

SENATE BILL REPORT

ESB 5397

As Passed Senate, March 14, 1995

Title: An act relating to asbestos certification.

Brief Description: Revising provisions regulating asbestos certification.

Sponsors: Senators Franklin and Pelz; by request of Department of Labor & Industries.

Brief History:

Committee Activity: Labor, Commerce & Trade: 1/24/95, 2/13/95 [DPA, DNPA].
Passed Senate, 3/14/95, 30-19.

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Majority Report: Do pass as amended.

Signed by Senators Heavey, Vice Chair; Deccio, Hale, Newhouse and Palmer.

Minority Report: Do not pass as amended.

Signed by Senator Franklin.

Staff: Max Williams (786-7439)

Background: The Congress has expanded accreditation requirements for all persons who work with asbestos in public and commercial buildings. While Washington State's asbestos certification program is currently fully accredited by the EPA, modifications making the certification program at least as stringent as new EPA requirements, are necessary in order to retain accreditation.

Summary of Bill: In accordance with federal mandate, inspectors conducting "Good Faith Survey" inspections of construction projects, are required to have federally-recognized accreditation. Certified contractors and supervisors are required for all asbestos abatement projects, which are defined as asbestos projects in areas measuring three square feet and three linear feet and greater. In order to become certified, asbestos workers and supervisors are required to complete four- and five-day training programs, respectively. The use of non-certified workers is no longer allowed for any asbestos projects conducted within a facility by its own workers.

It is also clarified that in cases in which an employer conducts an asbestos abatement project in its own facility and by its own employees, supervision can be performed in the regular course of a certified asbestos supervisor's duties. Asbestos workers must have access to certified asbestos supervisors throughout the duration of the project.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: These changes, except the pre-notification rules, are necessary in order for Washington's asbestos certification program to retain necessary federal accreditation.

Testimony Against: None.

Testified: Mark Brown, Director, Dept. of Labor and Industries.

House Amendment(s): Rule-making authority of the director of the Department of Labor and Industries is limited to rules specifically required, and only to the extent specifically required, for the state's worker certification standards to be as stringent as federal law requirement for asbestos projects.