

BUILDING

Woodlawn Ave.

DATE

8/25/95
6-10 PM

LOCATION

Roof

LICENSE

AC-92-1058

SUPERVISOR

Joseph Beach
Maint. Supervisor

Certification #AH-90-14841

DESCRIPTION

Removed roofing material under condenser unit, so roofers could install new roof under unit, while condenser is jacked up off roof.

OTHER INDIVIDUALS ON SITE

Greg Ross

Certification #AH-93-10916

George Wade

Certification #AH-93-09337

WASTE HOLDING AREA

Left on roof until rest of roof is removed.

FINAL DESTINATION

BUILDING

Woodlawn Ave.

DATE

8/26/95

9-12 AM

LOCATION

Roof

LICENSE

AG-92-1058

SUPERVISOR

Joseph Beach
Maint. Supervisor

Certification #AH-90-14841

DESCRIPTION

Had to take more off for roofer to install new roof.

OTHER INDIVIDUALS ON SITE

Greg Ross

Certification #AH-93-10916

George Wade

Certification #AH-93-09337

WASTE HOLDING AREA

Left on roof until rest of roof is removed.

FINAL DESTINATION

CJS Industries, Inc.
RD #2 Box 475, Garnsey Road
Delanson, New York 12053
(518) 895-8322

ASBESTOS ABATEMENT NOTICE

LOCATION: Woodlawn Avenue Office Bldg.
Woodlawn Avenue
Saratoga Springs, NY 12866

START DATE: 8/28/95

FINISH DATE: 9/15/95

TYPE OF ABATEMENT:

REMOVAL
 ENCLOSURE
 ENCAPSULATION

SQUARE FEET: 5,100

LINEAR FEET: _____

ABATEMENT TECHNIQUE:

UNIT REMOVAL
 GLOVE BAG

NEGATIVE AIR PRESSURE ENCLOSURE
 OTHER _____

REASON FOR ABATEMENT: Removal roofing and flashing material

ASBESTOS CONTRACTOR: CJS Industries, Inc.

CONTRACTORS'

LICENSE NUMBER: AC-95-0103

ASBESTOS PROJ. SUPER: Jlm Lockwood

AIR MONITORING FIRM: Environmental Solutions

ANALYTICAL LABORATORY: Environmental Solutions

ASBESTOS PROJECT MONITOR/
COMMUNICATIONS COORDINATOR: Carl Stewart

CONTACT TELEPHONE NUMBER: (518) 895-8322

PLEASE CONTACT THE ASBESTOS PROJECT COMMUNICATIONS COORDINATOR IF THERE ARE ANY QUESTIONS REGARDING THIS PROJECT.



STATE OF NEW YORK
DEPARTMENT OF LABOR
DIVISION OF SAFETY AND HEALTH
Engineering Services Unit
State Office Building Campus
Albany, N.Y. 12240

AUG 21 1995

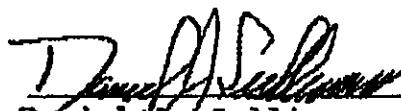
Re: File No. 944-95
Jack Eisenbach Engineering, P.C.
291 Genesee Street
Utica, NY 13501

STATE OF NEW YORK
DEPARTMENT OF LABOR
DIVISION OF SAFETY AND HEALTH)

The attached is a copy of a Decision dated July 31, 1995 which I have compared with the original filed in this office and which I DO HEREBY CERTIFY to be a correct transcript of the text of the said original.

If you are aggrieved by this decision you may appeal within 60 days from its issuance to the Industrial Board of Appeals as provided by Section 101 of the Labor Law. Your appeal should be addressed to the Industrial Board of Appeals, 194 Washington Avenue, Albany, New York 12210, as prescribed by its Rules of Procedure, a copy of which may be obtained upon request.

WITNESS my hand and the seal of the Department of Labor, at the City of Albany, this thirty-first day of July One thousand nine hundred and ninety-five.


Daniel J. Sullivan, P.E.
Principal Safety and Health Engineer

NOTE: It is important that a copy of this Decision (if a variance is granted) be preserved at all times for public inspection for the reason that the violation upon which the petition for variance is based is, through this Decision, removed and the petitioner is thereby deemed to be in full compliance with the Law, thus avoiding the penalties prescribed by Section 213 of the Labor Law.

STATE OF NEW YORK
DEPARTMENT OF LABOR
STATE OFFICE BUILDING CAMPUS
ALBANY, NEW YORK 12240-0100

-----X
Variance Petition : File No. 944-95
of : DECISION
Jack Eisenbach Engineering : Cases 1 - 15
Petitioner : ICR 56
in re :
Premises: Woodlawn Avenue Office Building :
Woodlawn Avenue :
Saratoga Springs, New York :
-----X

The Petitioner, pursuant to Section 30 of the Labor Law, having filed Petition No. 944-95 on July 24, 1995 with the Commissioner of Labor for a variance from the provisions of Industrial Code Rules 56-6.1, 56-8.1(j), 56-8.1(k)(1-5), 56-9.1, 56-10.1, 56-11.1(b), 56-12.1(c), 56-15.2(c-e) and 56-17 on the grounds that there are practical difficulties or unnecessary hardship in carrying out the provisions of said Rule, and the Commissioner of Labor having reviewed the submission of the Petitioner dated July 21, 1995; and

Upon considering the merits of the alleged practical difficulties or unnecessary hardship and upon the record herein, the Commissioner of Labor does hereby take the following actions:

Case No. 1	ICR 56-6.1
Case No. 2	ICR 56-8.1(j)
Case No. 3	ICR 56-8.1(k)(1)
Case No. 4	ICR 56-8.1(k)(2)

Case No. 5	ICR 56-8.1(k)(3)
Case No. 6	ICR 56-8.1(k)(4)
Case No. 7	ICR 56-8.1(k)(5)
Case No. 8	ICR 56-9.1
Case No. 9	ICR 56-10.1
Case No. 10	ICR 56-11.1(b)
Case No. 11	ICR 56-12.1(c)
Case No. 12	ICR 56-15.2(o)
Case No. 13	ICR 56-15.2(d)
Case No. 14	ICR 56-15.2(e)
Case No. 15	ICR 56-17

VARIANCE GRANTED. The Petitioner's proposal to remove asbestos-containing materials: 5,100 square feet of roofing and flashing materials from the roof area of the subject premises in accordance with Applicable Variance AV83 and the attached three-page stamped copy of the Petitioner's submittal, is accepted, subject to the following conditions:

THE CONDITIONS

1. The immediate work area shall be considered to be the roof area from which the asbestos containing roof flashing or roofing and miscellaneous materials are actively being removed. The asbestos work area shall extend twenty-five feet (25') from the perimeter of the immediate work area.
2. All openings (including operable windows, doors, ducts, grilles, communicating openings, etc.) one (1) story above and one (1) story below the roof level of the immediate work area and extending twenty-five (25') beyond, shall be sealed directly with two layers of at least six-mil flame-retardant plastic sheeting. All vent openings which can not be sealed

shall be extended vertically a minimum of eight (8) feet and remain in operation.

3. A polyethylene drape or curtain may be used instead of plasticizing the windows individually. The drape may be removed once the roof system has been placed.
4. The drape or curtain, if used, shall be made of two layers of a continuous eighteen foot curtain (drapes) of at least six mil plastic hung from the top of the wall or parapet. The plastic curtain shall be secured using nailer strips and ram set charges or other methods approved by the Project Engineer. The bottom of the plastic curtain shall be sufficiently weighted or anchored to prevent lifting due to winds. Curtain seams shall overlap at least twelve inches and be sealed with duct tape front and back. The curtain ends and each seal shall be reinforced by stapling furring strips to the plastic. The plastic curtain shall extend a minimum of fifteen feet beyond the last opening within twenty-five feet of the work area. When removed, the plastic curtain shall be disposed of as asbestos waste.
5. Any windows that must be plasticized from inside the building because of safety reasons or any fixed or non-operable windows on the floor below or above within 25 feet of the roof work area that are not to be plasticized shall be sealed using caulking or tape/plastic.

6. Upon completion of the roofing removal, within each work area, the caulk, plastic tape or interior plastic sheeting may be removed; however subsequent to the removal the interior surfaces and trim of each window/opening shall be thoroughly HEPA vacuumed.
7. Where the work area extends outward 25 feet and extends downward one floor to encompass a passage or vehicular door which must be used for either primary entrance or by emergency vehicle thereby precluding sealing such door, a tunnel structure (with sides and roof) built of plywood sheeting, covered with at least two (2) layers of at least six mil plastic, shall extend outward 25 feet horizontally from the line of vertical projection of the roof edge downward to grade level.
8. Removed flashing and/or roofing materials shall be transported across the roof in enclosed containers lined with two (2) layers of 6 mil polyethylene.
9. A chute, if used, shall be air/dust tight along its lateral perimeter and at the terminal connection to the dumpster at ground level (solid wall and top container). The dumpster shall be lined with two (2) layers of six-mil plastic draped loosely over the sides so as to facilitate being wrapped over the top of the load and sealed prior to transport from the site. The upper end of the chute shall be furnished with a hinged lid, to be closed when the chute is not being used. Prior to transport from the work site the dumpster will be disconnected from the chute and sealed air/dust tight utilizing

six mil plastic and tape. The roof waste material will be transported as an asbestos containing material by appropriate legal methods.

10. Dumpsters shall be lined with two (2) layers of six-mil polyethylene, if non-fire-retardant polyethylene is to be used no smoking shall be allowed in the vicinity of the dumpster.
11. A personal decontamination enclosure system that complies with Subpart 56-9 shall be utilized. This enclosure system can be remote and shall be removed only after satisfactory completion of the project.
12. An airlock, in which workers shall remove their outer suit and don a clean outer suit before proceeding to the remote decontamination unit, shall be erected at roof level.
13. Asbestos-contaminated tools/equipment shall be decontaminated by utilizing a waste decontamination enclosure system that complies with Subpart 56-10 or by utilizing the personal decontamination enclosure system in conjunction with the applicable requirements of Subpart 56-5.1 of this Code Rule. Storage of waste materials in the Clean room area of a personal decontamination enclosure is not allowed.
14. After a minimum drying period of two (2) hours has elapsed, an authorized and qualified individual; independent of the removal Contractor, (i.e.: the Project Monitor; Design Engineer; or other representative of the owner), shall determine if the roof

removal area is dry. When acceptable results are attained the area shall be encapsulated new roofing materials may be installed.

15. Air monitoring per this Code Rule Subpart 56-17 shall not be required on this project inasmuch as the roofing/flashing consists of built-up roofing materials.
16. All other requirements of Code Rule 56 and will be followed.

In addition to the conditions required by the above specific variances, the Petitioner shall also comply with the following general conditions:

GENERAL CONDITIONS

1. A copy of this DECISION and a copy of the completed, signed DOSH-465 form, entitled "NON-FRIABLE ASBESTOS OR ASBESTOS MATERIAL ROOFING PROJECT(S)" shall be conspicuously posted at the entrance to the personal decontamination enclosure(s).
2. This DECISION shall apply only to removing the aforementioned asbestos-containing materials from the subject premises.


3. The Petitioner shall comply with all other applicable provisions of Industrial Code Rule 56-1 through 56-17.

4. This DECISION shall terminate on November 30, 1995.

DATED: JULY 31, 1995

JOHN E. SWEENEY
COMMISSIONER OF LABOR

BY


CARL J. THURNAU, ASSISTANT DIRECTOR
DIVISION OF SAFETY AND HEALTH

RSL

ATTACHMENT #1

The work consists of the removal of approximately 5,100 square feet of asbestos containing built up roofing from the Woodlawn Avenue Office Building, Saratoga Springs.

The asbestos abatement work will be done in accordance with Industrial Code Rule 56 and Applicable Variance AV83 for roofing except as noted below.

1. We request relief from the condition of the applicable variances that requires all openings on the roof level and the level below be sealed with two layers of 6 mil polyethylene. This is a full operational facility wherein it is not feasible to shut down all ventilation and seal all openings for the duration of the removal activities.
2. We request relief from Industrial Code Rule 56-9 and 56-10 which requires attached personal and waste decontamination enclosure systems.
3. We request relief from Industrial Code Rule 56-5. We believe that use of a sealed, double lined dumpster and air/dust tight chute in lieu of double bagging and passing through a waste decon will reduce the chance of an asbestos release. It is likely that bags may break during the handling process from the roof level to the ground level through a waste decon and into a trailer or dumpster.
4. We request relief from Industrial Code Rule 56-17.2 which requires a twelve hour wait after cleaning before clearance air samples are collected.

The work is scheduled for the summer of 1995. Preparing the area in accordance with the above-referenced items would greatly increase the time and cost of the project without any increased benefit in protecting health, safety or the environment.

ATTACHMENT #2

We propose to use the following procedures in addition to all other conditions of Industrial Code Rule 56 and Applicable Variance AV83 to ensure the health and safety of building occupants and the environment.

1. The active work area will consist of the roof area where the work is actually occurring and shall extend 25 feet from the perimeter of the roof area where the work is occurring.
2. A remote personal decontamination enclosure system shall be constructed and used which conform to the provisions set forth in Industrial Code Rule 56, Subparts 56-9.
3. An air/dust tight chute will be used to remove asbestos-containing material from the roof to a ground level container, double lined with 6 mil plastic. The top of the chute will have a lid which will be closed when not in use. The chute will be sealed where it enters the dumpster. Prior to removing the dumpster from the site it shall have the plastic liner, where the chute was attached, sealed with additional plastic.
4. The active work area will be restricted to certified people only. Non-certified people will be allowed on the roof outside of the active work area.
5. The active work area will be cordoned off and warning signs which comply with Industrial Code Rule 56 Applicable Variance AV90 shall be posted.
6. Personal protective equipment as required by Industrial Code Rule 56 shall be provided and used. Workers will be equipped with at least a half-face respirator equipped with HEPA filters. Before workers exit the equipment room airlock and proceed to the remainder of the decon unit, they shall don a clean suit.
7. All communicating openings within a 25 foot perimeter of the active work area will be sealed with two layers of 6 mil polyethylene. All active ducts or vents located on the roof, which can not be sealed, will be extended at least eight (8) feet above the work area roof level.
8. HEPA filtered local exhaust ventilation, as required by Industrial Code Rule 56-7.1 (J) shall be provided on any power tools utilized.
9. In addition to the requirements of Industrial Code Rule 56-17.7, air monitoring of the entire active work area shall be conducted daily. If air sample results indicate any airborne asbestos fiber concentrations at or above .01 fibers per centimeter or the background level, which ever is greater, work shall be stopped immediately. Methods shall be altered to reduce the airborne asbestos fiber concentrations to the aforementioned level and work shall not resume until that level is attained.

CERTIFICATE OF ANALYSIS

Client: Environmental Solutions, Inc
331 Ushers Road
Ballston Lake NY 12019

Report Date: 05/31/1994
Project: Saratoga County
Project No.:

BULK SAMPLE ANALYSIS SUMMARY

Lab No. 283915	Material Description: Black Roof Material
Client No.: 001	Location: DMV Saratoga

<u>% Asbestos</u>	<u>Type</u>	<u>% Non-Asbestos Fibrous Material</u>	<u>Type</u>	<u>% Non-Fibrous Material</u>
20	Chrysotile	10	Cellulose	70

Lab No. 283916	Material Description: Black Roof Material
Client No.: 002	Location: DMV Saratoga

<u>% Asbestos</u>	<u>Type</u>	<u>% Non-Asbestos Fibrous Material</u>	<u>Type</u>	<u>% Non-Fibrous Material</u>
18	Chrysotile	15	Cellulose	67

Lab No. 283917	Material Description: Black Flashing
Client No.: 003	Location: DMV Saratoga

<u>% Asbestos</u>	<u>Type</u>	<u>% Non-Asbestos Fibrous Material</u>	<u>Type</u>	<u>% Non-Fibrous Material</u>
20	Chrysotile	15	Cellulose	65

NIST-NVLAP No. 1165 NY-DOH No. 11021 AIHA Lab No. 444

This confidential report relates only to those item(s) tested and does not represent an endorsement by NIST-NVLAP or any agency of the U.S. government.

Analysis Method: EPA 600/M4-82.020

Comments: (PC) indicates Stratified Point Count Method performed. Method not performed unless stated. Small Asbestos fibers may be missed by PLM due to resolution limitations of the optical microscope. Therefore, negative PLM results cannot be guaranteed. Electron Microscopy can be used as a confirming technique.

Analysis Performed By: Vone G. Smith, III
Vone G. Smith, III, AIHA-AAR 4719

Approved By: [Signature]
Frank E. Ehrenfeld, III
Laboratory Director

Date: 5-31-94