

IOSH Local Emphasis Program

- **Record Type:** Local Emphasis Program
 - **Directive Number:** IA/LEP 6
 - **Subject:** Local Emphasis Program (LEP) for Asbestos in Construction
 - **Information Date:** 05/20/2011 Revision Date: 2/27/2019
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IOSHA IA/LEP 6

Workforce Development Department
(IOSHA)

Iowa Occupational Safety and Health

ABSTRACT

Purpose: To establish and implement a Local Emphasis Program (LEP) for programmed health inspections of construction worksites to identify evaluate and control the hazards associated with exposure to asbestos.

References: OSHA/IOSH Instructions: IOSHA CPL 2.103, CPL 04-00-001 (CPL 2-0.102A), IOSHA Instruction CPL 2.25I, CPL 02-00-141, CPL 02-00-051, CPL 02-02-063

Cancellations: None

Action Offices: State of Iowa

Originating Office: State of Iowa

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By and Under the Authority of

Luther Don Peddy

IOSH Administrator

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- I. Purpose. This notice establishes and implements a Local Emphasis Program (LEP) for programmed health inspections to identify, evaluate, and control the hazards associated with exposure to asbestos. This program affects worksites where exposures to asbestos are likely due to the work tasks performed.
- II. Scope. This Notice applies to construction worksites within the jurisdictional boundaries of the Iowa Division of Labor State OSHA Enforcement program.
- III. Action. The IOSH Administrator shall ensure that the procedures established in this instruction are adhered to in the scheduling of programmed inspections.
- IV. Expiration. This Notice is effective until cancelled
- V. References.
 - A. IOSHA Instruction CPL 02-00-148, Field Operations Manual (IAFOM).
 - B. OSHA Instruction CPL 04-00-001 (CPL 2-0.102A), Procedures for Approval of Local Emphasis Programs (LEPs), November 10, 1999.
 - C. IOSHA Instruction CPL CPL 2.25I, Scheduling System for Programmed Inspections.
 - D. OSHA Instruction CPL 02-00-141 Inspection Scheduling for Construction dated July 14, 2006.
 - E. OSHA Instruction CPL 02-00-051 (CPL 2.51J), Exemptions and Limitations Under the Current Appropriations Act, dated May 28, 1998.
 - F. OSHA Instruction CPL 02-02-063 Inspection Procedures for Occupational Exposure to Asbestos Final Rule 29 CFR Parts 1910.1001, 1926.1101, 1915.1001
 - G. Iowa Code Chapter 88B
- VI. Background. Asbestos abatement, encapsulation and demolition projects are construction activities that are continually being conducted in Iowa. Asbestos is often times found in thermal system insulation (TSI), surfacing material, wallboard, floor tile, roofing and siding materials and construction mastics. Construction activities involving these materials have the potential to liberate carcinogenic asbestos fibers. Asbestos exposure has been associated with asbestosis, lung cancer and mesothelioma.

Buildings that were built prior to 1981 have a substantial likelihood of having asbestos containing materials (ACM) present. Construction activities at these buildings present the opportunity for the ACM to be disturbed and employees to be exposed to fugitive asbestos fibers.

In addition, these construction sites often present electrical and fall hazards. By targeting employers who perform asbestos-related construction work, the Iowa Division of Labor will be able to reduce and/or eliminate exposure to life threatening hazards.

VII. Program Procedures. This LEP includes two major activities: targeting/site selection, and inspections.

A. Targeting/Site Selection

1. Ten Day notice Construction Sites

Iowa Code Chapter 88B.1 defines an “Asbestos Project” as an activity involving the removal or encapsulation of asbestos and affecting a building or structure. “Asbestos project” includes the removal or encapsulation of building materials containing asbestos from the site of a building or structure, renovation, demolition, or collapse. Chapter 88B.1 also defines a “Permit” as an authorization issued by the division permitting a business entity to remove or encapsulate asbestos. Asbestos permittees are required to provide the Iowa Division of Labor with a Ten-day notice prior to commencing asbestos work. The notice is to be provided ten working days before asbestos activity begins.

Iowa OSHA will evaluate the Ten-day notices weekly for the purpose of inspection scheduling. Iowa OSHA will attempt to inspect each asbestos permittee, who is performing work in Iowa, at least once per year. Inspections will be scheduled based upon the best utilization of CSHO resources.

2. Pre 1981 Construction Sites

Iowa OSHA inspection personnel will be alert to construction sites when traveling to perform OSHA activities. If the construction site appears to involve a building built prior to 1981 an inspection may be initiated if time and resources allow.

Upon entry OSHA inspection personnel will contact onsite construction staff and inquire about the history of the building. If it is determined that the building was constructed prior to 1981 an inspection will be initiated.

B. Inspections

1. This LEP will target all asbestos permittees who are Iowa employers.

2. This LEP will target construction activities that are observed in buildings that have been built prior to 1981.
3. Inspections are to begin upon the effective date of this Instruction.
4. Each construction site selected for inspection shall receive a comprehensive health inspection. Any hazards in plain view safety will be addressed by the Senior Industrial Hygienist.

VIII. Recording in IMIS.

Current instructions for completing the appropriate inspection classification fields on the Inspection Report, shall be applied when recording inspections conducted under the LEP as follows:

- A. The Inspection Report for a programmed inspection conducted under this local emphasis program shall be marked "Planned" and "State Emphasis Program". Record "ASBESTOS" in the State Emphasis Program field.
- B. If it is determined that an inspection will not commence at a construction site selected due to no activity, the OSHA-1 shall be coded "No Inspection" in the Scope of Inspection field. The Inspection Report shall nonetheless be coded as described in A.1.above.
- C. The Inspection Report for any unprogrammed inspections related to complaints or referrals requiring inspection, imminent danger, and fatality catastrophe investigations will be coded as normally required under the FOM. In addition the designation "ASBESTOS" will be recorded in the State Emphasis Program field.

- IX. Evaluation. No later than November 15 of each year this program remains in effect, the Iowa Division of Labor will prepare a formal written evaluation of this LEP in the format specified by OSHA Instruction CPL 04-00-001, Appendix A.