

Introduced: 3/26/81
Referred: Health, Education &
Social Services, Community &
Regional Affairs and Finance

1 IN THE SENATE

BY PARR

2 SENATE BILL NO. 338

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing an asbestos health hazard program
7 and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

10 (1) medical studies indicate that individuals who are exposed to
11 asbestos fibers have a significantly increased incidence of cancer and other
12 severe or fatal diseases, as compared with individuals who are not exposed;

13 (2) medical evidence suggests that children may be particularly
14 vulnerable to cancer induced by exposure to asbestos fibers;

15 (3) medical science has not established a minimum level of
16 exposure to asbestos fibers which is considered to be safe;

17 (4) substantial amounts of asbestos, particularly in sprayed
18 form, have been installed in school buildings and other public facilities in
19 the state;

20 (5) a partial survey of Alaskan schools indicates that

21 (A) in many cases materials containing asbestos fibers have
22 become damaged or friable, causing asbestos fibers to be released into
23 the air; and

24 (B) asbestos concentrations far exceeding normal air levels
25 are present in school buildings containing these damaged materials;

26 (6) the presence in school buildings and public facilities of
27 friable or easily damaged asbestos creates an unwarranted health hazard to
28 school children, employees, and other individuals who are exposed to the
29 material.

1 (7) no systematic program presently exists to identify asbestos
2 health hazards in school buildings and public facilities or to remedy those
3 conditions.

4 (b) It is the purpose of this Act to

5 (1) provide testing and analysis of friable asbestos materials in
6 school buildings and other public facilities in the state;

7 (2) provide information relating to the health hazards caused by
8 exposure to friable asbestos fibers;

9 (3) correct identified health hazards from friable asbestos
10 materials in school buildings and other public facilities.

11 * Sec. 2. AS 18 is amended by adding a new chapter to read:

12 CHAPTER 28. ASBESTOS HEALTH HAZARD PROGRAM.

13 Sec. 18.28.010. PROGRAM ESTABLISHED. The asbestos health hazard
14 program is established in the Department of Environmental Conservation
15 to coordinate efforts of state departments and agencies to eliminate
16 asbestos health hazards in schools and public facilities in the state,
17 in order to insure state compliance with the Asbestos School Hazard and
18 Control Act of 1980 (P.L. 96-270).

19 Sec. 18.28.020. DUTIES OF THE DEPARTMENT OF ENVIRONMENTAL CONSER-
20 VATION. In order to eliminate asbestos health hazards in schools and
21 public facilities in the state, the Department of Environmental Conser-
22 vation shall

23 (1) provide training materials for school personnel and
24 custodians of public facilities to enable them to inspect and sample
25 material for the presence of deteriorating friable asbestos;

26 (2) distribute the Environmental Protection Agency "Guidance
27 Manual on Asbestos Control in School Buildings, Parts I and II" and
28 supplemental videotapes to city and borough school districts, regional
29 educational attendance areas, Bureau of Indian Affairs schools, private

1 schools, and to state public facilities custodians;

2 (3) distribute, retrieve, and store asbestos training
3 materials;

4 (4) provide resource personnel to answer inquiries and
5 assure quality control of sampling;

6 (5) collect samples of suspected friable asbestos and have
7 them analyzed;

8 (6) evaluate analysis results and distribute the results to
9 affected schools and public facilities;

10 (7) coordinate efforts by state departments and agencies and
11 by school and public facilities personnel to identify and eliminate
12 asbestos health hazards;

13 (8) provide information on asbestos health hazards and
14 testing and analysis services upon request to any local government or
15 private business;

16 (9) administer state money appropriated to finance the
17 asbestos health hazard program; and

18 (10) adopt regulations necessary to implement the provisions
19 of this chapter.

20 Sec. 18.28.030. DUTIES OF THE DEPARTMENT OF EDUCATION. To assist
21 in implementing the asbestos health hazard program, the Department of
22 Education shall

23 (1) cooperate with the Department of Environmental Conserva-
24 tion to insure inspection of schools in the state for asbestos health
25 hazards and to insure that identified asbestos health hazards are
26 eliminated;

27 (2) revise, update, and distribute information on procedures
28 and standards for detecting and controlling asbestos health hazards, to
29 city and borough school districts and regional educational attendance

1 areas;

2 (3) distribute new information as it becomes available on
3 asbestos health hazards, to city and borough school districts and
4 regional educational attendance areas; and

5 (4) maintain records, files, and reports on asbestos health
6 hazards in city and borough schools and regional educational attendance
7 area schools.

8 Sec. 18.28.040. DUTIES OF THE DEPARTMENT OF TRANSPORTATION AND
9 PUBLIC FACILITIES. To assist in implementing the asbestos health
10 hazard program, the Department of Transportation and Public Facilities
11 shall

12 (1) cooperate with the Department of Environmental Conserva-
13 tion to insure inspection of public facilities in the state for asbestos
14 health hazards, and to insure that identified asbestos health hazards
15 are eliminated; and

16 (2) provide technical assistance and guidelines for renova-
17 tion techniques to eliminate asbestos health hazards from public facil-
18 ities and from other buildings in the state.

19 Sec. 18.28.050. DUTIES OF SCHOOL OFFICIALS. To assist in imple-
20 menting the asbestos health hazard program, each city or borough school
21 district, each regional educational attendance area, each Bureau of
22 Indian Affairs agency office in charge of schools in Alaska, and each
23 private school shall

24 (1) train school personnel in the detection of friable
25 asbestos in their respective school buildings;

26 (2) maintain records of all inspections, including sample
27 dates, location, condition, and analysis of friable materials;

28 (3) notify school personnel of the location of friable
29 asbestos materials and ways to reduce exposure;

1 (4) notify the parents of students of asbestos inspection
2 results;

3 (5) submit inspection forms and samples required by the
4 Department of Environmental Conservation;

5 (6) contract for renovation of school buildings to eliminate
6 asbestos health hazards, and supervise and monitor the renovation
7 contracts.

8 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
9 070(c).

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29