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CHAPTER 11.7 COMPETENT PERSON

11.7.1. Requirement

11.7.1.1 JSC requires that all asbestos-related work, which meets the definition of construction work in 29 CFR 1910.12 and 29 CFR 1926.1101(a), be conducted under the supervision of a Competent Person as defined below.

A competent person is one who is capable of identifying existing and predictable hazards in the work area or unsanitary, hazardous, or dangerous working conditions, and who has authority to take prompt corrective measures (29 CFR 1926.32(f)).

11.7.1.2 The following requirements apply to an asbestos Competent Person:

- a. 29 CFR 1926.1101(b) states that "...competent person means, in addition to the definition in 29 CFR 1926.32 (f), one who is capable of identifying existing asbestos hazards in the workplace and selecting the appropriate control strategy for asbestos exposure..." and "... who has the authority to take prompt corrective measures to eliminate them, as specified in 29 CFR 1926.32(f)." The Competent Person shall ensure that all asbestos work follows the approved work practices and work plans.
- b. The duties of the Competent Person to supervise asbestos-related work and to perform inspections and other activities are detailed in 29 CFR 1926.1101(o). A Competent Person shall be capable of performing the class of asbestos-related work over which he or she have control. The assigned Competent Person signs the JSC Form 664, "Job Procedure Requirements Permit and Notification Form" (see Chapter 11.1). If the assigned Competent Person is not at the job site, he or she must visit the job site a minimum of twice per task and once per shift during the course of the work. A Competent Person should post the company name and contact telephone number on any Regulated Area for which he or she is responsible.

11.7.2. Qualifications

11.7.2.1 The following qualifications are required for an asbestos Competent Person:

- a. A Class I and Class II Competent Person shall:
 - (1) Demonstrate current training meeting the requirements of EPA's Model Accreditation Plan (40 CFR 763, Subpart E, Appendix C) for supervisor, or its equivalent. This 5-day training course includes specific lecture topics, demonstrations, at least 14 hours of hands-on training, individual respirator fit testing, a course review, and a written test. If you have a current license issued under 25 TAC 295.46 for an Asbestos Abatement Supervisor, then you have demonstrated that you have met this requirement.
 - (2) Complete either the JSC 8-hour Asbestos Site-Specific and Class III (Restricted) Worker Training course or a 2-hour training course on JSC policies and procedures. These courses are offered by Occupational Health and are required to familiarize you with JSC policies, procedures, and job-specific performance requirements described in Chapter 11.15 and Chapter 11.16, as well as the conditions found at JSC.

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- (3) Ensure that training is current. The training expires exactly 12 months after the date of the initial or last refresher training. You may not perform as a Class I or Class II Competent Person until you have again received the required 8-hour refresher training. If you let more than 24 months lapse since the date of your last training, you shall retake the 5-day initial training.
 - (4) Have a minimum of 6 months experience either after initial completion of a 40-hour Contractor/Supervisor training or as an OSHA Class I/II asbestos abatement worker.
 - (5) Pass a written test developed and administered by Occupational Health, to evaluate the ability of the candidate to identify and predict asbestos hazards in the work place and to demonstrate a working knowledge of OSHA, EPA, and JSC asbestos regulations, policies, and procedures. Note, this testing requirement is waived for offsite licensed abatement contractors.
- b. A Class III and Class IV Competent Person for asbestos work involving minor abatement or spill response shall:
- (1) Demonstrate current training meeting the requirements of EPA’s Model Accreditation Plan (40 CFR 763, Subpart E, Appendix C) for supervisor, or its equivalent. This 5-day training course includes specific lecture topics, demonstrations, at least 14 hours of hands-on training, individual respirator fit testing, a course review, and a written test. If you have a current license issued under 25 TAC 295.46 for an Asbestos Abatement Supervisor, then you have demonstrated that you have met this requirement.
 - (2) Complete either the JSC 8-hour Asbestos Site-Specific and Class III (Restricted) Worker Training course or a 2-hour training course on JSC policies and procedures. These courses are offered by Occupational Health and are required to familiarize you with JSC policies, procedures, and job-specific performance requirements described in Chapter 11.15 and Chapter 11.16, as well as the conditions found at JSC.
 - (3) Take the JSC 2-hour Asbestos Site-Specific and Class III (Restricted) Worker Refresher course offered periodically by Occupational Health to maintain currency as a Competent Person for Class III and Class IV work. Also maintain currency in training as a Class I/Class II Contractor/Supervisor.
 - (4) Ensure training is current. Training expires exactly 12 months after the date of the initial or last refresher training. You may not perform as a Class III or Class IV Competent Person until you have again received the required refresher training. If you let more than 24 months lapse since the date of your last training, you shall retake the 5-day Contractor/Supervisor Course and either the JSC 8-hour Asbestos Site-Specific and Class III (Restricted) Worker Training course or a 2-hour training course on JSC policies and procedures offered by Occupational Health.
 - (5) Have a minimum of 6 months experience either after initial completion of a 40-hour Contractor/Supervisor Course or as an OSHA Class I/II asbestos abatement worker.
 - (6) Pass a written test, developed and administered by Occupational Health, to evaluate the ability of the candidate to identify and predict asbestos hazards in the work place and to demonstrate a working knowledge of OSHA, EPA, and JSC asbestos regulations, policies, and procedures. Note, this testing requirement is waived for offsite licensed abatement contractors.
- c. A Class III O&M (Restricted) Competent Person shall:

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- (1) Demonstrate current training meeting the requirements of 40 CFR 763.92(a)(2) for custodial and maintenance staff. This training consists of at least 16 hours in specific topics, demonstrations, and hands-on training in the use of respiratory protection, other personal protective measures, and good work practices. (See Chapter 11.5, subparagraph 11.5.3.1.d. for more details on this training.)
 - (2) Complete either the JSC 8-hour Asbestos Site-Specific and Class III (Restricted) Worker Training course or a 2-hour training course on JSC policies and procedures offered by Occupational Health. This training is required to familiarize you with JSC policies and procedures as well as the conditions to be found at JSC.
 - (3) Take the JSC 2-hour Asbestos Site-Specific and Class III (Restricted) Worker Refresher course offered periodically by Occupational Health to remain current as a Class III O&M (Restricted) Competent Person.
 - (4) Ensure training is current . The training described in this paragraph expires 12 months after the date of your initial or last refresher training. If you can demonstrate that you are scheduled for refresher training, you may continue to perform as a Class III O&M (Restricted) Competent Person on site at JSC until receiving the scheduled refresher training, but no longer than 14 months after the date of your prior training. If you let more than 24 months lapse since the date of your last training, you shall retake the 16-hour Operations and Maintenance initial training and either the JSC 8-hour Asbestos Site-Specific and Class III (Restricted) Worker Training course or a JSC Site-Specific training course on JSC policies and procedures offered by Occupational Health.
 - (5) Have a minimum of 6 months experience as an OSHA Class III or Class III O&M (Restricted) asbestos worker.
 - (6) Pass a written test developed and administered by Occupational Health, to evaluate the ability of the candidate to identify and predict asbestos hazards in the work place and to demonstrate a working knowledge of OSHA, EPA, and JSC asbestos regulations, policies, and procedures.
- d. A Competent Person shall:
- (1) Have sufficient authority to take prompt corrective measures to ensure compliance with OSHA, EPA, TDSHS, and TCEQ regulatory requirements and guidelines.
 - (2) Be qualified to use respiratory protection (see requirements in Chapter 11.5).