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Asbestos 101

EDITOR'S NOTES...

A long awaited event has taken place. OSHA issued the new, *yes, new* respiratory protection standard. The standard, 29 CFR 1910.134, was issued on January 8, 1998. See the "Asbestos for All" section for more information.

SCHOOLS...

It is springtime and time for school events. Parents are visiting their children's schools and then calling our office looking for answers to questions about asbestos. In the past 3 months, the Asbestos Accreditation & School Assistance Division (AASAD) has received several calls from parents who were not pleased with the response provided by the school. Parents were looking for the management plan of which the office staff had no knowledge. The individual school's administrative staff must know where the plan is kept. This plan must be made available within 5 working days after a request is made to view it [40 CFR 763.93(g)(3)]. You may charge reasonable fees for copies. My staff and I can only answer generic questions about your plan, and we will direct parents' questions to the appropriate person for further answers.

Other parents did not know about the annual notification or they did not realize what it meant when they did see it. Many parents said that they did not see the notification because in many cases it was part of a large packet of materials sent home with the students. I would suggest that you take a little time to make the notification more distinctive in appearance. It would also be useful to put more information in the notification about the inspection and management plan. Many of the parents' questions could have been answered had there been more information in the notice.

Many parents are still under the impression that all of the asbestos had to be removed from the school or that it had already been done!!

When management plans are submitted to our office, the staff reviews the plan. If the plan contains all of the necessary elements, the school will receive a "not disapproved" letter. If any deficiencies are found, the school is required to correct these deficiencies. If the written management plan is complete and any deficiencies are corrected to our satisfaction, the plan will be "not disapproved". This does not mean that there

is no asbestos in your school nor does it mean that your school has met all the requirements of the Asbestos Hazard Emergency Response Act (AHERA). Our staff reviewed a written document (no site visits) looking for the inspection elements, the response actions, a copy of the annual notification, etc. The reviewers have no way of knowing whether the inspector found all the suspect asbestos-containing material, if the quantities were measured correctly, etc.

Charlie Kobal, our compliance inspector, has visited many schools in the past 10 years, and he has found instances in which asbestos was missed during the inspection, the management plans have been lost, etc. Remember that these plans need to be updated at least every 6 months if you need to conduct periodic surveillance and updated every 3 years if you need a reinspection. Our office received a copy of the original management plan, but we received no updates. If the plan has disappeared, gone to Florida (yes, one did go with the retired headmaster), or is otherwise unavailable; you will need a replacement.

Several new addresses have been added to the mailing list this quarter. All are schools that have no management plan or have moved and will need a plan for the new site. Please call our office to order the "Designated Person Self-Study Guide to AHERA" for information about the AHERA requirements for your facility.

CONTRACTORS' CORNER...

Power washing is still not allowed without a variance request. There is little chance that the variance request for power washing will be approved.

All variance and waiver requests are processed at the Department. Do not send variance and

waiver requests for jobs in Baltimore County to Baltimore County Environmental Health Department. However, you must still notify Baltimore County of all asbestos projects scheduled in that county, according to local regulations.

The initial worker and supervisor asbestos training does not cover in depth all types of respirators that your employees may be using. In class, the trainees learn the principles of respiratory protection and usually do their hands-on activities with the negative pressure respirators. Most of the time trainees are not using the same respirator on the job as the ones they use in class. If your employees are going to upgrade to the powered air purifying respirator (PAPR) as the asbestos standard allows them to do, you need to realize that they are going to need training on that particular PAPR. The principles are the same for all types of respirators, but disassembly, etc. varies from brand to brand.

Respirators that have missing parts, unapproved parts, etc. are unapproved respirators that will not protect your employees' health and are not legal.

ASBESTOS FOR ALL...

OSHA published the new respiratory protection standard on January 8, 1998. It is available from OSHA at (202) 219-4667, the Office of Publications. You can download it from the OSHA website at: <http://www.osha.gov/wutsnew.html>. Download parts A-C in the .PDF format. You will need the Adobe Acrobat Reader® which can be downloaded at no cost from the Adobe web site at: <http://www.adobe.com>. This will give you a copy of the standard in the format of the *Federal Register*. This is much easier to read than the other format. The preamble is very detailed and explains OSHA's thinking on the final standard.

The effective date for some parts is April 8, 1998 and see paragraph (n) in the standard for

a complete list of compliance dates for different sections of the standard. This standard applies to the asbestos standards (in parts 1910, 1926, and 1915 shipyards) and several of the other expanded standards. Several paragraphs that describe respiratory protection requirements have been removed from these standards and replaced by paragraphs from the new standard. This was an effort to make the standards more consistent with each other and to make it easier for the employer to comply.

This is the first major revision in 27 years !! OSHA estimates that the annual costs of the standard are \$111 million dollars or an average of \$22 per covered employee.

The changes that have been made are very extensive and spell out detailed changes for many things such as training, and IDLH atmospheres. Some of the more significant changes are:

1. Fit-testing is required annually. ALL tight-fitting facepieces must be fit-tested. This includes the facepieces that are part of "positive pressure" respirators. The powered air-purifying respirators (PAPR) with tight-fitting facepieces must be fit-tested. Appendix A contains the mandatory protocols for qualitative and quantitative fit tests. You will also need to offer more than just one manufacturers' model for employees who are being fit-tested. One brand does not fit all! This is to encourage the employee to select a model that is comfortable as used.

2. If an employer requires employees to use respirators, as is required in COMAR 26.11.21, a written respiratory protection program must be prepared and updated as necessary. Even where employees, voluntarily, provide their own respirator, the employer must implement certain parts of the written respirator program so that the use of a respirator will not present a health hazard to the employee. The employer must ensure that the employee is medically qualified to use the respirator and knows how to clean it, store it, etc.

3. There is a new medical questionnaire that must be provided to the physician or other licensed health care professional (PLHCP). The revised standard also explains in detail all of the information that must be provided to the PLCHP such as the type and weight of the respirator, how often the respirator is used, any weather extremes (especially humidity), etc. This will aid the PLHCP in making an accurate determination of the medical fitness of the employee. In turn, the PLHCP must provide a statement to the employer that states whether or not the employee may use a respirator and if there are any other restrictions on the use of the respirator. This is all of the information that is to be given to the employer which is all the medical information that the employer needs.

4. One very important change is that the standard requires a program administrator to be in charge of the respirator program. This person must have the experience and/or training commensurate with the complexity of the program so that he can oversee the program and conduct the necessary evaluations.

5. Training requirements are spelled out in great detail and say that the employee must demonstrate "competence" i.e. do not hand him a respirator and tell the employee to go use it. Retraining is an annual requirement, sooner if certain changes occur in the workplace that affect respirator use.

6. The revised standard has left the employer no choice in the type of respirator that must be used for Class I jobs. If there is no negative exposure assessment, then the employee must use a full-facepiece supplied air respirator operated in the pressure demand mode. The respirator must also be equipped with an auxiliary, positive pressure device self-contained breathing apparatus.

THE INFORMATION IN THIS SECTION IS



ONLY A SUMMARY. IT IS NOT A SUBSTITUTE FOR REVIEWING THE REGULATIONS IN THEIR ENTIRETY.

TRAINING PROVIDERS...

Trainee photos that accompany your training certification submittals must be labelled or attached to a copy of the photo identification card in such a way that the trainee in the picture is clearly identified. Loose and/or unlabelled materials will be returned.

Jim Hourihane and Larry Vermont of the AASAD staff, as they review your training manuals, are noting the same typographical and technical errors over and over again. We have sent out deficiency letters and will be sending out more deficiency letters which will require that corrections be made in 30 days.

Check the dates on the materials that you purchase since we see a lot of material that is out of date. Be particularly aware of materials provided by the parent organization. This material may be insufficient for training conducted in Maryland and there is usually little coverage of Maryland regulations. It is your duty to provide and teach with materials that are technically correct and grammatically correct.

NET NIBBLES...

Visit the OSHA website: <http://www.osha.gov> for a copy of 1910.134 and there are several pamphlets that can be downloaded including one on ladder and stair safety. The Duke University website: <http://gilligan.mc.duke.edu/oem/index2.htm> has links to a myriad of occupational and environmental websites as well as a free link to the National Library of Medicine online search tools. The annotated code of Maryland, the state's statutes are online on the General Assembly web page at: <http://mlis.state.md.us>.

STATESIDE...

These are training classes for state employees and are not open to the public.

April 2 9 14 & 16 20-24 30	1998 BIMPR SR Auto Supervisor I BIMPR	May 7 12-15 21 28	1998 Worker R Worker I Supervisor I PDR/Anne Arundel CPS
June 30	1998 BIMPR(<i>may need to be rescheduled</i>)	If you must cancel, call Mrs. Manger at (410) 631-3801 or (800) 633-6101, -3801 or e-mail: smanger@mde.state.md.us	