

Code of Alabama Currentness

Title 22. Health, Mental Health, and Environmental Control. ([Refs & Annos](#))

▢ [Subtitle 1](#). Health and Environmental Control Generally. ([Refs & Annos](#))

➔ Chapter 39. Asbestos Contractor Accreditation Act. ([Refs & Annos](#))

### **§ 22-39-1. Purpose.**

The purpose of this chapter is to establish an asbestos contractor accreditation plan for the State of Alabama in compliance with Section 206 of the Toxic Substances Control Act, [15 U.S.C.A. § 2646](#) as amended.

### **§ 22-39-2. Short title.**

This chapter shall be known and may be cited as the "Alabama Asbestos Contractor Accreditation Act."

### **§ 22-39-3. Services requiring accreditation by the state.**

Any person, firm, or corporation, before engaging in the business of any of the following services, must be accredited by this state as specified in this chapter to do any of the following:

- (1) Inspect for asbestos-containing material in a school building under the authority of a local educational agency, as defined in [15 U.S.C.A. § 2642\(7\)](#).
- (2) Prepare a management plan for such a school.
- (3) Design or conduct response actions, with respect to friable asbestos-containing material in such a school, as such material is defined in [15 U.S.C.A. § 2642\(6\)](#).
- (4) Inspect for asbestos-containing material, or design or conduct response actions in buildings as defined in [15 U.S.C.A. § 2642\(10\)](#).

### **§ 22-39-4. Safe-State Program designated accreditation agency; duties; fees.**

(a) The Safe-State Program, a division of the University of Alabama, Tuscaloosa, Alabama, is hereby designated as the State of Alabama's accreditation agency for such asbestos contractors designated in [Section 22-39-3](#).

(b) The Safe-State Program shall design and publish accreditation plans for each type of worker or contractor in such asbestos abatement area and specify the course of study or training which must be completed before said person can be accredited and permitted to work on asbestos abatement. Such accreditation requirement and training must be at least as stringent as those promulgated for similar workers by the United States Environmental Protection Agency.

(c) The aforesaid agency, Safe-State, shall establish and publish regular training periods for contractors and workers involved in asbestos abatement as specified in [Section 22-39-3](#) and upon the successful completion of these programs shall issue an appropriate certificate of accreditation. The agency shall establish decertification and recertification procedures for each type of asbestos worker or contractor.

(d) The Safe-State Program is authorized to charge such fees as are reasonable and necessary for the conduct of the accreditation programs, to adopt and promulgate such rules and regulations as are necessary to implement this chapter, and to negotiate and establish reciprocity agreements with other states where equivalency of asbestos contractor accreditation requirements can be demonstrated.

**§ 22-39-5. Certification requirement; civil penalty.**

(a) The Alabama Department of Environmental Management is hereby authorized to require any person, firm, or corporation who is the owner or operator of any asbestos removal project for which notification is required pursuant to the requirements of the Clean Air Act of the United States to insure that the personnel executing the asbestos removal project are certified by the Safe-State Program, the accreditation agency of the State of Alabama, which is authorized to accredit asbestos removal personnel.

(b) Failure of an owner or operator of any asbestos removal project for which notification is required pursuant to the requirements of the Clean Air Act of the United States to comply with the provisions of subsection (a) of this section may be subject to a civil penalty as prescribed in the Alabama Environmental Management Act, [Section 22-22A-5\(18\)](#).

Current through End of 2009 Regular Session, except Acts 2009-513 and 2009-730.  
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