

FEB 28 2011



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer and
Assistant Secretary for Administration
Washington, D.C. 20230

Catherine A. McMullen
Chief, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 218
Washington, D.C. 20036

Dear Ms. McMullen:

In response to your email to Justin Ehrenwerth dated February 10, 2011 titled Lee; DI-10-0454, the following information is provided.

OSC Question 1: When will the final draft of the Asbestos Management Plan be completed?

Response: On September 3, 2009, OAS entered into a Reimbursable Work Agreement (RWA) with GSA to update the Asbestos Management Plan & Operations & Maintenance Program tailored for the HCHB by GSA in August 2000. GSA contracted Global Consulting Inc. to complete this task. The draft of the data report was reviewed by GSA on February 18, 2011, with the final report scheduled to be delivered to GSA by Global Consulting Inc. on February 25, 2011. In parallel with this, a Memorandum of Understanding (MOU) is being drafted between the Department of Commerce and the Department of State to enable Commerce to utilize their asbestos management software program. Once the MOU is signed and the Department of State installs their software in the HCHB, Global Consulting Inc. will load the final data set into the software and provide an electronic and hard copy of the final Asbestos Management Plan to GSA and DOC. This is Task Two under the RWA and is scheduled to be completed by May 13, 2011.

OSC Question 2: When is it anticipated that the Asbestos Management Plan will be fully implemented?

Response: The updated Asbestos Management Plan will be fully implemented within two weeks of receipt of the electronic and hard copy. As it is anticipated to be delivered to DOC by Global Consulting Inc. by May 13, 2011, it will be implemented by May 27, 2011.

OSC Question 3: How long will the implementation of this plan be delayed if an Asbestos Program Manager cannot be hired by March 28, 2011?

Response: There will be no delay in the implementation of the plan if an Asbestos Program Manager cannot be hired by March 28, 2011. Existing OAS staff will fully implement and maintain the plan, and utilize the new software program until a dedicated Asbestos Program Manager assumes the responsibilities.

OSC Question 4: What interim measures are in place to ensure that employees are appropriately protected in advance of the implementation of the Asbestos Management Plan, and to ensure compliance with safety regulations?

Response: Current measures and procedures are in place to ensure employees are appropriately protected from any asbestos hazard within the HCHB. The 8th floor/attic area is accessible only through locked doors and elevators with a key or a key card. Doors of all entry points to regulated areas are also locked with padlocks. All access doors to the 8th floor/attic are checked daily by OAS staff members to ensure the integrity of the locks.

Asbestos warning signs are posted on the 8th floor/attic on all regulated areas and at entrances to equipment spaces containing non-friable asbestos. All warning signs are checked by GSA during their annual asbestos Operations and Maintenance inspections. DOC building maintenance staff also inspects signage as part of their daily duties to augment GSA inspections.

Access to any regulated area is controlled by a permit system to ensure all safety regulations are followed and that all personnel entering these areas are protected with personal protective equipment. Six OAS qualified asbestos AHERA Supervisors, who completed annual recertification on February 22, 2011, also pre-inspect all areas being accessed for maintenance or refurbishment to determine if there is any Asbestos Containing Materials (ACM) or Potentially Asbestos Containing Materials (PACM) in the work area. If ACM or PACM is identified they ascertain its condition to ensure work in the area is safe to proceed or take the necessary actions to contain and abate the materials.

GSA also conducts annual Operations and Maintenance surveys of the known non friable ACM within the HCHB to document its condition and identify any repairs required. All repairs are immediately addressed by the OAS asbestos AHERA Supervisors on notification of an issue. DOC and GSA both conduct separate annual air sampling of the 8th floor/attic (with a six month separation) to ensure compliance with the regulations for air quality in this area.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Scott B. Quehl". The signature is written in a cursive style with a large initial "S".

Scott B. Quehl
Chief Financial Officer and
Assistant Secretary for Administration