

Section 10.7

ASBESTOS MANAGEMENT

TABLE OF CONTENTS

PURPOSE.....	10-7-1
AUTHORITY	10-7-1
SCOPE.....	10-7-1
REFERENCES.....	10-7-1
TRAINING	10-7-2
FORMS	10-7-2
DEFINITIONS	10-7-3
10.7.1 Obtaining Asbestos Surveys.....	10-7-5
10.7.2 Asbestos Surveys/ Management	10-7-7
10.7.3 Asbestos Abatement Operations	10-7-10
10.7.4 Wet Demolition	10-7-11
10.7.5 Specifications for Surveys/O&M Plans/Abatement	10-7-12
10.7.6 Consultant Monitoring of Abatement/Demolition Activities.....	10-7-12
10.7.7 Notice of Asbestos Renovation or Demolition to FDEP (NESHAP) .	10-7-13
10.7.8 Disposal of Regulated Asbestos Containing Material	10-7-14
10.7.9 File Documentation.....	10-7-15
HISTORY.....	10-7-17

Section 10.7

ASBESTOS MANAGEMENT

PURPOSE

To establish uniform procedures for managing asbestos survey and abatement activities for all buildings acquired by the Florida Department of Transportation (FDOT) on properties required for transportation rights of way.

AUTHORITY

Section 20.23(4)(a), Florida Statutes (F.S.)
Section 334.048(3), Florida Statutes (F.S.)

SCOPE

All personnel involved in asbestos management, demolition or leasing activities of buildings acquired by the Florida Department of Transportation during the right of way process.

REFERENCES

29 Code of Federal Regulations, Part 1910.1001
29 Code of Federal Regulations, Part 1910.134
29 Code of Federal Regulations, Part 1926.1101
29 Code of Federal Regulations, Part 1926.58 (OSHA)
40 Code of Federal Regulations, Subpart M 61.150 (a)
40 Code of Federal Regulations, Subpart M 61.150 (d)
40 Code of Federal Regulations, Subpart M 61.145
40 Code of Federal Regulations, Subpart M 61.150 (NESHAP)
40 Code of Federal Regulations, Subpart M 61.154
40 Code of Federal Regulations, Subpart M, Part 61
40 Code of Federal Regulations, Subpart M 61.150(a)(3)
Chapter 255, Florida Statutes
Chapter 469, Florida Statutes
Guidance Document 1, Partial Acquisitions Involving Building Cut offs
Right of Way Manual, Section 9.2, General Relocation Requirements
Right of Way Manual, Section 10.2, Right of Way Clearing

Right of Way Manual, Section 10.6, Right of Way Property Leases
Right of Way Manual, Section 11.1, Records and Funds Management
Rule Chapter 60 A-1, Florida Administrative Code
Rule Chapter 62-257.400, Florida Administrative Code
Section 287.057, Florida Statutes
Section 337.11, Florida Statutes
Section 403.182, Florida Statutes
Topic No. 375-040-020, Procurement of Commodities and Contractual Services
Topic No. 425-000-005, Asbestos Management Program

TRAINING

It is recommended that staff implementing this procedure have a minimum of a two hour asbestos awareness training course, offered by FDOT. It is preferable that staff overseeing asbestos management activities hold current Environmental Protection Agency (EPA) certifications as asbestos inspectors and management planners.

FORMS

The following forms are available through the FDOT Forms Library:

575-040-09, 90-Day Letter of Assurance
575-040-11, 30-Day Notice to Vacate
575-060-06, Performance Bond (Surety)
575-060-08, Asbestos Abatement Contract
575-060-10, Performance Bond (Cash)
575-060-11, Release and Notice of Non-Friable Asbestos Containing Materials for
Temporarily Leased or Occupied Facilities
575-060-16, Affidavit "Asbestos Abatement"
575-060-17, Release and Right of Entry Agreement for Asbestos Survey
575-060-18, Release and Notice of Non-Friable Asbestos Containing Materials (ACM)
575-060-19, Release and Notice of Friable Asbestos Hazard
575-060-34, Initial Operations and Maintenance (O & M) Management Plan Review
575-060-35, Initial Building Survey Review
575-060-36, Initial Abatement Technical Specification Review

The following form is available from FDEP by calling 1-850-717-9000 or it may be downloaded from the Internet at: <http://www.dep.state.fl.us/air/rules/forms.htm>.

62-257.900(1), Notice of Demolition or Asbestos Renovation aka National Emissions

Standards for Hazardous Air Pollutants (NESHAP)

DEFINITIONS

Asbestos Abatement: The removal, encapsulation, or enclosure of asbestos.

Asbestos Consultant: A person licensed and certified by the State of Florida pursuant to **Section 469.001-469.014, Florida Statutes (F.S.)**, who conducts surveys relating to asbestos containing materials, prepares asbestos abatement specifications or supervises abatement operations.

Asbestos Containing Materials (ACM): Any materials which contain more than one percent (1%) asbestos as determined by polarized light microscopy (PLM).

Asbestos Contractor: A person who engages in the business of removing, encapsulating, and enclosing asbestos containing materials and disposing of asbestos waste and who is licensed and certified by the State of Florida pursuant to **Chapter 469, F.S.**

Asbestos Survey: A comprehensive physical inspection of the building, requiring destructive sampling of potential asbestos containing materials and laboratory analyses, to identify all asbestos containing materials located within the building.

Building Asbestos Contact Person: A person appointed by competent authority to manage and coordinate asbestos related activities for specific state-owned buildings. This person shall be capable of identifying existing and potential asbestos hazards in the building and have authority to take timely corrective action. The District Secretary, or designee, shall appoint a person to serve in this position.

Category I Nonfriable Asbestos Containing Material: Asbestos containing packing, gaskets, resilient floor covering, and asphalt roofing products containing more than one percent (1%) asbestos as determined using polarized light microscopy (PLM) per **40 Code of Federal Regulations (C.F.R.), Subpart M, Part 61.**

Category II Nonfriable Asbestos Containing Material: Any material, excluding Category I nonfriable ACM, containing more than one percent (1%) asbestos as determined by using polarized light microscopy that, when dry, cannot be crumbled, pulverized or reduced to powder by hand pressure per **40 C.F.R., Subpart M, Part 61.**

Demolition: The wrecking or taking out of any load supporting structural member of a facility together with any related handling operations or the intentional burning of any

facility, per **40 C.F.R., Subpart M, Part 61**.

Friable Asbestos Material: Any material containing more than one percent (1%) asbestos as determined using polarized light microscopy that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. If the asbestos content is less than ten percent (10%) as determined by a method other than point counting by polarized light microscopy, the asbestos content shall be verified by point counting using polarized light microscopy, per **40 C.F.R., Subpart M, Part 61**.

Local Air Program: For purpose of the asbestos program outlined in **Rule Chapter 62-257, F.A.C.** only, it is a county air pollution control program which meets the criteria of **Section 403.182(1), F.S.**

Non-Friable Asbestos Containing Material: Any material containing more than one percent (1%) asbestos as determined by polarized light microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure, per **40 C.F.R., Subpart M, Part 61**. **Note:** The condition of such material may become friable by external factors such as weathering, fire, natural disasters, or handling.

Official File: Any file as described in and pursuant to the **Right of Way Manual, Section 11.1, Records and Funds Management**.

Operation and Maintenance Plan (O&M Plan): A set of procedures undertaken to clean up previously released asbestos fibers, prevent future release of fibers, minimize disturbances or damage to asbestos containing materials, and monitor the condition of the asbestos containing materials includes:

- (A) Friable asbestos material;
- (B) Category I nonfriable ACM that has become friable;
- (C) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or;
- (D) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation per **40 C.F.R., Subpart M, Part 61**.

Remove: Take out RACM or facility components that contain or are covered with RACM from any facility per **40 C.F.R., Subpart M, Part 61**.

Renovation: Altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component. **Note:** Operations in which load supporting structural members are wrecked or taken out are demolitions, as opposed to renovations, per **40 C.F.R., Subpart M, Part 61**.

Threshold Amount of Regulated Asbestos Containing Material: At least 260 linear feet on pipes, or at least 160 square feet on other facility components, or at least 35 cubic feet on facility components where the length or area could not be measured prior to removal or demolition.

Working Day: Monday through Friday including holidays that fall on any of the days Monday through Friday per **40 C.F.R., Subpart M, Part 61**; as opposed to a business day which does not include holidays.

10.7.1 Obtaining Asbestos Surveys

10.7.1.1 Asbestos Consultant Contracting:

(A) Prior to demolition or removal of FDOT-acquired building (including any building cut-off, any building being leased back to the previous occupant or prior to leasing an FDOT-owned building to the public or for use by FDOT employees), the District Office shall contract in accordance with **Section 287.057, F.S.** and **Rule Chapter 60A-1, F.A.C.** for the services of a qualified asbestos consultant to perform asbestos surveys. An area-wide contract may be used. When unforeseen circumstances are encountered and time is of the essence, the District Office may utilize a MyFloridaMarketPlace (MFMP) requisition order or a purchasing card (P-Card) to obtain asbestos consulting services. This should be coordinated through the District Contractual Services unit.

(B) Lists of qualified consultants can be obtained from:

Florida Department of Business and Professional Regulation
Office of Labels and Listings
1940 North Monroe Street
Tallahassee, Florida 32399-0750

10.7.1.2 Asbestos surveys shall be performed on all buildings or parts of buildings that are owned by FDOT, are to be removed or demolished or which are located on transportation corridors, with the following exceptions:

- (A) FDOT is not required to have a survey performed on prefabricated or small structures that do not have floors or utilities, such as storage sheds or wood barns, if an FDOT employee or licensed asbestos consultant has inspected the structure and determined that no suspect ACM is present. As documentation, the inspector shall provide a number of color photographs taken of the exterior and interior of the building as well as a detailed description of the building materials and type of construction such as frame, metal, block, pole barn, etc. The employee making the determination must have received EPA certification as an asbestos building inspector and have a current certification at the time of inspection.
- (B) When a building cut-off is required as a result of right of way acquisition and the total amount of building materials consists of less than 160 square feet, 260 linear feet, or 35 cubic feet, an FDOT employee or licensed asbestos consultant may inspect the cut-off to determine if any potential ACM exists. If no suspect ACM exists, a survey does not need to be performed, but documentation as described in **Section 10.7.1.2 (A)** must be provided. The employee making the determination must have received EPA certification as an asbestos building inspector and have a current certification at the time of inspection.
- (C) If an acquired structure will remain unoccupied after being vacated and the structure is conveyed together with the underlying land, or the structure is conveyed and relocated with no demolition or renovation activities taking place on FDOT property, no survey is required. However, FDOT shall notify the purchaser, in writing, that no survey was performed and ACM may be present in the building.

10.7.2 Asbestos Surveys/ Management

10.7.2.1 If the asbestos survey or FDOT inspection does not detect ACM within the building, no asbestos management is necessary and the District may proceed to demolition after first providing proper notice in accordance with **Section 10.7.7** or removal of the building. In cases of temporary leasing, the District may proceed in accordance with the **Right of Way Manual, Section 10.6, Right of Way Property Leases** or occupancy of the structure.

10.7.2.2 If, however, the asbestos survey does indicate ACM is present in a building, the following actions shall be taken, depending on the occupancy status and intended use of the building:

- (A) For unoccupied structures to be demolished, sold or removed, no Operations and Maintenance (O&M) Plan is necessary, and inspection and maintenance as well as abatement operations shall be performed as follows:
 - (1) The building shall be secured as necessary to prevent entry by unauthorized persons within thirty (30) calendar days of physical possession of the property by FDOT;
 - (2) The building shall be posted with appropriate warning signs alerting persons to the asbestos hazard contained therein within fifteen (15) calendar days of the later of the date of physical possession of the property by FDOT or identification of the ACM;
 - (3) A periodic inspection of the building for breach of security shall be performed every thirty (30) calendar days after physical possession of the property by FDOT. Appropriate documentation will be maintained of all events, repairs and security efforts; and
 - (4) Abatement or removal, required by **40 C.F.R., Subpart M, Part 61.145**, shall be performed prior to demolition.
- (B) For occupied structures to be demolished, removed or sold:
 - (1) In negotiated settlements:

- (a) If the occupancy is to continue more than 30 days beyond the date of closing, **Form No. 575-060-17, Release and Right of Entry Agreement for Asbestos Survey**, must be signed by the occupant to release FDOT of any liability regarding the possible presence of asbestos in the structure. This form also provides written notice that an asbestos survey will be performed and that the occupant will permit entry to FDOT or its authorized agent for this purpose. The form must be signed as a condition for granting extended occupancy.
 - (b) If the occupant refuses to sign, extended occupancy shall not be permitted. If no **30-Day Notice to Vacate, Form No. 575-040-11**, was issued, one must be delivered at the time of refusal to sign **Form No. 575-060-17, Release and Right of Entry Agreement for Asbestos Survey**. If more than 30 days notice is needed to ensure the occupant has received the **90-Day Letter of Assurance, Form 575-040-09**, pursuant to the **Right of Way Manual, Section 9.2, General Relocation Requirements**, then the minimal notice to vacate needed to comply with this requirement shall be given.
- (2) Where FDOT obtains title through condemnation but the Court indicates it will permit extended possession, the District shall have district legal counsel request the Court to require the occupant to indemnify FDOT. The requested indemnification is to be imposed as a condition of extended possession and should indemnify FDOT from any and all liability to the occupant incurred as a result of ACM existing on the referenced property. Also, the Court shall be requested to provide FDOT with a right of entry for FDOT and its authorized agent to survey the improvements for the presence of ACM.

10.7.2.3 The District Office shall be responsible for the preparation and implementation of a brief O&M Plan for structures for which the established vacate date is within 180 days from the date of the asbestos survey. The brief O&M Plan shall be developed by a licensed asbestos consultant and shall simply and briefly address the location and type of ACM present and summarize any special material handling requirements. If the structure will not be vacated within 180 days from the date of the survey, an O&M Plan must be developed. The O&M Plan shall address the fact that the facility is to be

vacated and demolished and should consider such factors as the length of extended occupancy; the number of occupants; the type of facility; the amount, location, condition, and type of ACM present; and reinspection requirements.

10.7.2.4 A copy of the FDOT-approved O&M Plan shall be provided to the appropriate occupant within five (5) business days of receipt by FDOT. If a brief O&M Plan is being used, it shall include a letter prepared by the asbestos consultant to the occupant(s) which provides a short, simple explanation of the location of the ACM and any special handling provisions.

10.7.2.5 If nonfriable asbestos is discovered, the occupant shall be given written notice of the presence of asbestos using **Form No. 575-060-18, Release and Notice of Non-Friable Asbestos Containing Material**. The District Office may permit continued occupancy.

- (A) Notice shall be given within ten (10) business days from the date of the survey report.
- (B) The notice shall be acknowledged by signature of the occupant or sent by certified mail, return receipt requested.

10.7.2.6 FDOT shall not permit the leasing of any structure for which the survey report indicates friable asbestos with a hazard assessment score of five (5) or higher. Only as a result of an Order of Taking wherein FDOT does not control continued occupancy will an occupant be allowed to remain in occupancy. In these instances, there must be coordination with district legal counsel to petition the court to require that the occupant indemnify FDOT, releasing FDOT from any and all liability to the occupant incurred as a result of ACM existing on the referenced property. In all instances, the occupant must be given written notice of the presence of friable asbestos using **Form No. 575-060-19, Release and Notice of Friable Asbestos Hazard**.

- (A) Notice will be mailed or hand delivered within ten (10) business days from receipt of the asbestos survey.
- (B) The notice shall be acknowledged by signature of the occupant or sent by certified mail, return receipt requested.
- (C) Written notice shall also be posted on the property and delivered to employees of the occupant, if any, no later than five (5) business days after such notice has been delivered to the occupant(s). This notice shall state the nature of the potential hazard and a warning against disturbing or

damaging the ACM. The notice shall also identify FDOT's building asbestos contact person as the individual to be contacted for additional information or in the event of an emergency.

- (D) FDOT shall take immediate action to abate if air samples taken during the survey indicate the permitted exposure limit, as currently defined by OSHA in **29 C.F.R. 1926.1101**, is exceeded during periods of normal activity.

10.7.2.7 For unoccupied structures to be temporarily leased or temporarily occupied by FDOT personnel prior to being demolished, sold or removed:

- (A) No occupant will be allowed in a building to be demolished, sold or removed that was unoccupied at time of acquisition (the date of closing in a negotiated settlement or the date of deposit in an order of taking) or has become unoccupied since acquisition if friable ACM has been found.
- (B) If the asbestos survey identifies non-friable ACM, which has little chance of becoming friable as determined by a licensed asbestos consultant or by an FDOT employee who has current certifications as a building inspector and a management planner, then the building may be temporarily leased in accordance with the **Right of Way Manual, Section 10.6, Right of Way Property Leases** or occupied by FDOT personnel. Prior to allowing occupancy, **Release and Notice of Non-Friable Asbestos Containing Materials for Temporarily Leased Facilities, Form No. 575-060-11**, must be signed by the lessee or occupant if other than FDOT personnel.
- (C) The District shall be responsible for the preparation and implementation of an O&M Plan. The O&M Plan shall be developed by a licensed asbestos consultant.

10.7.2.8 For structures to be retained by FDOT for leasing purposes, the District shall be responsible for the preparation and implementation of an O&M Plan. The O&M Plan shall be developed by a licensed asbestos consultant in accordance with **Topic No. 425-000-005, Asbestos Management Program**.

10.7.3 Asbestos Abatement Operations

10.7.3.1 If, in the asbestos survey, the asbestos consultant identifies ACM in a building and determines abatement or removal work is warranted, the District Office shall ensure this is properly accomplished.

10.7.3.2 Asbestos abatement specifications must be developed by a licensed asbestos consultant in accordance with all applicable federal, state and local regulations and requirements for the removal of regulated ACM from state-owned buildings scheduled for demolition. This includes, but is not limited to, **40 C.F.R. 61.145** and **61.150 (NESHAP)**, **29 C.F.R. 1910.1001, 1926.1101 and 1926.58 (OSHA)**, **Rule Chapter 38I-40, F.A.C.** and any other appropriate agency guidelines or recommendations. Primary consideration shall be given to using the wet demolition method as set forth in **40 C.F.R., Subpart M, Part 61**.

10.7.3.3 The abatement work shall be performed by an asbestos abatement contractor licensed pursuant to **Sections 469.001 through 469.014, F.S.**, in accordance with the abatement specifications, which shall be attached as an addendum to the **Asbestos Abatement Contract, Form No. 575-060-08**.

10.7.3.4 Typically, for structures to be demolished, abatement must be contracted under a project specific demolition contract or an area-wide contract, pursuant to **Section 287.057, F.S.**

10.7.3.5 In the event the structure is not to be demolished (for example, it is to be leased), abatement services may be contracted only under **Section 287.057, F.S.**

10.7.3.6 The Invitation to Bid (ITB) procurement process must be utilized.

10.7.3.7 After completing asbestos removal and prior to dismantling containment barriers, which were installed during abatement, a post abatement inspection by the consultant shall be performed for evidence of incomplete abatement work. The containment barriers shall not be removed until the asbestos consultant certifies the abatement work is complete and approves removal.

10.7.4 Wet Demolition

10.7.4.1 Structures must be demolished by either a demolition or abatement contractor, procured under **Section 287.057**, for either a project specific demolition contract or an area-wide contract.

10.7.4.2 The Invitation to Bid (ITB) procurement process must be utilized.

10.7.5 Specifications for Surveys/O&M Plans/Abatement

10.7.5.1 Each survey, O&M Plan and set of abatement specifications submitted to the District by an asbestos consultant must be reviewed by or under the direction of FDOT. The *Initial Building Survey Review, Form No. 575-060-35*, the *Initial O&M Management Plan Review, Form No. 575-060-34*, and the *Initial Abatement Technical Specification Review, Form No. 575-060-36*, are to be completed for each survey, O&M Plan and set of abatement specifications.

- (A) The individual completing the checklist for an asbestos survey must have received EPA certification as an asbestos building inspector and have a current certification at the time of completing the checklist.
- (B) The individual completing the checklist for an O&M Plan or abatement specifications must have received EPA certifications as an asbestos building inspector and as a management planner and have current certifications at the time of completing the appropriate checklist.

10.7.5.2 If the review reveals the survey was improperly performed or the report was improperly prepared, the report is to be returned to the asbestos consultant to rectify the problem. Similarly, if the O&M Plan or abatement specifications were not prepared correctly, they are to be returned, as well.

10.7.5.3 Only a survey, O&M Plan or set of abatement specifications that has been properly prepared will be acceptable for FDOT's purposes. The checklist shall be retained to document that a proper review was performed.

10.7.6 Consultant Monitoring of Abatement/Demolition Activities

To ensure appropriate OSHA and NESHAP requirements are being met, an asbestos consultant shall provide daily monitoring of all asbestos abatement and wet demolition activities. This individual must hold current certification as an asbestos supervisor, and shall:

- (A) Identify, resolve and document any discrepancies in asbestos abatement activities which are not in compliance with the asbestos abatement or demolition contract and abatement specifications;
- (B) Verify appropriate abatement workers' training and medical documents;

- (C) Ensure use of the appropriate techniques and equipment and compliance with applicable federal, state and local regulations;
- (D) Conduct asbestos air monitoring activities;
- (E) Conduct a final clearance visual inspection and air sampling; and
- (F) Submit to FDOT a Visual Inspection/Final Clearance Certification Letter which includes a signed statement by the asbestos consultant that the abatement project was performed and completed in compliance with all abatement specifications.

10.7.7 Notice of Asbestos Renovation or Demolition to FDEP (NESHAP)

10.7.7.1 Notification must be submitted by fax, email, certified mail, return receipt requested or hand delivered to the County's Local Air Program Office. If there is no Local Air Program Office, it should be submitted to the District FDEP Office having jurisdiction over the renovation or demolition site. **Note:** The date the notification is sent is considered as the date the notification was submitted. Notification of the renovation or demolition of a facility must be made in the following manner:

- (A) Notification must be made using the **Notice of Demolition or Asbestos Renovation, FDEP Form No. 62-257.900(1)**, also known as a **National Emission Standards for Hazardous Air Pollutants (NESHAP) Form**. The form may be downloaded from the internet or the use of a scanned reproduction of the **NESHAP Form** is allowable; however, using any other type or variation of this form is prohibited and will result in fines being imposed against FDOT by FDEP.
- (B) Notification must be postmarked or delivered as follows:
 - (1) A minimum of ten (10) working days prior to starting demolition or renovation; or
 - (2) No later than the following working day after an emergency renovation operation or ordered demolition.
- (C) The demolition, renovation or abatement must begin on the date specified as the start date on the NESHAP notice. Activities taken to prepare for

the demolition or abatement are not to be considered when identifying the start date. No local or state agency has the authority to waive this federal requirement.

- (D) When demolition or abatement is to commence on a date other than that specified in the original written notice, renotification must be made in accordance with **Sections 10.7.7.1 (A) and (B)** above, and as follows:
- (1) Renotification may be made by telephone to FDEP of the new start date if the new start date is later than that specified in the original notice. This must be followed by written notice which must be sent prior to the original start date.
 - (2) Written renotification shall be made to FDEP of the new start date at least ten (10) working days prior to asbestos removal or stripping (renovation) or demolition if the new start date is earlier than that specified in the original notice. Renotification must also be made, in writing, when the amount of asbestos increases or decreases by at least twenty percent (20%) from what was originally reported.
 - (3) Renotification may be made by fax, email, certified mail, return receipt requested or hand delivery.

10.7.7.2 FDOT is responsible for ensuring payment of a fee calculated pursuant to FDEP's Fee Schedule in **Rule Chapter 62-257.400**. FDOT is exempt from this requirement if the County in which the asbestos removal project is located collects a fee for providing asbestos notification and inspection services.

10.7.7.3 FDOT is responsible for ensuring payment after an invoice has been received from FDEP or the County's Local Air Program Office. The invoice amount will be based on the amount of the RACM listed in the notification. No payment is to be sent with the notification.

10.7.8 Disposal of Regulated Asbestos Containing Material

10.7.8.1 Asbestos containing waste material must be kept adequately wet during handling and transport to the disposal site to minimize visible emissions to the outside air pursuant to **40 C.F.R., Subpart M, Part 61.150(a)**. All such materials are to be sealed in leak tight containers while wet, unless the abatement specifications provide otherwise. If additional breaking of such materials would be required, the materials may

be wrapped leak tight. During transport, the containers or wrapped materials are to be labeled with FDOT listed as the waste generator and the location where the waste was generated. Transport vehicles are to be marked in conformance with **40 C.F.R., Subpart M, Part 61.150**.

10.7.8.2 Waste shipment records are to be maintained with the information required by **40 C.F.R., Subpart M, Part 61.150(d)** for a period of three (3) years.

10.7.8.3 The waste disposal site used is to be operated according to **40 C.F.R., Subpart M, Part 61.154** or shall be an EPA-approved site that converts RACM and asbestos containing waste material into asbestos free material.

10.7.9 File Documentation

The following items are to be retained in the official file:

- (A) Asbestos survey report and the checklist, **Initial Building Survey Review, Form No. 575-060-35**, to substantiate the report was reviewed and found to be correct;
- (B) Documentation by a certified FDOT employee that no potential ACM existed in prefabricated or small structures or for building cut-offs with support photos, as applicable;
- (C) **Release and Right of Entry Agreement for Asbestos Survey, Form No. 575-060-17**, if applicable;
- (D) Copies of **NESHAP Forms** sent to FDEP with documentation supporting delivery;
- (E) O&M Plan, including documentation verifying the occurrence of activities required by the plan, and checklist, **Initial O&M Management Plan Review, Form No. 575-060-34**, to verify plan was completed correctly;
- (F) If abatement is needed, the following items are to be completed in compliance with the **Right of Way Manual, Section 10.2, Right of Way Clearing**:
 - (1) Bid package which includes:

- (a) An ***Affidavit "Asbestos Abatement" Form No. 575-060-16*** from the successful bidder stating the bidder has not participated in collusion or bid rigging and that he/she has no financial or other interest in the consultant(s) who prepared the survey report, O&M Plan or the abatement specifications;
 - (b) Certification from the successful bidder regarding worker's compensation insurance coverage along with the current insurance certificate, if applicable. FDOT shall verify that the contractor has liability insurance with a pollution endorsement against claims or claim expenses arising from any abatement project;
 - (c) Bid tabulation sheet; and
 - (d) The successful bidder's bid proposal;
- NOTE:** For specific documentation requirements for LPO and P-Card abatement agreements, refer to ***Topic No. 375-040-020, Procurement of Commodities and Contractual Services***.
- (2) ***Form No. 575-060-06, Performance Bond (Surety)*** or ***Form No. 575-060-10, Performance Bond (Cash)*** and power of attorney for a surety bond;
 - (3) Abatement specifications and checklist, ***Initial Abatement Technical Specification Review, Form No. 575-060-36***, verifying that specifications were prepared correctly;
 - (4) Executed ***Asbestos Abatement Contract, Form No. 575-060-08***; and
 - (5) Documentation of the asbestos consultant's abatement final clearance report;
- (G) If extended occupancy, ***Release and Notice of Non-Friable Asbestos Containing Material, Form No. 575-060-18*** or ***Release and Notice of Presence of Friable Asbestos Hazard, Form No. 575-060-19***;

- (H) If leased pursuant to **Section 10.7.2.7, Release and Notice of Non-Friable Asbestos Containing Materials for Temporarily Leased/Occupied Facilities, Form No. 575-060-11**; and,
- (I) Copies of all waste shipment records originally sent to the waste disposal site, as well as those signed and returned by the waste disposal site owners acknowledging receipt, are to be maintained for at least three (3) years.

HISTORY

04/15/99, 11/9/00, 02/4/02, 04/6/09, 07/28/11