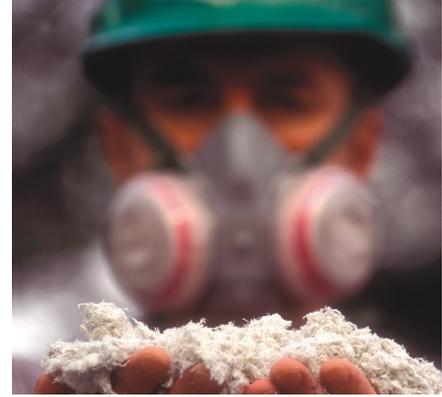




# Why Must I Test for Asbestos?

Asbestos refers to the asbestiform varieties of several naturally occurring minerals that are of silicate composition and fibrous. Asbestos has been used in the United States for well over 130 years and is a very common additive in building materials. Asbestos is extremely durable and acts as a great binding agent, does not burn and is resistant to chemicals. Because of this, the US Environmental Protection Agency (US EPA) estimates that over 3,600 different products have been manufactured with asbestos. Asbestos use in the U.S. approached nearly 800,000 metric tons in the late 1960's and into the early 1970's with a rapid decline in use through the late 1970's. However, most asbestos products are legal today in the U.S.



It's a common assumption that after 1980 asbestos was no longer being used in the U.S., but this is not true. Imported construction materials from developing countries pose a problem as many of them are using asbestos today as the U.S. once did. These materials are commonly imported and installed in new construction unbeknownst to the owner or the contractor. For these reasons, both EPA and the Occupational Safety and Health Administration (OSHA) require the identification of asbestos, regardless of age. Below are some citations from EPA and OSHA:

## **EPA 40 CFR 61, Subpart M, Asbestos National Emission Standards for Hazardous Air Pollutants:**

(a)Applicability. To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II non-friable ACM.

## **OSHA 29 CFR 1926.1101, Construction Standard for Asbestos:**

(k)(2)(i) Before work subject to this standard is begun, building and facility owners shall determine the presence, location, and quantity of ACM and/or PACM at the work site pursuant to paragraph (k)(1)(i) of this section.

(k)(3)(i) Before work in areas containing ACM and PACM is begun; employers shall identify the presence, location, and quantity of ACM, and/or PACM therein pursuant to paragraph (k)(1)(i) of this section.

The above citations from EPA and OSHA do not reference building age at all. Age is simply not a determining factor in whether or not an asbestos inspection is required. In fact EPA has consistently stated that age does not matter and an inspection must be performed prior to demolition or renovation activities regardless of the date of construction. Although EPA does not regulate individual residences, OSHA would for the purpose of protecting employees from asbestos exposure. The two (2) OSHA citations above put this burden on both the owner and the employer by requiring the identification of asbestos before work begins. As with EPA, OSHA does not refer to any particular date of construction when this is no longer necessary.

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