maryland. Mr. Spear has managed such projects as spilled mustard gas and organophosphate remediation as a sergeant of the U.S. Army Chemical Corps Technical Escort Unit Drill & Transfer Unit at Umatilla Army Depot and removal of leaking solvent underground storage tanks in California and Oregon.

Specifically, Mr. Spear has worked with clients such as: the International Fabric Care Industry (IFI), the U.S. Environmental Protection Agency, The U.S. Department of Defense, The Oregon Department of Environmental Quality (ODEQ), The Oregon Department of Forestry, INTEL, Sun Microsystems, IBM, Rohm & Haas, General Electric, AT&T, Texaco, Unocal, BP, Lockheed Missile and Space Center, FMC Corporation, Oregon Department of Fish & Wildlife, Washington Department of Fish & Wildlife, City of Beaverton, City of Hillsboro, City of Corvallis, Housing Authority of Portland, Northwest Oregon Housing Authority, Washington County Department of Housing, Housing & Urban Development, numerous lenders and mortgage companies, many private development and site remedial site projects, and many attorneys and investors.

Mr. Spear managed complex tank farm removals at Xidex Corporation in Sunnyvale, California and was the site cleanup manager at the Rose City Plating Site currently developed as the Oregon Convention Center. Mr. Spear is a certified hazardous waste professional who has coupled military experience as a Nuclear, Biological and Chemical Specialist (U.S. Army MOS 54E20) with experience as a professional research engineer in both the corrugated paper and petroleum industries.

Mr. Spear has managed food industry quality control as an inplant food technologist and prepared cost reduction programs as a corrugated box board industrial engineer in Dallas, Texas. He is currently registered with the states of California, Washington, and Oregon and is an active member of the national respected Environmental Assessment Association. Due diligence projects have been performed throughout the United States from Fairbanks, Alaska to San Diego, California.

Professional experience includes the following:

Professional Experience

- * Dry Cleaner Inspections
- * Environmental Consultation
- * Waste Reduction Audits
- * Regulatory Compliance Audits
- * Drum Yard Clearances
- * Tank Farm Removals/Replacements
- * Lab Packaging & Supervision
- * Environmental Site Assessments
- * Superfund Site Remediation
- * Hazardous Waste site Project Design & Management
- * Habitat/Wetlands Restoration
- * AHERA asbestos inspections for school districts
- * Landfill Remediation
- * Agricultural assessments
- * Indoor air quality inspections

Professional Employment/Consultation

- * C.F.S. Continental Coffee, Inc., Food Technologist, Chicago, Illinois
- * Holiday Industries, Research Engineer, Grand Prairie, Texas
- * Alton Packaging Corporation, Industrial Engineer, Dallas, Texas
- * U.S. Army Chemical Corps., Nuclear, Biological, Chemical Specialist - Special assignment - Umatilla Army Depot (DATS)
- * U.S. Army Chemical Corps. Technical Escort Unit in Edgewood, Maryland
- * Rollins Environmental Services, Remedial Project Manager
- * Crown Environmental Services, Technical Director, Redmond, California
- * Dames & Moore, Design Engineer, Portland, Oregon
- * Pegasus Environmental Management Services, Director of Technical Services
- * Pacific Tank & Construction, Manager of Estimation, Portland, Oregon
- * Enviro-Logic Inc., Director of Environmental Site Assessment Division
- * Environmental Inspection Services Inc., Founder/President

Professional Education

- * Bachelor of Science, Chemistry, Northeastern Illinois University, 1978
- * U.S. Army Chemical School, Ft. McClellan, Alabama, 1983
- * U.S. Army Technical Escort Unit, Accident/Incident Response Training Center 1983
- * Registered Environmental Assessor REA - 01241
- * Certified Environmental Inspector CEI - 10364
- * AHERA Certified Asbestos Inspector IR-19-2439A
- * ODEQ Soil Matrix Assessor & UST Decommission Supervisor
- * Washington DOE Registered Environmental Assessor
- * Wetland Specialist - Training Wetlands Institute 1997
- * EPA/HUD Lead-Based Paint (LBP) Inspector & Risk Assessor
- * ASTM Certification Training, May, 2004

Additional Education

- * Joint Military Material Packaging & Transportation
- * Asbestos Abatement Seminar attendance 1987
- * Thin Layer Chromatography, 1989
- * Oregon Registered Underground storage Tank Supervisor, 1998
- * Oregon Registered Soil Matrix Assessor, 1998
- * Washington Registered Assessor, 1991
- * Washington Registered Underground Storage Tank Supervisor, 1991
- * Wetland Training Institute Delineation Course Study University of Portland March 1997
- * 40-Hour HAZMAT Certified
- * AHERA-Certified Inspector

Special Skills

- * Facility Environmental Compliance Audits
- * ASTM standard Environmental Site Assessments
- * Computer Programming
- * Organic surfactant chemical synthesis and analysis
- * Hazardous Waste Site remediation/ estimating/ standards development
- * Design of filtration systems, batch and continuous process optimization studies
- * QA/QC Procedures
- * SUPERFUND Site Management
- * Industrial/ Research Engineering
- * Hazardous Waste Site Remediation/ Consultation
- * Wetlands Delineation and Habitat Restoration

Certification

- * U.S. Army MOS 54E20 - U.S. Army Chemical Corps.
- * International Fire Code Institute (IFCI) Certified UST Supervisor
- * International Fire Code Institute (IFCI) Certified Soil Matrix Assessor
- * Certified Hazardous Waste Manager
- * 40-hour OSHA Training
- * 40-hour OSHA Supervisor Training
- * Registered Environmental Assessor (DOE)
- * DEQ Registered UST Supervisor
- * DEQ Registered Soil Matrix Assessor
- * Resolution Trust Corporation (RTC) approved Environmental Assessor
- * California Registered Environmental Assessor (REA-01241)
- * Department of Ecology (DOE) Registered Environmental Assessor
- * Environmental Assessment Association, Certified Environmental Inspector & Transaction Specialist (CEI-10364)
- * AHERA Certified Asbestos Inspector
- * Wetland Delineator Graduate Wetland Training Institute, University of Portland 1997
- * EPA/HUD LBP Inspector & Risk Assessor
- * ASTM certification

REGULATIONS

Asbestos - Background

Asbestos is generally referred to as six naturally occurring fibrous minerals found in certain types of rock formations. The minerals Chrysotile, Amosite, and Crocidolite have been most commonly utilized in building materials. Asbestos is typically separated into very thin fibers. Asbestos is strong, incombustible, and corrosion resistant and was utilized early in the century into the 1970's. Asbestos may cause substantial health problems when it is inhaled in sufficient quantities.

Asbestos is considered to be a hazardous air contaminant and a known human carcinogen. Once used extensively as an insulation material, asbestos has been banned from most construction and manufacturing since the mid-1970's. The most dangerous forms of asbestos are those materials containing asbestos which can be easily crushed or crumbled known as "friable asbestos". Friable asbestos is dangerous since asbestos fibers can be easily released into the air. Such activities as remodeling and demolition projects are likely to disturb asbestos. If asbestos-containing building materials (ACBM) are not handled properly then these types of projects can pose as a serious threat to workers and the general public.

Regulatory Background

In 1986, Congress enacted the Asbestos Hazard Emergency Response Act (AHERA or TSCA Title II) which mandated a regulatory program to address asbestos hazards in schools. A copy of the Environmental Protection Agency Asbestos Model Accreditation Plan interim Final Rule (59FR2236-5260) is enclosed for reference. President Reagan signed into law the Asbestos Hazard Emergency Response Act (AHERA) on October 22, 1986. This law enacted, among other provisions, Title 2 of the Toxic Substances control Act (TSCA) 15 U.S.C. Section 2641 through 2654; Section 203 of Title II, 15 U.S.C. 2643. Copies of AHERA 40 CFR Part 763 are enclosed for reference.

AHERA requires the following:

- (1.0) - Perform an original inspection and periodic re-inspections every three years for asbestos containing material;
- (2.0) - Develop, maintain, and update an asbestos management plan. A copy must be kept in the school building, as well as in the districts administrative office;
- (3.0) - Provide an annual written notification to parent, teacher, and employee organizations regarding the availability of the school's asbestos management plan for review and any asbestos abatement actions taken or planned in the school;
- (4.0) - Designate a contact person (also known as the asbestos designee) to ensure the responsibilities of the local education agency are properly implemented. Details on the asbestos designee's responsibilities may be found at : www.epa.gov/region02/ahera/ampauditchecklist.pdf
- (5.0) - Perform a periodic visual surveillance every six months of all known or suspected asbestos-containing building material;
- (6.0) - Provide custodial staff with asbestos hazard awareness training

Note: If a building has never been inspected for asbestos, a new AHERA inspection must be completed as soon as possible. Pursuant to AHERA Section 763.85(a), any building leased or acquired on or after October 12, 1988, that is used as a school building shall be inspected for asbestos prior to use as a school building. In the event that the emergency use of an uninspected building as a school building is necessitated, such building must be inspected for asbestos within 30 days after the commencement of such use.

Section 112 of the Clean Air Act (CAA) requires EPA to develop emission standards for hazardous air pollutants. In response to this section the EPA published a list of hazardous air pollutants and promulgated the National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations.

The asbestos NESHAP (40 CFR 61, Subpart M) addresses milling, manufacturing and fabricating operations, demolition, and renovation activities, waste disposal issues, active and inactive waste disposal sites and asbestos conversion processes.

In the initial Asbestos NESHAP rule promulgated in 1973, a distinction was made between building materials that would readily release asbestos fibers when damaged or disturbed and those materials that were unlikely to result in significant fiber release. The terms "friable and non-friable" were used to make this distinction. EPA has since determined that, if severely damaged, or otherwise non-friable materials can release significant amounts of asbestos fibers.

Friable asbestos-containing material (ACM) is defined by the Asbestos NESHAP as any material containing more than one percent (1%) asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy (PLM), that when dry, can be crumbled, pulverized, or reduced to powder by hand pressure (section 61.141). Non-friable material is ACM not reduced to powder by similar circumstances.

ACTIVITY

Background

It is the responsibility and primary mission of the AHERA inspector to determine whether ACBM is present in a building and to assess the physical characteristics of the ACBM in the structure. The inspection process includes an investigation of available records; an inspection of the functional spaces; an assessment of the condition of observed ACBM; reviews of available architectural and as built plans; review of work change orders; examination of material specifications indicating the presence of ACBM; examination of friable and non-friable ACBM; delineation of homogenous sample areas; collection of samples; and information on ACBM conditions.

The Kings Valley boiler room, kitchen, gymnasium, cafeteria, classrooms, vestibules, and hallways were examined for suspect ACBM during the AHERA reinspection. A total of ten (10) Data forms were completed. The completed forms were edited for completeness and potential problem areas or areas requiring abatement or extensive repair were noted. Copies of the forms are attached for review and reference and generally represent a condition evaluation and summary of the potential homogeneous sampling areas and functional space areas. No concerns were noted regarding all examined ACBM throughout the Kings Valley Charter School building.

REINSPECTION

Charles A. Spear conducted a triennial asbestos reinspection of the Kings Valley Charter School building on Thursday, April 25, 2019. Actual field activities included blueprint and/or facility floor plan review; an interview with the maintenance supervisor; and a physical reinspection examination of all suspect and confirmed friable and non-friable asbestos-containing building materials at the subject Kings Valley Charter School. The Kings Valley School common areas, hallways, vestibules, and class rooms are well maintained.

The accredited EIS inspector performed a preliminary examination of the subject structure. The AHERA inspector confirmed the existence of suspect asbestos-containing building materials (ACBM) such as thermal system insulation (TSI), vinyl asbestos floor tiles; moulding mastic adhesives; skim coat plaster applications on sheet rock; and acoustic ceiling tiles ceiling tile adhesives, and miscellaneous and cementitious materials.

All accessible areas to include The Kings Valley School boiler room, gymnasium, cafeteria, classrooms, original kitchen, shops, science room, galleries, vestibules, offices, library, and storage rooms and hallways were examined for suspect ACBM during the AHERA reinspection. All the aforementioned functional areas were visibly inspected during this AHERA reinspection. No significantly damaged ACBM was observed during there inspections.

The Kings Valley Charter School Building walkover revealed all asbestos-containing materials to be candidate building materials for Operations and Maintenance. The original AHERA Management Plan confirmed asbestos in several forms. Operations and Maintenance is recommended for all confirmed and suspected asbestos-containing materials to include thermal system insulation (TSI), vinyl asbestos tiles (VAT); ceiling tile, plaster applications, moulding mastics, and other miscellaneous materials. No ACBM concerns were noted for the aforementioned materials. Asbestos abatement is not recommended for the subject facility ACBM at this time. Minor repair of damaged areas is adequate and protective.

All the aforementioned materials are in good condition and candidate materials for Operations and Maintenance. No noteworthy damages or disturbances of ACBM were observed. These materials have low potential for damage with no influence of vibration or potential for air erosion.

SUMMARY OF FRIABLE / NONFRIABLE ACBM

Staff and maintenance personnel are encouraged to consult the forms prior to maintenance activities planned for suspect ACBM.

1.0 Vinyl Asbestos Tile (VAT) Non-Friable

Nine inch tan pattern vinyl asbestos tile was observed on multi-purpose floor surfaces and the science lab and classrooms. The school boiler room is modern and no concerns were noted. One-foot square vinyl floor tile was observed on floor surfaces in the classrooms..

Description - a nonfriable vinyl material with vinyl filler and binder. An adhesive mastic is utilized to adhere to the vinyl floor surfacing to another substrate. The VAT asbestos content is described as a separate matrix from the adhesive mastic. VAT subject to removal must be removed in whole pieces by using the proper tools with wetting and proper handling, wrapping and disposal procedures. No poor condition floor coverings were noted.

AHERA Classification-Miscellaneous

Products not utilized as TSI or surfacing materials are classified as miscellaneous materials. Materials such as boiler flanges, boiler gaskets, ceiling tiles, fire doors, gaskets, vinyl floor coverings, duct work flexible connections, roofing felt, roofing flashing, and fume hood ducting and paneling are miscellaneous materials. These miscellaneous materials were noted in various areas of the subject building as noted in data sheets. Samples were not collected from suspect ACBM.

ACM sprayed or troweled onto surfaces for acoustical, decorative, or fireproofing purposes. Asbestos is blended in to spray-applied and troweled-on products to include structural fireproofing, stucco, plaster, acoustical and decorative surfaces, and joint compounds.

2.0 Thermal System Insulation (TSI)

AHERA Classification - TSI

Insulation used on mechanical systems to prevent heat ,loss or gain and condensation. Steam and hot water lines, boiler tanks, expansion joints, fittings and other mechanical systems are commonly insulated with pre-fabricated asbestos-containing magnesium silicate. The material is typically white in color and is encased in a plaster-impregnated canvas wrapping. Asbestos containing mud compounds are often used on elbows, valves, identification plates, miscellaneous fittings, and for other special applications on mechanical systems. No TSI concerns were noted.

3.0 Acoustic ceiling Tiles, Suspect - Non Friable Miscellaneous

Fibrous acoustical ceiling tiles, varying in size from one foot square to two by four foot lengths. Fibrous material integrated with cellulose binder and directly adhered to ceiling surfaces. The material in most classrooms is in good condition. Ceiling tiles are easily damaged and may create a dust hazard if the material is broken, abraded, cut, or drilled. No ceiling tile or mastic concerns were noted.

4.0 Adhesive mastic

Typical to adhere ceiling acoustic panels to underlying substrate. Material is non-problematic and non-friable.

ACM sprayed or troweled onto surfaces for acoustical, decorative, or fireproofing purposes. Asbestos is blended in to spray-applied and troweled-on products to include structural fireproofing, stucco, plaster, acoustical and decorative surfaces, and joint compounds.

(5.0) - Sprayed-on acoustic popcorn ceiling materials

No suspect popcorn ceiling materials were observed within the subject building. Popcorn ceiling materials are an acoustic sprayed-on application spray applied to ceiling sheet rock surfaces as an acoustic material.

RECOMMENDATIONS AND CONCLUSIONS

All vinyl asbestos tiles flooring materials, acoustic ceiling tiles, ceiling tile mastics, thermal system insulation (TSI), and miscellaneous skim coat plaster applications on sheet rock wall panels materials are candidate building materials for Operations and Maintenance. Asbestos abatement of confirmed asbestos-containing building materials is not recommended at this time.

In all areas where work or work-related activities are planned materials must be properly tested and classified as non-asbestos. If confirmed, all asbestos containing building materials must be handled, managed, or removed in accordance with state and federal regulations. Asbestos abatement is not recommended or required at this time. No environmental concerns regarding ACBM at the Amity School were noted at this time.

All confirmed ACBM scheduled for material damage or disturbance by renovation, remodeling, or demolition must be properly abated in accordance with EPA and ODEQ recommendations and procedures.

All maintenance workers and related staff must handle ACBM in accordance with the protective provisions of the Oregon Occupational Safety and Health Administration (OSHA) requirements. Maintenance and staff personnel are encouraged to follow the management recommendations of the AHERA management plan and related operations and maintenance procedures as outlined in the appendix of this letter.

LIMITATIONS

This report was prepared in accordance with generally accepted AHERA standards of environmental reinspection practice at the time this investigation was performed. Evaluations of the conditions at the site for the purpose of this investigation are made from a limited number of observation points and may be subjective in some cases. The subject school district is solely responsible for providing any notices or disclosures to concerned public agencies or to the public.

Environmental Inspection Services has prepared this report based on information collected from available records and files. The scope of this investigation is limited and did not include subsurface exploration or chemical screening of soil and groundwater beneath the site. No bulk material samples were collected from the subject school suspect ACBM for the purposes of this reinspection.

The findings and conclusions are not to be regarded as scientific certainties. Findings are based on professional judgement concerning data significance. Evaluation of the presence of asbestos-containing building materials in the subject school is based upon actual analytical test results, EIS gathered data initially furnished in previous reinspection and the site specific AHERA Management Plans prepared by others. This report is an expression of professional opinion and is not a warranty express or implied.

APPENDIX 1.0

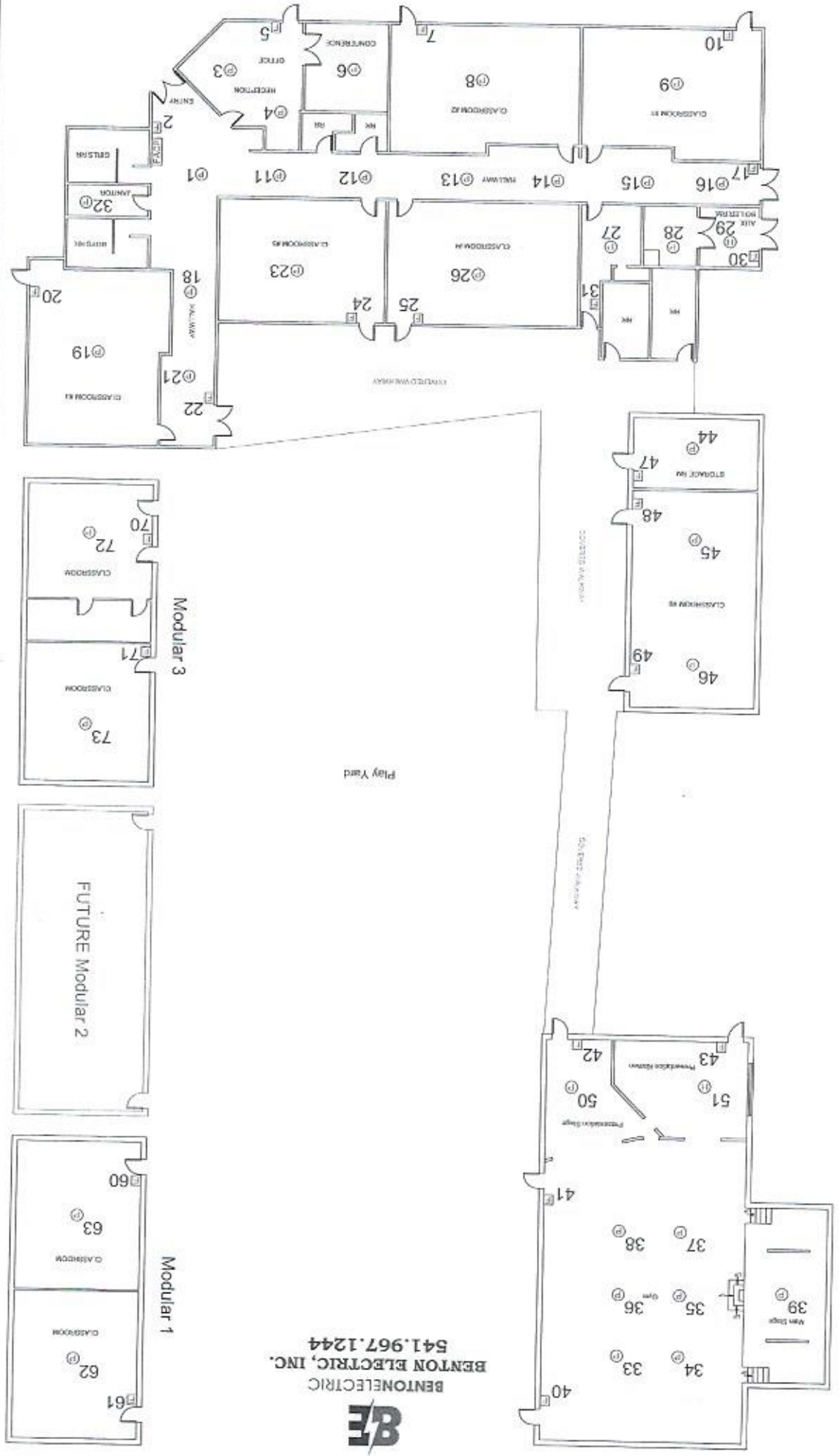
SITE PLAN

KING'S VALLEY SCHOOL: Fire Alarm Site Plan

Kings Valley Charter School
 38840 Kings Valley Highway
 Philomath, Oregon 97370

Principal:
 Jansen Ellingson

Revised: 03-09-2014



BENTONELECTRIC
 BENTON ELECTRIC, INC.
 541.967.1244

APPENDIX 2.0

RECORDING FORMS FOR ASSESSMENT DATA

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING King Valley Charter Sch FLOOR MAIN
 FUNCTIONAL AREA 223 HOMOGENEOUS MATERIAL ceiling tile - 9" sq
 TYPE OF SUSPECT MATERIAL SURFACING _____ TSI _____
 FLOORING _____ CEILING ☒ WALLS _____ OTHER _____
 DESCRIPTION OF MATERIAL 9" ceiling tile

APPROXIMATE AMOUNT OF MATERIAL (SF) 115 (LF) _____

REINSPECTION DATA :

ACBM TYPE: SURFACING _____ TSI _____ MISC _____ FLOOR _____ CEILING ☒

DESCRIPTION

9" ceiling tile

APPROXIMATE AMOUNT OF MATERIAL (SF) 115 (LF) _____
 FRIABLE: _____ (YES) ☒ (NO) _____
 NON-FRIABLE _____ (YES) _____ (NO) ☒
 WARNING LABELS _____ (YES) _____ (NO) ☒
 CHANGE FROM INITIAL AHERA REPORT _____ (YES) _____ (NO) ☒

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION _____ PHYSICAL ☒ WATER _____ FIRE _____
 EXTENT OF DAMAGE: LOCALIZED _____ DISTRIBUTED ☒
 PERCENT OF DAMAGE: 0% _____ 1-10% ☒ 10-25% _____ 25-100% _____
 OVERALL RATING: GOOD ☒ FAIR _____ POOR _____
 DESCRIPTION: in-place / O&M

POTENTIAL FOR DISTURBANCE: ACCESSIBLE ☒ INACCESSIBLE _____
 POTENTIAL FOR CONTACT: _____ HIGH _____ MODERATE _____ LOW ☒
 INFLUENCE OF VIBRATION: _____ HIGH _____ MODERATE _____ LOW ☒
 POTENTIAL FOR AIR EROSION: _____ HIGH _____ MODERATE _____ LOW ☒
 OVERALL RATING: _____ HIGH _____ MODERATE _____ LOW ☒
 DESCRIPTION O&M

LOCATION IN AIR PLENUM: YES ☒ NO _____
 COMMENTS O&M

INSPECTOR: Charles Spear ACCREDITATION NO. IR-19-24394
 SIGNATURE: Charles Spear DATE: 4/25/19

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING Kings Valley Charter FLOOR MAIN
 FUNCTIONAL AREA Boiler HOMOGENEOUS MATERIAL _____
 TYPE OF SUSPECT MATERIAL SURFACING _____ TSI X
 FLOORING _____ CEILING _____ WALLS _____ OTHER _____
 DESCRIPTION OF MATERIAL PIPE Flange

APPROXIMATE AMOUNT OF MATERIAL (SF) 2 (LF) _____

REINSPECTION DATA :

ACBM TYPE: SURFACING _____ TSI X MISC _____ FLOOR _____ CEILING _____

DESCRIPTION

APPROXIMATE AMOUNT OF MATERIAL _____ (SF) 2 SF (LF) _____
 FRIABLE: _____ (YES) X (NO) _____
 NON-FRIABLE _____ (YES) _____ (NO) X
 WARNING LABELS _____ (YES) _____ (NO) X
 CHANGE FROM INITIAL AHERA REPORT _____ (YES) _____ (NO) X

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION _____ PHYSICAL X WATER _____ FIRE _____
 EXTENT OF DAMAGE: LOCALIZED _____ DISTRIBUTED X
 PERCENT OF DAMAGE: 0% _____ 1-10% X 10-25% _____ 25-100% _____
 OVERALL RATING: GOOD X FAIR _____ POOR _____
 DESCRIPTION: O&M

POTENTIAL FOR DISTURBANCE: ACCESSIBLE X INACCESSIBLE _____
 POTENTIAL FOR CONTACT: _____ HIGH _____ MODERATE _____ LOW X
 INFLUENCE OF VIBRATION: _____ HIGH _____ MODERATE _____ LOW X
 POTENTIAL FOR AIR EROSION: _____ HIGH _____ MODERATE _____ LOW X
 OVERALL RATING: _____ HIGH _____ MODERATE _____ LOW X
 DESCRIPTION O&M

LOCATION IN AIR PLENUM: YES X NO _____
 COMMENTS O&M

INSPECTOR: Charles Spear ACCREDITATION NO. IR-19-2439A
 SIGNATURE: Charles Spear DATE: 4/25/19

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING Kims Valley Charter FLOOR MAIN
 FUNCTIONAL AREA Locker HOMOGENEOUS MATERIAL white / h/k spe
 TYPE OF SUSPECT MATERIAL SURFACING _____ TSI _____
 FLOORING X CEILING _____ WALLS _____ OTHER _____
 DESCRIPTION OF MATERIAL unhatched locker
 APPROXIMATE AMOUNT OF MATERIAL (SF) 1k (LF) _____

REINSPECTION DATA :

ACBM TYPE: SURFACING _____ TSI _____ MISC _____ FLOOR X CEILING _____

DESCRIPTION

1k white locker floor
 APPROXIMATE AMOUNT OF MATERIAL (SF) 1k (LF) _____
 FRIABLE: _____ (YES) X (NO) _____
 NON-FRIABLE _____ (YES) _____ (NO) X
 WARNING LABELS _____ (YES) _____ (NO) X
 CHANGE FROM INITIAL AHERA REPORT _____ (YES) _____ (NO) X

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION _____ PHYSICAL X WATER _____ FIRE _____
 EXTENT OF DAMAGE: LOCALIZED _____ DISTRIBUTED X
 PERCENT OF DAMAGE: 0% _____ 1-10% X 10-25% _____ 25-100% _____
 OVERALL RATING: GOOD X FAIR _____ POOR _____
 DESCRIPTION: o&u

POTENTIAL FOR DISTURBANCE: ACCESSIBLE X INACCESSIBLE _____
 POTENTIAL FOR CONTACT: _____ HIGH _____ MODERATE _____ LOW X
 INFLUENCE OF VIBRATION: _____ HIGH _____ MODERATE _____ LOW X
 POTENTIAL FOR AIR EROSION: _____ HIGH _____ MODERATE _____ LOW X
 OVERALL RATING: _____ HIGH _____ MODERATE _____ LOW X
 DESCRIPTION o&u

LOCATION IN AIR PLENUM: YES X NO _____
 COMMENTS o&u

INSPECTOR: Charles Spear ACCREDITATION NO. IR-19-2439A
 SIGNATURE: Charles Spear DATE: 4/25

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING Village Gym FLOOR MAIN
 FUNCTIONAL AREA main floor HOMOGENEOUS MATERIAL 9" tan port tile
 TYPE OF SUSPECT MATERIAL SURFACING TSI
 FLOORING 7 CEILING WALLS OTHER OTHER
 DESCRIPTION OF MATERIAL 9" tan port tile

APPROXIMATE AMOUNT OF MATERIAL (SF) 516 (LF)

REINSPECTION DATA :

ACBM TYPE: SURFACING TSI MISC FLOOR X CEILING

DESCRIPTION

APPROXIMATE AMOUNT OF MATERIAL (SF) 516 (LF)
 FRIABLE: (YES) X (NO)
 NON-FRIABLE (YES) (NO) 7
 WARNING LABELS (YES) (NO) X
 CHANGE FROM INITIAL AHERA REPORT (YES) (NO) X

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION PHYSICAL X WATER FIRE
 EXTENT OF DAMAGE: LOCALIZED DISTRIBUTED X
 PERCENT OF DAMAGE: 0% 1-10% X 10-25% 25-100%
 OVERALL RATING: GOOD X FAIR POOR
 DESCRIPTION: o/m

POTENTIAL FOR DISTURBANCE: ACCESSIBLE X INACCESSIBLE
 POTENTIAL FOR CONTACT: HIGH MODERATE LOW X
 INFLUENCE OF VIBRATION: HIGH MODERATE LOW X
 POTENTIAL FOR AIR EROSION: HIGH MODERATE LOW X
 OVERALL RATING: HIGH MODERATE LOW X
 DESCRIPTION o/m

LOCATION IN AIR PLENUM: YES X NO
 COMMENTS o/m

INSPECTOR: Charles Speed ACCREDITATION NO. IR-19-2439A
 SIGNATURE: Charles Sp DATE: 4/25/15

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING King FLOOR MAIN
 FUNCTIONAL AREA gym HOMOGENEOUS MATERIAL port ceiling panels
 TYPE OF SUSPECT MATERIAL SURFACING _____ TSI _____
 FLOORING _____ CEILING ✓ WALLS _____ OTHER _____
 DESCRIPTION OF MATERIAL ceiling panels

APPROXIMATE AMOUNT OF MATERIAL (SF) 510 (LF) _____

REINSPECTION DATA :

ACBM TYPE: SURFACING _____ TSI _____ MISC _____ FLOOR _____ CEILING ✓

DESCRIPTION

ceiling panels
 APPROXIMATE AMOUNT OF MATERIAL (SF) 510 (LF) _____
 FRIABLE: _____ (YES) ✓ (NO) _____
 NON-FRIABLE _____ (YES) _____ (NO) ✓
 WARNING LABELS _____ (YES) _____ (NO) ✓
 CHANGE FROM INITIAL AHERA REPORT _____ (YES) _____ (NO) ✓

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION _____ PHYSICAL ✓ WATER _____ FIRE _____
 EXTENT OF DAMAGE: LOCALIZED _____ DISTRIBUTED ✓
 PERCENT OF DAMAGE: 0% _____ 1-10% ✓ 10-25% _____ 25-100% _____
 OVERALL RATING: GOOD ✓ FAIR _____ POOR _____
 DESCRIPTION: o/m

POTENTIAL FOR DISTURBANCE: ACCESSIBLE ✓ INACCESSIBLE _____
 POTENTIAL FOR CONTACT: _____ HIGH _____ MODERATE _____ LOW ✓
 INFLUENCE OF VIBRATION: _____ HIGH _____ MODERATE _____ LOW ✓
 POTENTIAL FOR AIR EROSION: _____ HIGH _____ MODERATE _____ LOW ✓
 OVERALL RATING: _____ HIGH _____ MODERATE _____ LOW ✓
 DESCRIPTION o/m

LOCATION IN AIR PLENUM: YES ✓ NO _____
 COMMENTS o/m

INSPECTOR: Charles Speed ACCREDITATION NO. TL-19-2439A
 SIGNATURE: Charles Speed DATE: 4/25/19

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING V-45 FLOOR MAIN
 FUNCTIONAL AREA Science Lab HOMOGENEOUS MATERIAL 9" tan pat VMT
 TYPE OF SUSPECT MATERIAL SURFACING _____ TSI _____
 FLOORING X CEILING _____ WALLS _____ OTHER _____
 DESCRIPTION OF MATERIAL 9" tan pat VMT

APPROXIMATE AMOUNT OF MATERIAL (SF) 14 (LF) _____

REINSPECTION DATA :

ACBM TYPE: SURFACING _____ TSI _____ MISC _____ FLOOR _____ CEILING X

DESCRIPTION

9" tan pat VMT
 APPROXIMATE AMOUNT OF MATERIAL (SF) 14 (LF) _____
 FRIABLE: _____ (YES) X (NO) _____
 NON-FRIABLE _____ (YES) _____ (NO) X
 WARNING LABELS _____ (YES) _____ (NO) X
 CHANGE FROM INITIAL AHERA REPORT _____ (YES) _____ (NO) X

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION _____ PHYSICAL X WATER _____ FIRE _____
 EXTENT OF DAMAGE: LOCALIZED _____ DISTRIBUTED X
 PERCENT OF DAMAGE: 0% _____ 1-10% X 10-25% _____ 25-100% _____
 OVERALL RATING: GOOD X FAIR _____ POOR _____
 DESCRIPTION: odm

POTENTIAL FOR DISTURBANCE:	ACCESSIBLE _____	INACCESSIBLE _____
POTENTIAL FOR CONTACT:	HIGH _____	MODERATE _____ LOW <u>X</u>
INFLUENCE OF VIBRATION:	HIGH _____	MODERATE _____ LOW <u>X</u>
POTENTIAL FOR AIR EROSION:	HIGH _____	MODERATE _____ LOW <u>X</u>
OVERALL RATING:	HIGH _____	MODERATE _____ LOW <u>X</u>
DESCRIPTION	<u>odm</u>	

LOCATION IN AIR PLENUM: YES X NO _____
 COMMENTS odm

INSPECTOR: Charles Spear ACCREDITATION NO. IR-19-2439A
 SIGNATURE: Charles Spear DATE: 4/25/13

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING Winnipeg Valley Rte FLOOR MAIN
 FUNCTIONAL AREA ceiling tile (cont) HOMOGENEOUS MATERIAL ceiling tile
 TYPE OF SUSPECT MATERIAL SURFACING _____ TSI _____
 FLOORING _____ CEILING X WALLS _____ OTHER _____
 DESCRIPTION OF MATERIAL 9" ptf tile

APPROXIMATE AMOUNT OF MATERIAL (SF) 144 (LF) _____

REINSPECTION DATA :

ACBM TYPE: SURFACING _____ TSI _____ MISC _____ FLOOR _____ CEILING Y

DESCRIPTION 9" ceiling tile

APPROXIMATE AMOUNT OF MATERIAL (SF) 144 (LF) _____
 FRIABLE: _____ (YES) X (NO) _____
 NON-FRIABLE _____ (YES) _____ (NO) X
 WARNING LABELS _____ (YES) _____ (NO) X
 CHANGE FROM INITIAL AHERA REPORT _____ (YES) _____ (NO) X

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION _____ PHYSICAL X WATER _____ FIRE _____
 EXTENT OF DAMAGE: LOCALIZED _____ DISTRIBUTED X
 PERCENT OF DAMAGE: 0% _____ 1-10% X 10-25% _____ 25-100% _____
 OVERALL RATING: GOOD X FAIR _____ POOR _____
 DESCRIPTION: off m

POTENTIAL FOR DISTURBANCE: ACCESSIBLE X INACCESSIBLE _____
 POTENTIAL FOR CONTACT: _____ HIGH _____ MODERATE _____ LOW X
 INFLUENCE OF VIBRATION: _____ HIGH _____ MODERATE _____ LOW X
 POTENTIAL FOR AIR EROSION: _____ HIGH _____ MODERATE _____ LOW X
 OVERALL RATING: _____ HIGH _____ MODERATE _____ LOW X
 DESCRIPTION off m

LOCATION IN AIR PLENUM: YES X NO _____
 COMMENTS off m

INSPECTOR: Charles Spool ACCREDITATION NO. IR-19-2439A
 SIGNATURE: Charles Spool DATE: 4/25/19

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING Ken FLOOR MAIN
 FUNCTIONAL AREA off-prints HOMOGENEOUS MATERIAL 9" gray pit. vat
 TYPE OF SUSPECT MATERIAL SURFACING _____ TSI _____
 FLOORING x CEILING _____ WALLS _____ OTHER _____
 DESCRIPTION OF MATERIAL 9" gray pit. vat
 APPROXIMATE AMOUNT OF MATERIAL (SF) 12 (LF) _____

REINSPECTION DATA :

ACBM TYPE: SURFACING _____ TSI _____ MISC _____ FLOOR x CEILING _____

DESCRIPTION

9" gray pit. vat
 APPROXIMATE AMOUNT OF MATERIAL (SF) 12 (LF) _____
 FRIABLE: _____ (YES) x (NO) _____
 NON-FRIABLE _____ (YES) _____ (NO) x
 WARNING LABELS _____ (YES) _____ (NO) x
 CHANGE FROM INITIAL AHERA REPORT _____ (YES) _____ (NO) x

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION _____ PHYSICAL x WATER _____ FIRE _____
 EXTENT OF DAMAGE: LOCALIZED _____ DISTRIBUTED x
 PERCENT OF DAMAGE: 0% _____ 1-10% x 10-25% _____ 25-100% _____
 OVERALL RATING: GOOD x FAIR _____ POOR _____
 DESCRIPTION: off m

POTENTIAL FOR DISTURBANCE: ACCESSIBLE x INACCESSIBLE _____
 POTENTIAL FOR CONTACT: _____ HIGH _____ MODERATE _____ LOW x
 INFLUENCE OF VIBRATION: _____ HIGH _____ MODERATE _____ LOW x
 POTENTIAL FOR AIR EROSION: _____ HIGH _____ MODERATE _____ LOW x
 OVERALL RATING: _____ HIGH _____ MODERATE _____ LOW x
 DESCRIPTION off m

LOCATION IN AIR PLENUM: YES x NO _____
 COMMENTS off m

INSPECTOR: Charles Spear ACCREDITATION NO. IL-19-2439A
 SIGNATURE: Charles Spear DATE: 4/25/18

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING Kinn Valley Center FLOOR 1st
 FUNCTIONAL AREA Halls HOMOGENEOUS MATERIAL moving material
 TYPE OF SUSPECT MATERIAL SURFACING _____ TSI _____
 FLOORING _____ CEILING _____ WALLS _____ OTHER X
 DESCRIPTION OF MATERIAL wooden material

APPROXIMATE AMOUNT OF MATERIAL (SF) _____ (LF) > 1000

REINSPECTION DATA :

ACBM TYPE: SURFACING _____ TSI _____ MISC X FLOOR _____ CEILING _____

DESCRIPTION

APPROXIMATE AMOUNT OF MATERIAL (SF) > 1000 (LF) > 1000
 FRIABLE: _____ (YES) X (NO) _____
 NON-FRIABLE _____ (YES) _____ (NO) X
 WARNING LABELS _____ (YES) _____ (NO) X
 CHANGE FROM INITIAL AHERA REPORT _____ (YES) _____ (NO) X

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION _____ PHYSICAL X WATER _____ FIRE _____
 EXTENT OF DAMAGE: LOCALIZED _____ DISTRIBUTED X
 PERCENT OF DAMAGE: 0% _____ 1-10% X 10-25% _____ 25-100% _____
 OVERALL RATING: GOOD X FAIR _____ POOR _____
 DESCRIPTION: OK

POTENTIAL FOR DISTURBANCE: ACCESSIBLE X INACCESSIBLE _____
 POTENTIAL FOR CONTACT: _____ HIGH _____ MODERATE _____ LOW X
 INFLUENCE OF VIBRATION: _____ HIGH _____ MODERATE _____ LOW X
 POTENTIAL FOR AIR EROSION: _____ HIGH _____ MODERATE _____ LOW X
 OVERALL RATING: _____ HIGH _____ MODERATE _____ LOW X
 DESCRIPTION OK

LOCATION IN AIR PLENUM: YES X NO _____
 COMMENTS OK

INSPECTOR: Charles Speed ACCREDITATION NO. IR-19-24350
 SIGNATURE: Charles Speed DATE: 4/25/17

RECORDING FORM FOR ASBESTOS ASSESSMENT DATA

BUILDING 1000 FLOOR 1A
 FUNCTIONAL AREA h/k HOMOGENEOUS MATERIAL _____
 TYPE OF SUSPECT MATERIAL SURFACING _____ TSI _____
 FLOORING _____ CEILING _____ WALLS X OTHER _____
 DESCRIPTION OF MATERIAL cheese / fiber

APPROXIMATE AMOUNT OF MATERIAL (SF) 700 (LF) _____

REINSPECTION DATA :

ACBM TYPE: SURFACING X TSI _____ MISC _____ FLOOR _____ CEILING _____

DESCRIPTION

APPROXIMATE AMOUNT OF MATERIAL (SF) 1000 (LF) _____
 FRIABLE: _____ (YES) X (NO) _____
 NON-FRIABLE _____ (YES) _____ (NO) X
 WARNING LABELS _____ (YES) _____ (NO) X
 CHANGE FROM INITIAL AHERA REPORT _____ (YES) _____ (NO) X

PHYSICAL CONDITION:

TYPE OF DAMAGE: DETERIORATION _____ PHYSICAL X WATER _____ FIRE _____
 EXTENT OF DAMAGE: LOCALIZED _____ DISTRIBUTED X
 PERCENT OF DAMAGE: 0% _____ 1-10% X 10-25% _____ 25-100% _____
 OVERALL RATING: GOOD X FAIR _____ POOR _____
 DESCRIPTION: old

POTENTIAL FOR DISTURBANCE:	ACCESSIBLE <u>X</u>	INACCESSIBLE _____
POTENTIAL FOR CONTACT:	HIGH _____	MODERATE _____ LOW <u>X</u>
INFLUENCE OF VIBRATION:	HIGH _____	MODERATE _____ LOW <u>X</u>
POTENTIAL FOR AIR EROSION:	HIGH _____	MODERATE _____ LOW <u>X</u>
OVERALL RATING:	HIGH _____	MODERATE _____ LOW <u>X</u>

DESCRIPTION old

LOCATION IN AIR PLENUM: YES X NO _____
 COMMENTS old

INSPECTOR: Charles Spaul ACCREDITATION NO. IL-19-24391
 SIGNATURE: Charles Sp DATE: 4/25/18

APPENDIX 3.0
REGULATIONS

An official website of the United States government.

We've made some changes to EPA.gov. If the information you are looking for is not here, you may be able to find it on the EPA Web Archive or the January 19, 2017 Web Snapshot.

Close



Asbestos Laws and Regulations

This page provides a listing of the laws and regulations pertaining to asbestos implemented by EPA and certain other federal agencies. Learn more about EPA actions to protect the public from asbestos exposure including banned/prohibited uses. [link to page at beginning of this file]

EPA Asbestos-Related Laws

- [The Asbestos Hazard Emergency Response Act \(AHERA\)](#)
- [The Asbestos Information Act \(AIA\)](#)
- [The Asbestos School Hazard Abatement Reauthorization Act \(ASHARA\)](#)
- [The Clean Air Act \(CAA\)](#)
- [Safe Drinking Water Act \(SDWA\)](#)
- [The Comprehensive Environmental Response, Compensation and Liability Act \(CERCLA\)](#)

EPA Asbestos Regulations

- [Restrictions on Discontinued Uses of Asbestos \(40 CFR Parts 9 and 721\)](#)
- [Asbestos-Containing Materials in Schools Rule \(40 CFR Part 763, Subpart E\)](#)
- [Asbestos Worker Protection Rule \(40 CFR Part 763, Subpart G\)](#)
- [Asbestos Ban and Phaseout Rule \(Remanded\) \(40 CFR Part 763, Subpart I\)](#)
- [Asbestos National Emission Standard for Hazardous Air Pollutants \(NESHAP\) Regulations \(40 CFR Part 61, Subpart M\)](#)
- [CERCLA Hazardous Substances and Reportable Quantities](#)

Other Federal Agencies with Asbestos Regulations

- [Occupational Safety and Health Administration \(OSHA\)](#)
- [Consumer Product Safety Commission \(CPSC\)](#)
- [Mine Safety and Health Administration \(MSHA\)](#)

EPA Asbestos-Related Laws

The Asbestos Hazard Emergency Response Act (AHERA) (Toxic Substances Control Act (TSCA) Title II)

This law required EPA to promulgate regulations (e.g., the Asbestos-Containing Materials in Schools Rule) requiring local educational agencies to inspect their school buildings for asbestos-containing building

Final Asbestos Rule

In April 2019 EPA issued a final rule to ensure that asbestos products that are no longer on the market cannot return to commerce without the Agency evaluating them and putting in place any necessary restrictions or prohibiting use. [Learn more.](#)

material, prepare asbestos management plans and perform asbestos response actions to prevent or reduce asbestos hazards. AHERA also tasked EPA with developing a model plan for states for accrediting persons conducting asbestos inspection and corrective-action activities at schools. The Toxic Substances Control Act defines asbestos as the asbestiform varieties of: chrysotile (serpentine); crocidolite (riebeckite); amosite (cummingtonite/grunerite); anthophyllite; tremolite; and actinolite.

- [TSCA Subchapter II: Asbestos Hazard Emergency Response \(15 U.S.C. § 2641-2656\)](#)

Asbestos Information Act (Public Law 100-577)

This law helped to provide transparency and identify the companies making certain types of asbestos-containing products by requiring manufacturers to report production to the EPA.

- [15 U.S.C. § 2607\(f\)](#)

Asbestos School Hazard Abatement Reauthorization Act (ASHARA)

This law extended funding for the asbestos abatement loan and grant program for schools. ASHARA also directed EPA to increase the number of training hours required for the training disciplines under the Asbestos Model Accreditation Plan (MAP) and to expand the accreditation requirements to cover asbestos abatement projects in all public and commercial buildings in addition to schools.

Docket ID: OPTS-62048E; FRL-3269-8

- [Asbestos School Hazard Abatement Reauthorization Act of 1990](#)
- [Asbestos Model Accreditation Plan](#)
- [February 3, 1994 Federal Register Notice: Asbestos Model Accreditation Plan](#)

Clean Air Act (CAA) (42 USC § 7401 *et seq.*)

This law defines the EPA's responsibilities for protecting and improving the nation's air quality and the stratospheric ozone layer and includes provisions for the EPA to set national emission standards for hazardous air pollutants, including asbestos.

- [Section 112- National Emission Standards for Hazardous Air Pollutants](#)

Safe Drinking Water Act (SDWA)

The Safe Drinking Water Act (SDWA) is the federal law that helps ensure the quality of Americans' drinking water. Under the SDWA, EPA sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards.

See more on [asbestos in drinking water](#)

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

This law, also known as Superfund, was enacted to address abandoned hazardous waste sites in the U.S. The law has subsequently been amended, by the Superfund Amendments and Reauthorization Act of 1986 (SARA), and the Small Business Liability Relief and Brownfields Revitalization Act of 2002. CERCLA authority may be appropriate to respond to the release or potential release of asbestos into the environment.

EPA Asbestos Regulations

Restrictions on Discontinued Uses of Asbestos Rule

This final rule strengthens the Agency's ability to rigorously review an expansive list of asbestos products that are no longer on the market before they could be sold again in the United States. Persons subject to the rule are required to notify EPA at least 90 days before commencing any manufacturing, importing, or processing of asbestos or asbestos-containing products covered under the rule. These uses are prohibited until EPA conducts a thorough review of the notice and puts in place any necessary restrictions or prohibits use.

Docket ID: EPA-HQ-OPPT-2018-0159; FRL 9991-33

- [40 CFR Parts 9 and 721 – Restrictions on Discontinued Uses of Asbestos](#)

Asbestos-Containing Materials in Schools Rule

Pursuant to the Asbestos Hazard Emergency Response Act (AHERA), the Asbestos-Containing Materials in Schools rule requires local education agencies to inspect their school buildings for asbestos-containing building material, prepare asbestos management plans and perform asbestos response actions to prevent or reduce asbestos hazards. Public school districts and non-profit private schools, including charter schools and schools affiliated with religious institutions (collectively called local education agencies) are subject to the rule's requirements.

Docket ID: OPTS-62048E; FRL-3269-8

- [Asbestos-Containing Materials in Schools Rule \(40 CFR Part 763, Subpart E\)](#)
 - [Interim Transmission Electron Microscopy \(TEM\) Analytical Methods \(Appendix A to Subpart E of 40 CFR Part 763\)](#)
 - [Asbestos Model Accreditation Plan \(Appendix C to Subpart E of 40 CFR Part 763\)](#)
 - [Transport and Disposal of Asbestos Waste \(Appendix D to Subpart E of 40 CFR Part 763\)](#)
 - [Interim Method of the Determination of Asbestos in Bulk Insulation Samples \(Appendix E to Subpart E of 40 CFR Part 763\)](#)

EPA Asbestos Worker Protection Rule

Through the authority of Section 6 of the Toxic Substances Control Act (TSCA) the EPA extended worker protection requirements to state and local government employees involved in asbestos work who were not previously covered by the the Occupational Safety and Health Administration's (OSHA) asbestos regulations.

Docket ID: OPPTS-62125B; FRL-6751-3

- [40 CFR Part 763, Subpart G – Asbestos Worker Protection](#)

Asbestos Ban and Phaseout Rule (Remanded)

On July 12, 1989, the EPA issued a final rule banning most asbestos-containing products. In 1991, this regulation was overturned by the Fifth Circuit Court of Appeals. However, as a result of the Court's decision, only a few asbestos-containing products remain banned.

See [Asbestos Ban and Phase-out Federal Register notices](#).

Docket ID: OPTS-62048E; FRL-3269-8

- [40 CFR Part 763, Subpart I -- Prohibition of the Manufacture, Importation, Processing and Distribution in Commerce of Certain Asbestos-Containing Products; Labeling Requirements](#)

Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP)

The asbestos NESHAP regulations specify work practices for asbestos to be followed during demolitions and renovations of all structures, installations, and buildings (excluding residential buildings that have four or fewer dwelling units). The regulations require the owner of the building or the operator to notify the appropriate state agency before any demolition, or before any renovations of buildings that could contain a certain threshold amount of asbestos or asbestos-containing material. In addition, particular manufacturing and fabricating operations either cannot emit visible emissions into the outside air or must follow air cleaning procedures, as well as follow certain requirements when removing asbestos-containing waste.

Docket ID: OAR-2002-0082, FRL-7561-2

- [40 CFR Part 61, Subpart M \(Complete Rule\)](#)
 - [40 CFR §61.145—Standard for demolition and renovation](#)
 - [40 CFR §61.150—Standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations](#)

CERCLA Hazardous Substances and Reportable Quantities

Asbestos is designated as a hazardous substance with a reportable quantity in the Superfund regulations.

- [40 CFR Part 302.4 - Designation of Hazardous Substances and Reportable Quantities](#)

Other Federal Agencies with Asbestos Regulations

Occupational Safety and Health Administration (OSHA)

OSHA oversees the working conditions for U.S. workers by implementing and managing occupational safety and health standards. The following regulations pertain to handling asbestos in the workplace.

- [Asbestos General Standard](#)—Specification of permissible exposure limits, [engineering controls](#), [worker training](#), [labeling](#), [respiratory protection](#), and [disposal of asbestos waste](#)
 - [29 CFR 1910.1001](#)
- [Asbestos Construction Standard](#)—Covers construction work involving asbestos, including [work practices during demolition and renovation](#), [worker training](#), [disposal of asbestos waste](#), and [specification of permissible exposure limits](#)
 - [29 CFR 1926.1101](#)

Consumer Product Safety Commission (CPSC)

The CPSC protects consumers and families from consumer products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. Below are the following CPSC bans or restrictions on