

Introduced by Senator Galgiani

February 18, 2016

An act to amend Section 25915 of the Health and Safety Code, relating to asbestos.

LEGISLATIVE COUNSEL'S DIGEST

SB 1131, as introduced, Galgiani. Asbestos notification.

Existing law requires the owner of any building constructed prior to 1979 who knows that the building contains asbestos-containing construction materials to provide notice to all employees of that owner working within the building concerning specified information, including general procedures and handling restrictions necessary to prevent, and, if appropriate, to minimize disturbance, release, and exposure to the asbestos. If detailed handling instructions are necessary to ensure employee safety, existing law requires the notice to indicate where those instructions can be found. Existing law provides that these notice requirements do not apply to an owner who elects to prepare an asbestos management plan, in which case, other notice requirements apply.

This bill would make technical, nonsubstantive changes to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25915 of the Health and Safety Code is
- 2 amended to read:
- 3 25915. (a) (1) Notwithstanding any other ~~provision of law,~~
- 4 the owner of any building constructed prior to 1979, who knows

1 that the building contains asbestos-containing construction
 2 materials, shall provide notice to all employees of that owner
 3 working within the building concerning all of the following:

4 (1)

5 (A) The existence of, conclusions from, and a description or list
 6 of the contents of, any survey known to the owner conducted to
 7 determine the existence and location of asbestos-containing
 8 construction materials within the building, and information
 9 describing when and where the results of the survey are available
 10 pursuant to Section 25917.

11 (2)

12 (B) Specific locations within the building known to the owner,
 13 or identified in a survey known to the owner, where
 14 asbestos-containing construction materials are present in any
 15 quantity.

16 (3)

17 (C) General procedures and handling restrictions necessary to
 18 prevent, and, if appropriate, to minimize disturbance, release, and
 19 exposure to the asbestos. If detailed handling instructions are
 20 necessary to ensure employee safety, the notice required by this
 21 section shall indicate where those instructions can be found.

22 (4)

23 (D) A summary of the results of any bulk sample ~~analysis,~~
 24 *analysis* or air monitoring, or monitoring conducted pursuant to
 25 Section 5208 of Title 8 of the California Code of Regulations,
 26 conducted for or by the owner or within the owner's control,
 27 including reference to sampling and laboratory procedures utilized,
 28 and information describing when and where the specific monitoring
 29 data and sampling procedures are available pursuant to Section
 30 25917.

31 (5)

32 (E) Potential health risks or impacts that may result from
 33 exposure to the asbestos in the building as identified in surveys or
 34 tests referred to in this section, or otherwise known to the owner.

35 ~~The~~

36 (2) *The* notice may contain a description and explanation of
 37 the health action levels or exposure standards established by the
 38 state or federal government. However, if the notice contains this
 39 description, the notice shall include, at least, a description and
 40 explanation of the no significant risk level established pursuant to

1 Chapter 6.6 (commencing with Section 25249.5) of Division 20,
2 and specified in Section ~~12711~~ 25711 of Title ~~22~~ 27 of the
3 California Code of Regulations, the school abatement clearance
4 level specified in Section 49410.7 of the Education Code, and the
5 action levels established by state and federal Occupational Safety
6 and Health Act regulations.

7 ~~The~~

8 (3) *The* notice requirements specified in this subdivision shall
9 not apply to an owner who elects to prepare an asbestos
10 management plan pursuant to Section 25915.1. In those cases, the
11 notice requirements specified in Section 25915.1 shall apply.

12 (b) If the owner has no special knowledge of the information
13 required pursuant to ~~paragraphs (3) and (5); subparagraphs (C)~~
14 *and (E) of paragraph (1) of subdivision (a)*, the owner shall
15 specifically inform his or her employees in the notice required by
16 this section, that he or she lacks knowledge regarding handling
17 instructions necessary to prevent and minimize release of, and
18 exposure to, asbestos and the potential health impacts resulting
19 from exposure to asbestos in the building, and shall encourage
20 employees to contact local or state public health agencies.