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ASBESTOS PROGRAM UPDATE

...Memo from Mark

Mark Needham, Program Administrator

As you can see, the Ohio Department of Health (ODH) Asbestos Program has made a few changes to the Update this year.

The decision has been made to turn the Asbestos Program Update into a quarterly update (March, June, September, and December). ODH is hoping that taking this action will help to disseminate information on a more regular basis and allow trainers to provide timely information to students.

ODH is always looking for ways to improve communication with training providers. The asbestos program is considering the creation of an annual training course provider meeting (possible a ½ day to full day meeting). The goal of this meeting would be to provide a forum where ODH approved training course providers may meet together to discuss issues and allow for ODH to provide informational outreach to the approved training providers at the same time. The asbestos program would like to hear any comments that you may have regarding an annual training course provider meeting.

As some of you may know, the asbestos program has made the initial step of trying to improve communication by providing information on the ODH website. Once you reach the ODH homepage at www.odh.state.oh.us click on the following series of buttons to reach the asbestos program [ODH Programs]⇒[Programs A to Z]⇒[A]⇒

[Asbestos]. The asbestos program has extensive information on the website including frequently asked questions (FAQs), homeowner information, ODH memorandums, lists, rules (Ohio Administrative Code 3701-34), and ODH forms. Feel free to contact us with any questions or comments.

Approved Training Courses by Discipline		
	Initial	Refresher
Abatement Specialist	11	12
Abatement Worker	12	13
Evaluation Specialist (BI/MP)	5	7
Project Designer	3	4
Air-Monitoring Technician	1	-
TOTAL	32	36

# of Training Course Notifications in 2001		
1	The Inservice Training Network, Inc.	192
2	Training Services International, Inc.	154
3	Allied Training Services	138
4	The Environmental Training Center	85
5	Mayhew Environmental Training Associates	73
6	James E. Dague Associates, Inc.	70
7	Affiliated Environmental Services	42
8	D/E 3, Inc	37
9	Drexel J. Thrash Training Center	34
10	University of Cincinnati Medical Center	28
11	Asbestos Workers Regional Local 207	17
12	Asbestos Workers Council	10
13	Gobbell Hays Partners, Inc.	8
14	Environmental Response Systems, Inc.	3
15	Environmental Training Institute (HazCorp)	2
16t	Abatement Training Institute	1
16t	Ohio Central School System	1
18t	Environmental & Safety Training, Inc.	0
18t	Gandee & Associates, Inc.	0
18t	Helix Environmental, Inc.	0
18t	Orr Professional Services (The TES Group)	0

# of Training Course Cancellations in 2001		
1	Allied Training Services	121
2	Mayhew Environmental Training Associates	58
3	The Environmental Training Center	38
4	The Inservice Training Network, Inc.	29
5	Training Services International, Inc.	25
6	Affiliated Environmental Services	19
7	James E. Dague Associates, Inc.	8
8	Gobbell Hays Partners, Inc.	6
9	Drexel J. Thrash Training Center	3
10t	Asbestos Workers Council	2
10t	University of Cincinnati Medical Center	2
11t	Asbestos Workers Regional Local 207	1
11t	Environmental Training Institute (HazCorp)	1
12t	Abatement Training Institute	0
12t	D/E 3, Inc	0
12t	Environmental & Safety Training, Inc.	0
12t	Environmental Response Systems, Inc.	0
12t	Gandee & Associates, Inc.	0
12t	Helix Environmental, Inc.	0
12t	Ohio Central School System	0
12t	Orr Professional Services (The TES Group)	0

Training Room

By Josh Koch, Sanitarian Program Specialist II

ODH has conducted several on-site training course audits over the past year with the purpose of establishing Final Approval for ODH approved training courses. The information provided in this section of the Update is based on concerns and issues observed during these on-site audits.

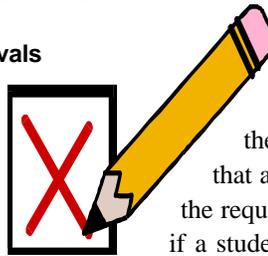
Meeting Minimum Time Requirements

According to the Model Accreditation Plan (40 C.F.R., Part 763, Subpart E, Appendix C), one day of training equals 8 hours, including breaks and lunch. Based on a 1 hour lunch and two 15 minute breaks, this leaves 6 hours and 30 minutes of actual training (contact hours). The U.S. EPA recognizes this requirement as a minimum standard.

According to the Ohio Administrative Code (OAC) Chapter 3701-34, The Ohio Department of Health (ODH) is responsible for ensuring that training courses are administered in accordance with the requirements of the MAP, including minimum curriculum topics and hours of instruction. Therefore, even if a training course provider conveys all pertinent and required curriculum information in a time period less than the minimum standard, the training course provider is still responsible for ensuring that students meet the minimum time requirements.

How To Deal With Late Arrivals

Things happen! Bad weather, car accidents, overslept, etc. Some things are uncontrollable. ODH recommends that training providers develop a late arrival policy and a system to allow for



a student to make-up missed time.

*** Based on a recent ODH asbestos enforcement case, the hearing examiner stated that the training provider must bear the responsibility and the consequences for the failure to ensure that all students receive the minimum hours of instruction!*

Examination Issues

Although ODH does not require an examination for refresher training courses, several other states do (i.e. Indiana).

ODH has noticed that several training providers have incorporated exams into their refresher training courses so that a student has the ability to meet the requirements of another state. And if a student is not seeking accreditation in another state, the exam is used as a review session.

This is a perfectly acceptable practice, however, ODH would like to remind training course providers that exams should be closed book and administered by an instructor who is present in the room and able to observe the students during the exam.

Training Course Prior Notification

Prior Notification of Asbestos Training Course forms may be either faxed to (614) 752-4157 or sent to the Ohio Department of Health, Attn: Asbestos Program, 246 N. High Street, P.O. Box 118, Columbus, Ohio, 43266-0118.

ODH staff has noticed that several training providers are listing numerous instructors for a training course and then forgetting to revise the notification to reflect the names of only the instructors who actually participated in the course. An inaccurate notification means that ODH will have an inaccurate record for your training course. Please remember to revise a notification if any information on the notification has changed or is inaccurate.

Training Course Tips...

Training Room Layout

There are a variety of possibilities in creating a room that is conducive to training. A training provider should take into account the size and shape of the training room. Consider how many students will be participating in the training course. Make sure to provide ample space for the student to review training manuals and handouts. Maybe tables should be set up in several rows if the students will be listening to lecture or the instructor is limited to a certain area. Maybe tables should be set up in a U-shape to accommodate a course that will involve a lot of student interaction. Changes in the layout of a room may be necessary from course to course.

Climate Control

Everyone is different! Some like it hot, some like it cold. Be aware of the students' actions and make adjustments as needed. Proper climate control will aid in keeping the students alert and attentive.

Visual Aids

All students learn differently. Some may only need to be told what to do, some may need to be shown what to do. The ability of an instructor to use visual aids (i.e. slide shows, films, dry erase boards, computers, overheads) may not only break up the monotony of a lecture but also may help a student who does not respond well to lectures

Certification / Licensure Corner

- When making initial application for ODH certification, a copy of the initial training course certificate and all refresher training course certificates up to current are required (except for ODH worker certification, only the initial training certificate and the most recent refresher certificate are required).
- The Asbestos Program **does not** have a reciprocity agreement with any other state. The Asbestos Program must certify each individual and license each contractor before they may perform work in Ohio. However ODH **does** recognize training classes taken in other states. Out-of-state training certificates must be from a USEPA approved training provider and the training certificate must state that the training was done in accordance with AHERA and TSCA Title II.
- ODH **does not** provide a "walk-in" certification process. Certification cards **are not** issued on a "same day" basis. There is no real advantage to bringing an application to the Central District Office in Columbus. Please **call before** driving to Columbus to submit an application. Once the application is date-stamped at the Revenue Processing window, the processing time of the application is the same as if the application was received via the mail.

# of Licensed Contractors / Certified Persons		
Discipline	2000	2001
Contractor	202	230
Abatement Specialists	1,782	1,684
Evaluation Specialists	1,095	1,021
Workers	2,663	2,579
Project Designers	232	235
Air Monitoring Techs	137	116
Total =	8,111	7,866

Inspector Issues

- Only certified Asbestos Hazard Evaluation Specialists are permitted to take bulk samples for the purpose of determining if a material contains asbestos.
- For all Class I asbestos jobs involving over 25 linear or 10 square feet of TSI, surfacing ACM or PACM, all clothing worn inside the contained work area must stay inside the contained work area. This includes coveralls & boots.
- Many contractors keep a copy of each employee's ODH certification card in the on-site project file and present this copy as proof of worker certification. These copies **are not** acceptable. It is the **individual's** responsibility to have the actual certification card available. Persons involved in any type of asbestos hazard abatement activity must be able to present the ODH asbestos certification card on demand just as motor vehicle operators must be able to present their drivers' license on demand.
- Abatement specialists should be reminded that the following documents must be current and on-site: physical/physician's written opinion, fit test, training certificate & ODH certification card. These items are as important as duct tape for proper completion of a job.
- Safety is always an issue. Contractors/Supervisors must be aware of general safety on the job site at all times. Some items to remember include: ground fault circuit interrupters (GFCI) should be plugged in at the electrical source, not at the end of an extension cord, the top step on a ladder is not a work surface, and be mindful of slip, trip and fall protection.

Contributions to articles in this newsletter made by ODH inspectors (Shamus Estep, David Holston, Rick Huddle and Allan Richards)

Enforcement Alley

(Finalized cases since April 2001)

Training Course Approval

90-Day Suspension

D/E³, Inc. received a 90-day suspension of their Asbestos Hazard Abatement Specialist refresher training course approval due to violations of OAC 3701-34-07. Violations were based on failure to meet minimum time requirements and repeated violations of the 10-day prior notification procedure.

Notice of Violations

In 2001, several training course providers received a Notice of Violation based on failure to follow notification procedures established under OAC 3701-34-07.

Abatement Contractor

Surrendered License

One Valley Asbestos Removal (OVAR) of Whipple, Ohio surrendered their license to the ODH based on violations of R.C. 3710, OAC 3701-34, and violation of the terms of their settlement agreement with ODH. OVAR had created a public health emergency (asbestos-containing dust or debris outside the contained work area).

Surrendered License

Industrial Services, Inc. (ISI) of Holland, Ohio surrendered their license to the ODH based on violation of the terms of their 1999 settlement agreement with ODH. ISI was observed violating various state and federal asbestos laws and regulations including the creation of several public health emergencies (unauthorized dry removal, abatement activities without containment, and asbestos-containing dust or debris outside the contained work area). In addition, their supervisors were not using respirators or protective clothing.

Settlement Agreement

The ODH has reached an agreement with Greenmoor, Inc. of Avella, Pennsylvania for alleged violations of R.C. 3710 and OAC 3701-34. Greenmoor allegedly created three public health emergencies (dry removal, breached containment, and asbestos-containing dust or debris outside of the contained work area). Greenmoor agreed to have all asbestos hazard abatement specialists and the owner of the company attend remedial training, submit asbestos hazard abatement notifications and project designs for the next ten friable and non-friable projects regardless of size, and pay a \$5,000 fine.

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Discussion Topic

Manometers...

A manometer is the instrument designed to measure the difference in air pressure between two adjacent spaces. Manometers come in many forms ranging from a simple tube filled with fluid (vertical tube or slant tube manometers) to sophisticated mechanical gauges linked to time recording devices (magnahelic gauge manometers).

OSHA requires the use of manometric measurement of static air pressure differential when a negative pressure enclosure is used to remove ACM. A simple observation of pressure such as the shower flaps drawing into the work area is not sufficient.

Qualities that a contractor should consider when selecting a manometer include the following:

Durability - The ability of the instrument to withstand the hardships of the abatement project environment. Manometers are precision instruments and rough handling can affect their accuracy. Special consideration must be given to mechanical gauges and recording devices that have small, delicate mechanical linkages that are subject to easy breakage from rough handling.

Readability - A pressure differential of only 0.02 inches of water column is a miniscule difference to measure. In order to read this difference accurately, the selected manometer should be very sensitive and distribute the pressure differential over a large scale on the instrument. This large scale should also be marked with graduations that measure small differences. At a minimum, each graduation should indicate 0.005 inches of water column.

Simplicity - This is where the KISS principle applies (Keep It Simple,

Stupid!). The fewer moving parts an instrument contains the less chance of one of those parts breaking and the less chance for error in readings due to mechanical tolerances in the device. This simplicity includes lack of internal calibration adjustments that could be fixed to present a false zero on the instrument's scale. With KISS in mind, a sturdily constructed, oil filled, direct reading slant-tube manometer with external leveling and calibration adjustments is a good choice.

After the type of manometer is selected, the contractor should invest the time to ensure that each project supervisor is properly trained in its use. This training should include on-site set up, calibration and proper installation of the low-pressure outlet in the negative pressure enclosure. The on-site calibration process must include exposing the high-pressure and low-pressure outlets of the manometer to the outside atmosphere and leveling the device so that a zero pressure difference is indicated. If this "zeroing" is not done, all subsequent readings will be inaccurate.

Supervisors sometimes forget that air is a gas and that pressure within a negative pressure enclosure is not the same at every point in the enclosure. This is especially true if the air in the enclosure is moving, as it should be. The tube that is connected to the low-pressure outlet of the manometer should be located somewhere within the negative pressure enclosure where the air is relatively motionless. Do not locate the tube in the shower or dirty room of the decontamination structure or near the intake of an AFD. The air pressure will be lower at these places due to the air velocity and the manometer reading will not be representative of the entire negative pressure enclosure. ODH is aware that some project supervisors purposefully install the low-pressure outlet in these areas to demonstrate a lower pressure on the manometer. If this situation is found, the supervisor will be directed to relocate the manometer low-pressure outlet tube.

Settlement Agreement

The ODH has reached an agreement with Hunter Environmental Services, Inc. of Seven Hills, Ohio for violations of R.C. 3710 and OAC 3701-34. Hunter was conducting an asbestos hazard abatement project with an expired contractor license. Hunter agreed to submit asbestos hazard abatement notifications for the next ten friable and non-friable projects regardless of size and will pay a \$1,200 fine.

Abatement Specialist

Settlement Agreement

The ODH reached an agreement with John Milligan of Seven Hills, Ohio for violations of R.C. 3710 and OAC 3701-34. Mr. Milligan performed the duties of an asbestos hazard abatement specialist without current certification. The terms of the settlement agreement included a fine and the requirement of attending the initial asbestos hazard abatement specialist (contractor/supervisor) training course.

Certification Revoked

The ODH revoked certification held by Jeff Perry of Toledo, Ohio for violations of R.C. 3710 and OAC 3701-34. Mr. Perry failed to perform the duties of an asbestos hazard abatement specialist by not conducting his project in compliance with proper work procedures established by the EPA and OSHA. Additionally, Mr. Perry did not ensure that persons conducting the removal of asbestos-containing materials were wearing respirators or protective clothing.

Evaluation Specialist

Settlement Agreement

The ODH reached an agreement with John Murphy of Monit-Air, Bolivar, Ohio for violations of R.C. 3710 and OAC 3701-34. Mr. Murphy conducted clearance air-sampling, visual inspections prior to clearance air-sampling, three year AHERA re-inspections, and asbestos bulk sampling with an expired certification. Mr. Murphy agreed to submit to ODH for review and approval a written procedure outlining methods that will be used to conduct clearance air sampling and asbestos bulk sampling. Mr. Murphy will also submit to ODH for a period of one year written notification prior to conducting any clearance air-sampling. In addition, Mr. Murphy must attend an air-monitoring technician training course, pay a \$3,000 fine, and submit to ODH for a period of one year copies of all asbestos surveys/inspections, three year re-inspections, asbestos bulk sampling reports, asbestos assessments and asbestos management plans.