



Asbestos Management Plan

APRIL 2020

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1.0 Purpose

The Judicial Council of California (JCC) has the responsibility to protect all occupants of judicial branch facilities from any harmful exposure to asbestos. The purpose of the plan is to describe the JCC's process for managing asbestos related work in judicial branch facilities.

2.0 Scope

This plan is designed to minimize the possibility of unintentional disturbance of asbestos-containing materials. This plan identifies the requirements necessary to safely and effectively manage asbestos at judicial branch facilities and to protect workers and building occupants who work in buildings with asbestos-containing materials.

The principle elements of this plan are:

- Communication
- Training
- Operations and Maintenance Procedures
- Disposal Procedures
- Documentation and Recordkeeping

All work shall be performed in accordance with all federal, state and local regulations for asbestos, including, but not limited to:

- 40 CFR 61 Subpart M National Emission Standards for Hazardous Air Pollutants (NESHAP)
- 8 CCR § 1529 Asbestos (Construction Safety Orders)
- 8 CCR § 5208 Asbestos (General Industry Safety Orders)
- 29 CFR § 1910.1001, Asbestos Occupational Safety and Health Standards
- 29 CFR § 1926.1101 Asbestos Safety and Health Standards for the Construction Industry
- Labor Code § 6501 Asbestos Related Work Requirements
- Business and Professions Code § 7180 – 7189.7 Asbestos Contractors
- Rules and Ordinances adopted by local authorities having jurisdiction (air quality districts, air pollution control districts, etc.)

3.0 Responsibilities

The Risk Management/Environmental Health and Safety Unit has responsibility for management, implementation and administration of the Asbestos Management Plan. Responsibilities include:

- Develop, implement and administer the JCC's Asbestos Management Plan
- Manage the contract for the JCC's Certified Asbestos Consultant
- Maintain the documented inventory of asbestos-containing materials (ACM) and their locations
- Develop and provide Asbestos Management Plan training
- Ensure that documentation and recordkeeping comply with regulations

- Establish methods for ensuring project compliance with recommended procedures and safety precautions
- Provide technical assistance regarding asbestos
- Review and update the Asbestos Management Plan periodically

All JCC employees, affiliates and contracted vendors must comply with the requirements of the Asbestos Management Plan. Responsibilities include:

- Coordinate with the Environmental Health and Safety unit on all construction, renovation, maintenance or repair work, including completion of an asbestos work permit ([Form AMP 01](#))
- Follow all established policies and procedures regarding asbestos
- Ensure that contractors and tradespeople comply with all regulations, contract specifications and JCC requirements
- Ensure that all entities performing work in judicial branch facilities comply with regulatory requirements for the removal, storage and transportation of hazardous waste

4.0 Communication

4.1 Annual Notification

Regulations require building owners to notify employees and building occupants of the presence of asbestos in their work place. The Environmental Health and Safety unit performs this notification annually by sending out an Asbestos Notification document to all employees and occupants of JCC buildings. In addition, the Environmental Health and Safety unit maintains an inventory of building surveys and can provide the survey results upon request.

4.2 Controlled Access Areas

Another method for warning and notification of building occupants is the use of warning labels or stickers in controlled areas. Controlled area stickers are for those areas generally accessed by custodians, maintenance workers or contractors, but not most tenants or the general public. These areas are usually locked to prevent unauthorized personnel from entering. The sticker informs people that they are entering an area containing asbestos materials.

The purpose of controlled area stickers is to inform workers, before they enter an area to perform work, that their activities may disturb asbestos materials. Controlled area stickers will be placed on all entrances to mechanical rooms, crawl spaces, attics, pipe chasers and pipe tunnels known to contain asbestos. The sticker should be placed so it is visible and easy to read. The sticker will read: “Caution – asbestos, cancer and lung disease hazard. Authorized personnel only.”



4.3 Jobsite Communication

When work involves disturbance or removal of ACM, the jobsite area is isolated with a barrier made of polyethylene plastic. The purpose of the barrier is to isolate the work area and contain the ACM. The containment is established to protect building occupants from exposure to asbestos.

Containments are identified by caution tape and asbestos warning signs. The purpose of the caution tape and asbestos warning signs are to inform building occupants of the asbestos hazard within the containment. The caution tape will be placed around the perimeter of the barrier and the asbestos warning sign will be placed at the containment entrance, so it is visible and easy to read. The sign will read: “Danger – Asbestos. May cause cancer. Causes damage to lungs. Authorized personnel only. Wear respiratory protection and protective clothing in this area.”



In addition, there will be an Asbestos Containment Information Sheet and an Asbestos Protocol Fact Sheet posted on each containment structure. The information and fact sheets provide information to building occupants regarding containment safety and asbestos work practices followed by the JCC. The information and fact sheets will be placed at the containment entrance, so they are visible and easy to read.

The Asbestos Containment Information Sheet and Asbestos Protocol Fact Sheet are included in Appendix B.

4.4 External Notification

Notification to regulatory agencies is generally made by the asbestos contractor. All notifications shall be performed in accordance with applicable federal, state and local regulations governing asbestos abatement, and any other trade work done in conjunction with the abatement.

5.0 Training

The Environmental Health and Safety unit conducts asbestos awareness training annually. The asbestos awareness training provides an overview of asbestos issues, along with an overview of the JCC's asbestos management procedures. All JCC staff that manage work in judicial branch facilities are required to attend this training.

6.0 Operations and Maintenance Procedures

JCC staff shall not perform operations and maintenance (O&M) procedures and work practices involving asbestos without the required asbestos training and written authorization from the Risk Management/Environmental Health and Safety Unit. Contract personnel engaged to perform O&M procedures and work practices are required to follow the elements of this section, as applicable, in addition to all applicable federal, state and local regulations, standards and codes governing asbestos management. Before performing work in a judicial branch facility of any age, materials must be tested for asbestos by a certified asbestos consultant. Otherwise, materials can be assumed to contain asbestos and handled in accordance with the appropriate work practices below.

6.1 Work Control / Permit System

The effectiveness of the O&M plan is strengthened with the implementation of a work control/permit system. This system ensures proper guidance for activities or projects that might disturb ACM by requiring a detailed analysis of the scope of the project. The system also necessitates active involvement of the Environmental Health and Safety unit and the JCC's contracted Certified Asbestos Consultant. In order to be effective, it needs to be activated at the point where projects are generated or initiated.

The system requires completion of the Asbestos Work Permit ([Form AMP 01](#)) prior to the commencement of any project. The form asks for information on the schedule and location of a project, a description of the work, and its potential to affect ACM. This procedure requires coordination between the project manager, the vendor performing the work, the JCC's Certified Asbestos Consultant, and the Environmental Health and Safety unit.

The process for this coordination is defined in the Asbestos Work Procedures, which identify detailed actions to be taken by all parties during emergency events and during planned work. Form AMP 01 must be reviewed by JCC's Certified Asbestos Consultant before work can commence. This process ensures the work is performed with the appropriate work practices and in adherence with all regulatory requirements.

The Asbestos Work Permit, detailed Asbestos Work Procedures and checklists are included in Appendix C.

6.2 Work Practices

The O&M procedures and work practices are designed to structure a program for handling specific types and quantities of ACM as well as work areas where asbestos may be present. The purpose of the program is to minimize the exposure potential to ACM or work areas by addressing and organizing procedures to 1) clean up and properly dispose of asbestos fibers previously released, 2) repair damaged ACM, 3) prevent further disturbance or damage of the ACM, and 4) monitor the conditions until removal.

Contractors or service providers performing the work must establish proper work procedures to meet regulatory requirements for the class of asbestos work being performed. Following are the definitions and training requirements for each class (as defined by OSHA; local air pollution control districts may have alternate work classification descriptions and requirements that must be followed, though not listed below):

1. Class I Asbestos Work

- a. **Definition:** Removal of thermal system insulation (TSI) or surfacing material.
- b. **Training:** Abatement workers will be supervised by a competent person who meets the requirements of 29 CFR 1926.32(f). Workers must have AHERA worker (32 hours) training.

2. Class II Asbestos Work

- a. **Definition:** Removal of ACM other than TSI or surfacing materials. Examples of this work include the removal of roofing, flooring, mastics, gaskets, transite, wallboard, etc.
- b. **Training:** Abatement workers will be supervised by a competent person who meets the requirements of 29 CFR 1926.32(f). Workers must have AHERA worker training (32 hours).

3. Class III Asbestos Work

- a. **Definition:** Repair and maintenance activities that disturb ACM or presumed asbestos-containing materials (PACM), includes TSI and surfacing material and the cleanup of ACM dust or debris. The amount disturbed must fit in one glove bag or waste bag less than 60 inches in width. Examples include, but are not limited to:
 - i. Single glove bag removal of pipe insulation
 - ii. Patching of pipe insulation
 - iii. Decontamination of surfaces (spills, etc.)
 - iv. Removal of 1 square foot or more of RACM, using a HEPA filtered, negative pressure enclosure.
- b. **Training:** Supervisors and workers trained at the EPA 16-hour Operations & Maintenance level or higher.

4. Class III Asbestos Work – Disturbance by Facility Crafts/Trades

- a. **Definition:** Repair and maintenance activities as part of facilities crafts/trades workers that disturb incidental amounts of ACM dust or debris. Examples include, but are not limited to:
 - i. Cutting a small hole in a wall to install a light switch, J-boxes, wall receptable or similar sized opening
 - ii. Cutting wallboard systems for access, mapping or other necessitated exploratory purposes
 - iii. Drilling small holes in a wall to run electrical conduit, hang pictures or secure furniture
 - iv. Removal and repair of three-square feet of ACM flooring
 - v. Removing a ceiling tile to perform maintenance activities
- b. **Training:** Supervisors and workers trained at the EPA 16-hour Operations & Maintenance level or higher.

5. Class IV Asbestos Work

- a. **Definition:** Maintenance and custodial activities where employees contact ACM or PACM, but do not disturb the material and activities to clean up dust, waste, and debris resulting from Class I, II, and III activities.

- b. **Training:** Two hours of asbestos awareness training in accordance with EPA 40 CFR 763.92(a) initially and annually thereafter. Note that the JCC does not specifically perform or contract for this class of work.

Cleaning and/or removal of ACM should never be performed by individuals without the proper training and/or certification, which are dependent on each individual circumstance. Prudent safety precautions should always be used. The Judicial Council expects that its contractors and service providers have established worker protection guidelines for their personnel in accordance with Cal/OSHA regulations.

When work involves removal of ACM, personnel should adhere to regulatory requirements for abatement techniques. These activities shall not take place unless authorized by the Environmental Health and Safety unit pursuant to the Work Control/Permit Section 6.1 above. Prior to removal of any containment, the work area must be cleared by a certified asbestos consultant.

Emergency response protocols should be implemented whenever an unintentional asbestos fiber release occurs or has the potential to occur. Guidance documents for emergency response are found in Appendix C.

7.0 Disposal Procedures

All friable asbestos-containing material that is greater than 1% must be handled as hazardous waste. All non-friable asbestos waste must be handled according to applicable regulations. The project manager is responsible for secure storage of the asbestos waste at the judicial branch facility until disposal can be arranged and shall coordinate the storage with the JCC staff assigned to that facility. On-site storage shall not exceed 90 days.

All asbestos waste requires a temporary EPA ID number for hazardous waste disposal. The Environmental Health and Safety unit manages the generation and distribution of the temporary EPA ID numbers. The abatement contractor will arrange for transport of the asbestos waste to a disposal facility. The JCC staff assigned to that facility is responsible for signing the transport manifest. By signing the manifest, JCC staff ensures the waste is properly characterized and labeled for transport.

The process for obtaining a temporary EPA ID number is included in Appendix D.

8.0 Documentation and Record Keeping

The Environmental Health and Safety unit is responsible for all documentation pertaining to this plan. Standard documents that are to be kept on file include:

- Reports of building inspections and sampling for asbestos.
- Documentation of uncontrolled asbestos release incidents and associated response actions.
- Copies of asbestos waste manifest forms used for transportation and disposal.

Facility Managers are responsible for maintaining on-site¹ records including:

- Active project or work ACM survey results and regulatory notifications.
- Copies of asbestos waste manifest forms used for transportation and disposal.

¹ Records can be maintained electronically in the computer-aided facility management system.

Appendix A - Definitions

AHERA: Asbestos Hazard Emergency Response Act

Asbestos: Includes chrysotile, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, actinolite asbestos, and any of these minerals that have been chemically treated and/or altered.

Asbestos-Containing Material (ACM): Any material containing more than 1% asbestos.

Cal/OSHA: California Division of Occupational Safety and Health

Certified Asbestos Consultant: An asbestos consultant certified by the Division of Occupational Safety and Health (DOSH) pursuant to 8 CCR 1529, Section (q).

Competent Person: The Judicial Council consultant who is designated to identify asbestos hazards in the workplace and has the authority to correct them. This person must be qualified and authorized to ensure worker safety and health as required by *Subpart C, General Safety and Health Provisions for Construction* (29 CFR Part 1926.20).

Containment: The construction of a physical barrier between the asbestos materials and the rest of the property.

Contractor: The individual and/or legal entity and its subcontractors and employees of the contractor and subcontractor awarded the contract.

EPA: U.S. Environmental Protection Agency

Form AMP 01 (“AMP form”): An internal Judicial Council permit issued by Environmental Health & Safety designed to monitor and regulate all work activities that could potentially disturb ACM in judicial branch facilities.

Friable: Any material that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.

Presumed Asbestos-Containing Material (PACM): Thermal system insulation and surfacing material presumed to contain asbestos-containing material although there has been no analysis of its actual asbestos content.

Regulated Asbestos-Containing Material (RACM): Includes friable asbestos material; non-friable material that is subjected to sanding, grinding, cutting, or abrading (EPA Category I); and material containing >1% asbestos that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand (EPA Category II)

Removal: The asbestos-containing material is removed from JCC buildings by qualified professionals and, if applicable, state licensed and trained personnel and disposed of in a site specifically approved for asbestos.

Service Provider: The Judicial Council’s contracted legal entity and its subcontractors and employees contracted to manage O&M work, perform renovations, and/or respond to emergency facility issues in judicial branch facilities.

Temporary EPA ID Number: A number issued to entities who do not routinely generate hazardous waste. The numbers are issued by the California Department of Toxic Substance Control.

Thermal System Insulation (TSI): ACM applied to pipes, fittings, boilers, breeching, tanks, ducts, or other structural components to prevent heat loss or gain.

Appendix B Asbestos Protocol and Containment Information

Figure 1. Asbestos Protocol Fact Sheet



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FACT SHEET

February 2020

Asbestos Protocols

What is asbestos?

These naturally occurring fibrous minerals are found throughout the world, including California. Because it has heat-resistant and insulating properties, asbestos was commonly used in a wide range of manufactured products such as structural fireproofing, insulation, cement, plaster and textiles.

How does asbestos get into the environment?

Asbestos exposure occurs when the fibers are airborne. Asbestos can be encapsulated and, therefore, the risk of exposure becomes low. Precautions are necessary when renovating, demolishing, removing, sanding or doing similar activities.

Health Risks

Workers who inhale asbestos fibers, particularly over long periods of time, are at risk of:

- Asbestosis – scarring of lung tissue, making it difficult to breath
- Lung Cancer – smoking can greatly increase the risk
- Mesothelioma – cancer of the chest lining or abdominal cavity

Regulations

There are two primary sets of rules. One set, developed and administered by the Environmental Protection Agency (EPA), was designated to protect the public. The other, by the California Occupational Safety and Health Administration (Cal OSHA), is directed toward protecting workers.

- The EPA regulations were established under the authority of the Clean Air Act. These rules are referred to as the Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP). They cover work practices to be followed during renovation and demolition activities, and other activities involving the processing, handling and disposal of asbestos-containing materials.
- The Cal OSHA regulations 8 CCR §1529 and §5208, establish strict worker exposure limits and set our requirements for employers regarding exposure assessment, medical surveillance, recordkeeping and hazard communication.

Asbestos in JCC Facilities

The JCC follows all asbestos regulations for safe work practices anytime work is performed in JCC facilities. When planning to disturb potential asbestos-containing materials, the JCC implements the following practices:

1. **Testing** – The only way to positively identify the presence or absence of asbestos is through laboratory analysis of building materials. Qualified personnel collect samples of the building materials and submit them to a laboratory for testing, prior to any work being performed.
2. **Containment** – If the sampled materials test negative for asbestos, containment is not necessary. If the sampled materials test positive for asbestos, qualified personnel must install a plastic containment around the work area and post signage indicating the asbestos danger. The area is sealed, the HVAC system serving that area is shut off, and the asbestos danger is contained within the sealed area. Containments can be installed immediately after an emergency event, such as a water leak, but prior to sampling of the affected building materials. This occurs to limit exposure before the test results are received.
3. **Abatement and Clearance** – Qualified personnel will remove or clean up asbestos containing material, as appropriate within the installed containment. Equipment or furniture that cannot be removed will be cleaned and covered during abatement work. After abatement work is complete, qualified personnel will test the containment's air quality to ensure it meets all regulatory safety standards.

Contact:

Judicial Council of California Environmental Health and Safety at EHS@jud.ca.gov

Additional resources:

Asbestos Management, Judicial Council of California's Judicial Resources Network,
<https://jen.courts.ca.gov/programs/riskmanage/rm-asbestos.htm>

United States Environmental Protection Agency,
<https://www.epa.gov/asbestos>

Cal/OSHA, State of California Department of Industrial Relations,
<https://www.dir.ca.gov/dosh/ACRU/ACRUinfo.htm>

California Air Resources Board, Asbestos NESHAP Program,
<https://ww2.arb.ca.gov/ourwork/programs/asbestos-neshap-program>

Figure 2. Asbestos Containment Information Sheet



JUDICIAL COUNCIL
OF CALIFORNIA
ADMINISTRATIVE DIVISION
FACILITIES SERVICES

Asbestos Containment Information Sheet

THIS CONTAINMENT IS INSTALLED TO PROTECT YOU FROM EXPOSURE TO ASBESTOS.

THIS CONTAINMENT COMPLIES WITH ALL REGULATIONS FOR THE PROPER HANDLING AND DISPOSAL OF ASBESTOS.

AUTHORIZED PERSONNEL ONLY.
RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED INSIDE THIS CONTAINMENT.

IF YOU SEE A TEAR IN THIS CONTAINMENT, **IMMEDIATELY** NOTIFY THE FACILITY MANAGER OR A SERVICE PROVIDER REPRESENTATIVE (FOR AFTER-HOURS NOTIFICATIONS CALL 1-888-225-3583).

IMPORTANT SAFETY INFORMATION:

- Containments prevent asbestos from spreading to other areas during repairs.
- HVAC service has been shut off to this area.
- Containments are made of thick plastic and all joints and seams are taped to prevent particle movement out of the containment.
- This containment may have an interior decontamination chamber for asbestos workers use.
- Air quality will be tested for safety before this containment is removed.

FOR QUESTIONS, CONTACT YOUR FACILITY MANAGER.

Appendix C Forms and Procedures

Figure 1. Asbestos Work Permit (Form AMP 1)

JUDICIAL COUNCIL OF CALIFORNIA
ASBESTOS WORK PERMIT
FORM AMP 01

Asbestos Work Permit No.

The Asbestos Work Permit number is assigned by the
Judicial Council Competent Person.

Section 1.0

The Judicial Council Competent
Person is:

Mark Smith
Forensic Analytical Consulting Services, Inc.
2959 Pacific Commerce Drive
Rancho Dominguez, CA 90221
(310) 668-5629
acmpermit@forensicanalytical.com

Section 2.0

Description of Overall Project

Describe the project that may
result in the disturbance or
removal of asbestos containing
material (ACM) or assumed
asbestos containing material
(AACM). If an emergency
scenario, briefly describe
incident resulting in emergency:

Section 3.0

For the construction (or remediation) work described above provide the following information:

Service Work Order (SWO) Number:

Secondary SWO Number :

FM Number:

Contractor Name:

Designated Contractor Representative:

Designated Contractor Representative Email:

Designated Contractor Representative Phone Number:

Section 4.0

Provide location of work
(court facility name,
building, address, floor,
room number(s) or general
location description):

Section 5.0

Provide anticipated date(s) of work:

Start Date:

Completion Date:

Section 6.0

Provide description of
ACM or AACM
abatement work or
recommended
remediation actions:

If the asbestos survey approved by the Judicial Council Competent Person indicates that no ACM is presented or no ACM will be impacted by the project, skip to number 12.0.

Section 7.0

Description of work practices employed to minimize disturbance of ACM or AACM (from asbestos contractor's O&M Plan):

Section 8.0

Description of work practices to be employed to contain released fibers and to clean up the work area (from asbestos abatement contractor's O&M Plan):

Section 9.0

Description of personal protective equipment and procedures to be used to protect workers (from asbestos abatement contractor's O&M Plan):

Section 10.0

For the asbestos abatement contractor performing ACM or AACM remediation and/or containment work, provide the following information:

Contractor's Name

Contractor Representative Name:

Contractor Representative Email:

Contractor Representative Phone Number:

Section 11.0

Describe transportation and disposal of ACM Waste:

Section 12.0

Attach or reference the following documents if applicable to work performed:

- O&M Plan (to include any other project related work plans [example: Procedure 5 clean-up plan])
- Bulk sample report
- Copy of regulatory notice

Section 13.0

Provide the following project documents, when available/as applicable:

- Copy of regulatory notice revisions, if applicable
- Clearance test report
- Manifest
- Any final project reports, if applicable

Contractor Responsible for Contract Completion:

By:

Date:

Title:

Figure 2. Priority 1 Asbestos Procedures

Priority 1 / Emergency Situation Environmental Health & Safety procedure

If an unexpected incident occurs, i.e. fire, earthquake, water intrusion, or incidental contact that damages or impacts materials in a court facility where Asbestos-Containing Material (ACM) may be found, the service providers or Judicial Council personnel who initially respond to the event should contact the CSC (1-888-225-3583) immediately for notification to the appropriate level of Facilities Services management, the Environmental Health & Safety unit, and the Judicial Council competent person.

Immediate Action:

1. **Service Provider (SP):** Shut down the facility's building infrastructure systems servicing the affected location
2. **SP:** Treat all suspect materials as containing asbestos
3. **SP & JCC PM:** Follow the appropriate injury and illness prevention program (IIPP) guidance and wear appropriate personal protective equipment before entering potentially affected location
4. **SP:** Isolate and secure the location (no personnel without appropriate training and personal protective equipment may enter the location until the location has been cleared as having no exposure to ACM)
5. **SP:** Post appropriate signage
6. **SP:** Protect undamaged property from further damage. [Note for JCC staff: refer to [Insurance Claim Process](#) for court property and insurance issues].
7. **SP & JCC PM:** Notify responsible parties
8. **JCC PM:** Issue a Priority 1 SWO to the service provider. (No SWO is issued to the FACS)
9. **JCC PM:** Email acmpermit@forensicanalytical.com with details of suspected ACM disturbance. Indicate this is a Priority 1 and reference the service provider's SWO number. FACS should respond within one hour.

Once Under Control:

10. **SP:** Perform clean-up activities necessary to preserve the property from further damage, e.g. absorption of standing water in the event of water intrusion.
11. **SP:** Asbestos testing subcontractor may proceed with characterization (testing) of ACM under appropriate safety precautions as outlined in the service provider's approved O&M Plan and its IIPP.
12. **JCC PM:** The next alert cast update should indicate that ACM may be involved.
13. **SP or JCC PM:** If the SWO has the potential to impact ACM, a request for an Asbestos Work Permit (Form AMP 01) is required to detail the work plan. If the materials are assumed to be positive for ACM, without testing, indicate such on the AMP form. The person entering the SWO must complete sections 2.0 through 12.0, as applicable, on Form AMP 01 and submit it in electronic PDF format, along with the testing survey, to the Judicial Council competent person at acmpermit@forensicanalytical.com. If the same area is prone to recurring emergencies, such as a holding cell flooding, the same tests can be used, but a new AMP must be submitted for each occurrence.
14. **FACS:** Upon receipt of the completed Form AMP 01 and required documents, the Judicial Council competent person will log the asbestos work permit request into their database; review the Form AMP 01 and attached documentation to determine if additional information is needed; generate a unique asbestos work permit number on Form AMP 01; review any existing testing data for the affected area; and reply to the requestor's email with the following options*:

- **Option 1:** FACS approves the Form AMP 01 and permits the remediation work to move forward without asbestos management (i.e. asbestos is not detected in the impacted materials); or
- **Option 2:** FACS approves the Form AMP 01 and permits the work to move forward with asbestos management in accordance with appropriate safety precautions as outlined in the service provider's O&M Plan and IIPP (i.e. if surveyed levels are above permissible thresholds or the area is a known ACM environment). See *If ACM is Present* section for additional requirements; or
- **Option 3:** FACS requires additional information to make a determination.

*Note: There may be other hazards in addition to ACM, such as sewage, mold, etc. that should be considered during remediation and clearance.

If ACM is Present:

Based upon the results from the laboratory analysis of the samples, if asbestos is detected, or there is an assumption that ACM is present, work will proceed under the following non-negotiable conditions:

15. **SP:** Contract with an asbestos abatement contractor to perform the appropriate asbestos abatement work in a safe and legal manner with all regulatory requirements in place and the work executed according to the approved O&M plan, and their IIPP, or
16. **JCC PM:** Obtain from the service provider any pre-work ACM bulk sampling and analysis results from a NVLAP accredited laboratory and make the information available to the Judicial Council competent person indicated on Form AMP 01.
17. **SP** (either directly or through its asbestos abatement contractor): Send proper notifications to the regulatory agencies with jurisdiction (i.e. Cal OSHA, local APCD/AQMD) over asbestos-related abatement activities. For [Cal OSHA](#), reference 8 CCR 1529 and 341.6-341.14. For local APCD/AQMD requirements, visit the CA Air Resources Board Air Pollution Control Districts page: <https://ww2.arb.ca.gov/air-pollution-control-districts>.
18. **SP:** Maintain any pre-work ACM bulk sampling and analysis at the job site for review by any regulatory bodies or court officers and employees.
19. **SP:** When the asbestos abatement work is complete, clearance air monitoring must be performed by a qualified person who is not employed by the service provider, general contractor, or the asbestos abatement contractor that performed the actual asbestos abatement work. Send the completed clearance air monitoring results to the Judicial Council competent person as indicated in section 13.0 on Form AMP 01.
20. **FACS:** Upon receipt of the clearance testing, the Judicial Council competent person will reply with one of the following options:
 - Option 1: FACS approves the clearance test so that the containment can be dismantled, and construction work can move forward;
 - Option 2: FACS rejects the clearance test and provides direction on what must be completed to obtain approval; or
 - Option 3: FACS approves a portion of the clearance test so that a portion of the containments can be dismantled and work can proceed.

Waste Disposal:

21. **SP:** Ensure that any asbestos-containing waste material generated from the abatement activities is disposed of in a safe and legal manner by contacting a registered asbestos waste hauler.
22. **SP or JCC PM:** Submit a SWO for an EPA ID Number Request (see [EPA ID Process](#)).

23. **EHS:** Generates a temporary EPA ID Number for the waste and notifies the requestor. The EPA ID Number is valid for 90 days from the date of issuance and there is a limit of five tons per year per facility of hazardous waste disposal.
24. **SP** (either directly or through its asbestos abatement contractor): Complete a Hazardous Waste Manifest form, to be signed by the authorized JCC staff. This document must travel with the asbestos waste from the point of generation, through transportation to the final treatment, storage, and disposal facility (TSDf). (Non-Hazardous Waste Manifests may be signed by the service provider). The "Site" address is the facility's location. The "Generator" mailing address should always be:
- Judicial Council of California
2860 Gateway Oaks Drive, Suite 400
Sacramento, CA 95833

Project Completion:

25. **SP or JCC PM:** Attach completed AMP 01 and all project documents to the Priority 1 SWO and close out as appropriate.

Invoicing:

26. **EHS:** Receives, validates, and approves FACS' monthly Priority 1 invoice, which is paid from EHS funding. These invoices are not uploaded to the service provider's SWO.

Figure 3. Priority 2-6 under \$10k Asbestos Procedures

Facilities Operations Process for Contracting with FACS on Priority 2-6 Projects Under \$10K

1. **Contractor:** If scope of work will be disturbing anything that is “suspect” (i.e. not unpainted wood, glass, or metal), regardless of the building’s age, contractor will utilize a subcontractor to perform asbestos testing. Depending on the materials being disturbed, the contractor should include testing for other environmental hazards, including, but not limited to, lead, PCBs, and mold. Contractor notifies JCC PM about ACM testing. The contractor then fills out an Asbestos Management Permit (Form AMP 01) and submits it to the Judicial Council competent person at acmpermit@forensicanalytical.com along with any other supporting documentation. Testing and oversight costs should be considered when estimating the project in anticipation of the FMCC process and TCFMAC review. [Note: If the work is a Job Order affecting less than 100 square feet of ACM, the Judicial Council presumes that the contractor is performing appropriate testing and/or handling via a registered Cal/OSHA asbestos contractor. In alignment with air district regulations, notification to, or oversight by, the Judicial Council competent person is not required for jobs affecting less than 100 square feet of ACM.]
2. **Forensic Analytical (FACS):** generates a proposal and emails to JCC PM for review.
3. **JCC PM:** accepts proposal by developing a supplementary SWO for FACS and attaching proposal. CSC sends SWO to FACS. *
4. **JCC PM:** sends an email to notify FACS, CSC, and contractor that there is a FACS supplemental SWO in CAFM. Copy Robert Cresswell to encumber funds to the contract at Robert.Cresswell@jud.ca.gov.
5. **FACS:** “accepts” SWO and puts “In Work”.
6. **FACS:** Upon receipt of the completed Form AMP 01 and supporting documents, the Judicial Council competent person will log the asbestos work permit request into their database; review the Form AMP 01 and attached documentation to determine if additional information is needed; generate a unique asbestos work permit number on Form AMP 01; review any existing testing data for the affected area; request clarification or additional documentation as needed; and reply to the requestor’s email with the following options (once any deficiencies in the project documentation has been adequately addressed):
 - **Option 1:** The asbestos survey indicates no presence of ACM and the Judicial Council competent person approves the Form AMP 01. After this approval, work may proceed without asbestos management protocols.
 - **Option 2:** If the asbestos survey indicates the work area has tested positive for ACM, the Judicial Council competent person will verify the results and the abatement plan and approve the Form AMP 01. See *If ACM is Present* section for additional requirements.

*If this is a Court-Funded Request (CFR), JCC PM must ensure court is aware of, and has approved of, FACS administrative oversight costs.

If ACM is Present:

Based upon the results from the laboratory analysis of the samples, if asbestos is detected, or there is an assumption that ACM is present, work will proceed under the following non-negotiable conditions:

7. **Contractor:** hires asbestos abatement contractor to perform the appropriate asbestos abatement work in a safe and legal manner with all regulatory requirements in place.
8. **Contractor** (either directly or through its asbestos abatement contractor): Sends proper notifications to the regulatory agencies with jurisdiction (i.e. Cal OSHA, local APCD/AQMD) over asbestos-related abatement activities. For [Cal OSHA](#), reference 8 CCR 1529 and 341.6-341.14. For local APCD/AQMD requirements, visit the CA Air Resources Board Air Pollution Control Districts page: <https://ww2.arb.ca.gov/air-pollution-control-districts>.

9. **Contractor:** Maintain any pre-work ACM bulk sampling and analysis at the job site for review by any regulatory bodies or court officers and employees.
10. **Contractor:** notifies FACS when abatement work is completed, clearance air monitoring must be performed by a qualified person who is not employed by the service provider, general contractor, or the asbestos abatement contractor that performed the actual asbestos abatement work. Send the completed clearance air monitoring results to the Judicial Council competent person as indicated in section 13.0 on Form AMP 01.
11. **FACS:** Upon receipt of the clearance testing, the Judicial Council competent person will reply with one of the following options:
 - **Option 1:** FACS approves the clearance test so that the containment can be dismantled, and construction work can move forward;
 - **Option 2:** FACS rejects the clearance test and provides direction on what must be completed to obtain approval; or
 - **Option 3:** FACS approves a portion of the clearance test so that a portion of the containments can be dismantled and work can proceed.
12. **Contractor:** attaches the clearance report to the main FM SWO and adds a Job Status Note. Contractor or JCC PM notifies court of clearance and containment removal.

Waste Disposal:

13. **Contractor:** Ensure that any asbestos-containing waste material generated from the abatement activities is disposed of in a safe and legal manner by contacting a registered asbestos waste hauler.
14. **Contractor or JCC PM:** Submit a SWO for an EPA ID Number Request (see *EPA ID Process*).
15. **EHS:** Generates a temporary EPA ID Number for the waste and notifies the requestor. The EPA ID Number is valid for 90 days from the date of issuance and there is a limit of five tons per year per facility of hazardous waste disposal.
16. **Contractor** (either directly or through its asbestos abatement contractor): Complete a Hazardous Waste Manifest form, to be signed by the authorized JCC staff. This document must travel with the asbestos waste from the point of generation, through transportation to the final treatment, storage, and disposal facility (TSDF). (Non-Hazardous Waste Manifests may be signed by the service provider). The “Site” address is the facility’s location. The “Generator” mailing address should always be:

Judicial Council of California
2860 Gateway Oaks Drive, Suite 400
Sacramento, CA 95833

Invoicing:

17. **FACS:** sends monthly invoice to central email inbox and adds appropriate JSNs to invoiced SWOs. Only SWOs with a Final invoice will be put in “Completed – Awaiting Invoice” status. **EHS Analyst** performs initial validation and then sends individual sub-invoices to JCC PMs.
18. **JCC PM:** replies to EHS Analyst with approval/clarification needed; posts invoice costs, uploads invoice pages to SWO and closes SWO (if it is a “final” invoice).

Figure 4. Priority 2-6 over \$10k Asbestos Procedures

Facilities Operations Process for Contracting with FACS on Priority 2-6 Facility Modifications Over \$10K

1. **Contractor:** develops a project scope and submits a Service Work Order (SWO) for an FM or JO to FM conversion. If the total project value, including any foreseeable environmental work, will exceed \$10,000, the **JCC Project Manager** reviews the FM SWO and engages Forensic Analytical Consulting Services (FACS) by submitting the scope of work and any supporting documentation (descriptions, maps, layouts, pictures, etc.) to acmpermit@forensicanalytical.com.
2. **FACS:** generates a proposal and emails to JCC PM for review, generally within 72 hours.
3. **JCC PM:** reviews proposal and, if acceptable, attaches the proposal to the main FM SWO and increases the total estimated cost to include environmental consulting costs, in advance of the FMCC process and Advisory Committee review or approval. *
4. **JCC PM:** creates, after FMCC review completion, a supplemental SWO for FACS based on proposal and notifies, via email, FACS, CSC, and contractor that the supplemental SWO has been created, with a copy to Robert Cresswell (Robert.Cresswell@jud.ca.gov) to encumber funds to contract and EHS at EHS@jud.ca.gov. CSC sends SWO to FACS.
5. **FACS:** “accepts” SWO and puts “In Work”.
6. **FACS:** produces requested deliverables (testing, report, etc.) and attaches to FACS SWO, communicating findings to contractor and JCC PM.
7. **Contractor** (either directly or through its asbestos abatement contractor): fills out Asbestos Work Permit (Form AMP 01), regardless of ACM detection, and submits to FACS for approval, along with any supporting documentation.
8. **FACS:** Upon receipt of the completed Form AMP 01 and supporting documents, FACS will log the asbestos work permit request into their database; review the Form AMP 01 and attached documentation to determine if additional information is needed; generate a unique asbestos work permit number on Form AMP 01; review any existing testing data for the affected area; request clarification or additional documentation as needed; and reply to the requestor’s email with the following options:
 - **Option 1:** The asbestos survey indicates no presence of ACM and FACS approves the Form AMP 01. After this approval, work may proceed without asbestos management protocols.
 - **Option 2:** If the asbestos survey indicates the work area has tested positive for ACM, FACS will verify the abatement plan and approve the Form AMP 01. FACS may recommend abatement monitoring. FACS will submit for a cost increase if monitoring is needed. *See *If ACM is Present* section for additional requirements.
9. **Contractor:** attaches the AMP to their main FM SWO.

*If this is a Court-Funded Request (CFR), JCC PM must ensure court is aware of, and has approved of, hazardous materials testing and abatement costs.

If ACM is Present:

10. **Contractor** (either directly or through its asbestos abatement contractor): Sends proper notifications to the regulatory agencies with jurisdiction (i.e. Cal OSHA, local APCD/AQMD) over asbestos-related abatement activities. For [Cal OSHA](#), reference 8 CCR 1529 and 341.6-341.14. For local APCD/AQMD requirements, visit the CA Air Resources Board Air Pollution Control Districts page: <https://ww2.arb.ca.gov/air-pollution-control-districts>. Typically, APCD/AQMD notifications are required 10 days in advance, but specific requirements differ across the state.

11. Abatement contractor performs abatement work as approved in Form AMP 01.
12. **Contractor:** notifies FACS when abatement work is completed so that FACS may perform the clearance testing.
13. **Contractor:** Maintain any pre-work ACM bulk sampling and analysis at the job site for review by any regulatory bodies or court officers and employees.
14. **FACS:** performs testing, drafts report, and emails it to JCC PM and interested parties (i.e. contractor, court, EHS, etc.). FACS will also authorize when containments may be dismantled and renovation work may proceed.
15. **Contractor:** attaches the clearance report to the main FM SWO and adds a Job Status Note. The contractor or JCC PM notifies court of clearance and containment removal.

Waste Disposal:

16. **Contractor:** Ensure that any asbestos-containing waste material generated from the abatement activities is disposed of in a safe and legal manner by contacting a registered asbestos waste hauler.
17. **Contractor or JCC PM:** Submit a SWO for an EPA ID Number Request (see *EPA ID Process*).
18. **EHS:** Generates a temporary EPA ID Number for the waste and notifies the requestor. The EPA ID Number is valid for 90 days from the date of issuance and there is a limit of five tons per year per facility of hazardous waste disposal.
19. **Contractor** (either directly or through its asbestos abatement contractor): Complete a Hazardous Waste Manifest form, to be signed by the authorized JCC staff. This document must travel with the asbestos waste from the point of generation, through transportation to the final treatment, storage, and disposal facility (TSDF). (Non-Hazardous Waste Manifests may be signed by the service provider). The "Site" address is the facility's location. The "Generator" mailing address should always be:
Judicial Council of California
2860 Gateway Oaks Drive, Suite 400
Sacramento, CA 95833

Invoicing:

20. **FACS:** sends monthly invoice to central email inbox and adds appropriate JSNs to invoiced SWOs. Only SWOs with a Final invoice will be put in "Completed – Awaiting Invoice" status. EHS Analyst performs initial validation and then sends individual sub-invoices to JCC PMs.
21. **JCC PM:** replies to EHS Analyst with approval/clarification needed; post invoice costs, upload invoice pages to SWO and closes SWO (if it is a "final" invoice).

Figure 5. Priority 1 Checklist

Asbestos Process Checklist for P1 Emergency Activities

A – Initial Response Activities

- (1) All involved parties follow emergency response protocols.
- (2) Service Provider (SP) authorizes environmental health testing as soon as possible.
- (3) SP and/or FOS/FMA email FACS at acmpermit@forensicanalytical.com with all hazardous material details of the P1 event, include the SP's SWO. Follow up with a call if FACS has not responded within one hour.
- (4) SP or FOS/FMA email test results to FACS for administrative oversight. [JCC staff may opt to utilize FACS for testing on large-scale or complex emergencies instead of the Service Provider's subcontractor.]
- (5) SP provides job status to FACS and attaches all testing results to SWO in CAFM.
- (6) SP completes Asbestos Work Permit (Form AMP 01) regardless of ACM detection and submits to FACS. If materials are assumed to be positive for ACM without testing, indicate such on the AMP form.

B – Post-Testing – No ACM

- (1) **IF THE SURVEY SHOWS NO PRESENCE OF ACM:** FACS approves the AMP form if no other clarifications are needed. Upon approval, work may proceed without asbestos management protocols. [End of Process]

C – Post-Testing – ACM Present

- (1) **IF THE SURVEY SHOWS THE WORK AREA TESTED POSITIVE FOR ACM:** SP provides abatement plan from abatement contractor (or asbestos consultant). FACS verifies the abatement plan and approves the AMP form if no other clarifications are needed. [Continue through remaining steps]
- (2) SP or abatement contractor sends all required notifications to regulatory agencies (i.e. Cal/OSHA and appropriate AQMD/APCD).
- (3) Contractor provides clearance testing to FACS after abatement work (or phase) is done.
- (4) FACS approves clearance testing and authorizes when containments can be dismantled, and renovation work can proceed.
- (5) Notify Court of clearance and containment removal.
- (6) Request an EPA ID for hazardous waste removal and sign manifest upon waste pickup (see *EPA ID Process* for more details).

For more detailed instructions, see the Priority 1 Asbestos Procedure located [here](#).
For additional assistance, contact the JCC's Environmental, Health & Safety unit at EHS@jud.ca.gov.

Figure 6. Priority 2-6 Checklist

Asbestos Process Checklist for Priority 2-6 Facility Modifications

- For Facility Modifications (FMs) over \$10,000 utilize FACS for all testing.
- For FMs under \$10,000 utilize the SP's environmental health subcontractor for all testing. FACS provides administrative oversight.

A – Work Development

- (1) Service Provider or FOS/FMA email FM scope of work and any supporting documentation (descriptions, maps, layouts, pictures, etc.) to FACS at acmpermit@forensicanalytical.com
- (2) FOS/FMA reviews FACS's proposal. If it is acceptable, add its cost to main FM SWO in advance of FMCC process and Advisory Committee review or approval. If the proposal is not acceptable, contact FACS for discussions. *Note: For Court-Funded Requests, ensure the Court is aware of and has approved environmental and oversight costs.
- (3) FOS/FMA creates a supplemental SWO for FACS and encumbers funds.
- (4) FOS/FMA ensures environmental testing is performed by appropriate contractor (FACS or SP's contractor) and deliverables are attached to the SWO.
- (5) SP or contractor completes Asbestos Work Permit (Form AMP 01), regardless of ACM detection, and submits to FACS.

B – Post-Testing – No ACM

- (1) **IF THE SURVEY SHOWS NO PRESENCE OF ACM:** FACS approves the AMP form if no other clarifications are needed. Upon approval, work may proceed without asbestos management protocols. [End of Process]

C – Post-Testing – ACM Present

- (1) **IF THE SURVEY SHOWS THE WORK AREA TESTED POSITIVE FOR ACM:** Abatement contractor (or asbestos consultant) provides abatement plan. FACS approves the abatement plan and approves the AMP form if no other clarifications are needed. [Continue through remaining steps]
- (2) Contractor sends all required notifications to regulatory agencies (i.e. Cal/OSHA and appropriate AQMD/APCD).
- (3) Contractor provides clearance testing to FACS after abatement work (or phase) is done.
- (4) FACS approves clearance testing and authorizes when containments can be dismantled, and renovation work can proceed.
- (5) Notify Court of clearance and containment removal.
- (6) Request an EPA ID for hazardous waste removal and sign manifest upon waste pickup (see *EPA ID Process* for more details).

For more detailed instructions, see the Priority 2-6 Asbestos Procedures located [here](#) (over \$10K) or [here](#) (under \$10K). For additional assistance, contact the JCC's Environmental Health & Safety unit at EHS@jud.ca.gov

Appendix D EPA ID Process

Figure 1. How to Request a Temporary EPA ID Number for Hazardous Waste Disposal



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How to Request a Temporary EPA ID Number for Hazardous Waste Disposal

All hazardous waste disposal requires a temporary EPA ID number, which provides you 90 days to collect and dispose of the waste. Request a number by generating a SWO that goes to the Environmental Health & Safety (EHS) unit. The request **must** be a separate SWO. It is for tracking purposes only and no costs will be applied to it.

The Facilities Services person assigned to manage the cleanup effort is directly responsible for ensuring 100% compliance with this requirement. Note that temporary EPA ID numbers are site-specific and may already have an existing number requested for another project. EHS will advise you on existing numbers, but you will still be bound to the existing 90-day deadline. You must follow these steps if the temporary number has expired and you still require waste disposal. Please note that you may not accumulate hazardous waste on site for more than 90 days.

To request a temporary EPA ID, follow the steps below:

1. In CAFM: Open a new SWO (Do not include this request as part of a project SWO. It must be a new and separate SWO):
 - Select the "Utilities" request type to generate the CAFM New Maintenance Request form.
 - Enter all building information including the location of the work. For the question: "What is the estimated Cost of Work?" select \$2000 or less.
 - For the question: "How Quickly Must the Service Provider Respond?" select the same Priority as the baseline effort. If your project is a:
 - Priority 1: Select "1 – Less than Two Hours"
 - Priority 2: Select "2 – Two to Four Hours"
 - Fill in "Describe the Problem to be Resolved" with "EPA ID Number Request."
 - Fill in "Additional Description" with "Hazardous waste disposal related to (insert project description, including facility ID)." Include the type of hazardous waste and any other relevant information.
 - Under "Additional Description" also include the related FM or JO number by typing "This is a supplemental SWO for FM-XXXXXXX." or "This is a supplemental SWO for JO SWO XXXXXXX."
2. If your disposal includes asbestos, you must attach a completed Judicial Council Asbestos Work Permit. The work permit can be found at: <G:\OCCM\Risk Management\Asbestos Management\02 - Manual\Asbestos Work Permit Management Manual FINAL.pdf>. Asbestos related manifests will not be signed without a completed JCC Asbestos Work Permit.
 - a) Save the file as a pdf and name it "EPA Facility ID Asbestos Work Permit Month Year."

Ex: EPA 19-J1 Asbestos Work Permit Jan 2019.pdf

- b) Upload the file by clicking on "Click to Submit Attachment(s)" found on the left-hand side of the New Maintenance Request Form screen.
3. Your SWO will go to the Judicial Council's Customer Service Center (CSC). CSC will change the work type from JO to Planning, the due date will be changed to 90 days from date released and forwarded to the appropriate Service Provider or JCC staff person and an email will automatically be sent to ehs@jud.ca.gov as seen below:

Notifications Sent		
Notification Subject	Date Sent	Internal Recipient
<input type="checkbox"/> New Maintenance Request	12/10/2018 12:13:53	Environmental Health & Safety Mailbox EHS eMAIL In

4. Within three business days, EHS will generate a temporary EPA ID number and note the number and important instructions in your SWO. EHS will also send you an email with this information.
 - If there is an existing, unexpired temporary EPA ID number for the site, EHS will inform you at this time.
 - If the number has expired, but you still need to dispose of waste, you can request a new number, following the steps above. A new SWO number, rather than reusing the same SWO helps ensure accurate tracking and reporting.
5. Have your hazardous waste disposal contractor complete all manifests using this Temporary EPA ID Number (Box #1 on the manifest(s)). Make sure the disposal contractor uses the name/address below for the Generator's Name and Mailing Address (Box #5 on the manifest). This is different from the Generator's Site Address.

Generator's Name and **Mailing Address**:

Judicial Council of California
ATTN: Shirley Savage
2860 Gateway Oaks Drive, Suite 400
Sacramento, CA 95833
888-225-3583

6. Once your disposal company has filled out Boxes 1-14 on the manifest, the FMA/FOS or JCC PM needs to sign Box 15, ensuring information complies with federal and state regulation.
7. Your hazardous waste disposal contractor must dispose of **all** hazardous waste using the signed manifest(s). These manifest(s) (there may be more than one) are not final until they are signed through the point of disposal.

8. If you used the correct address (Generator's Name and Mailing Address) noted in step 5 above, EHS will receive the final manifests, signed through the point of disposal ("cradle to grave").
9. The final, signed manifest(s) must be received from the disposal facility within 35 days of waste shipment. When received, EHS will review and recommend SWO closure with the following JSN: "EHS: Approved for closure."

Questions? Please contact any of the following EHS staff members:

- Hilda Iorga at (916) 263-1541 or Hilda.Iorga@jud.ca.gov
- Shirley Savage at (916) 643-4605 or Shirley.Savage@jud.ca.gov
- Jerry Ripperda at (916) 263-8865 or Jerry.Ripperda@jud.ca.gov