

ASBESTOS ABATEMENT

In 2004, the Association retained a firm to sample some of the areas to be affected by the planned repair/renovation projects. At that time Association members were notified that the report indicated that detectable levels of asbestos were found and that abatement was required. The methodology used in the 2004 tests was Polarized Light Microscopy (PLM). The Federal Environmental Protection Agency's (EPA) National Emission Standards for Hazardous Air Pollutants (NESHAP) states, "if the laboratory analyst detects asbestos in a sample and estimates the amount by visual estimation to be less than 10% using PLM analysis, the building owner or operator of the building may either elect to assume the amount to be greater than 1% and treat the material as asbestos-containing material, or request verification of the amount by Point Counting. If a result obtained by Point Counting is different from a result obtained by PLM, the Point Counting result will be used."

Because the PLM methodology is an estimate and not a precise measurement, this Board had questions about the abatement conclusions reached in the 2004 report. The Board recently retained Midwest Engineering Services, Inc. (MES) to collect samples of interior drywall system materials located within planned repair/renovation areas and to submit the samples to a laboratory for analysis by the Point Count method. In addition, we requested that samples of hallway carpet mastic also be collected for laboratory analysis of asbestos fibers by the PLM method. The sample collection activities were conducted in accordance with EPA, NESHAP, and Occupational Safety and Health Administration (OSHA) regulations, and Wisconsin Department of Natural Resources (WDNR) and City of Milwaukee requirements.

No asbestos was detected by PLM analysis within the carpet mastic samples. The results of the Point Count Analysis of the composite drywall system materials indicated that asbestos concentrations were detected at a level below 1%. Federal EPA and WDNR regulations state that composite drywall system materials that contain 1% or less asbestos are not regulated asbestos materials, and can be handled and disposed as non-regulated construction or demolition waste. As such, drywall system materials that are removed during renovation activities at the project site are not subject to special disposal regulations, and can be properly disposed as typical construction or demolition waste material.

However, OSHA requirements (which apply to employers) for work practices and engineering controls are established for unclassified work operations with materials that contain 1% or less asbestos. The unclassified work operations do not require that the asbestos-containing material be removed by certified asbestos abatement personnel, provided the materials are removed in accordance with OSHA's work practices, engineering controls and prohibitions.

It is important to note that the MES report was limited in scope and should not be interpreted as a comprehensive pre-renovation asbestos survey or inspection. Therefore, it must be recognized that the potential exists for asbestos-containing material to be present within other building materials or structural voids and cavities, beneath layers of surface or finish materials, or within mechanical system components that were not included in the scope of services. Also the information contained in the MES report has been prepared for the exclusive use of Regency House Condominium Association and may not be relied upon by any other parties without the express written consent of MES, and acceptance by such parties of MES conditions.