ships or for outdoor work. These may HEPA vacuum their work clothes, change to clean work clothes and proceed to a non-adjacent shower.

2. Following Class I jobs involving less than 25 linear or 10 square feet of TSI or surfacing ACM, and Class II asbestos operations in which the PELS may be exceeded, showering is required, but the shower need not be adjacent to the work site, so long as the workers HEPA vacuum their work clothes on dropcloths and use proper procedures for clean-up before proceeding to a noncontiguous shower.

3. Following Class III work where the PELs may be exceeded, HEPA vacuuming of work clothes is required.

For Class III operations involving thermal system insulation and/or surfacing ACM/PACM where there is no exceedence of the PELs, HEPA vacuuming of workclothing is highly recommended, though not required.

7. Communication of Hazards

Paragraph (k) of Construction and Shipyard Employment Standards and paragraph (j) of General Industry.

OSHA is making some corrections of the regulatory text to clarify (i) which materials an employer *must* presume are asbestos-containing, (ii) when a reasonable employer must investigate the possibility that other materials are asbestos-containing, (iii) how to refute a required presumption that materials contain asbestos, (iv) when to make these decisions, and (v) whom to inform.

The term "due diligence" is not defined, it means however, that a reasonable employer, informed of this standard and other pertinent regulations, must inquire into the possibility that a building material is asbestos-containing. The required extent of the inquiry may vary, depending on the prevalence of the ACM for that use in that location, previous surveys, inspections, and other knowledge sources, and the date the material was installed.

Paragraph (k)(5)(ii)(B) in the construction and in the shipyard employment standard and paragraph (j)(8)(ii)(B) of the general industry standard are clarified to address concerns of participants regarding the requirement for 3 bulk samples to rebut the presumption that a material is ACM. OSHA clarifying that it is referencing the EPA sampling protocol of 40 CFR 763.86. This requires an accredited inspector (OSHA allows a CIH) to collect samples in a random representative manner from each homogenous area of surfacing material: 3 from each homogeneous area of less

than 1,000 square feet, 5 from areas between 1,000 and 5,000 square feet and 7 from areas greater than 5,000 square feet. In addition, one sample is adequate from homogenous patched areas of TSI of less than 6 square or linear feet. For insulated mechanical systems and other "miscellaneous" materials, bulk samples are to be collected "In a manner sufficient to determine whether the material is or is not ACM."

Further, this scheme will allow the inspector or CIH to determine that a TSI is fiberglass, foam glass, rubber or other non-asbestos containing material and sampling is not required for these materials. Thus, the number of samples required will be lessened in some situations and increased in others, depending on the amount of material present. Actual sampling may be conducted under the supervision of a certified industrial hygienist or accredited inspector, but a "visual identification" may be made *only* by a CIH or inspector.

Training Requirements: Questions have arisen regarding the time requirements for "refresher" training required in paragraph (k)(9)(ii) of the construction and the shipyard employment standards. OSHA wishes to clarify that for Class I workers and for Class I and Class II competent persons whose training is equivalent to that of 40 CFR part 763, subpart E, appendix C, the annual refresher training shall be of 8 hours duration, equivalent to that in the EPA regulation. For all others trained under the provisions of these standards, annual refresher training is required, but the duration is not specified. OSHA believes that hands-on training is essential for both initial and refresher training. To accomplish this and cover essential health information, a minimum of two hours training will be expected for Class II and III work.

Training for Class II work: In developing the revised standards, OSHA noted that asbestos abatement workers often remove large amounts of the higher hazard materials such as thermal system ACM and sprayed-on ACM and other ACM having somewhat lower exposure potential such as siding, wallboard and other building materials. For this group of workers OSHA continues to believe that training equivalent to that of EPA's asbestos abatement worker training is appropriate.

However, some workers will remove only ACM which is not TSI or surfacing ACM. For those whose work involves removal of only a single generic type of material, OSHA specified that an 8 hour training course would be acceptable. OSHA continues to believe that this time period is necessary for training of workers whose duties include removal of building materials such as roofing, flooring, siding, transite panels and ceiling tiles.

However, it has been brought to the agency's attention that there are some other types of materials other than those listed ACM building components. These other materials include gaskets, firedoors, laboratory hoods, and other materials (for example, see list in Ex. 1-183, EPA's "Greenbook" Appendix G, page 40). However, covering all required training for those other materials is generally not assumed to take 8 hours. The training for these materials continues to require covering all topics in (k)(9)(viii) of the Construction and Shipyard Employment Standard, all pertinent work practices and other controls and must have a "hands-on" component. OSHA believes that such training would be likely to require at least 4 hours to adequately cover the topics, methods, and hands-on portion. OSHA also recognizes that many different operations will be covered in this type of training and that the time required for adequate training will vary and thus the period is not specified.

Training for Class III Work: OSHA has reviewed the training requirements for Class III work for employers with a stable work force which infrequently encounters limited types of asbestos and generates less than a waste bag full of dust and debris (OSHA notes that the waste bag dimensions must not exceed 60" by 60"). These operations occur at various locations such as refineries, power plants, or in the communication industry and may involve rapidly completed operations such as removal of a small gasket from a pipeline or drilling a hole in a shingle to run a cable through it. In submissions to the record, participants (e.g., Exhibits 7-21, 7-99, 7–101, 127, 145) presented sampling data indicating these exposures were well-controlled by the use of work practices by workers trained under the provisions of the earlier standards.

The standards require training equivalent to EPA's "O&M" training as outlined in 40 CFR 763.92. This training, which was originally intended to serve as part of an operation and maintenance program for schools, provides a basis for training for those operations in most other buildings and facilities. However, OSHA has reevaluated the requirements for this training in light of the fact that Class III operations under its standards include different activities than managing installed asbestos containing building materials in place. This 16 hour course may not serve to properly prepare those