



Asbestos 101

Department of the Environment

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

July, 2011

TRAINING PROVIDERS . . .

Our next meeting is scheduled for Wednesday, September 7, 2011 here at the Maryland Department of the Environment (MDE) at the Aeris Conference Room. The time of the meeting is from 10 am to 12 noon. If you have any issues you want us to address at this meeting, please call or email our office with your comments before the end of August.

SCHOOLS ...

A list of **Common Management Plan Deficiencies for the Year 2011** with the number of times they were observed in parenthesis is as follows:

- Failure to conduct an AHERA inspection or reinspection. (6)
- Failure to develop a management plan. (3)
- Failure to provide initial or annual notifications to parents/teachers/employee organizations. (11)
- Failure to use accredited workers. (1)
- Failure to notify short term workers. (10)
- Failure to conduct periodic surveillance. (7)
- Failure to maintain records. (27)
- Failure to ensure proper compliance of response action. (9)
- Failure to provide training for the designated person, custodial or maintenance staff. (9)
- Failure to post warnings. (5)
- Failure to qualify for an AHERA exclusion. (4)

One LEA, the Bethel Christian Pre-School in Howard Co., was found to be in compliance with the AHERA, Federal and State regulations.

The Asbestos Accreditation & School Section will be participating in two Asbestos Public Outreach activities this year. Our first Public Outreach will be held at the School Health Interdisciplinary Program (SHIP) exhibit to be held on August 1-2, 2011 at the Sheraton North Hotel located at 903 Dulaney Valley Road in Towson Maryland. Hours for the Exhibit will be from 8 am to 3 pm.

1800 Washington Boulevard | Baltimore, MD 21230-1720 | www.mde.state.md.us
410-537-3200 | 800-633-6101 | TTY Users: 800-735-2258

Martin O'Malley, *Governor* | Anthony G. Brown, *Lt. Governor* | Robert M. Summers, *Secretary*
Air & Radiation Management Administration

Published by Asbestos Division, Lorraine Anderson, Editor



The second Public Outreach will be held at the 22nd Annual Chesapeake Region Safety Council's Conference & Expo located at the Johns Hopkins Applied Physics Laboratory; Kossiakoff Center; 11100 Johns Hopkins Rd.; Laurel MD 20723 on September 15, 2011. Hours for the Conference & Expo are from 8:30 am to 3:30 pm. There is a charge to attend this Conference & Expo. If tickets are purchased before July 15, 2011 the cost is \$125/person and if purchased after July 15, 2011, the cost will be \$145/person. If your company sends 4 people, the 5th person can attend the Conference & Expo for free! For ticket information, you may call the Chesapeake Region Safety Council at (800) 875-4770. For a map to the Conference & Expo, Google **"Johns Hopkins Applied Physics Lab"**.

The Asbestos Accreditation & School Section will have a booth on the premises to answer your questions concerning your school's asbestos management plans on this day, so bring your questions and management plan with you so we may help you successfully comply with the Federal AHERA regulations. Hope to see you on September 15, 2011!

CONTRACTORS' CORNER . . .

(Tim O'Hare, Section Head, Asbestos Licensing & Enforcement Section)

After a pretty good spell, we've had about 6 hood violations in the past 2 months. I realize its summer, it's hot and sweaty, but there are no exceptions for hot and sweaty. One contractor stated that in Delaware they confiscate the worker's training certificate, and that seems to solve the problem. It is something we have considered in Maryland, but it is not feasible at this time.

Last issue, I said I'd talk about EPA Determinations and mastic. According to a Determination dated 12/05/2005, EPA concluded that mastic was a Category II asbestos-containing material. Further, they concluded that using a buffer renders mastic friable, thus making it regulated asbestos-containing material (RACM). Using solvents with a buffer no more makes it non-friable than using amended water on mag; it's simply an engineering control to keep fiber levels down. If you have more than 160 sq ft of mastic, and you use a buffer, the project's subject to NESHAP and a 10 day notification.

Now, let's talk about vinyl asbestos tile (VAT)/mastic and notifications. If you have more than 160 sq ft of VAT, and you use mechanical means, the amount gets notified as "RACM Removed", it's a NESHAP project, requiring a 10 day notification; otherwise, list it as "Cat I Non-friable Removed". If it's mastic, greater than 160 sq, using a buffer, it's "RACM Removed." If it's less than 160 sq, or if you use solvent and squeegees for *any* amount, it's "Cat II Non-friable Removed, not subject to NESHAP or the 10 day requirement. It's up to you. We aren't going to approve any 10 day waivers for mastic projects unless it's a genuine emergency and, those are few and far between.

As some of you may have noticed, we have been issuing Administrative Settlement letters (ASL). This is an enforcement tool involving a financial penalty and is used when a significant violation has occurred and has been corrected. Please note that penalties may increase if violations are repeated, showing a recurring pattern. The following are some examples of ASLs that have been completed since the last newsletter.

1800 Washington Boulevard | Baltimore, MD 21230-1720 | www.mde.state.md.us
410-537-3200 | 800-633-6101 | TTY Users: 800-735-2258

Martin O'Malley, *Governor* | Anthony G. Brown, *Lt. Governor* | Robert M. Summers, *Secretary*
Air & Radiation Management Administration

Published by Asbestos Division, Lorraine Anderson, Editor



- ASL mailed 2/4/11 for \$1,000 – Violation – asbestos worker at the site was found to have their hood down during an asbestos project inspection.
- ASL mailed 4/20/11 for \$1,500 – Violation – non notification of a NESHAP demolition project.

STATESIDE...

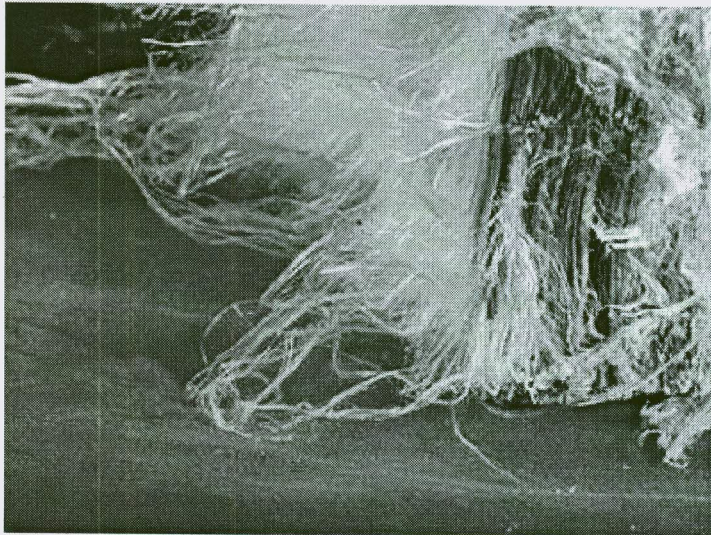
STATE EMPLOYEE TRAINING CALENDAR

These classes are only for state employees.

July 2011		August 2011	
13	Worker Recert – Aqua Conference Room	10	Supervisor Recert - Aqua Conference Rm.
20	Auto Worker- Aqua Conference Room		
September 2011		October 2011	
21	Supervisor Recert – Aqua Conference Room	12	Supervisor Recert - Aqua Conference Room
28	Auto Worker- Aqua Conference Room	19	Safety & Health Specialist- Aeris Conference Room
		24-28	Initial Inspector/Management Planner- Terra Conference Room

If you must cancel your scheduled training, your supervisor must call Sharon Manger at 1-800-633-6101 ext. 3200 or e-mail smanger@mde.state.md.us

Anyone interested in being added to our list for the newsletter, please e-mail Larry Vermont at lvermont@mde.state.md.us or call at 410-537-3200 to get the newsletter mailed.



Naturally occurring chrysotile asbestos fibers

1800 Washington Boulevard | Baltimore, MD 21230-1720 | www.mde.state.md.us
 410-537-3200 | 800-633-6101 | TTY Users: 800-735-2258

Martin O'Malley, *Governor* | Anthony G. Brown, *Lt. Governor* | Robert M. Summers, *Secretary*
 Air & Radiation Management Administration

Published by Asbestos Division, Lorraine Anderson, Editor

