



*CAL OSHA Perspective  
on NOA  
(in construction)*

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## §1529\* Scope

- Myth: §1529 applies only to buildings and manufactured products
- “Asbestos” includes chrysotile, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, actinolite asbestos...

## §1529 Scope

“This section regulates asbestos exposure in all construction work as defined in Section 1502 including but not limited to the following:...

(F) Transportation, disposal, storage, containment of and housekeeping activities involving asbestos...

(G) Excavation which may involve exposure to asbestos as a natural constituent which is not related to asbestos mining and milling activities...”



# Excavation & earthmoving of soils with >1% asbestos is Class II work

- Class II (CII) means activities involving the removal of ACM which is not TSI or surfacing material
- Removal means all operations where ACM...is taken out or stripped from...substrates
- ACM means any material containing >1% asbestos



# Determining % asbestos in soil and ramifications

- Bulk sampling issues
  - §1529k3A requires *employers* to survey the site
  - diligent inquiry needed
- removal of <1% NOA and non-removal with any % NOA
  - these are “unclassified”
  - still regulated by §1529

## §1529 air monitoring requirements

- PEL *and* STEL assessments
- Breathing zone and representative
- All work monitored initially<sup>^</sup>
- CII daily monitoring
  - Only statistically reliable measurements get you out
- Negative exposure assessments
  - Frequently flawed
- NIOSH 7402 acceptable if properly followed
  - PCM total fiber count + TEM differentiation

# §1529 PPE requirements

- Whole-body protective clothing if > PEL/STEL or no NEA
- If CII, then must use respirators.  
Can NOT monitor out of respirators.^  
§1529(h)(1) “Respirators must be used during:....  
(B) Class II asbestos work where the ACM is not removed in a substantially intact state...”

# §1529 Engineering and work-practice requirements, examples

- Wetting
- If >PEL or STEL, then add
  - other forms of dust suppression
  - HEPA ventilated cabs
  - LEV on particular machinery
  - Distancing
  - Dust-reducing work-practices



Photo: Paul Chinn, SF Chronicle



# Difficult §1529 subsections

- Prompt clean up in leak-tight containers
- Dropcloths
- If  $> \text{PEL}$  and/or  $> \text{STEL}$ 
  - mechanical ventilation of outdoor regulated areas
  - process enclosure or isolation
- Critical barriers not required outdoors
- Intact-rule is flexible



# Other §1529 requirements

- Training<sup>^</sup>
  - Everyone: hazcom
  - >PEL: k9H
  - CII: k9H, CII controls, & hands-on
- Regulated areas
  - CII or if >PEL
- Decon
  - CII and (>PEL or no NEA)
- Medical surveillance
  - >/= 30d/y and (CII or >PEL)
- Competent person supervision
- CACs, SSTs, Registered Abate. Contractors not required