



# Safety Policy Manual

Policy No. 159

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**Policy: Asbestos Management Program**

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## **APPLICATION**

NYU Langone Health

## **PURPOSE**

To establish a Program



- Environmental Services (main campus, buildings and grounds group)
- Facilities Operations, Facilities Engineering, and NYU Langone Hospital – Brooklyn (NYULH-B) Facilities (collectively known as **Facilities**)
- Information Technology (cable management group)
- Real Estate
- RED+F Design and Construction

### 3.0 **Program availability**

Copies of this document are available upon request to all employees of NYU Langone Health System (the System), NYU Langone Hospitals, NYU Grossman School of Medicine, Family Health Centers at NYU Langone, and all entities that are controlled by the System.

### 4.0 **Background**

Asbestos is a naturally occurring mineral that exhibits the following characteristics: good insulating properties, heat resistance, chemical resistance, flexibility, and durability. As such, asbestos was incorporated into many building materials and installed during new construction. However, scientific studies have shown associations between exposure to airborne asbestos and pulmonary diseases such as lung cancer, asbestosis, and mesothelioma. The occurrence of these diseases is influenced by the type of asbestos mineral fiber, the size of the mineral fiber, as well as the concentration and duration of airborne asbestos exposure. Asbestos-related disease does not develop immediately after inhalation of asbestos fibers; it may take 20 or more years for symptoms of disease to appear. As a result of the many studies conducted, asbestos is classified as a human carcinogen. Several federal, state and local agencies have promulgated regulations to protect workers and the general public.

The mere presence of asbestos in a building does not mean that the building occupants are endangered. Intact and undisturbed ACM does not pose a health risk. This policy describes the program NYULH has implemented to prevent potential exposure and comply with regulatory requirements.



## 5.0 Regulatory Summary

In New York City (NYC), multiple regulatory agencies have jurisdiction over ACM in buildings. They include the NYC Department of Environmental Protection, (DEP), New York State (NYS) Department of Labor (DOL), the U.S. Occupational Safety and Health Administration (OSHA), and the U.S. Environmental Protection Agency (EPA). Each agency has promulgated regulations that address various aspects of maintenance and handling of ACM in order to protect building occupants from asbestos exposure and to protect ambient air. In general, where regulations overlap, the more stringent apply.

5.1 **NYC DEP:** NYC's asbestos abatement law was originally established in 1985 by Local Law 76.



**ACM** refers to asbestos-containing material and means asbestos or any material containing more than 1% percent asbestos.

**Asbestos** means any hydrated mineral silicate separable into commercially usable fibers, including but not limited to chrysotile (serpentine), amosite (cumingtonite-grunerite), crocidolite (riebeckite), tremolite, anthophyllite, and actinolite.

**Asbestos Project Notification** refers to submission of Form ACP5, ACP7 to the DEP. *Note:* for any project involving more than 160 linear feet or 260 square feet of friable ACM, the DOL must also be notified 10 calendar days and the EPA 10 working days in advance of project start.

**Asbestos survey** means a complete assessment of an area and all potentially impacted suspect ACM within the designated area, by a licensed asbestos investigator, following procedures specified by the DEP and the EPA. It may require destructive sampling.

**Asbestos vendor** means a consultant, contractor, or waste hauler that is licensed to work with asbestos and approved for work at NYULH.

**Clearance air monitoring** refers to air monitoring performed after the completion of abatement, to determine if the space can be reoccupied.

**Decontamination enclosure system** means a series of connected rooms, separated from the work area and from each other by air locks, for the decontamination of workers,



**EPA** refers to the United States Environmental Protection Agency.

**Glovebag** refers to a method for removing ACM material from heating, ventilation and air conditioning (HVAC) ducts, short piping runs, valves, joints, elbows, and other non-planar surfaces. The glovebag is constructed and installed in such a manner that it surrounds the object or area to be decontaminated and contains all asbestos fibers released during the removal process.

**HEPA filter** refers to a high efficiency particulate air filter, capable of trapping and retaining 99.97 percent of particles with a diameter of 0.3 microns.

**HEPA filtered vacuum** refers to a vacuum specifically designed for asbestos abatement and equipped with a HEPA filter.

**OSHA** refers to the United States Occupational Safety and Health Administration.

**Plasticize** means to cover floors, walls, ceilings, equipment, and objects with fire retardant plastic sheeting.

**Removal** means the stripping of any ACM from surfaces or components of a facility or taking out structural components in accordance with 40 CFR 61 Subparts A and M.

**Surface barriers** means the plasticizing of walls, floors, and fixed objects within the work area to prevent contamination from subsequent work.

**Visible emissions** mean any emissions containing particulate material that are visually detectable without the aid of instruments.

**Waste manifest** means waste shipment records that accompany all asbestos waste from the site of origin (NYULH) to the final destination landfill, and all transfer points in between. The waste shipment records (TAA-81) (L-2) (as of 1.002) (a) (T) (J) (0) (T) (c) (0) (T) (w) (3.822) (la.00292 -1b)



## 7.0 Responsibilities

This section summarizes the responsibilities of key personnel involved in developing, implementing, and evaluating the Asbestos Management Program (the Program).

Asbestos has one of the highest public profiles of any environmental contaminant and is subject to intense federal, state, and local regulation. Due to the serious potential adverse health effects of exposure and liability if the regulations are not followed, NYULH's Corporate Officers have overall responsibility for the Program

### 7.1 The **Corporate Officers** are responsible for:

- Allocating the resources necessary to implement the Program and to comply with the pertinent regulations discussed therein; and

- Ensuring that Vice Presidents and Directors meet their responsibilities for implementing and maintaining the Program.

The key to successful management of asbestos in buildings is strong oversight by knowledgeable professionals whose primary mission is to minimize health consequences and to maximize regulatory compliance. In recognition of this, the Corporate Officers have assigned the responsibility for managing the Program and asbestos vendors to Environmental Health and Safety. This enables NYULH



- Evaluating the technical nature of the work being done by asbestos vendors and ensuring that safety and compliance are primary in the conduct of the work.
- Coordinating asbestos surveys, abatement projects, and third-party monitoring with asbestos vendors.
- Ensuring asbestos filings are prepared and submitted in accordance with regulatory requirements.

*Note:* In order to facilitate coordination among contractors, on a case-by-case basis EH&S evaluates whether the asbestos abatement contractor should work for a General Contractor, a Construction Manager, or another (e.g., masonry) contractor.

Posting Notices of Asbestos Abatement, in accordance with DEP requirements.

Coordinating posting of asbestos signs and labels, in accordance with OSHA requirements.

Providing annual asbestos awareness training to employees whose work activities could disturb suspect ACM. This includes employees in:

- Building Services (housekeeping group) c



7.3 The **Vice Presidents and Directors of Building Services, Environmental Services, Facilities, Information Technology, Real Estate, and RED+F Design and Construction** are responsible for compliance within their departments and divisions. Their responsibilities include, but are not limited to:

Ensuring their employees, contractors, and other vendors whose work activities could disturb suspect ACM:

- Are familiar with this policy.
- Receive information about suspect ACM at NYULH facilities.
- Attend annual asbestos awareness training.
- Understand that they must request an asbestos survey prior to conducting any work that could impact suspect ACM.
- Avoid contact with and disturbance of suspect or confirmed ACM.
- Avoid storing materials against potentially friable suspect or confirmed ACM.
- Avoid damaging suspect or confirmed ACM while moving objects.
- Understand their responsibility to notify their supervisors of any observations related to damaged suspect or confirmed ACM.
- Understand their responsibility to notify their supervisors of potential exposures or hazardous conditions and of any pertinent problems.

7.4 The **RED+F Program Directors and Project Executives** are responsible for overall compliance on their projects.

7.5 **Managers and Project Managers (PMs)** (e.g., design, construction, renovation, operations, maintenance, and cable management) are responsible for implementing and maintaining the Program on their projects. The Managers' and PM



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- Confirming that the written scope of abatement is accurate and meets the needs of the project.
- Providing all drawings needed to finalize the abatement plan.
- Providing non-asbestos contractors with a copy survey report.
- Coordinating the schedule with other project managers and contractors (e.g., demolition).
- Preparing the space for abatement.
- Coordinating utility requirements (e.g., HVAC shutdowns, electrical connections, plumbing requirements, notification of IT).
- For locations that are not part of the superblock, arranging a secure location for the asbestos waste dumpster and DOT permit for the asbestos waste
- Working with EH&S to ensure proper interim life safety measures (e.g., emergency egress and fire watches) are implemented.
- Participating in a pre-abatement walkthrough.
- Obtaining any DOB permit needed for pre-abatement work.
- Finalizing abatement schedule and phasing.

7.6 **Real Estate** is responsible for coordinating all activities that might impact suspect or confirmed ACM with the building owner and/or building management company.

7.7 **Environmental Services** (main campus) is responsible for verifying that the cleaning contractor follows OSHA requirements when cleaning suspect or confirmed ACM floor tile.

7.8 **Building Services** and **NYULOH Environmental Services** are responsible for instructing their staff on OSHA requirements for cleaning suspect or confirmed ACM floor tile, documenting the training, and verifying that staff follow the procedures.

7.9 **Employees who reasonably have the potential to disturb suspect or confirmed ACM** are responsible for:

Attending annual asbestos awareness training.

Avoiding contact with and disturbance of suspect or confirmed ACM.

Requesting an asbestos survey prior to conducting any work that could impact suspect ACM.



Avoiding storing materials against potentially friable suspect or confirmed ACM.

Avoiding damaging suspect or confirmed ACM while moving objects.

Notifying their supervisors of any observations related to damaged suspect or confirmed ACM.

Notifying their supervisors of potential exposures and of any pertinent problems.

## 8.0 Master Contracts and Work Orders for asbestos vendors

8.1 EH&S maintains Master Contracts for approved asbestos consultants and abatement

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- The following additional requirements are addressed with personnel who clean suspect or confirmed ACM floors:
  - o Sanding of suspect





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DOL or EPA notifications. EH&S provides QA for the process.



- For work filed with the DOB, the abatement contractor enters notification of project completion into the DEP's web application. The DEP notifies the consultant, who approves the information and submits an ACP-15 to the DEP. The DEP subsequently issues an ACP-20 or ACP-21.
- The PM restores the area.
- The abatement contractor and consultant provide a final report or letter (depending on the size of the project to EH&S. eU0.003dTf(3 (de)4 Tw (r)-1 (es)-5 (t)-1 (s





The waste hauler transports the ACM waste to an approved landfill with the required waste manifest. EH&S maintains and tracks waste manifests to ensure that waste is received by the landfill within the required time period (35 days).

10.0 Recordkeeping

10.1 EH&S maintains documentation for all asbestos surveys, abatement projects, air monitoring, exposure monitoring, and asbestos waste manifest.

10.2 Each department is responsible for ensuring their staff is trained according to the requirements of this policy and maintaining their training records. EH&S will maintain records for training offered by EH&S.

10.3 Training records are maintained for a minimum of one year following the last day of employment.

11.0 Access to records

NYULH training records and personal exposure monitoring records are available to employees of NYU Hospitals Center, NYU Grossman School of Medicine, NYU Langone Health System, and their respective affiliates, employee representatives, OSHA, and NIOSH in accordance with 29 CFR 1910.20.

12.0 Program evaluation

EH&S conducts an annual evaluation of the program as part of the annual evaluation of NYULH’s Hazardous Materials and Wastes Management Plan.

Table with 2 columns: Appendix A, List of Common Suspect Asbestos-Containing Materials

Table with 2 columns: Issue date (04/2021), Replaces (05/2016), Reviewed by (R. Cohen, Facilities Operations; N. Ejaz, NYULH-B Safety Officer; E. Cintron-)

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**Common Suspect Asbestos Containing Material**

The following is a list of materials found in medical center facilities that may contain asbestos. This list is not all-inclusive, and additional materials may be present:

**Surfacing Materials**

Sprayed-on fireproofing  
Ceiling and wall plaster

Acoustical and decorative plasters (i.e.,  
popcorn ceilings)

**Thermal System Insulation**

Air handler and duct insulation  
Pipe, Pipe fittings, flanges

Boiler & Tank insulation  
Covering over fiberglass insulation

**Miscellaneous Materials**

Adhesives (e.g., wall panel, floor molding,  
wall mirrors and panels)  
Ceiling tile  
Ceramic tile backing  
Cerg Mating tile