

CHEROKEE NATION
Environmental Programs



Asbestos Sampling Report

PARTICIPANT: Kyzer, Vicky

PREPARED BY: *Christopher Cochran* **DATE:** 5-18-2022
CHRISTOPHER COCHRAN ENVIRONMENTAL TECHNICIAN

REQUESTED BY: CHEROKEE NATION HOUSING REHABILITATION (HUD) -
GEORGE HUBBARD

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I. Site Inspection/Description

Cherokee Nation Environmental Programs (CNEP) has conducted asbestos sampling for the presence of asbestos containing materials (ACM) for the following site:

Site Name: Vicky Kyzer

Address: 18071 South 85th Street East Webbers Falls, OK 74470

Phone 918-348-9240

Lat/Long N35.49674, W095.23922

The sampling was performed to determine the presence of all ACM from within the affected parts of the structure for EPA's National Emissions of Hazardous Air Pollutants (NESHAP) compliance as well as OSHA worker protection.

The inspector responsible for this project was: Christopher Cochran ODOL, AHERA Inspector, License No: 401244

The sampling was conducted on May 10th, 2022 at the request of the Cherokee Nation Housing Rehabilitation Department.

The site is a single family home built in 1976. Sampling was limited to areas that would be affected by the project scope of work (Appendix A) provided by the rehabilitation department.

ACM was found at the last visit to the home.

II. BACKGROUND

The Oklahoma Department of Environmental Quality (ODEQ) has adopted EPA's NESHAP regulation under OAC252:100, 41-15 and has been delegated authority in the state of Oklahoma for its enforcement. Section 61.145(a) of Federal EPA regulation states that prior to commencement of the demolition or renovation of a facility a thorough inspection of the affected part or parts of a facility is required to determine the presence of all asbestos including Category I and Category II non-friable, and friable ACM. ACM is defined by EPA and OSHA as any material that contains greater than 1% asbestos.

III. FIELD PROCEDURES AND ANALYTICAL METHODS

During the on-site inspection, we visually assessed the physical characteristics of suspect asbestos-containing materials (SACM) based on homogeneous areas. Homogeneous areas are areas of asbestos similar in color, texture, and construction, date of application, and in general appearance. For purposes of renovation and demolition, homogeneous areas of SACM can be further classified according to NESHAP's rules by whether the material is friable, Category I non-friable, or Category II non-friable.

Friable ACM is defined by NESHAPs rules as any material containing more than 1% asbestos as determined by Polarized Light Microscopy (PLM), that, when dry, can be crumbled, pulverized or reduced to powder by hand pressure.

Category I Non-friable ACM is defined by NESHAPs rules as any asbestos-containing packings, gaskets, construction mastics, resilient floor covering (i.e. floor tiles, roll sheet flooring) or asphalt roofing products that contain more than 1% asbestos as determined by PLM.

Category II Non-friable ACM is defined by NESHAPs rules as any material, excluding Category I non-friable ACM, containing more than 1% asbestos as determined by PLM, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Typically, non-friable materials, such as transite (cementitious products) and vinyl floor tiles are not regulated by the State of Oklahoma provided they do not become friable. General deterioration, machine grinding, drilling, sanding, and dry-buffing are all ways of causing non-friable materials to become classified as Regulated Asbestos Containing Materials (RACM). All friable materials are classified RACM. Please note that the following materials, even though classified as non-friable are fully regulated by Oklahoma Department of Labor for removal purposes as friable material: ceiling tiles, roll sheet flooring (linoleum), and joint wall compound when deemed friable

In addition to classification of suspect material into friable and non-friable materials, a determination of current condition was conducted as part of the physical assessment. The condition noted is the representative of the material at the time of inspection. Conditions of materials can change very quickly when disturbed. All suspect material was placed in one of the following categories of condition.

Significantly damaged: Material that is damaged, blistered, deteriorated, water stained over at least 10% of its total area.

Damaged: Material that is damaged, blistered, deteriorated, water stained less than 10% of its total area.

Good: Material that has no visible damage or deterioration.

Guidelines used for the number of samples collected per homogeneous area were determined using the Asbestos Hazard Emergency Response Act (AHERA) protocol promulgated in 40 CFR 763, Appendix E as follows:

Surfacing materials – material that is sprayed or troweled on wall, ceilings, or support columns for fireproofing, acoustical, or even decorative purpose.

- Less than 1000 ft² – Minimum 3 samples
 - From 1000-5000 ft² – Minimum 5 samples
 - Greater than 5000 ft² – Minimum 7 samples
-

Thermal System Insulation(TSI) materials – thermal system insulation material applied to tanks, boiler, pipes or other structural component for an insulating purpose.

- May omit areas of fibrous glass, foam glass, rubber, and Styrofoam from sampling. Areas that have mastic on seams or outer jacketing will be sampled.
- At least three samples must be collected from each homogeneous area of TSI.
- Plus an additional sample from each patched area of less than 6 linear feet.
- Fittings require a sufficient amount to determine positive or negative nature.
- Inspector will first collect samples from damaged areas, exposed ends, or areas missing jacketing first.

Miscellaneous materials – all other material that are not thermal system insulation or surfacing materials. This includes gaskets, packings, joint wall compound, cementitious asbestos materials, ceiling tiles resilient flooring materials, construction mastics, etc..

- May assume and document as such
- A sufficient amount of samples to determine negative or positive nature. A minimum or one per suspect homogeneous area.
- Collect samples from inconspicuous locations.
- Material such as cementitious asbestos or vibration dampening cloths should not be sampled and will be assumed ACM unless instructed by client to collect these samples.

Bulk samples of suspect ACM were analyzed by Polarized Light Microscopy (PLM) in accordance with EPA Methods 600R-93/116. All samples were sent to a NVLAP accredited laboratory for analysis. Quantem Laboratories (NVLAP # 101959-0) in Oklahoma City, OK analyzed the samples. A copy of the full laboratory report and chain of custody can be found in Appendix B.

IV. SUMMARY OF FINDINGS

A total of 11 samples were analyzed from 2 homogeneous area due to multi-layers of material within some homogeneous sample areas. Photographs of all ACM can be found in Appendix C. All accessible and observable areas within the renovation area were sampled for ACM. Samples were not taken of suspect materials that may have placed the inspector at risk of injury (i.e. electrical panel boxes). Any suspect ACM that have not been tested and/or found positive for asbestos must be assumed ACM until they are analyzed. Upon review of laboratory analysis, the following asbestos containing materials can be found in Table 1. All suspect ACM samples that were analyzed and did not contain asbestos can be found in Table 2.

V. CONCLUSIONS

Asbestos is not always an immediate hazard. Intact and undisturbed ACM does not pose a health risk. They may, however become a health hazard if they are damaged, disturbed, or deteriorate over time and release fibers into the air. There are no federal, state, or Tribal laws mandating asbestos removal. It is only when the material can no longer be maintained in good condition and/or airborne concentrations of asbestos are measured and found to be above a permissible exposure limit (PEL), or when the building is to be demolished or renovated, that removal may become necessary. Any renovation/demolition work which may impact these positive materials should be conducted in accordance with all applicable Federal, state, and local regulations.

APPENDIX B.
LABORATORY RESULTS
&
CHAIN OF CUSTODY



2033 HERITAGE PARK DR, OKLAHOMA CITY, OK 73120 1.800.822.1650

Polarized Light Microscopy Asbestos Analysis Report

Quantem Lab No. 346433
 Account Number: C162
 Date Received: 05/13/2022
 Received By: Courtney Holman
 Date Analyzed: 05/16/2022
 Analyzed By: Cassie Sanborn
 Methodology: EPA/600/R-93/116

Client: Cherokee Nation Environmental Programs
 Chris Cochran
 PO Box 948
 Tahlequah, OK 74464

Project: Vicky Kyzer
 Project Location: Webbers Falls
 Project Number: 272279

Quantem Sample ID	Client Sample ID	Composition	Color / Description	Asbestos (%)	Non-Asbestos Fiber (%)	Non Fibrous
001	01-01	Layered	White Ceiling Texture	Asbestos Present Chrysotile 3	NA	CaCO3 Mica Paint
001a		Layered	White Sheetrock	Asbestos Not Present	Cellulose 10	Gypsum
002	01-02	Homogeneous	White Ceiling Texture	Asbestos Present Chrysotile 3	NA	CaCO3 Mica Paint
003	01-03	Layered	White Ceiling Texture	Asbestos Present Chrysotile 3	NA	CaCO3 Mica Paint
003a		Layered	White Sheetrock	Asbestos Not Present	Cellulose 10	Gypsum
004	02-01	Layered	White Wall Texture	Asbestos Not Present	NA	CaCO3 Paint

Unless otherwise noted, upon receipt the condition of the sample was acceptable for analysis.

Quantem is a NVLAP accredited Testing PLM laboratory (Lab Code: 101959-0). This report relates only to the specific items tested. NVLAP accreditation applies only to analysis performed utilizing EPA/600/M4-82-020 and EPA/600/R-93/116 methods. This report may not be used to claim product endorsement by NVLAP or any agency of the US Government. This report may not be reproduced except in full, without the written approval of the laboratory.



2033 HERITAGE PARK DR, OKLAHOMA CITY, OK 73120 1.800.822.1650

Polarized Light Microscopy Asbestos Analysis Report

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 Project Location: Webbers Falls
 Project Number: 272279

Quantem Sample ID	Client Sample ID	Composition	Color / Description	Asbestos (%)	Non-Asbestos Fiber (%)	Non Fibrous
004a		Layered	White Sheetrock	Asbestos Not Present	Cellulose 10	Gypsum
005	02-02	Layered	White Wall Texture	Asbestos Not Present	NA	CaCO3 Paint
005a		Layered	White Sheetrock	Asbestos Not Present	Cellulose 10	Gypsum
006	02-03	Layered	White Wall Texture	Asbestos Not Present	NA	CaCO3 Paint
006a		Layered	White Sheetrock	Asbestos Not Present	Cellulose 10	Gypsum

Cassie Sanborn

Cassie Sanborn, Laboratory Analyst

5/16/2022

Date of Report

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 Quantem is a NVLAP accredited Testing PLM laboratory (Lab Code: 101959-0). This report relates only to the specific items tested.
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 This report may not be used to claim product endorsement by NVLAP or any agency of the US Government.
 This report may not be reproduced except in full, without the written approval of the laboratory.

ASBESTOS CHAIN OF CUSTODY

2033 Heritage Park Drive, Oklahoma City, OK 73120-7502
 (800) 822-1650 • (405) 755-7272 • Fax: (405) 755-2058



LEGAL DOCUMENT - PLEASE PRINT LEGIBLY

For Lab Use Only
 Lab No. 3416433
 Accept Reject

Report Results (one box)
 Quantem Website
 Email christopher-cochran@quantem.org
 Other

Contact Information
 Company: Cherokee Nation
 Contact: Christopher Cochran
 Account #: C162
 Project Name: Vicky Kyzer
 Project Location: Webbers Falls
 Project ID:
 PO Number: 272279

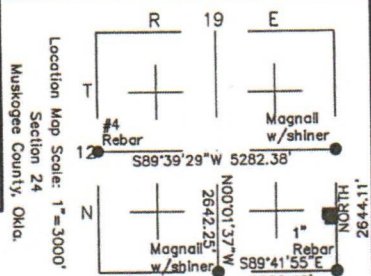
RECEIVED BY
 Date: 5/10/2022
 Date & Time: 5/10/2022
 Via: FedEx
 Date & Time: 5/13/22 @ 9:00
 Signature: *Christy M. Ho*

No.	Sample ID (10 Characters Max)	To Be Analyzed	Color	Description	Volume / Area (as applicable)	Comments / Notes	REQUESTED SERVICES (Please <input checked="" type="checkbox"/> the Appropriate Boxes)		TURNAROUND TIME	
							PLM	PCM	TEM	TEM
1	01-01-01-03	<input checked="" type="checkbox"/>	White	Ceiling Texture	Through out		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rush
2	02-01-02-03	<input checked="" type="checkbox"/>	White	Wall Texture	Through out		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Same Day
3		<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 - Hour
4		<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3 - Day
5		<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5 - Day
6		<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7		<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8		<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9		<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10		<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

SATURDAY FEDEX SAMPLE DELIVERY - CALL TO SCHEDULE • Use this address for Saturday Delivery only: 4220 N. Santa Fe Ave., Oklahoma City, OK 73105-8517 • Mark Package "Hold for Saturday Pickup"
 Please Note - UPS and USPS are NOT available for Saturday Delivery

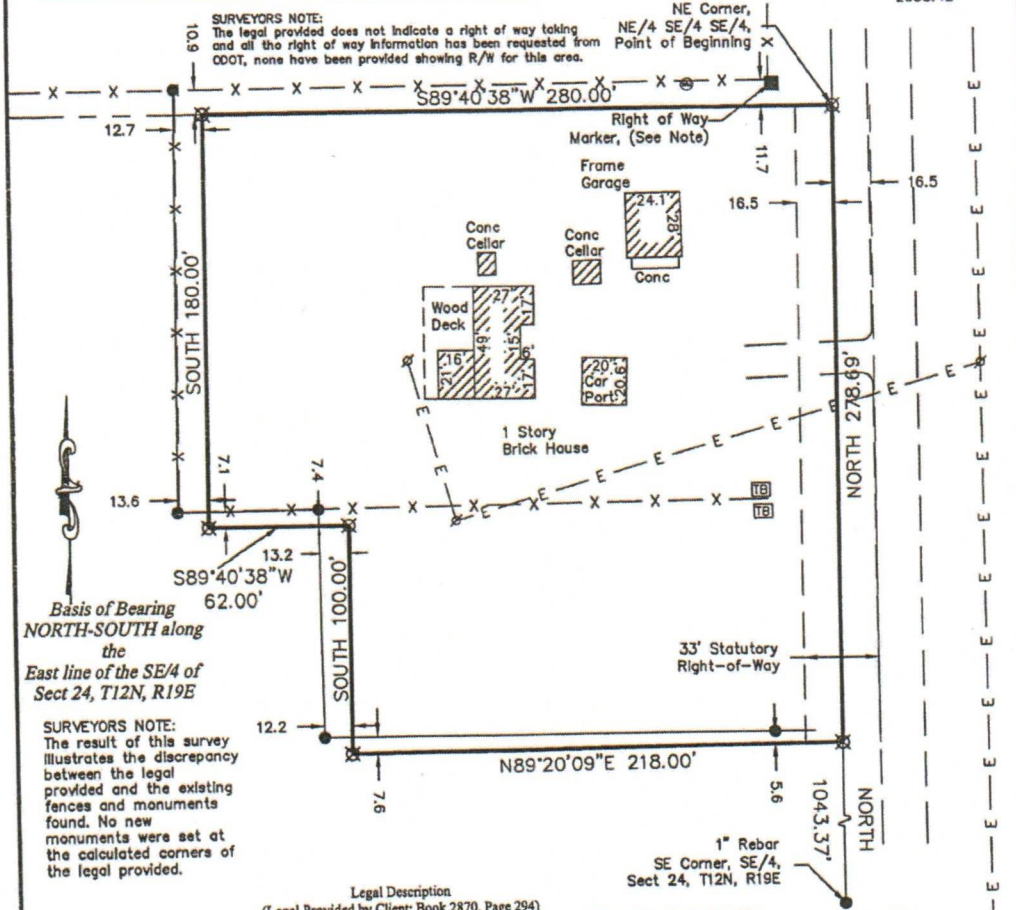
2,3
4,5,6

LEGEND			
☐ Telephone Box	— R/W —	■ R/W Monument	⊗ Power Pole
⊕ Water Meter	— Right-of-Way Line	□ Stone Monument	△ Brass Cap
— E — Electric Line	— Section Line	○ Set #3 Rebar w/cap	● Existing #4 Rebar
— Easement Line	— 10 Acre/40 Acre Line	⊗ Calculated Point	
— X — Fence Line			



RESULTS OF SURVEY

SURVEYORS NOTE:
The legal provided does not indicate a right of way taking and all the right of way information has been requested from ODOT, none have been provided showing R/W for this area.



*Basis of Bearing
NORTH-SOUTH along
the
East line of the SE/4 of
Sect 24, T12N, R19E*

SURVEYORS NOTE:
The result of this survey illustrates the discrepancy between the legal provided and the existing fences and monuments found. No new monuments were set at the calculated corners of the legal provided.

Legal Description
(Legal Provided by Client: Book 2870, Page 294)

A tract of land located in the NE/4 SE/4 SE/4 of Section 24, Township 12 North, Range 19 East of the Indian Meridian, Muskogee County, Oklahoma, more particularly described as follows, to-wit: Beginning at the Northeast corner of the SE/4 SE/4 of said Section 24; thence WEST along the North line of the SE/4 SE/4 a distance of 280 feet to an iron pin and a fence corner; thence SOUTH along an existing fence line a distance of 184 feet to an iron pin and fence corner; thence EAST along the existing fence line a distance of 62 feet to an iron pin; thence SOUTH a distance of 100 feet to an iron pin; thence EAST a distance of 218 feet to the East line of the SE/4 SE/4; thence North along the East line of the SE/4 SE/4 a distance of 284 feet to the point of beginning.

Containing 1.65 acres, more or less, less public road right of ways and being subject to any easements of record.
I, Kelly Osburn, Oklahoma Professional Land Surveyor, No. 14224, do hereby certify that the plat hereon correctly represents a survey made on-the-ground under my supervision, and that this survey is based on existing county records and existing survey monuments available at the time of this survey and that the survey and plat hereon was made for the client or clients so named per this plat, pursuant to clients request and for client's specific use and benefit only. No responsibility is assumed herein or hereby to the future landowners or occupants. This survey meets the requirements of the Oklahoma Minimum Standards. Certificate of Authorization, No. 5391, Expires 9/30/23.

- SURVEYOR'S NOTE:**
- This Survey was done to mark the corners on the ground and to show observed structures if any. Utilities located, if any, are from above ground inspection. The surveyor makes no guarantee that the structures and utilities shown compromise all such structures and utilities on the property. This survey was done from the description furnished by the client or clients agent named on this plat. No title search was done and record ownership, rights-of-way of road and easements to and across this property must be confirmed by others. Any building setbacks, Lot restrictions or covenants not shown are the responsibility of the land owner. The buyer or owner of this property should satisfy themselves as to the correct owner through a title search or review by an attorney.
 - The Surveyor reserves the right to change the opinion of this survey if any relevant evidence is brought forth in the future.
 - Fences located, if any, are located from the fence corners only. Any meandering of fence line has not been located.



WARNING: If the Seal on this document is not Red and embossed, it is an unauthorized copy which may have been altered or modified, and cannot be used for any purpose without the written permission of Osburn Land Surveying LLC.

Osburn Land Surveyors, LLC.

P.O. Box 1406 3615 W. Cherokee Sallisaw, OK 74955
918.775.9322—Office

SCALE: 1"=60'	JOB NUMBER: 22-8788R1		APPROVED BY: <i>[Signature]</i>		SURVEY BY: KJO
DATE: 5-16-22	FOR: Vicky Kyzer/Cherokee Nation Rehab		DRAWN BY: ND		CHECKED BY:
LAST SITE VISIT: 5/6/22	Copyright 2022 by Osburn Land Surveying LLC. All rights reserved. No part of this plat may be reproduced, stored in a retrieval system, or transmitted in any form without the written permission of Osburn Land Surveying LLC.				

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