

SAFETY PROGRAM
INSPECTIONS

CGA
(LEGAL)

“ASBESTOS-RELATED
ACTIVITY”

Prior to engaging in an “asbestos-related activity,” a college district shall comply with the requirements of the Texas Asbestos Health Protection Act, Occupations Code Chapter 1954. *Atty. Gen. Op. JM-1114 (1989)*

“Asbestos-related activity” means the removal, encapsulation, or enclosure of asbestos; the performance of an asbestos survey; the development of an asbestos management plan or response action; the collection or analysis of an asbestos sample; or the performance of another activity for which a license is required under the Texas Asbestos Health Protection Act. *Occupations Code 1954.002(4), .101*

Unless a person is licensed by the Texas Department of State Health Services (TDSHS) under Occupations Code Chapter 1954, the person may not engage in an asbestos-related activity listed at Occupations Code 1954.101. *Occupations Code 1954.101(a)*

NOTICE

A person engaged in removing asbestos from or encapsulating or enclosing asbestos in a public building shall notify the department in writing at least ten working days before the date the person begins the removal, encapsulation, or enclosure project according to applicable laws. A person may give the required notice orally if the removal, encapsulation, or enclosure project is of an emergency nature. *Occupations Code 1954.252, .101; 25 TAC 295.61*

RECORDS

A license holder shall keep an appropriate record of each asbestos-related activity the license holder performs in a public building. The license holder shall make the records available to TDSHS at any reasonable time. The license holder shall keep the records for at least 30 years, or as long as required by federal law or regulation. *Occupations Code 1954.251; 25 TAC 295.58(d)*