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Air & Radiation
Management
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Asbestos NOI

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

EDITOR'S NOTES ...

Summer is here! School is out! Asbestos abatement activities are proceeding apace in schools. The Maryland Department of the Environment (MDE) has had its first call from a parent wondering if her child should be in a building where an asbestos abatement project is due to begin. The answer is "yes." The parent's first source of information was the 3-day notification sign on the door to the building! This was "correct." Was this enough? "No!"

MDE has always recommended that schools give the building occupants information **BEFORE** the project starts. Most of these people really do care if there is an asbestos project and, do not like surprises. There is a lot of misinformation about asbestos and how it can be handled safely. The occupants need reassurance that the project will be done properly, and, all necessary precautions are taken by the building's owner and the abatement contractor to protect their health and the environment. Notification requires little effort and may make things easier for everyone. These suggestions are applicable to buildings other than schools.

SCHOOLS ...

Since the last newsletter in March 2005, the school asbestos inspectors have inspected three major school systems for a total of 16 schools. MDE also has two additional inspectors, Rebecca MacEwen and Mike Sweeney, assigned to inspecting schools. As soon as their credentials are issued, Becky and Mike, who have been with MDE, and are currently part of the State Employees' Training and Medical Monitoring Program, will be inspecting schools.

Please note that the following remarks are not necessarily directed at any of these schools, but is a compilation of errors and omissions that we have found over the past year. These findings are not limited to just one school system.

SIGN-OFFS. 1. The signature and accreditation information for the project designer is required for all projects other than the small scale short duration maintenance activities. These projects also must be done by accredited workers and supervisors. Even if the project is designed by school personnel, this information must be part of the records for that project.

2. Each inspection requires three sign-offs—a. the person(s) performing the inspection, b. the person(s) taking samples (if any taken), and c. the person(s) making the physical assessments of the suspected asbestos-containing building materials. Even if the same inspector performs all of these activities, the sign-off must clearly indicate that this person did all three activities. It is NOT Sufficient to say that the inspection was done by "Asbestos Inspector No.1" on a certain date.

3. The management plan requires two sign offs—a. the person(s) who prepares the plan, and b. the person(s) who recommends the response actions.

4. Laboratory analysis results require the signature of the laboratory analyst who analyzed the samples, not the laboratory director. Always include the laboratory accreditation number for each report. Samples analyzed by an unaccredited laboratory are not valid.

5. When clearance air samples are collected, the final report must include the name and signature of the person who took the air samples.

6. The designated person must sign a statement acknowledging that the local education agency (LEA) will meet its responsibilities as described in 40 CFR 763.84 (a)-(f). This is required whenever a new designated person is appointed.

MORE TIPS.

When the management plans are being updated, DO NOT throw away the previous information. For instance, the information about the last reinspection needs to remain with the plan even when the management plan is updated with the most recent inspection information. This is especially important for the accreditation information for the inspector and management planner.

The management plan at school headquarters must match the plan at the local school. Don't forget that the EPA determined portable classrooms are separate buildings. The inspection information on these needs to be included in the management plan for the school.

INCIDENTS OF NOTE An incident occurred recently at a school where a teacher and some students decided to pick up floor tiles (previously loosened by a water leak) and take them out to a dumpster. Whether the tiles were friable or made friable, suspected asbestos-containing materials must be handled only by trained personnel.

In another school, a water leak loosened some tiles, and the principal would not allow the area to be isolated while waiting for their removal. In the meantime, a teacher decided that the tiles should be picked up quickly, and he did so.

While these actions were taken by well-meaning individuals, we must keep in mind how to educate people about the dangers of handling materials, so that it will not cause problems for the school systems. There may have been exposures to these folks. Perhaps the administrators and staff teachers need more information than annual notification to prevent asbestos exposure. Even more importantly, they need to report these incidents as soon as they occur. Also, whether or not the building materials contain asbestos, policies should be clear about who may conduct maintenance activities in your buildings!

A WARNING. One of our licensing inspectors came across some 2 x 4 ceiling panels that had the notation "contains carcinogen" on the label. The Material Safety Data Sheet (MSDS) showed that the carcinogen was 15-25 percent crystalline silica. Silica is a potent fibrosis-inducing agent and it is a carcinogen.

The ceiling panels should present no ordinary hazard to people occupying the rooms where these are installed. However, personnel installing these may be exposed while cutting the panels in order to fit them around light fixtures, vents, etc. OSHA has a special emphasis program on silica. For more information, go to www.osha.gov.

It is not illegal to install or use these panels in your facility. However, if your personnel will be disturbing the matrix of these panels by cutting, etc., then you may want to take all precautions so that your personnel are thoroughly familiar with the information in the MSDS.

CONTRACTORS' CORNER ...

Lorraine Anderson, chief of the licensing and enforcement division, contributed the first two items. If you have any questions, you may contact her at 410-537-3200.

1. Large Facility Notifications are granted when the contractor sees a need for working at a site for a long period of time. These types of notifications are a privilege and the contractor is required to send in site information on a weekly basis. Contractors are not granted the waiver until they have received a letter from MDE stating the requirements of the waiver. Please do not assume that MDE has granted the waiver. When you receive it, send your weekly information concerning job work by e-mail to the inspector. Call MDE if you have questions concerning your particular instance.

2. MDE's Asbestos Licensing and Enforcement Division will hold a **Demolition Compliance Assistance Workshop** in the Montgomery Park building, first floor conference room, on Tuesday September 13th from 1:00 – 3:00 pm. This workshop will be geared to the requirements

for owners, general contractors and demolition contractors in the demolition of commercial and residential buildings.

Last week the asbestos school group received a phone call from an LEA designated person who was confused by information she received from **licensed abatement contractors**. She was seeking bids for a 2000 ft² floor tile and mastic removal job. The floor tiles were damaged and the job needed to be done as a regulated NESHAP asbestos project. She called four contractors and three of the four told her that she only needed to use the Phase Contrast Microscopy analysis method for the final clearance samples. One did say that she had to use Transmission Electron Microscopy (TEM) for analysis of the final clearance samples, but made no mention of the necessary aggressive sampling methods. However, this designated person did know that she needed to hire an independent firm to conduct sampling for clearance by TEM.

Suffice it to say, that contractors may not know the correct clearance methods for schools. Whereas clearance sampling methods are a topic covered in training, it is fortunate that this designated person had the wherewithal to read the regulations and confirm that TEM was the correct method in her situation.

TRAINING PROVIDERS ...

The next Training Providers meeting is on Thursday, September 8, 2005, from 9:15-noon. Robert Courtnage from EPA headquarters is scheduled to attend and provide updates much as he did last year.

Instructors. All instructors must have prior approval to participate in training, even those

who may teach one or two topics. This notification requirement is in the MDE regulations.

Photo ID Cards. You may only be issued more cards if you can satisfactorily account for the previous allotments. When you need cards, include an inventory list with the disposition of all previous cards in your request.

Submittals. Please check these submittals carefully before sending them to MDE. An unusual number of submittals have had to be returned lately. Remember, that the submittal date is the date you submit the corrections. If you make mistakes on the cards, retrieve the cards from the students and issue new ones. Do not issue new cards unless you have the old ones. Return the voided cards to our office with any other voids as soon as possible.

For those who are emailing submittals – this method is working very well. It cuts down on submittal time and allows you to correct errors very quickly. Scanning the completed photo id cards will cut down on the size of the transmitted file. Place your company/organization's acronym on the front of card, to the right of the red number so that *there is no need to copy the back of the card*. Please place cards on the scanner or copier in numerical order.

Please copy Larry Vermont on emails for course changes. Mardel Knight will acknowledge these, and Larry maintains the database schedule.

The last two newsletters contained a great deal of valuable information for the schools. Please use this in your inspector/management planner courses for those who conduct asbestos activities in schools. One item that is consistently missing is the project designer sign-off on response actions. Emphasize to the trainees that the inspector/management sign-offs must be included with each reinspection.

STATESIDE ...

We have just completed preparing the list of AOC projects for FY'07. For next year we ask that no items be submitted that are in good condition for the sole purpose of having an "asbestos-free facility." We understand this desire, but AOC money will not be allocated for materials in good condition with no better reason for removal than wanting to get rid of it.

Last week MDE visited a facility that wanted advice on how to handle a storage area that is due to be demolished in a couple of years. The site visit showed damaged floor tiles and most of the rooms crowded with discarded desks, filing cabinets, etc. The building was also a fire hazard. The facility wanted to remove the furniture to return it to its original location. Getting the furniture out without further damaging the tiles and not subjecting removal personnel to exposure would have been difficult. The storage area was too large for Level II personnel to abate. The advice given was that they padlock the building and have the asbestos removed at the same time as the floor tile, prior to demolition of the building. Many facilities have files, and other items stored in vacant buildings. If these have roof leaks, damaged floors, etc., the materials are being ruined, and there is a threat of exposing personnel to asbestos and other hazards when retrieving these items.

(Note: These classes are for state employees.)

July 2005 NO Classes!!	August 2005 NO Classes!!
September 2005 1 Worker R - MDE TR 15 Supervisor R -MDE TR 29 Asbestos S & H Specialist - 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