



FREQUENTLY ASKED QUESTIONS ASBESTOS PROJECT DESIGNER LICENSE

When is it's use mandatory?

Project designer use is not required by Federal Regulations. Specific state requirements must be evaluated on a state-by-state basis. The only other possible mandatory use is in contract requirements between a client and a consultant.

EPA's Model Accreditation Plan (MAP) 40 CFR Part 763 Subpart E Appendix C (FOR STATES) states, "a person must be accredited as a Project Designer to design any of the following activities with respect to friable ACBM in a school of public or commercial building.

1. A response action other than a small scale, short duration maintenance activity.
2. A maintenance activity disturbs friable ACBM other than small scale short duration maintenance activity.
3. A response action for a major fiber release episode".

However, mandatory use of a Project Designer in regulations/laws was left up to the individual states. This resulted in many states having licensing requirements for Project Designers, however only a few have regulations mandating project designer use such as:

- **Arkansas** - requires project designers to design asbestos projects in both schools or public and commercial buildings (when asbestos quantities exceed 3SF/3LF maintenance level)
- **Texas** - requires project designers (when exceed 260LF/160SF NESHAP level).

In **Pennsylvania** (the state where AET is headquartered) the name and PA license of the Project Designer is listed on the Asbestos Abatement and Demolition/Notification form (Item #24). However the information is rarely provided and the form is processed by PA without the project designer information.

OSHA's Asbestos Construction Standard (29 CFR 1926.1101) merely lists Project Designer in the definition section of the regulation. There is not specific responsibilities or authorities detailed. The standard requires the use of a competent person to identify existing asbestos hazards in the work place, select the appropriate control strategy for asbestos exposure and the professional who has the authority to take prompt corrective measures to eliminate them.

EPA NESHAP regulations (40 CFR Part 61 Subpart M) does not even use the term Project Designer in the regulations. Building inspectors are responsible to thoroughly inspected the affected facility where the demolition or renovation operations will occur for the presence of asbestos.

When you need professional mold advice email Alan Sutherland, CIH, CHMM at a.sutherland@actinc.biz or call 610-891-0114. We provide nationwide services; phone consultations are free. Check out the full range of environmental contracting/consulting services on our website www.actinc.biz.

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