



Do You Have an Asbestos Survey?

Asbestos is a natural occurring mineral that is comprised of six, thin, needle like fibers. Asbestos fibers are soft and flexible, yet resistant to heat, electricity and corrosion, making the mineral extremely useful. As a rule of thumb, buildings built prior to 1978 may contain asbestos. Areas most common include: floor tile, pipe insulation, boiler insulation, and plaster. Asbestos can also be found in newer materials such as mastics and tar materials, caulking, roofing materials and joint compound to name a few. Interestingly, the United States is one of few major industrialized Nations without an asbestos ban in place.

The regulatory agencies involved in the regulation of asbestos include: Environmental Protection Agency (EPA), Occupational Health and Safety Administration (OSHA), Consumer Product Safety Commission (CPSC), and the Mine Safety and Health Administration (MSHA). As a restoration contractor, insurance adjuster, and as the building owner/manager, it is vitally important to comply with all the regulations to avoid and/or prevent fines, jail time, or lawsuits. The most important thing is education, education, education. Learn more about what is required, be proactive, and have materials tested before demolition and follow the rules when it comes to disturbance, removal, employee exposure, transportation and disposal.

Below are a few important rules taken directly from the Texas Administrative Code in regards to asbestos management in facilities and public buildings: Title 25, Part 1, Chapter 295, Subchapter C, and Rule 295.34. As you will read, **the building owner retains primary responsibility for compliance.**

- (a) **General.** Building owners are required to inform all persons in writing, or document oral communication between the owner (and their authorized representative) and those who perform any type of maintenance, custodial, renovation, or demolition work, of the presence and location of asbestos containing building materials (ACBM) prior to the start of any asbestos-related activity.”
 - (1) “Demolition and/or renovation of a facility or commercial building. Before performing any demolition or renovation activity in a facility or commercial building, building owners or operators shall ensure that all friable asbestos-containing materials (ACM) or asbestos-containing materials which may become friable (i.e. Category II nonfriable ACM) are inspected and abated in accordance with 40 CFR Part 61, Subpart M.”
 - (2) “Demolition and/or renovation of a public building. Before performing any demolition in a public building, building owners shall ensure that all friable asbestos-containing material (ACM) or ACM which may become friable (i.e. Category II no friable ACM) are surveyed and abated in accordance with 40 CFR Part 61, Subpart M. Before performing any renovation in a public building, building owners are required to survey and perform asbestos abatement for all asbestos-containing building material (ACBM) that could foreseeably be disturbed in the area to be renovated in accordance with these rules. The asbestos survey and abatement for the demolition and/or renovation shall be conducted by persons licensed in accordance with these rules, and according to the standards for removal specified in 295.58 – 295.60 of this title.”
- (b) **Statement of Responsibility.** The building owner retains the primary responsibility for compliance with these rules for the presence, condition, disturbance, renovation, demolition, and disposal of any asbestos encountered in the construction, operations, maintenance, or furnishing of that building or facility.”
- (c) **Conditions requiring a mandatory asbestos survey for ACBM.** Prior to any renovations or dismantling within a public building, commercial building, or facility, including preparations for partial or complete demolition, as required by 40 CFR, 61.145, owners must have a thorough survey performed. The work area and all immediately surrounding areas which could foreseeably be disturbed by the actions necessary to perform the project must be inspected and sampled as applicable prior to renovations or demolition. A copy of the survey report must be produced upon request by the Texas Department of Health. If a survey cannot be performed before demolition or renovation is started due to the building being structural unsound and unsafe to enter, all materials must be presumed to contain asbestos and must be treated as ACBM.”

To learn more information please visit the following link: <https://www.dshs.texas.gov/asbestos/laws-rules.aspx>. Until next time my friends, be prepared and stay safe.

August 2019

Events

August 7: IFMA Luncheon
August 8: IREM Luncheon
August 14: AAFAME Luncheon
August 15: SAABE Luncheon
August 15: CAMO
August 21: IIASA Luncheon
August 21: SA BOMA Luncheon
August 22: IWSA Luncheon

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7 IFMA Luncheon	8 IREM Luncheon	9	10
11	12	13	14 AAFAME Luncheon	15 SAABE CAMO	16	17
18	19	20	21 IIASA Luncheon SABOMA Luncheon	22 IWSA Luncheon	23	24
25	26	27	28	29	30	

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