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Department of Commerce Report Substantiates Employee Exposure to Asbestos

FOR IMMEDIATE RELEASE

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WASHINGTON, DC / June 10, 2011—On June 10, 2011, the U.S. Office of Special Counsel (OSC) transmitted to the President and Congress a report from the Department of Commerce (DOC) in response to allegations from Edgar Dion Lee, a former Hazardous Waste Facility Assistant at the DOC, Herbert C. Hoover Building (HCHB), Washington, D.C. Mr. Lee alleged that DOC managers knowingly exposed employees to unsafe levels of asbestos in the HCHB eighth floor attic (attic) and permitted those employees to work in contaminated areas without personal protective equipment.

The agency's reports substantiated Mr. Lee's allegations that DOC contractors and employees were potentially exposed "to impermissible levels of airborne asbestos between February 2007 and April 2007—and perhaps even earlier than that period." In addition, the reports acknowledged that DOC Office of Administrative Services management failed to satisfy its obligations under OSHA and U.S. General Services Administration (GSA) regulations to implement a comprehensive asbestos management plan.

The reports identified three individuals as the officials who bore responsibility for mismanaging the HCHB's asbestos conditions: a former Director for Administrative Services, a former Safety and Health Specialist, and a former HCHB Building Manager. DOC management was unable to recommend any administrative action against these three individuals because they are no longer employed by DOC.

DOC has taken several actions to ensure that HCHB employees will be properly protected from asbestos hazards. Specifically, the attic is now accessible only through locked doors and elevators, doors to regulated areas contain padlocks, the integrity of the locks is checked daily, asbestos warning signs are posted on the eighth floor, access to regulated areas is controlled by a permit system, and DOC and GSA alternate air

sampling testing every six months.

OSC determined that the agency's reports contain all of the information required by statute and the findings of the agency head appear to be reasonable.

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