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Asbestos 101

EDITOR'S NOTES...

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

The proposed amendments to COMAR 26.11.23, Accreditation of Individuals, and Approval of Training Courses, were adopted as proposed, and became effective: August 24, 1998. The proposed amendments to COMAR 26.11.21, Control of Asbestos, were also adopted as proposed, and became effective on August 24, 1998. The proposed regulations were published June 19, 1998 in the *Maryland Register* and the notice of final action was published in the *Maryland Register* on August 14, 1998. The Department received one written comment on the proposed regulations that was received prior to the public hearings. No one made any comments at the public hearings held in Hagerstown and at Spring Grove Hospital Center. All of these forms and the COMAR regulations are available on the ARMA bulletin board at (410) 631-4416, which you must dial from your computer. The COMAR regulations, COMAR 26.11.21, are available only to asbestos contractors from the bulletin board.

Please visit the MDE website at the address at the top of this page. The Asbestos & Industrial Hygiene Program has placed several documents on the web site for downloading. The documents will be available in several formats. The ".pdf" or portable document format allows you to download a document even though you don't have the software that was used to create the document. For this you must have Adobe Acrobat Reader® in order to view the document and print the document. The MDE web page has a link to the Adobe web site where you can download the software at no cost. The documents are also available in Microsoft® Word97. Do not download these and attempt to open them in another word processing format such as Corel® Wordperfect. Most of the documents will not convert easily to another format. If you have Microsoft® Word97, you will be able to fill out some of the forms on-line in the near future. At this the time only the asbestos project notification form may be filled out on-line. The forms must be printed and mailed to our office. The asbestos license and training provider applications will be the next ones that are available in this on-line format.

When you reach the MDE website, go to the upper right hand corner of the home page, and click open the list of topics. Click on "air quality" and select "Asbestos" from the list of programs on the left. There you will find forms for both the licensed contractors and training providers to use. If you have any difficulty accessing the forms, please call Judy Gemma or Mardel Knight at (410) 631-3801 or (800) 633-6101 (MD

only). You may also e-mail a message to Judy at jgemma@mde.state.md.us or to Mardel at mknight@mde.state.md.us. Of course we will still mail the forms to you.

Please note that there are two different sets of management plan forms. One is for state-owned facilities and the other is a set of forms for schools that have to comply with the requirements of the Asbestos Hazard Emergency Response Act (AHERA). Read the instructions before downloading the documents. We can send the forms on diskette, but all of the forms have been converted to the Word97 format.

SCHOOLS...

The "Designated Person Self-Study Guide" will be on the website in October and available only as a .pdf document. This guide is very useful for new designated persons as it gives an excellent overview of the asbestos inspection and management plan process for any size school. The forms in the guide for inspections and management plans *may not be used for the initial inspection and management plan in Maryland*. Please check the website and download the "MDE/KP 254 Initial Management Plans". These are in one set in the Adobe format and as two sets in the Word97 format, actually the forms were divided into two sets of six pages to make the downloading quicker and easier. These forms are mandatory for the initial inspection and management plan. The required elements checklist is handy to have when assembling the plan to check that all the parts have been incorporated into the plan.

ASBESTOS FOR ALL...

Don't throw away your current copies of COMAR 26.11.23 and COMAR 26.11.21. The *Mary-*

land Register issue with the proposed changes shows the language deleted and language added to the COMAR chapters. You need the current versions to see what language remained the same. The supplement to the COMAR will not be published until later this year. These amendments were adopted as proposed, as published in the June 19, 1998 issue of the *Maryland Register*. All of the amendments took effect on August 24, 1998. There are no exceptions. There have been very few requests for these amended regulations so most of you are still in the dark out there, particularly the training providers. Please request a copy by mail or preferably e-mail. These documents will not be available on the MDE web site at any time. Not having the documents will not excuse you from possible citations. This newsletter and the last one were sent via first class mail to ensure that the stakeholders were notified!!

CONTRACTORS' CORNER... by Tim O'Hare

Floor tile projects have caused problems for many contractors lately. The purpose of this article is to keep the rest of you out of trouble. Before we even discuss friability, you have to understand that once you set up DANGER signs, YOU have defined a regulated area. This means that your personnel must be wearing their respirators and using their disposable suits with the hoods up and do so until they exit the area.

Now to discuss the friability issue. The bottom line is that the inspector on site has the ultimate authority to determine where incidental breakage ends and friability begins. The operative words are: *grind, sand, abrade, or pulverize*. The only methods that normally don't render vinyl asbestos tile (VAT) friable are infra-red machines and hand scrapers *IF PROPERLY* used. When you take a 25 pound 6 foot long solid steel scraper and slam it straight down on the tiles, you now

have a chisel; and you are making the tiles friable by pulverizing them. If the resulting debris is friable with whatever method you're using, or if there's any doubt in your mind, STOP! "Poly" the walls, install your three-stage decontamination unit, and negative air machines. Now you have a project subject to the NESHAP so don't forget to call us so we can revise the notification. Don't forget to send a copy of the revised notification to us.

Please remember that the friable floor tile-mastic slurry you've created (since, of course, you are now using amended water) must be bagged just like any other friable debris. If you plan to use ANY mechanical means of removal, such as chippers, shot blasters, or a powered blade, now the project is subject to the NESHAP, and full containment is required.

Please, if you have any doubts, call us. We would really rather solve problems than issue citations.

TRAINING PROVIDERS...

I am having a meeting on November 5, 1998 at MDE for all Maryland-approved training providers. This includes those providers approved only for operations and maintenance courses. You will be meeting with me and my staff, including Judy Gemma and Sharon Manger. We will be going over the new applications, procedures, etc. that are now required as a result of the amended regulations. Do not plan on sending any more than two persons from each company, preferably the training director and the lead instructor. This will be a morning session, 3-4 hours. More details to follow. Please let me know by October 12, 1998 who will be coming so I can make sure there are enough donuts! We have purchased a digital camera and will discuss speeding along the information technology highway.

When you void a photo identification card, return it immediately to MDE and keep a record of the number(s). This information is part of your recordkeeping requirements and will be needed on the new applications.

Training information is due ten working days after the class. Some of you are not meeting this requirement.

If a trainee fails the exam, returns to take it, and passes the exam; please give this person a photo identification card with the correct information on it. If you have to void a card, so be it. This is confusing when dates don't match and employers do call and ask about these discrepancies.

OSHA issued a final rule on June 29, 1998 removing the regulation of asbestos-containing roofing cements, mastics and coatings from the OSHA standards for occupation exposure to asbestos in construction and shipyard work. Please revise your training materials to reflect this change.

You will be notified when the EPA approves the revised Model Accreditation Plan. As you are well aware we were waiting for the amendments to the regulations to be finalized before submitting the MAP package to the EPA.

Please read the amendments to COMAR 26.11.23. The foreign language course applications will require a fee and the applications will be handled just as they are now for the standard asbestos worker discipline. There are more pieces of information required for the application, more stringent criteria for suspension or revocation of course approval, more stringent criteria for deaccrediting individuals, etc.

We have noted that very few of you have requested copies of the amended regulations which you need in addition to the a copy of the Sep-



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tember 16, 1991 version. There were many amendments made to COMAR 26.11.23.

NET NIBBLES...

There are lots of nibbles this time because OSHA has made some revisions to its web site and you can now link from the OSHA web page to other sites with information on respirators and asbestos. Visit the OSHA web site at: <http://www.osha.gov>. At the top of the page is an index to the OSHA web site, go to the asbestos and respiratory protection items. This page provides a large number technical links for the new respirator standard including a document entitled "Major Requirments of OSHA's Respiratory Protection Standard 29 CFR 1910.134". There is also a compliance directive, CPL 2-0.120 that was published on September 25, 1998 that describes the agency's interpretations and enforcement policies for the respiratory protection standard.

On October 5, 1998 all provisions of 29 CFR 1910.134 are in effect. The old standard is now 29 CFR 1910.139 and applies only to the respiratory protection for tuberculosis. You can get a copy of the standard from the OSHA website.

There is an excellent booklet about the respiratory protection standard that is found under publications on the OSHA home page. It is booklet no. 3079 titled "Respiratory Protection".

Editor's note: Halloween is approaching and if you want to check out some scary things, see what kinds of penalties are involved when OSHA investigates asbestos projects (and Maryland is an OSHA plan state), check out "What's New" on the OSHA web site at <http://www.osha.gov>. Read the July 8 and September 3, 1998 entries and note the size of the penalties proposed for the "Twinkies" plant in Chicago and the construction site in Houston. The sad part is that our inspectors see these same violations, not all at one time, but many of them occur on a daily basis in Maryland!! Some of you have still not found the nearest water connection and are performing dry jobs. This is unacceptable and will result in severe sanctions.

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

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| October 1998 | November 1998 |
| 1 BIMP R | 5 Worker R |
| 8 ASHS I | 17-20 Worker I |
| 15 AUTO I | |
| 20-23 Worker I | |
| December 1998 | If you must cancel, call Mrs. Manger at (410) 631-3801 or (800) 633-6101,-3801 or please use e-mail: smanger@mde.state.md.us |
| 1 Supervisor R | |