

GSA Guidance on Asbestos



What is asbestos?

Asbestos, found in certain types of rock formations, is a naturally forming mineral that can be separated into fibers. There are six types of asbestos minerals, of which three have



been commonly used for commercial purposes. Chrysotile, referred to as white asbestos, constitutes about 95 percent of all the asbestos used in building products.

Where is asbestos found?

Asbestos is most commonly used in schools and buildings as insulation and in building materials. It has also been used in floor and ceiling tile, cement pipe, corrugated paper pipe wrap, acoustical and decorative insulation, pipe and boiler insulation, and spray applied fire-proofing. According to the Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA) classification, asbestos-containing material (ACM) is the broadest category of materials that might contain asbestos. For a list of potential ACM, please see page 2.

What is friable asbestos?

As defined by EPA, friable asbestos is ACM which can be “crumbled, pulverized, or reduced to powder by hand pressure when the material is

dry.” Friable ACM is thought to release fibers into the air more readily than non-friable materials.

When does asbestos become a health risk?

Intact and undisturbed asbestos materials generally do not pose a health risk. Asbestos materials, however, can become hazardous when, due to damage or deterioration over time, they release fibers. Invisible to the naked eye, asbestos fibers can be hazardous when it becomes airborne. Contact with these fibers can accumulate in the lungs and may lead to an increased risk of diseases, such as respiratory diseases and certain types of cancers. Health risks vary upon level of exposure and may not appear until years after exposure. However, most health risks have increased chances due



to occupational exposure; asbestos levels in buildings often do not pose a threat to building occupants and seem to present very low chances of health risks.

What should the landholding agency submit with the Report of Excess?

The landholding agency is responsible for identifying whether the property has ACM based on available information. If ACM is present, the landholding agency should provide any available studies identifying the type of asbestos (friable or non-friable), description, location and condition of the ACM incorporated in the construction, repair or alteration of any improvements on the property and a description of any asbestos control methods taken. The landholding agency should also include any known estimates of the time or cost required to remove the ACM.

What are a landholding agency's options for removing friable asbestos?

Complete removal of asbestos is the only permanent solution but the removal option should be balanced against other factors such as increased health risks (due to the greatest risk of fiber release), significant costs, and possible legal issues. Oftentimes, enclosure and encapsulation are preferred options for addressing in-place asbestos.

What is GSA's responsibility as the disposal agent?

GSA transfers property with asbestos-containing material "as is" to the transferee. GSA is responsible for providing full disclosure in the IFB or Offer to Purchase of all known information

Potential Asbestos Containing Materials

- Cement Pipes
- Cement Wallboard
- Cement Siding
- Asphalt Floor Tile
- Vinyl Floor Tile
- Vinyl Sheet Tile
- Vinyl Sheet Flooring
- Flooring Backing
- Breaching Insulation
- Electrical Panel Partitions
- Chalkboards
- Base Flashing
- Caulking/Putties
- Joint Compounds
- Acoustical Plaster
- Decorative Plaster
- Textured Paints/Coating
- Ceiling Tiles and Lay-in Panels
- Spray-Applied Insulation
- Blown-in Insulation
- Vinyl Sheet Flooring
- Fireproofing Materials
- Taping Compounds (thermal)
- Packing Materials (for wall/floor penetrations)
- Ductwork Flexible Fabric Connections
- Electrical Cloth
- Roofing Shingles
- Thermal Paper Products
- Adhesives
- Vinyl Wall Coverings
- High Temperature Gaskets
- Laboratory Hoods/Table Tops
- Laboratory Gloves
- Fire Blankets
- Fire Curtains
- Elevator Equipment Panels
- Elevator Brake Shoes
- HVAC Duct Insulation
- Boiler Insulation
- Heating and Electrical Ducts
- Electrical Wiring Insulation
- Roofing Felt
- Fire Doors
- Wallboards
- Spackling Compounds



submitted with the Report of Excess regarding asbestos-containing materials. GSA is also required to provide the notice of the presence of asbestos warning as described in the Federal Management Regulations (FMR), Section 102-75.335. Please see page 4 for full text of the standardized language (Notice of the Presence of Asbestos--Warning!)

How can I find a certified asbestos inspector and how are they certified?

Asbestos inspectors are certified by each state per an EPA delegation. Landholding agencies should contact the state department of health or applicable state regulatory agency for a list of state-certified inspectors.

Where can I find additional information on asbestos?

EPA's Asbestos and Vermiculite Home Page
<http://www.epa.gov/opptintr/asbestos/>

EPA Asbestos Abatement/Management Ombudsman 1-800-368-5888

OSHA's Safety and Health Topics: Asbestos
<http://www.osha-slc.gov/SLTC/asbestos/>



Federal Laws

The major Federal laws that regulate asbestos are:

Toxic Substances Control Act (TSCA):

TSCA first authorized EPA to regulate asbestos in schools and public and commercial buildings under the Asbestos Hazard Emergency Response Act (AHERA) [TSCA (15 U.S.C. § 2601 et seq.)] Elementary and secondary schools are obliged to identify ACM in their buildings and to institute programs to minimize exposure. Additional follow-up treatments also require schools to reinspect for ACM at least every three years.

Clean Air Act (CAA): Under the Clean Air Act, in compliance with National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos, owners or operators must comply with regulations to reduce the release of asbestos fibers during disposal activities. It also details any additional activities required for demolition or renovation of ACM (40 CFR 61.140 through 61.157).

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA):

Under the requirements of CERCLA, EPA is required to establish a list of hazardous substances and release quantities that, if exceeded, must be reported to the National Response Center. Asbestos is listed as a hazardous substance with a reportable quantity of one pound; however, this designation only applies to friable asbestos.

Standardized Language:

Notice of the Presence of Asbestos--Warning!

(a) The Purchaser is warned that the property offered for sale contains asbestos-containing materials. Unprotected or unregulated exposures to asbestos in product manufacturing, shipyard, and building construction workplaces have been associated with asbestos-related diseases. Both the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) regulate asbestos because of the potential hazards associated with exposure to airborne asbestos fibers. Both OSHA and EPA have determined that such exposure increases the risk of asbestos-related diseases, which include certain cancers and which can result in disability or death.

(b) Bidders (Offerors) are invited, urged and cautioned to inspect the property to be sold prior to submitting a bid (offer). More particularly, bidders (offerors) are invited, urged and cautioned to inspect the property as to its asbestos content and condition and any hazardous or environmental conditions relating thereto. The disposal agency will assist bidders (offerors) in obtaining any authorization(s), which may be required in order to carry out any such inspection(s). Bidders (Offerors) shall be deemed to have relied solely on their own judgment in assessing the overall condition of all or any portion of the property including, without limitation, any asbestos hazards or concerns.

(c) No warranties either express or implied are given with regard to the condition of the property including, without limitation, whether the property does or does not contain asbestos or is or is not safe for a particular purpose. The failure of any bidder (offeror) to inspect, or to be fully informed as to the condition of all or any portion of the property offered, will not constitute grounds for any claim or demand for adjustment or withdrawal of a bid or offer after its opening or tender.

(d) The description of the property set forth in the Invitation for Bids (Offer to Purchase) and any other information provided therein with respect to said property is based on the best information available to the disposal agency and is believed to be correct, but an error or omission, including, but not limited to, the omission of any information available to the agency having custody over the property and/or any other Federal agency, shall not constitute grounds or reason for nonperformance of the contract of sale, or any claim by the Purchaser against the Government including, without limitation, any claim for allowance, refund, or deduction from the purchase price.

(e) The Government assumes no liability for damages for personal injury, illness, disability or death, to the Purchaser, or to the Purchaser's successors, assigns, employees, invitees, or any other person subject to Purchaser's control or direction, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the property which is the subject of this sale, whether the Purchaser, its successors or assigns has or have properly warned or failed properly to warn the individual(s) injured.

(f) The Purchaser further agrees that in its use and occupancy of the property it will comply with all Federal, State, and local laws relating to asbestos.