



Maryland
Department
of the
Environment

Air & Radiation
Management
Administration

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Asbestos 101

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

EDITOR'S NOTES ...

In February, the Asbestos Program played host to Japanese officials from the Shizuoka prefecture (equivalent to a state) who wanted to learn about Maryland's asbestos program. They found our website and the newsletter and contacted the editor to arrange a visit. While they were here, they visited a local contractor, a building with an active abatement site, a state building that had just finished a complex abatement project, and a school ready for renovation, including asbestos removal. They also learned about the role that consultants play in asbestos abatement, etc. The officials were from the prefecture's Department of the Environment. They wanted to see what we do and learn about all aspects of the asbestos program. Shizuoka prefecture at this time only requires permits for those entities performing a demolition and requires sampling of sprayed-on materials in some cases.

Visitors from Japan



L. to R.: Y. Emoto, M. Knight, K. Kawahara

Unlike Maryland's requirements, their debris is put into industrial landfills and mixed with all other industrial waste without segregating it. At this time the neighbors are worried about asbestos and the other toxic materials buried in these landfills. Developers are eyeing the land for building, etc. and are faced with how to remove the landfill debris. While burning was suggested, it will be expensive.

They have decided that the first task for their asbestos program will be to establish a contractor licensing program. The next item on their agenda is to address asbestos in the schools.

NEWS FOR ALL ...

PHOTO ID CARDS. There *STILL* seems to be misunderstanding about when to come to our office for a photo identification (PID) card and how the process works.

The PID cards are issued on the 1st and 3rd Tuesday of each month. If that day is a state holiday or the office is closed, there is no 'rain date'. You will need to wait until the next scheduled date. If your company sends more than four persons for PID cards, the Department requires that you make an appointment before you send employees to our office. You will also need to prepay the fee and send in copies of the certificates before the employees come to our office. Once the fee has been paid and the training certificates approved, MDE's asbestos program people will call you to set up the appointment, to save your employees time when they come in for the PID cards. Employees must bring in their current original training certificate for verification. Please note that the PID card will expire on the same date as the certificate that you have provided to us. If the certificate is close to expiration, send personnel to a Maryland-approved training provider who can also provide the PID card upon successful completion of the course.

Those who have an acceptable PID card with a photo and a training expiration date on the card do not need to come in for a MD PID card. If there is a picture and no training expiration date, then the employee must carry the current training certificate with him on the job. Please note that most states issue PID cards that have **NO** training expiration date on them or there is an expiration date that has no relationship to the training expiration date. MD clients have the right to ask for a MD PID card, obtained from our office. It is not wrong for the company to ask for the MD PID card. Some states issue PID cards that expire after two years and are not honored in Maryland.

If the employees bring a money order, make sure that it is filled out and signed. It is to be made payable to the "Maryland Clean Air Fund". Non-English speaking individuals must bring someone who speaks English. Some of these persons are not literate in their own language

and have difficulty filling out the required form. If the person does not bring their original certificate with them, we will create a PID card, but not give it to the person **UNTIL** legitimacy of the certificate is verified.

The regulation, COMAR 26.11.23.03.C(1), states... "individual accredited to engage in an asbestos occupation **shall carry, while engaged in the asbestos occupation, a photo identification card (emphasis added)**"... This is for all occupations: inspector, management planner, project designer, worker, and supervisor. For persons inside containment, the PID card may be left in the clean room. Otherwise it needs to be with the inspector, etc. as they do the activities they are accredited to perform.

WORKSHOPS ...

May will indeed be the "merry month of May" as the Asbestos Accreditation & School Assistance Division is offering two series of workshops. You may attend either session in a series.

STATE EMPLOYEES - May 4th **OR** May 16th from 9-Noon. The May 4th workshop will be in Cambridge at the UMES's Center for Environmental Science Horn Point Laboratory. The May 16th workshop will be at Western Maryland Hospital Center in Hagerstown. This meeting is for all of the Departmental Asbestos Coordinators, Asbestos Program Managers, and the Agency Safety & Health Specialists. It is very important for new persons in these positions to attend. We will be reviewing the policies, procedures, and requirements for the State Asbestos Program. A notice for the meeting is going out by the end of March. **If you do not receive one, please contact Rebecca MacEwen at 410-537-3200 or rmacewen@mde.state.md.us.**

INSPECTORS/MANAGEMENT PLANNERS. May 9th OR May 10th from 9-1. The May 9th session will be in Cambridge at the Horn Point Laboratory and the May 10th session will be at Western Maryland Hospital in Hagerstown. Notice for the meeting will go out the week of April 3rd and will include directions.

This series of workshops is for the persons actively engaged in doing inspections and writing management plans in public and private schools, both large and small. Over the past years we have noted recurring deficiencies in the inspections and preparation of management plans. We are, therefore, inviting the training providers who offer these courses. Tia Chambers, the EPA Region III Asbestos Coordinator, will also participate in these workshops on both days. We will also be discussing the Enforcement Response Policy that the EPA uses to determine what violations will be issued, and what penalty, if any, will be attached to a violation. For the designated persons at the large LEAs, please check to be sure the company that you use or plan to use for current or future work is notified about the workshops. If you do not receive the notice or have any questions, please call Mardel Knight at 410-537-3200 or email her at mknight@mde.state.m.d.us.

TRAINING PROVIDERS ...

APPLICATIONS. Use *one* first page when listing multiple courses for a submittal on this page. When the courses are listed on separate pages, it may delay the application process.

INSTRUCTORS. If you include new instructors in your application, please include the resume. You may not use an unapproved. Please provide a resume detailing education relevant to the topics or courses that they are teaching. Describe their experience as an instructor. All in-

structors must have attended the same course.

OUTLINES. Detailed outlines should list the main topics and comprehensive information on that topic. Also describe the approximate time allotted to each topic. Describe the hands-on in detail.

SUBMITTALS AND VOIDS. If possible, please email course submittals. The advantage of an email submittal is that you receive an acknowledgement and will be quickly be made aware of any deficiencies in the submittal. If not make sure that all pages are securely fastened together. Please keep voided PID cards or "voids" separate from the course by putting them in an inner envelope or stapling them together separately from the course submittal, Voids must be submitted as soon as possible after the PID card is voided. Do not accumulate the voids. If you need a new supply of PID cards, call Mardel Knight or Sharon Manger at 410-537-3200.

WORKER AND SUPERVISOR COURSES. A number of notices of violation have been issued lately for employees not wearing their hoods in containment, for using a rag around the head, etc. Please be sure to emphasize the proper way to use protective clothing and the reasons for using it this way.

In the "other safety issues" part of the courses, please emphasize the proper use of ladders and scaffolding. We have seen employees who are dropping debris on employees working below them! This is very dangerous. After highway accidents, the biggest killers of construction laborers are falls from one level to another and by contact with an object i. e. dropping something on the employee below!! We have made a number of referrals to MOSH for these unsafe activities.

Once a facility has reached NESHAP for the year, all of the projects at the facility are subject to the

NESHAP for the year; no matter how many different contractors work at the facility. If you are unsure of whether or not the facility has reached NESHAP, please call our office and someone can find out the status of the facility.

NET NIBBLES ...

The contractors' are still committing the same violations. On 12/30/05, OSHA issued a press release detailing citations totalling \$38,750 for a company's failure to provide protective gear to the employees, decontamination area, safety training, competent person, etc. (See OSHA's What's New for 12/30/05)

Remember F&M Technologies Inc. the training provider that sold fraudulent training certificates? The fallout continues. Sentenced on 2/23/06, the EPA issued a press release citing the sentencing for the president of Air Power Enterprises, Inc. of Norfolk VA for purchasing and using fraudulent certificates from F&M. He was fined one million dollars and sentenced to five months in jail. The press release also mentions co-defendants, ACS Environmental and its owner, James Schaubach; who pleaded guilty to one count of conspiracy to defraud the EPA, SBA, etc. They have yet to be sentenced.

See the EPA press release at <http://www.epa.gov/newsroom/index.htm>. It is in Region 10 and was issued on 1/20/06. MBK Partnership agreed to an \$11 million settlement to resolve claims made by home owners at the North Ridge Estates asbestos site. The owners of the homes will be compensated and be able to relocate to new residences. Read the whole release as it is interesting. The lesson to be learned for the developer is to buy land carefully and not dispose of asbestos on the land that is later sold to homeowners.

The Worker Health Chartbook 2004 is available at <http://www.cdc.gov/niosh/docs/chartbook>. It

is a description of worker morbidity and mortality in the United State. It has very interesting information on the effects of age, size of company, etc. on the fatalities and injuries of employees.

Go to www.ewg.org and you can see a chart in the asbestos section that shows the results of air sampling that W.R. Grace took at some of its Zonolite plants around the country. Some of these sites show higher fiber levels than those at the Libby mine!

EPA Region 10 has a summary of existing AHERA, NESHAP, and OSHA regulations, policies, and guidance for "Resilient Floor Coverings, and its Adhesive. Go to www.epa.gov/region10 and enter "resilient floor covering" in the search box. It is in a table format and is very useful.



Asbestos Mine in Cyprus.

STATESIDE ...

(Classes are for state employees only.)

April 2006	May 2006
3-7 Supervisor I - Rosewood 13 Supervisor R - MDE TR 20 Auto Worker - Rosewood	24 Supervisor R - MDE TR
June 2006 6 Worker R - MDE TR 8 Auto Worker - Rosewood 15 IMPR - MDE TR 23 Supervisor R - MDE TR	If you must cancel, call Sharon Manger at 410-537-3200 or (800)633-6101, -3200 or email: smanger@mde.state.md.us