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Audit of PBS National Capital Region's Asbestos Management in Building 40 of the St. Elizabeths West Campus

Report Number A230046/P/R/R24003
May 1, 2024

Executive Summary

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Why We Performed This Audit

We performed this audit in response to a hotline complaint that raised concerns over asbestos management in Building 40 of GSA’s Public Buildings Service (PBS) National Capital Region’s (NCR’s) St. Elizabeths West Campus in Washington, D.C. Our audit objective was to determine if PBS NCR is managing asbestos in Building 40 of the St. Elizabeths West Campus in accordance with federal regulations and PBS policy to ensure the health and safety of individuals.

What We Found

PBS NCR mismanaged asbestos in Building 40 of the St. Elizabeths West Campus. Specifically, we found that PBS NCR:

1. Did not maintain comprehensive and reliable asbestos records for Building 40, which hindered its ability to effectively manage asbestos in the building;
2. Did not take appropriate measures to eliminate or mitigate asbestos-containing material (ACM) hazards in Building 40, placing building occupants, visitors, and contractors at risk of asbestos exposure; and
3. Failed to notify building occupants of the presence and location of asbestos in Building 40 in violation of an Occupational Safety and Health Administration (OSHA) standard and PBS asbestos management policy.¹

Overall, we found that these deficiencies were driven by significant gaps in PBS NCR personnel’s knowledge and understanding of asbestos management requirements. PBS NCR personnel routinely told us that they were unaware of the requirements set forth in PBS’s asbestos management policy and federal regulations. Some responsible officials were also unaware of the presence of ACM in Building 40.

¹ We collectively refer to the following PBS policies and guidance as “PBS asbestos management policy”: GSA Order PBS 1000.1, *Asbestos Policy* (March 25, 2015); GSA Order PBS 1000.1A, *Asbestos Management* (April 11, 2022); and the PBS Desk Guide for GSA Order PBS 1000.1A (April 11, 2022).

What We Recommend

We recommend that the PBS NCR Regional Commissioner:

1. Conduct a comprehensive assessment of PBS NCR's asbestos management program and implement internal controls to ensure adherence to federal regulations and PBS asbestos management policy.
2. Comprehensively train PBS NCR management and staff so that they have a clear understanding of PBS's asbestos management policy and their roles and responsibilities for effectively and safely managing ACM in GSA-owned facilities.
3. Take the actions listed below to improve asbestos management in Building 40:
 - a. Develop and maintain an accurate, current, and comprehensive ACM inventory.
 - b. Upon completion of the ACM inventory, assess hazards arising from the ACM in the building and implement appropriate actions to mitigate or eliminate those hazards.
 - c. Ensure all required asbestos records are maintained in the Inventory Reporting Information System.
 - d. Enforce the asbestos management requirements established in the Building 40 operations and maintenance contract.
 - e. Update, enforce, and administer the Building 40 asbestos management plan.
 - f. Notify tenants of ACM inventory annually.

The PBS NCR Regional Commissioner concurred with our findings and recommendations. PBS's response can be found in its entirety in **Appendix B**.

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Introduction

We performed an audit of GSA’s Public Buildings Service (PBS) National Capital Region’s (NCR’s) asbestos management in Building 40 of the St. Elizabeths West Campus in Washington, D.C.

Purpose

We performed this audit in response to a hotline complaint that raised concerns over asbestos management in Building 40 of PBS NCR’s St. Elizabeths West Campus.

Objective

Our audit objective was to determine if PBS NCR is managing asbestos in Building 40 of the St. Elizabeths West Campus in accordance with federal regulations and PBS policy to ensure the health and safety of individuals.

See **Appendix A** – Objective, Scope, and Methodology for additional details.

Background

Building 40 is a 6,615-square-foot building located on the St. Elizabeths West Campus in Washington, D.C. It is a two-story brick building that has four rooms on each above-grade floor and a single finished room in the basement. A picture of the building is provided in *Figure 1* below.

Figure 1 – Building 40, St. Elizabeths West Campus²



² Photograph taken by the audit team on July 6, 2023.

Building 40 was originally constructed in 1882 to serve as a morgue and was used later as a laboratory to perform autopsies. In 1929, it was renovated into a circulating library. In 2004, PBS acquired Building 40 from the U.S. Department of Health and Human Services. PBS initially used the building as a construction office. It was used later by PBS NCR's Potomac Service Center to house approximately 25 PBS employees who supported property management functions at St. Elizabeths West Campus.

In March 2020, PBS NCR staff vacated Building 40 due to the COVID-19 pandemic. Upon their return in April 2022, the staff were instructed to enter Building 40, collect any personal belongings they left in the building prior to the COVID-19 pandemic, and relocate into trailers on the St. Elizabeths West Campus. According to PBS, moving PBS NCR staff to trailers was related to ongoing life and safety concerns, including water intrusion into Building 40 and a need for renovation. Building 40 has since remained vacant.

Asbestos in Building 40

A May 2007 hazardous material inspection report for Building 40 listed the presence of asbestos-containing materials (ACMs) in floor tiles, pipe insulation, and ceiling tile adhesive. Asbestos is the name given to a group of naturally occurring minerals that are resistant to heat and corrosion. Because of its fiber strength and heat resistance, asbestos was widely used in building construction materials for insulation and as a fire retardant. Among other things, asbestos was used in building materials such as insulation, floor tiles, plaster, ceiling tiles, and pipe wrapping.

In the mid-1970s, several types of ACMs, such as spray-applied insulation, fireproofing, and acoustical surfacing material, were banned by the U.S. Environmental Protection Agency as the health hazards associated with asbestos became increasingly apparent. When ACMs are disturbed, tiny asbestos fibers that are too small to see are released into the air. Workers and others who breathe asbestos fibers over a span of many years are at a higher risk of developing asbestos-related diseases. According to the U.S. Department of Health and Human Services' Centers for Disease Control and Prevention, persons occupationally exposed to asbestos have developed several types of life-threatening diseases, including asbestosis (scarring of the lungs), lung cancer, and mesothelioma.

The presence of asbestos in a building does not necessarily mean that the health of building occupants is endangered. According to the U.S. Environmental Protection Agency, ACM that is in good condition and left undisturbed is unlikely to present a health risk. However, ACM that is damaged or disturbed by seismic activity or through building maintenance, repair, or renovation projects can release asbestos fibers, creating a potential health hazard.

Regulations and Policies Governing ACMs and Enforcement

According to the Occupational Safety Health Act of 1970 and the Federal Management Regulation (41 C.F.R. 102), PBS has a responsibility to its employees, tenant agencies, visitors,

and outside contractors to safely manage ACM in its buildings. PBS established the following policies and guidance designed to ensure compliance with these regulations:³

- **GSA Order PBS 1000.1, *Asbestos Policy*** – PBS’s asbestos policy went into effect on March 25, 2015. It addressed the identification, communication, recordkeeping, monitoring, and overall management requirements for ACM in PBS buildings. This policy, which was in effect for many of the events described in the report findings, was superseded by updated PBS policy and guidance on April 11, 2022.
- **GSA Order PBS 1000.1A, *Asbestos Management*** – Issued on April 11, 2022, this policy superseded the March 2015 policy by incorporating references to applicable federal and state regulations, including those prescribed by the U.S. Environmental Protection Agency and the Occupational Safety and Health Administration (OSHA). PBS also moved procedural asbestos management requirements to a companion desk guide.
- **PBS Desk Guide for GSA Order PBS 1000.1A** – Also issued on April 11, 2022, the desk guide establishes PBS’s procedures designed to ensure compliance with applicable federal and state asbestos regulations.

Hotline Complaint

In October 2022, we received a hotline complaint alleging that PBS NCR staff were possibly exposed to asbestos in Building 40 of the St. Elizabeths West Campus. The complaint identified potential health concerns caused by the possibility that the staff suffered prolonged exposure to asbestos in Building 40, noting that some former employees who worked in the building have experienced significant medical issues, including cancer.

After our preliminary assessment identified risk areas related to the hotline complaint, we initiated this audit in March 2023.

Previous GSA Office of Inspector General Audit Reports

Our office has previously reported on serious concerns over PBS’s management of environmental hazards, including asbestos.

- In February 2000, we reported that PBS’s environmental management system did not proactively address property contamination, compliance with federal and state environmental regulations, and liability for tenant activities.⁴ Additionally, PBS had not developed a method to prioritize environmental projects on a nationwide basis.

³ We collectively refer to the listed PBS policies and guidance as “PBS asbestos management policy” throughout the report.

⁴ *Audit of PBS’ Environmental Management Program* (Report Number A995196/P/H/R00008, February 16, 2000).

- In March 2006, we reported that PBS’s environmental management system had issues identifying and managing environmental risk related to its environmental risk index calculations.⁵ We recommended additional oversight to ensure accuracy and completeness. Additionally, we identified the need for system improvements specific to environmental policy and procedure.
- In March 2015, we reported that PBS’s identification and management of environmental risks needed improvement.⁶ Specifically, PBS was not effectively monitoring environmental risks nationwide, failed to conduct environmental compliance audits on all of its building inventory, and noted environmental management inconsistencies across regions. Lastly, we reported the need for written agreements to ensure tenants clearly understand their environmental management responsibilities in GSA-owned buildings.
- In March 2019, we reported that PBS did not take appropriate action to protect building occupants, visitors, and contractors from hazards at the Goodfellow Federal Complex in St. Louis, Missouri, because of poor environmental management programs, policies, and guidance.⁷ PBS’s inadequate response to the environmental hazards noted in multiple environmental studies, including lead, asbestos, and other known cancer-causing agents, may have endangered the health of people at the complex and wasted taxpayer money. Furthermore, the deficiencies in PBS’s approach to these studies and violations resulted from its lack of effective environmental programs and policies to ensure compliance with regulatory requirements at both the regional and national levels.
- In February 2022, we reported that PBS failed to comply with federal regulations and its own asbestos management policy for the Chet Holifield Federal Building in Laguna Niguel, California.⁸ Specifically, PBS did not maintain a reliable ACM inventory for the building or update the building’s asbestos management plan. As a result, PBS could not ensure that asbestos was managed properly; failed to notify building occupants of the presence and location of ACM in violation of federal and state regulations and PBS policy; and provided inadequate oversight of the building operations and maintenance (O&M) contractor.

⁵ *Review of the PBS Environment Program Management* (Report Number A050040/P/4/R06003, March 28, 2006).

⁶ *PBS’s Identification and Management of Environmental Risks Need Improvement* (Report Number A130131/P/R/R15003, March 20, 2015).

⁷ *Audit of Environmental Issues at the Goodfellow Federal Complex in St. Louis, Missouri* (Report Number A170027/P/6/R19002, March 15, 2019).

⁸ *Audit of PBS’s Management of Asbestos at the Chet Holifield Federal Building in Laguna Niguel, California* (Report Number A190043/P/4/R22002, February 3, 2022).

Results

PBS NCR mismanaged asbestos in Building 40 of the St. Elizabeths West Campus. Specifically, we found that PBS NCR:

1. Did not maintain comprehensive and reliable asbestos records for Building 40, which hindered its ability to effectively manage asbestos in the building.
2. Did not take appropriate measures to eliminate or mitigate ACM hazards in Building 40, placing building occupants, visitors, and contractors at risk of asbestos exposure.
3. Failed to notify building occupants of the presence and location of asbestos in Building 40 in violation of an OSHA standard and PBS asbestos management policy.

Overall, we found that these deficiencies were driven by significant gaps in PBS NCR personnel's knowledge and understanding of asbestos management requirements. PBS NCR personnel routinely told us that they were unaware of the requirements set forth in PBS's asbestos management policy and federal regulations. Some responsible officials were also unaware of the presence of ACM in Building 40.

Finding 1 – PBS NCR did not maintain comprehensive and reliable asbestos records for Building 40, which hindered its ability to effectively manage asbestos in the building.

PBS NCR does not have comprehensive and reliable information about the existence and location of ACM in Building 40. We found that PBS NCR did not perform comprehensive asbestos inspections or document and update asbestos information for the building in PBS's official system of record. As a result, PBS NCR is not completely aware of ACM in the building and cannot take preventive measures to reduce the risk of exposure to ACM.

PBS NCR's Asbestos Inspections for Building 40 Were Not Comprehensive

Asbestos inspections serve as the primary means for PBS to ensure that it has accurate information about the location of ACM in its buildings. However, PBS NCR's asbestos inspections were not comprehensive. As a result, the inspections produced incomplete and inconsistent results.

According to PBS asbestos management policy, there are three types of asbestos inspections performed in GSA-owned facilities:

- **Baseline (or Initial, or Full Asbestos) Inspection** – This inspection assesses every building component (e.g., flooring, walls, foundation, etc.) throughout the facility. A baseline inspection is performed on facilities either with no prior asbestos information or information that is outdated or untrustworthy. The PBS asbestos management policy

requires a baseline inspection for every GSA-owned facility constructed prior to January 1, 1998. Baseline inspections must be performed by an accredited inspector.

- **Re-Inspection** – This is a follow-on inspection conducted after the baseline inspection. A re-inspection involves walking through the facility with the prior inspection results (either the baseline inspection or a previous re-inspection) and making note of any changes to ACM. Re-inspections must be performed by an accredited inspector.
- **Periodic Surveillance** – This is an abbreviated re-inspection, usually conducted annually or semiannually. It is a walk-through of the facility and relies on current survey or O&M information, focusing on noting any changes to the condition of ACM. Periodic surveillance can be performed by the O&M contractor or PBS facility management staff.

The Building 40 baseline inspection was conducted in May 2007 to establish the ACM inventory after PBS acquired the building. The inspection report was prepared for PBS NCR's Safety and Environmental Division.⁹ The baseline inspection identified ACM in several areas, including pipe insulation, mudded pipe fitting, brown mastic on ceiling tiles, green floor tiles, and black floor tiles.

According to PBS asbestos management policy, locations that cannot be accessed are to be presumed to have asbestos until determined otherwise. While the baseline inspection for Building 40 identified several areas as being inaccessible (including plaster ceilings, within walls, and areas beyond the reach of a 12-foot ladder), it did not indicate that these areas were assumed to contain asbestos. Therefore, the 2007 baseline inspection underreported the amount of ACM in Building 40.

As described below, subsequent asbestos re-inspection reports for Building 40, prepared in December 2015 and October 2021, produced inconsistent results.

- The December 2015 re-inspection report identified damaged ACM floor tiles on the second floor and recommended their removal. However, the ACM inventory list included in the report was incomplete because it did not include all ACM identified in the May 2007 baseline inspection. For example, the report did not identify ACM within floor tile mastic, pipe insulation, pipe elbow insulation, and ceiling tile adhesive.
- The October 2021 re-inspection report identified ACM in the ceiling tiles and interior window glazing; however, neither the May 2007 baseline inspection nor the December 2015 re-inspection report identified ACM in these areas. In fact, the May 2007 baseline inspection provided that the ceiling tile should not be considered to contain asbestos.

⁹ PBS NCR's Safety and Environment Division has since been renamed to Safety, Environment and Fire Protection Branch.

The PBS NCR St. Elizabeths West Campus Field Office acting director told us that they were not familiar with the ACM reporting details for Building 40. The acting director said ACM inspection reports are ordered by and sent to the PBS NCR Safety, Environment and Fire Protection Branch and that the field office would only be aware of the ACM reporting details if the branch notified them of the results. The PBS NCR Safety, Environment and Fire Protection Branch's supervisory industrial hygienist told us that he was not aware of any asbestos-related issues for Building 40.

PBS NCR Did Not Maintain Comprehensive Asbestos Information for Building 40 in PBS's Official System of Record

PBS uses an application called the Inventory Reporting Information System (IRIS) as its official repository for asbestos recordkeeping. Records that are maintained in IRIS include, but are not limited to, asbestos inspection and re-inspection results, asbestos annual periodic surveillance inspection results, and accounts of asbestos activities for each GSA-owned facility.

We found that the Building 40 ACM records maintained in IRIS are incomplete. While IRIS contained the Building 40 re-inspection surveys from 2015 and 2021, it did not contain the 2007 baseline inspection and the annual periodic surveillance inspections. The PBS NCR supervisory industrial hygienist told us that the annual periodic surveillance inspections "should also be captured in IRIS, but that it is not currently occurring in the region."

In sum, PBS NCR does not have comprehensive, accurate, and reliable information on the ACM present in Building 40. This information is necessary to effectively manage the risk of asbestos exposure to building occupants, visitors, and contractors. Accordingly, PBS NCR should take comprehensive action to identify all ACM in the building and ensure that the information is recorded in IRIS.

Finding 2 – PBS NCR did not take appropriate measures to eliminate or mitigate ACM hazards in Building 40, placing building occupants, visitors, and contractors at risk of asbestos exposure.

Exposure to damaged or disturbed ACM increases the risk of several types of life-threatening diseases, including asbestosis (scarring of the lungs), lung cancer, and mesothelioma. Accordingly, due care is critical to minimize the risk of asbestos exposure. However, PBS NCR did not take appropriate measures to eliminate or mitigate ACM hazards in Building 40.

Specifically, we found that PBS NCR:

- Did not comply with requirements designed to mitigate ACM hazards;
- Took 3 years to remove known, damaged ACM tiles located in a supply closet that was routinely used by employees in Building 40 and adjacent to their workstations;
- Did not notify a contractor of the presence of ACM prior to the start of a repair and alteration project in Building 40, resulting in accidental damage to the ACM and release of asbestos; and

- Did not comply with applicable requirements when conducting an emergency asbestos remediation project.

PBS NCR Did Not Comply with Requirements Designed to Mitigate ACM Hazards

PBS asbestos management policy sets forth several requirements designed to ensure asbestos is properly managed in GSA buildings to mitigate the associated health and safety hazards. However, PBS NCR did not comply with the following requirements for Building 40:

- **Asbestos Management Plan** – PBS requires that each GSA-owned facility containing asbestos have a written asbestos management plan. These plans must be specific to the facility in question and detail the ACM contained within the facility. However, PBS NCR did not finalize an asbestos management plan for Building 40. While PBS NCR provided us with a plan, which it asserted was for Building 40, the plan is labeled as a draft and is not dated. Additionally, we could not conclusively determine that the report was specific to Building 40. Although the cover page indicated that the report was for Building 40, the report did not contain required, building-specific information, such as a catalog of the building’s ACM, training information, communication plans, or any building-specific supporting attachments. Instead, the report consists almost entirely of boilerplate language from PBS’s asbestos management plan template.
- **Annual ACM Inspections** – PBS asbestos management policy requires that ACM must be visually inspected at least annually by GSA employees or O&M contractors to note any changes in asbestos condition or quantities. However, PBS NCR did not ensure that these inspections were performed.

According to the Building 40 O&M contract, the building’s O&M contractor is required to conduct annual ACM inspections and note the results. However, the O&M contractor did not perform these inspections and PBS NCR did not ensure that the inspections were performed.

When we interviewed the O&M contractor, they told us that PBS NCR “never asked them to [perform the inspections].” PBS NCR officials agreed that the O&M contractor was not aware of the requirement. Nonetheless, PBS NCR is responsible for ensuring that the O&M contractor provides the services it is paid to perform. PBS NCR could not tell us why it did not ensure that the O&M contractor performed the inspection.

PBS NCR Took 3 Years to Remove Known, Damaged ACM Floor Tiles, Potentially Resulting in Prolonged Asbestos Exposure

PBS asbestos management policy requires that damaged ACM in locations and under conditions that pose potential exposure risks to building occupants, visitors, and contractors must be repaired or abated immediately. In 2015, the PBS NCR Safety, Environmental and Fire Protection Branch awarded a contract for asbestos survey inspections at 90 PBS NCR facilities, including Building 40. The asbestos survey inspection for Building 40 identified damaged ACM floor tiles in a second-floor supply closet. The supply closet is adjacent to employee workstations and was routinely used by PBS NCR staff in the building.

Although the survey recommended the immediate replacement of the damaged floor tiles and abatement of the exposed ACM, PBS NCR did not take corrective action until 3 years later in August 2019. As a result, PBS NCR employees in the facility were potentially exposed to asbestos for a prolonged period.

The PBS NCR St. Elizabeths West Campus Field Office acting director told us that they did not abate the ACM floor tiles in the closet immediately because they were not aware of the 2015 asbestos report and its recommendation to abate the ACM. Additionally, we noted above that annual inspections did not occur, which may have further highlighted and documented the need to remove the damaged floor tiles. Furthermore, as previously noted, the supervisory industrial hygienist for the PBS NCR Safety, Environment and Fire Protection Branch—the same branch that ordered the 2015 asbestos survey inspection for Building 40—told us that he was not aware of any asbestos-related issues for the building.

PBS NCR Failed to Notify a Contractor of the Presence of ACM Prior to a Repair and Alteration Project in Building 40, Resulting in Accidental Damage to the ACM and Release of Asbestos

In March 2019, PBS NCR initiated a \$39,499 repair and alteration project to replace carpet on the second floor in Building 40. However, PBS NCR did not follow requirements designed to ensure that the contractor was notified of the presence of ACM in the work area prior to the start of the project. We found that PBS NCR did not:

- Perform a pre-alteration assessment to identify ACM at the project site and protect against accidental exposure; and
- Notify the contractor of the presence of ACM prior to starting work.

Because PBS NCR did not comply with these requirements, contractor employees accidentally damaged ACM during the project. This created an exposure event, in which the asbestos was released into the air and potentially inhaled by contractor employees and Building 40 occupants. As a result, PBS NCR initiated an emergency asbestos remediation project that cost an additional \$22,782.

PBS NCR did not conduct a pre-alteration assessment. PBS asbestos management policy and federal regulations require that a pre-alteration assessment must be conducted before starting any repair and alteration project in the vicinity of ACM. This assessment is required to ensure that the project either avoids the ACM altogether or that controls to safely handle the disturbance of the ACM are designed and incorporated into the project's scope of work. Pre-alteration assessments are critical to protect PBS personnel, building occupants, and contractors from accidental asbestos disturbance, real or perceived asbestos exposure, and contamination of GSA property. When used properly, pre-alteration assessments can also protect PBS from costly project delays and fines levied by federal, state, and local authorities.

We found that PBS NCR did not conduct a pre-alteration assessment prior to the start of the carpet replacement project. As a result, the project was not designed to avoid the ACM or include measures to prevent its accidental release. The PBS NCR St. Elizabeths West Campus Service Center acting director stated they were unaware that a pre-alteration assessment was required.

PBS NCR did not notify the contractor of the presence of ACM prior to the start of the project.

In accordance with an OSHA standard and PBS asbestos management policy, contractors must be informed of the presence of ACM before starting work. OSHA Standard, *Duties of building and facility owners*, requires that facility owners, such as GSA, notify individuals who are expected to work in or adjacent to areas containing ACM.¹⁰ PBS asbestos management policy requires the communication of building asbestos information to contractors working in the facility. For example, PBS asbestos management policy that was in effect at the time of the repair and alteration project in Building 40 stated that:

GSA Property Managers of facilities with asbestos must establish a written process to ensure that construction, renovation, or repair work, performed by GSA or customer agencies, accounts for the potential disturbance of asbestos. The process must include the following: timely written notification of the presence of asbestos to workers before they begin work; and a written record of asbestos reduction steps taken by notified workers.

PBS NCR failed to fulfill these requirements prior to the start of the carpet replacement project in March 2019. As a result, the contractor did not know that ACM was present in the tile underneath the carpeting that was to be replaced and accidentally damaged it during the course of its work.

The director of the PBS NCR Facilities Management and Services Program stated that they were aware that the tile underneath the carpeting contained ACM but did not disclose that information in the project scope of work. Conversely, the PBS NCR project manager told us that they were not aware that ACM was present and were "caught off guard" when the ACM was accidentally released and created an exposure event during the carpet replacement project.

¹⁰ OSHA Standard 1926.1101(k)(2)(ii).

PBS NCR Did Not Comply with Applicable Requirements When Conducting an Emergency Asbestos Remediation Project

After the contractor accidentally damaged the ACM in the floor tile and released the asbestos, PBS NCR was forced to initiate an emergency asbestos remediation project. In executing this project, PBS NCR did not comply with the following requirements designed to ensure the effectiveness of the asbestos remediation project and protect building occupants prior to re-entry:

- **Asbestos Control Permit** – PBS’s asbestos management policy requires that, in the event of an emergency asbestos remediation project, a PBS asbestos control permit must be completed by the following business day after the project is initiated. The purpose of the permit is to ensure that PBS’s Safety, Environment and Fire Protection Branch is aware of and involved in the project. However, PBS NCR did not prepare and submit this permit.

The St. Elizabeths West Campus Field Office acting director told us that the permit was not prepared and submitted because staff in the building did not understand the requirements of PBS’s asbestos management policy.

This failure was also attributable to the lack of a regional asbestos program manager for PBS NCR. PBS asbestos management policy requires that each regional office must have an asbestos program manager in place who is responsible for the overall management of asbestos, including the preparation and submission of the asbestos control permit. PBS NCR officials told us that the region did not have anyone in this position.

- **Documentation of Post-Remediation Air Quality Testing** – In accordance with PBS’s asbestos management policy, indoor air quality testing must be performed and documented after completion of an asbestos remediation project and prior to re-occupancy. After the asbestos remediation project’s completion on August 4, 2019, PBS NCR contracted for an air sampling test in Building 40. According to the PBS NCR St. Elizabeths West Campus Field Office acting director and the project manager, the contractor was in the building to perform the air testing and told them the work was completed that same month. However, PBS NCR could not locate supporting documentation to show the testing was performed and had to obtain a copy of the post-testing report from the contractor when the audit team requested it in February 2023—almost 4 years after the project was completed. We found that the air quality report contained numerous errors, including the wrong building name, address, and location. As a result, we could not confirm whether the air quality report was in fact for Building 40.
- **Re-occupancy Based on Post-Remediation Air Quality Test Results** – Subsequent to an asbestos remediation project, an OSHA standard, PBS asbestos management policy, and the Federal Management Regulation require that a building cannot be re-occupied until

an indoor air quality test report shows acceptable levels of asbestos.¹¹ The St. Elizabeths West Campus Field Office acting director stated that the indoor air quality testing contractor verbally told them that the testing showed that asbestos levels were within an acceptable range. Based on these results, PBS NCR allowed the building to be re-occupied. However, PBS NCR should have based this decision on the actual test results included in the contractor's report—a report, which as described above, it did not obtain until almost 4 years after the asbestos remediation project was completed.

As described above, PBS NCR failed to take appropriate measures to eliminate or mitigate ACM hazards in Building 40. In two instances, building occupants and contractor employees were potentially exposed to asbestos as a direct consequence of PBS NCR's failures. Because of the significant health risks associated with asbestos exposure, PBS NCR should address these deficiencies by, among other things, ensuring staff are properly trained and understand requirements for managing ACM in GSA-owned facilities.

Finding 3 – PBS NCR failed to notify building occupants of the presence and location of asbestos in Building 40 in violation of an OSHA standard and PBS asbestos management policy.

An OSHA standard and PBS asbestos management policy require building occupants to be notified about the presence and location of asbestos. However, PBS NCR failed to notify Building 40 occupants of the presence and location of ACM in the building. As a result, Building 40 occupants were unable to make informed decisions about how to prevent disturbing the ACM and protect themselves from possible asbestos exposure.

Both an OSHA standard and PBS asbestos management policy require occupants to be notified about the presence of asbestos in a building:

- OSHA Standard, *Employee notification of monitoring results*, requires building and facility owners to inform employers and employees about the presence, location, and quantity of ACM.¹² Under these requirements, the employer must, within 15 working days after the receipt of ACM monitoring results, notify each affected employee of the results.
- PBS asbestos management policy provided that the Office of Facilities Management is responsible for: (1) providing building asbestos information to occupants and (2) notifying contractors of asbestos presence in federal facilities. Current PBS asbestos management policy provides that:

¹¹ OSHA Standard 1926.1101(k)(3)(iii), *Duties of employers whose employees perform work subject to this standard in or adjacent to areas containing ACM and PACM* [presumed asbestos-containing materials].

¹² OSHA Standard 1910.1001(d)(7)(i).

All occupants and contractors in Federally owned facilities under the jurisdiction, custody, and control of GSA ... shall be notified annually of the presence of asbestos by the office responsible for the management of the facility.

As discussed below, PBS NCR failed to inform building occupants about the presence of asbestos and, as a result, violated both the OSHA standard and the PBS asbestos management policy.

PBS management first became aware of the presence of ACM in Building 40 in May 2007. However, PBS NCR staff who worked in Building 40 told us that PBS management did not formally notify them, either verbally or in writing, that ACM was present in the building. Instead, PBS NCR staff stated that they learned of the presence of ACM in August 2019 when word spread throughout the staff that the contractor damaged ACM tile during the carpet replacement project and an emergency asbestos remediation project was initiated that same month.

GSA asbestos policy effective in 2015 stated that the Facilities Management and Services Program Division should have notified tenants of the presence of ACM; however, the division director stated that the division never had any involvement regarding tenant notification.

To minimize the risk of future ACM disturbance and Building 40 occupant asbestos exposure, PBS should ensure that required ACM notifications are provided to Building 40 occupants and contractors in a timely manner.

Conclusion

PBS NCR mismanaged asbestos in Building 40 of the St. Elizabeths West Campus. Specifically, we found that PBS NCR:

1. Did not maintain comprehensive and reliable asbestos records for Building 40, which hindered its ability to effectively manage asbestos in the building.
2. Did not take appropriate measures to eliminate or mitigate ACM hazards in Building 40, placing building occupants, visitors, and contractors at risk of asbestos exposure.
3. Failed to notify building occupants of the presence and location of asbestos in Building 40 in violation of an OSHA standard and PBS asbestos management policy.

Overall, we found that these deficiencies were driven by significant gaps in PBS NCR personnel's knowledge and understanding of asbestos management requirements. PBS NCR personnel routinely told us that they were unaware of the requirements set forth in PBS's asbestos management policy and federal regulations. Some responsible officials were also unaware of the presence of ACM in Building 40.

Because of the significant health and safety consequences arising from improper asbestos management, PBS NCR must take immediate action to assess its asbestos management program and comprehensively train personnel to ensure that they understand their roles and responsibilities. PBS NCR must also address the specific deficiencies in its management of asbestos in Building 40 and ensure that, going forward, building occupants are notified of the presence and location of ACM in a timely manner.

Recommendations

We recommend that the PBS NCR Regional Commissioner:

1. Conduct a comprehensive assessment of PBS NCR's asbestos management program and implement internal controls to ensure adherence to federal regulations and PBS asbestos management policy.
2. Comprehensively train PBS NCR management and staff so that they have a clear understanding of PBS's asbestos management policy and their roles and responsibilities for effectively and safely managing ACM in GSA-owned facilities.
3. Take the actions listed below to improve asbestos management in Building 40:
 - a. Develop and maintain an accurate, current, and comprehensive ACM inventory.

- b. Upon completion of the ACM inventory, assess hazards arising from the ACM in the building and implement appropriate actions to mitigate or eliminate those hazards.
- c. Ensure all required asbestos records are maintained in IRIS.
- d. Enforce the asbestos management requirements established in the Building 40 O&M contract.
- e. Update, enforce, and administer the Building 40 asbestos management plan.
- f. Notify tenants of ACM inventory annually.

GSA Comments

The PBS NCR Regional Commissioner concurred with our findings and recommendations. PBS's response can be found in its entirety in **Appendix B**.

Audit Team

This audit was managed out of the Real Property Audit Office and conducted by the individuals listed below:

Byron G. Bustos	Associate Deputy Assistant Inspector General for Auditing
Meseret Henriques	Audit Manager
Wesley C. Zehms	Auditor-In-Charge

Appendix A – Objective, Scope, and Methodology

Objective

We performed this audit in response to a hotline complaint that raised concerns over asbestos management in Building 40 of PBS NCR's St. Elizabeths West Campus in Washington, D.C. Our audit objective was to determine if PBS NCR is managing asbestos in Building 40 of the St. Elizabeths West Campus in accordance with federal regulations and PBS policy to ensure the health and safety of individuals.

Scope and Methodology

Our audit scope consisted of one facility: Building 40 of the St. Elizabeths West Campus in Washington, D.C., which was selected based on a hotline complaint. We assessed PBS's asbestos management policy and procedures as they relate to Building 40. We analyzed PBS asbestos records using federal regulations and PBS asbestos management policy.

To accomplish our objective, we:

- Researched and reviewed safety regulations specific to asbestos:
 - OSHA's *General Industry Standards* and *Construction Industry Standards*;
 - 41 C.F.R. 102-80.15, *What are Federal agencies' responsibilities concerning the assessment and management of asbestos?*;
- Requested and reviewed PBS asbestos documents for Building 40 of the St. Elizabeths West Campus, including the 2007, 2015, and 2021 asbestos survey inspections; and the building asbestos management plan;
- Reviewed St. Elizabeths West Campus, Building 40, contract documents related to a carpet replacement project, the related emergency asbestos abatement project, and the O&M contract for the facility;
- Reviewed previous GSA Office of Inspector General audit reports referencing PBS's management of asbestos;
- Examined PBS asbestos management policy, including the PBS *Asbestos Policy*; GSA Order PBS 1000.1, *Asbestos Policy* (March 25, 2015); GSA Order PBS 1000.1A, *Asbestos Management* (April 11, 2022); and the PBS Desk Guide for GSA Order PBS 1000.1A (April 11, 2002);
- Reviewed asbestos information maintained in IRIS related to Building 40 of the St. Elizabeths West Campus;
- Conducted site visits to Building 40 of the St. Elizabeths West Campus in December 2022 during our hotline assessment and in July 2023 as part of the audit; and
- Conducted interviews with PBS officials and contractors to determine actions taken related to asbestos management for Building 40 of the St. Elizabeths West Campus.

Internal Controls

We assessed internal controls significant within the context of our audit objective against GAO-14-704G, *Standards for Internal Control in the Federal Government*. The methodology above describes the scope of our assessment, and the report findings include any internal control deficiencies we identified. Our assessment is not intended to provide assurance on GSA's internal control structure as a whole. GSA management is responsible for establishing and maintaining internal controls.

Compliance Statement

We conducted the audit between March and November 2023 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

Appendix B – GSA Comments

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Public Buildings Service

March 25, 2024

MEMORANDUM FOR THE OFFICE OF INSPECTOR GENERAL

THROUGH: ELLIOT DOOMES *Elliot Doomes*
COMMISSIONER (P)

FROM: MELANIE F. GILBERT *Melanie Gilbert*
REGIONAL COMMISSIONER (WP)
PUBLIC BUILDINGS SERVICE

SUBJECT: Response to the Office of the Inspector General's ("OIG") Audit
of the Asbestos Management in Building 40 of the St. Elizabeths
West Campus

On March 6, 2024, the Public Building Service (PBS), National Capital Region (NCR), received the Draft Audit of the Asbestos Management in Building 40 of St. Elizabeths West Campus from the OIG. NCR has reviewed the findings and appreciates the opportunity to respond with the following information.

1. Finding 1: PBS NCR did not maintain comprehensive and reliable asbestos records for Building 40, which hindered its ability to effectively manage asbestos in the building.

NCR concurs with the finding. PBS NCR has taken the following actions to address this deficiency:

- EMCOR (Building O&M Contractor) conducted Periodic Surveillance of known asbestos on August 8, 2023, and February 9, 2024, and such surveillance is now scheduled to be completed on an annual basis. All inspection records have been entered into the system of record.
- On February 13, 2024, Mabbett & Associates conducted a visual inspection of Building 40 to clarify the discrepancies noted in the draft IG audit of Building 40. Specifically, the IG pointed out the presence of asbestos thermal system insulation ("TSI") identified in the 2007 Global Consulting Hazardous Materials survey, but not in the subsequent asbestos surveys conducted in 2016 by Mabbett & Associates and in 2021 by Rabin Global. During Mabbett's 2024 inspection no TSI was identified.
- As of March 3, 2024, all Building 40 asbestos files are complete and uploaded to Inventory Reporting Information System ("IRIS") Facilities Management Assessment ("FMA") module, which include:
 - May 2007 Global Consulting Hazardous Materials Survey

U.S. General Services Administration
1800 F Street NW
Washington DC 20405-0002
www.gsa.gov

- June 2016 Mabbett & Associates, Inc. Operations and Maintenance Asbestos Inspection Report
- October 2021 Rambin Global O&M Asbestos Inspection Report
- August 2023 O&M Annual Periodic Surveillance report
- February 2024 O&M Annual Periodic Surveillance report
- November 2023 Tenant Notification
- February 2024 Updated Asbestos Management Plan
- February 2024 Mabbett & Associates visual inspection.

2. Finding 2: NCR did not take appropriate measures to eliminate or mitigate asbestos containing material (“ACM”) hazards in Building 40, placing building occupants, visitors, and contractors at risk of asbestos exposure.

PBS NCR concurs with the finding. PBS NCR has taken the following actions to address this deficiency:

- The Asbestos Operations and Management (“O&M”) Plan for Building 40 was updated by the O&M contractor and reviewed by a PBS NCR Industrial Hygienist (“IH”) on February 16, 2024.
- The O&M Contractor, EMCOR, conducted periodic surveillance of known asbestos on August 8, 2023. On February 8, 2024, the Contracting Officer’s Representative formally notified EMCOR via email of the ongoing contractual requirement to perform annual periodic surveillance of known asbestos.

3. Finding 3: NCR failed to notify building occupants of the presence and location of asbestos in Building 40 in violation of an Occupational Safety and Health Administration standard and PBS asbestos management policy.

NCR concurs with the finding. PBS NCR has taken the following actions to address this deficiency:

- PBS sent a tenant notification to the tenant agency, the Department of Homeland Security (DHS), on November 21, 2023, which included the most recent O&M asbestos inspection report. The building has been vacant since 2020, but people occasionally enter the building to access the electrical closet for the IT network.
- PBS will continue to send annual tenant notifications as long as people continue to access the building.

NCR concurs with the recommendations made in the report and in addition to the actions outlined above, would also like to share the proactive region-wide asbestos program initiatives that have taken place since June of 2023:

- NCR Office of Facility Management (OFM) issued all employees an asbestos management directive on June 5, 2023, explaining the requirements of the GSA Asbestos Policy 1000.1A.

- OFM administers, audits and ensures proper record storage for all the activities noted in the June 5, 2023, directive to include annual periodic surveillance, annual tenant notifications, pre-alteration assessments, and GSA asbestos awareness training.
- NCR implemented a regimented annual periodic surveillance inspection process for all properties known to contain asbestos (pre-1998 construction) and all annual surveillance events were completed in August 2023.
- NCR issued a tracking protocol for all annual tenant notifications for the presence of asbestos to all PBS NCR properties that contain ACM from November 2023 through January 2024.
- NCR internally assessed the IRIS FMA Module and ensured all asbestos documents, to include periodic surveillance reports and tenant notifications, were uploaded for each building. All annual requirements will be tracked by a regional IH to ensure compliance.
- All NCR OFM employees are required to attend mandatory GSA Asbestos Awareness training. All training was completed by September 2023, and all new employees will complete training in March 2024.
- The PBS NCR Fire & Life Safety team reviews all scopes of work submitted by NCR's Office of Design and Construction and OFM. Any project impacting building components in properties constructed prior to 1998 requires a pre-alteration hazardous materials assessment. The PBS NCR Fire & Life Safety team identifies the need for a pre-alteration hazardous materials assessment during the statement of work review process.

In summary, NCR appreciates the opportunity to respond to the Draft Audit of Building 40. All documentation mentioned in this email can be found in our systems of record and be provided upon request. Please contact Shauna Malone, Director, Office of Facilities Management at (202) 302-2140 if anything further is needed.

Appendix C – Report Distribution

GSA Administrator (A)

GSA Deputy Administrator (AD)

PBS Commissioner (P)

Acting Deputy Commissioner (P1)

Deputy Commissioner of Enterprise Strategy (P2)

Assistant Commissioner for Strategy & Engagement (PS)

Acting Chief of Staff (PB)

Acting Deputy Chief of Staff (PB)

Regional Commissioner (WP)

Chief Financial Officer (B)

Deputy Chief Financial Officer (B)

Office of Audit Management and Accountability (BA)

Assistant Inspector General for Auditing (JA)

Deputy Assistant Inspector General for Acquisition Audits (JA)

Deputy Assistant Inspector General for Real Property Audits (JA)

Director, Audit Planning, Policy, and Operations Staff (JAO)