

ASBESTOS

Introduction

Background

Case Study

Tools

ENFORCEMENT CASE STUDY

NACAA SPRING MEETING
Shawn Boyle
May 21, 2018





Introduction

AGENDA

MBARD



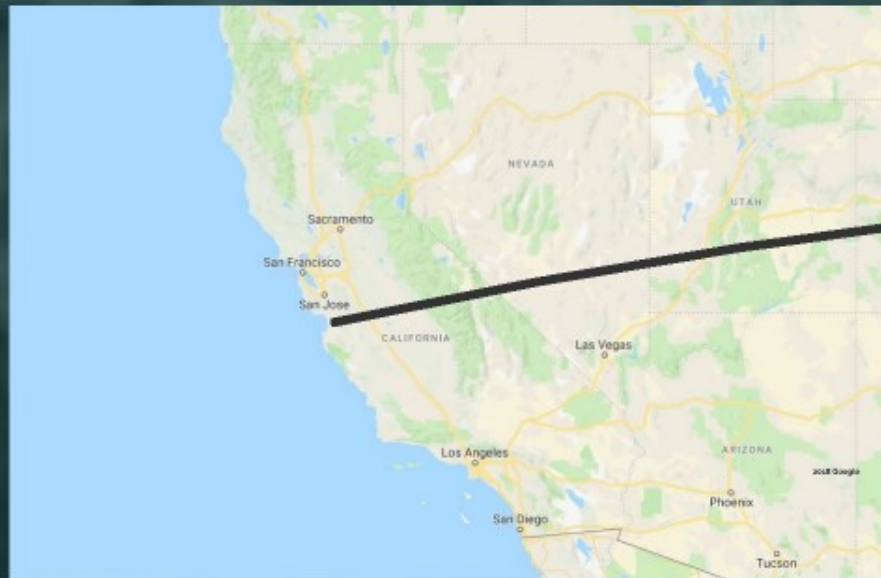
Agenda

Background

Case Study

Tools

Monterey Bay Air Resources District



ASBESTOS

Introduction

Background

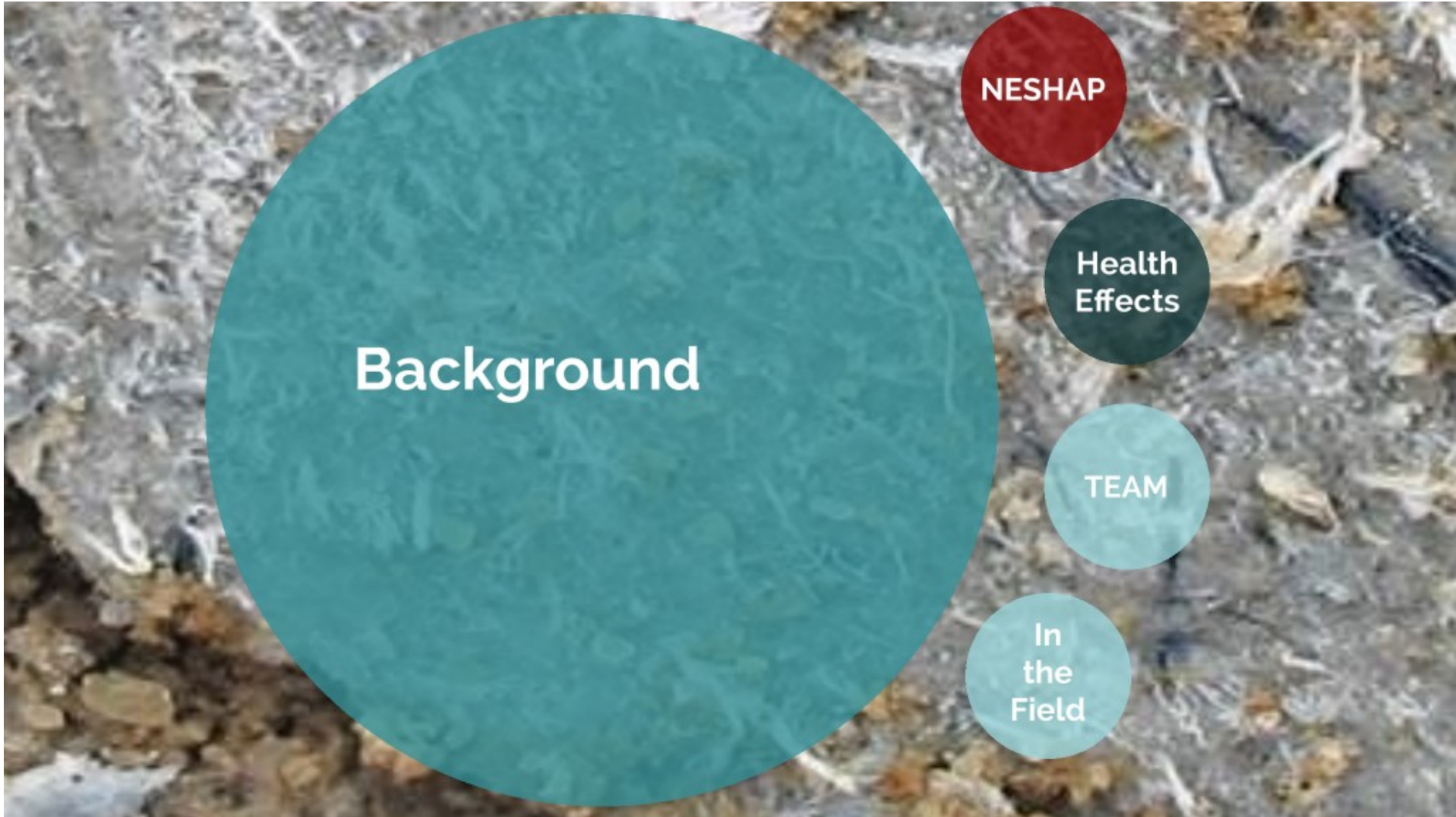
Case Study

Tools

ENFORCEMENT CASE STUDY

NACAA SPRING MEETING
Shawn Boyle
May 21, 2018







National Emission Standards for Hazardous Air Pollutants

40 CFR Part 61, Subpart M - Asbestos

Asbestos Survey (look before you leap!)

>1% Asbestos Content in Regulated Asbestos Containing
Material (RACM)

Disturbance or Removal of Regulation Quantities of
"Friable" RACM

Renovation (160 sf/260 lf/35 cf) ---Notification

Demolition/Load Bearing ---Notification

Health Effects

Three of the major health effects:

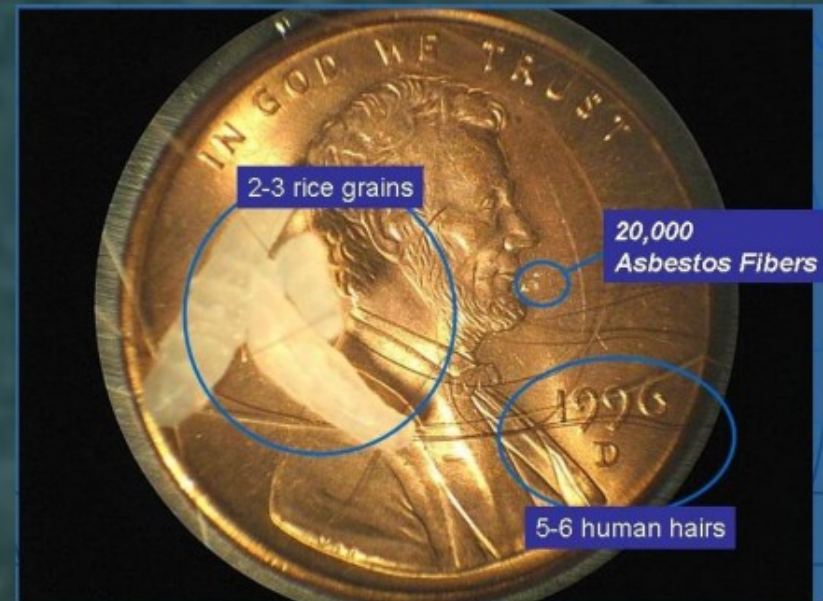
Lung cancer

Mesothelioma, a rare form of cancer that is found in the thin lining of the lung, chest, abdomen, and heart

Asbestosis, a serious progressive, long-term, non-cancer disease of the lungs

*During 1999–2015, the annual number of malignant mesothelioma deaths **increased** 4.8% overall, from 2,479 in 1999 to 2,579 in 2015.*

-Centers for Disease Control and Prevention, Malignant Mesothelioma Mortality — United States, 1999–2015 (2017)





Asbestos Program

Team

Notification/Survey Review

Task Forces

- Other air districts
- Local environmental



In the Field

Boots on the Ground Essential
for Compliance

Asbestos
Products

Workers

Examples of Asbestos



Asbestos Cement Pipe
(ACP)

Chrysotile (white)
Crocidolite (blue)



Kiln



Amosite - "Brown Asbestos"

College Project



Workers



ASBESTOS

Introduction

Background

Case Study

Tools

ENFORCEMENT CASE STUDY

NACAA SPRING MEETING
Shawn Boyle
May 21, 2018



Case Study

Carmel Valley Manor



Overview

Investigation

Conclusions



Case Overview

Renovation work at assisted living facility.

Work done over many years without County building permits or asbestos surveys.

Work disturbed asbestos, done by improperly trained workers, and without emission controls.

Contractor and facility had knowledge of requirements based on past practices of obtaining building permits and completing asbestos notifications.

Routine Inspection

Notification ---> Inspection



Discover More Work



Initiate Investigation

Collect evidence to confirm NESHAP applicability

Initial communication with DA

Coordinate with other agencies

- OSHA
- County
- DTSC/NESHAP waste disposal
- Business and Profession Codes

17P Labor time

JOB LIST		THE MANOR
DATE	NAME	HRS
11-6-12	Ron Demo work for inspect	4
11-7-12	Shaun Demo	4
11-20-12	Collins	
11-20-12	Shaun Demo	6
11-26-12	Daniel	2
11-29-12	Daniel	4
11-30-12	Daniel	5
		1



Work Continues.....



Build Case

Evidence Proves Regulatory Jurisdiction for NESHAP

- Regulated asbestos wall texturing, joint compound, fireproofing

Issue Violations

Obtain Written Evidence of Historical Violations (3-years)

- Renovations of 43 units without surveys
- Demolitions of 7 load bearing members

Hand Case Over to District Attorney

Conclusions

Ask Questions

Gather Evidence

Agency Coordination

Settlement

Civil Penalty Settlement

\$825,435 Facility Owner

\$525,000 Contractor



Permanent Injunction

Largest environmental crime settlement in Monterey County

ASBESTOS

Introduction

Background

Case Study

Tools

ENFORCEMENT CASE STUDY

NACAA SPRING MEETING
Shawn Boyle
May 21, 2018





Microphazir



People

Other Air Districts

Local Governments

District Attorney

California Air Resources Board

NACAA Members

US EPA

Public

Lessons Learned

Teamwork - Call for Backup

GET EVIDENCE

Multi-Agency Collaboration

Training

Settlements - DA, CA Attorney General, US Attorney

\$5.5 million (since 2006)

6 criminal convictions (since 2006)

ASBESTOS

Introduction

Background

Case Study

Tools

ENFORCEMENT CASE STUDY

NACAA SPRING MEETING
Shawn Boyle
May 21, 2018

