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of the
Environment

Air & Radiation
Management
Administration

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A sbestos 101

This newsletter is on the MDE web site: <http://www.mde.state.md.us/asbestos>

EDITOR'S NOTES ...

SEASON'S GREETINGS!

Photo Identification Cards (PID). These are required for anyone performing the following asbestos actions: inspections, preparing management plans, preparing project designs, and supervisors and workers performing asbestos abatement work. The PID must be at the work site. For the purposes of abatement sites, the PID should be located in the clean room so that it does not get wet. Except for management planner activities, the PID is required for all activities in public and commercial buildings as well as schools.

If you do not have the PID issued by a Maryland-approved asbestos training provider, you may use photo identification from another state under certain conditions. The ID card must have a recent photo and an expiration date. If the expiration date does not match that of the current training course, the person must have their current certificate with them. The PIDs are issued every 1st and 3rd Tuesday here at MDE from 8-9:30 A.M. If it falls on a state holiday, you will need to wait until the next scheduled day.

Our office has received a number of calls regarding obtaining a PID with an expired certificate. MDE does not issue PIDs to holders of expired accreditation certificates. *There is no grace period.* A training certificate is good for one year from the date of issue must be renewed on time within the next year, or the individual must go back and retake the initial course. **There are no exceptions. Training providers may not let you take a course that you are not eligible to take.**

Social Security Nos. We are looking at ways that we may quickly and easily verify trainees social security numbers to validate certification for a PID to work in Maryland. The issue is still important to MDE.

SCHOOLS ...

MSDS (Material Safety Data Sheet). The major local education agencies (LEAs) aka the public school systems and the archdioceses (Baltimore, Wilmington, and DC) have received their letter and informational packet by now. MDE mailed it to these schools via certified mail with return receipt. The other LEAs known as minor LEAs should receive their letter shortly. It's the same letter, but is being sent to them from EPA's Philadelphia office. If you have questions about the use of the MSDS, etc. please contact Mardel Knight at the numbers on the masthead.

CHARTER SCHOOLS. The ARMA inspectors have inspected a number of these schools. The recurring issue of who conducts the AHERA inspection, and who would pay for it, is not an area of MDE's authority to resolve and MDE cannot be involved in this issue.

The charter schools under Maryland regulations are part of the public school system that approved their charter. It is the responsibility of the LEA to make sure that the charter is in compliance with the AHERA regulations. The charter school, as with any other school, is required to have the inspection and management plan in place **before the school opens unless it is an emergency**. As soon as the initial plan is finished, a copy must be submitted to MDE for review. If MDE provides a list of deficiencies to the school within ninety (90) days after receiving the plan, the school must make these corrections. This applies only to the very first management plan for the school, not reinspections. We have not received the management plans for most of the schools that opened in September! (Including exclusion packages.)

The other question that has come up again is the management plan for schools located in a

school that already has a management plan. Please review the response to this in the September 2006 *Asbestos 101* in the "SCHOOLS" section.

EPA has asked that we obtain a copy of the charter agreement at the time of the inspection and include it with our inspection report. If you do not wish to give us a copy, we will make a note of this in the inspection report. We do not review this as part of our inspection, but the EPA may need it if they are preparing an enforcement action.

Our inspectors will no longer provide a 'grace' period for submittal of missing items. Beginning with the FY'07 inspections that began 10/1/06, the inspectors will submit their reports as soon as the inspection is completed. As soon as the deficiencies are identified, you will need to start correcting them. The inspector cannot advise you as to how much time you have to make the corrections. We advise you to make them as soon as you can.

SIGNATURES. Inspectors and management planners, please remember that you must sign the inspection report and management plan for each activity requiring accreditation. This means that even if one accredited management planner performs all five of the activities requiring accreditation, the person must sign the accreditation page indicating that this is so. See the management plans forms on our website under "Forms". There are spaces for **five** signatures, please make sure that you sign for all **five** activities. There is also no senior inspector role. Any person accompanying you on the inspection to only take samples or make assessments, etc., must be accredited and must sign where appropriate. Accredited persons can only sign for service and activities they performed and must sign for each one. If their training certificates have expired, the performed activity is not valid.

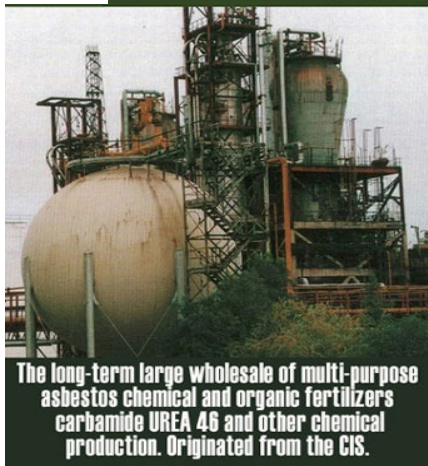
NET NIBBLES ...

For the very hard to please person on your list, and those who prefer irony, go to www.alibaba.com. They have very unique items for persons in the asbestos field. It's a website for companies looking to buy or sell large quantities of products. A search for asbestos products, amazed this editor on how many options exist out there -- many available with or without asbestos! **DISCLAIMER: of course this is a joke folks, we are not condoning or promoting the use of asbestos anywhere, ever for any reason. Hope your gifts are better ones!**



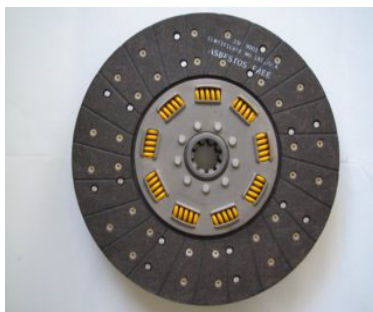
My favorite is the asbestos mill from Greece. There is no price given, nor are there any shipping details.

The large wholesale of fertilizers and chemicals



The long-term large wholesale of multi-purpose asbestos chemical and organic fertilizers carbamide UREA 46 and other chemical production. Originated from the CIS.

There is a company in the Ukraine that will make whatever you want, including asbestos products.



Free asbestos, or asbestos-free?

Something to squeal about - This is a Mercedes clutch disc (with free asbestos). The asbestos may be a bonus??

At <http://www.fairfaxcounty.gov/hd/atphotos.htm>, you will find some great pictures of actinolite ore in Fairfax County in Northern Virginia.



This is crocidolite also known as "blue" asbestos and you can see why.

CONTRACTORS' CORNER ...

For anyone not able to attend either the 12/6 or 12/19 workshop, you may have a copy of the handouts. Lorraine Anderson can be reached at landerson@mde.state.md.us or call her at 410-537-3200 or 800-633-6101.

One of the topics discussed at the workshops was changes to COMAR 26.11.21 Control of Asbestos. In January or early February watch for information on proposed changes and opportunities to discuss them. If you have any suggestions, please call Ms. Anderson or submit them in writing to her.

If you need copies of the *determinations for use of a solvent and buffer to remove asbestos*, please call Ms. Knight or Ms. Anderson and we can email these or send them to you. Remember that EPA has determined that removing asbestos-containing mastic in this manner is a regulated activity under NESHAP!

TRAINING PROVIDERS ...

The next training provider meeting is scheduled for March 8, 2007 at MDE Washington Blvd headquarters from 9:30-noon. For those teaching the Inspector/Management Planner classes, please provide a copy of the MSDS letter to the trainees. It would be helpful to provide them with a September 2006 issue of *Asbestos 101*.

ASBESTOS FOR ALL ...

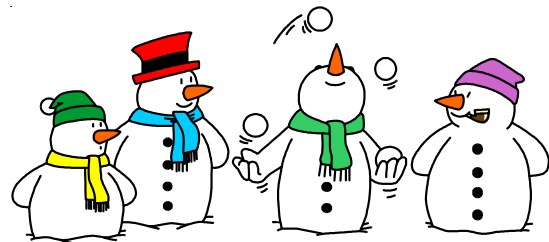
On November 21, 2006, EPA issued press releases regarding the Consent Order and Final Agreements (CAFO) reached with Baltimore City Public Schools System, Baltimore County Public Schools, and the Archdiocese of Washington. The CAFOs were the result of the AHERA inspections that were conducted in these major LEAs in 2004 and 2005. Approximately 10% of the schools were inspected and several violations were found. The LEAs were issued a Notice of Noncompliance and an Opportunity to Resolve. (The Archdiocese of Washington received a Notice of Noncompliance and a Request to Show Cause.)

At this point negotiations began on settlement of the alleged violations and the penalty component. The penalties for Baltimore City and Baltimore County were approximately \$110,000 each. The penalty for the Archdiocese was about \$72,000. It is the goal of AHERA to ensure that corrections are made and money not be paid in fees on top of the cost of corrections, so the final penalty assessed was for \$0 (zero dollars). The LEAs had to prove to the EPA that they had spent at least this much in making the corrections. You may find these and other press releases at <http://www.epa.gov/newsroom/newsreleases.htm>.

The violations found included failure to maintain updated management plans, failure to notify parents, staff, and teachers, failure to conduct reinspections, and train personnel. None of the LEAs admitted or denied the alleged violations, and EPA did not allege that any of the building occupants was exposed to fibers as a result of the alleged violations.

STATESIDE ...

State facility management plans were due at the end of September and are therefore overdue. Remember that if you want AOC money for abatement projects, you must have an approved plan on file. Now is the time to look at potential projects and to submit your information for these projects.



You may only have this much fun if schools in Baltimore City or Baltimore County are cancelled due to inclement weather. Then there will be no training classes!!

STATE EMPLOYEES' TRAINING CALENDAR

<p>JANUARY 2007</p> <p>NO CLASSES!!</p>	<p>FEBRUARY 2007</p> <p>6 IMPR - MDE 27 AUTO - ROSEWOOD</p>
<p>MARCH 2007</p> <p>6 SR - MDE 13 WR - MDE 19-23 SUPERVISOR I - ROSEWOOD</p>	<p>If you must cancel, please call Sharon Manger at 800-633-6101, -3200 or email smanger@mde.state.md.us</p>