

COMPLIANCE SECTION

ENVIRONMENTAL HEALTH BRANCH

DSHS ASBESTOS PROGRAM

FISCAL YEARS 2022 - 2024 ANNUAL ANALYSIS
FINAL ENFORCEMENT ACTIONS

Pursuant to 25 Texas Administrative Code Chapter 296



TEXAS
Health and Human
Services

Texas Department of State
Health Services

Asbestos Program Description & Mission

The Asbestos Program provides direct services to prevent occupational and environmental diseases through identification, evaluation, and control of asbestos health hazards. Asbestos is present in over half of our public buildings and is of particular concern when it is present in schools. The Asbestos Program has regional inspectors available to monitor asbestos removal in buildings, and to respond to community concerns to ensure that public exposure is minimized.

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he mission of the Asbestos Program is to protect and promote the physical and environmental health of the people of Texas from asbestos. We strive to prevent unnecessary exposure of the public to asbestos in workplaces and buildings and to assure proper disposal of asbestos. Through our Outreach Program, we educate the public to gain voluntary compliance with state and federal asbestos law. We carry out our mission efficiently, effectively, fairly, and professionally with respect and dedication to all Texans.



ASBESTOS PROGRAM LICENSE TYPES

Abatement Worker - 2,977
Abatement Supervisors - 680
Lair Monitoring Technician - 361
Inspector - 594
Project Manager - 330
Consultant - 330
Management Planner - 120
O&M Supervisor - 29

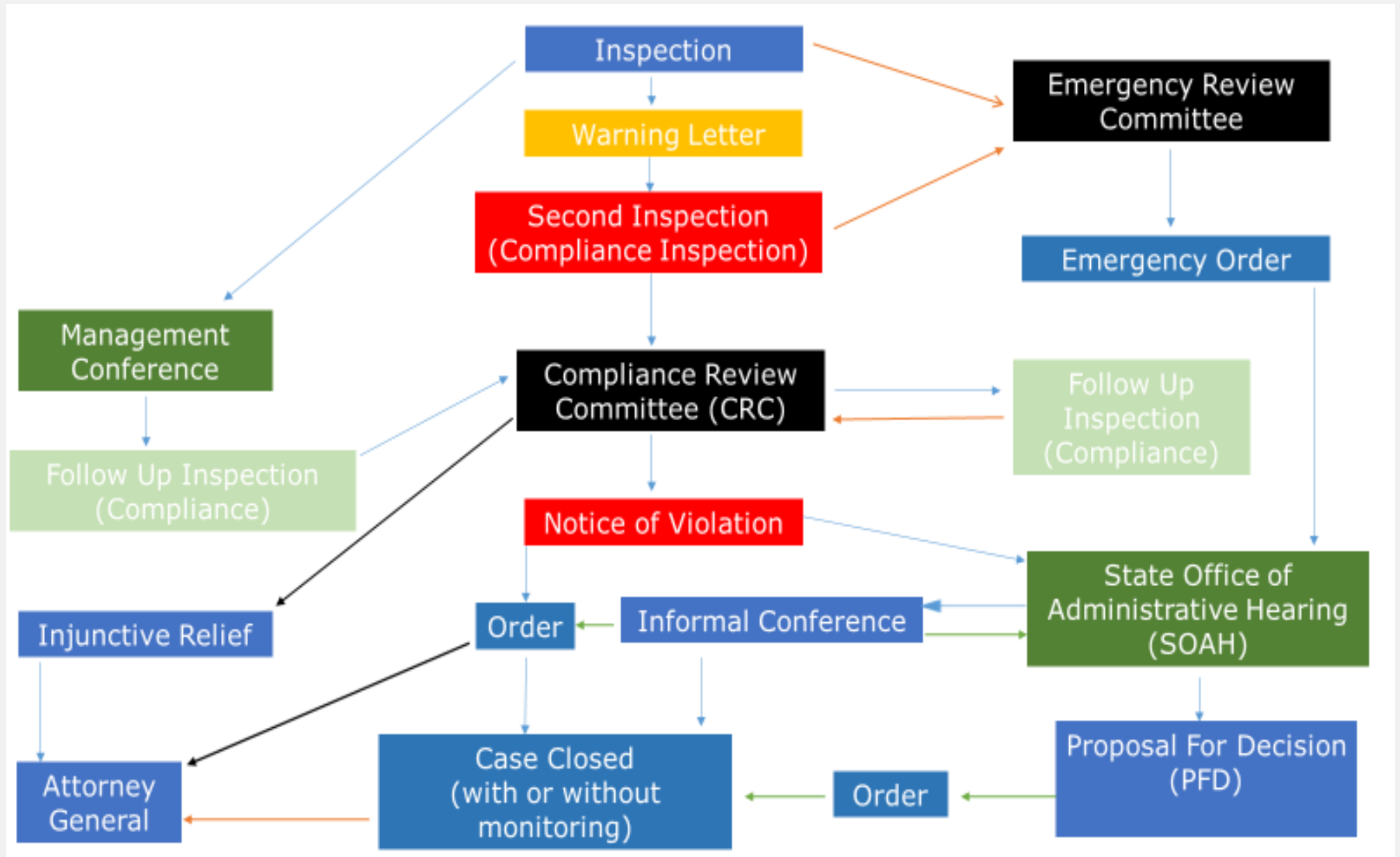


ASBESTOS PROGRAM LICENSE TYPES CONTINUED

AMT/Project Manager - 45
Abatement Contractor – 227
Consultant Agency - 175
Management Planner Agency - 36
O&M Contractor - 8
Transporter - 222
Laboratory - 154
Training Provider - 34



Asbestos Compliance Flowchart



Cases Referred to Compliance for Enforcement Action

FY 2024 – 1,976

FY 2023 – 1,845

FY 2022 – 1,383



Texas Department of State
Health Services

Notices of Violation (Notices) Issued by Compliance

FY 2024 – 1,586

FY 2023 – 1,281

FY 2022 – 1,149



Informal Conferences (ICs) held by Compliance

FY 2024 – 158

FY 2023 – 98

FY 2022 – 147



State Office of Administrative Hearings (SOAH)

- ❖ SOAH (formal) hearings requested:

 - FY 2024 – 5

 - FY 2023 – 2

 - FY 2022 – 16

- ❖ SOAH (formal) hearings held:

 - FY 2024 – 0

 - FY 2023 – 2

 - FY 2022 – 0

- ❖ All Respondents were offered the opportunity to have their case(s) presented before an Administrative Law Judge.

Case Closures

Orders

FY 2024 – 708

FY 2023 – 787

FY 2022 – 698

Withdrawn

FY 2024 – 66

FY 2023 – 20

FY 2022 – 55



Cases Closed

Cases with final Order are either:

- closed with monitoring
(terms and conditions to be met are still pending)
- closed without monitoring
(all terms and conditions are met)

Case Closures

Cases Closed with Monitoring at the end of each fiscal year:

FY 2024 – 9

FY 2023 – 13

FY 2022 – 10

Grand Total Penalty Amount Assessed

FY 2024 – \$88,800.00

FY 2023 – \$110,875.00

FY 2022 – \$123,450.00



Attorney General (AG) Referrals

- Cases referred to the AG for further administrative and/or judicial remedies on Respondents who failed to and/or refuse to comply with a final order:

FY 2024 – 1

FY 2023 – 1

FY 2022 – 3

For more information regarding Asbestos Group policies and protocols, please click on the link below:

<https://dshs.texas.gov/asbestos>



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