

**3701-34-01 Definitions.**

- (A) "Approved training course" means an asbestos hazard abatement specialist training course, an asbestos hazard evaluation specialist training course, an asbestos hazard abatement worker training course, asbestos hazard abatement project designer training course, asbestos hazard abatement air-monitoring technician training course, or any renewal training course meeting the requirements of Chapter 3710. of the Revised Code and approved by the director pursuant to rule 3701-34-07 of the Administrative Code.
- (B) "Asbestos" means the asbestiform varieties of chrysotile or serpentine, amosite or cummingtonitegrunerite, crocidolite or riebeckite, actinolite, tremolite, and anthophyllite.
- (C) "Asbestos hazard abatement activity" means any activity involving the removal, renovation, enclosure, repair, or encapsulation of reasonably related friable asbestos-containing materials in an amount greater than fifty linear feet or fifty square feet. Asbestos hazard abatement activity also includes any such activity involving such asbestos-containing materials in an amount of fifty linear or fifty square feet or less if, when combined with any other reasonably related activity in terms of time and location of the activity, the total amount is in an amount greater than fifty linear or fifty square feet.
- (D) "Asbestos hazard abatement air-monitoring technician" means the person who is responsible for environmental monitoring or work area clearance air-sampling, including air monitoring performed to determine completion of response actions under the rules set forth in 40 C.F.R. 763 Subpart E (1987), adopted by the United States environmental protection agency pursuant to the "Asbestos Hazard Emergency Response Act of 1986", Pub. L. 99-519, 100 Stat. 2970. An industrial hygienist or industrial hygienist in training certified by the American board of industrial hygiene is exempt from certification as an asbestos hazard abatement air-monitoring technician.
- (E) "Asbestos hazard abatement contractor" means a business entity or public entity that engages in or intends to engage in asbestos hazard abatement activities and that employs or supervises one or more asbestos hazard abatement specialists for asbestos hazard abatement activities. Asbestos hazard abatement contractor does not mean an employee of an asbestos hazard abatement contractor, a general contractor who subcontracts to an asbestos hazard abatement contractor an asbestos hazard abatement activity, or any individual who engages in asbestos hazard abatement activity in his own home. Asbestos hazard abatement contractor shall not mean a business entity which engages in asbestos hazard abatement activities solely at its own place of business provided that the business entity is required to and does comply with all applicable standards of the United States environmental protection agency and the United States occupational safety and health administration, and provided further that persons employed by the business entity performing asbestos hazard abatement activity meet the requirements of this chapter.
- (F) "Asbestos hazard abatement project" means one or more asbestos hazard abatement activities that are conducted by one asbestos hazard abatement contractor and that are reasonably related to each other.

- (G) "Asbestos hazard abatement project designer" means the person responsible for the oversight of asbestos hazard abatement activities or determination of the work scope, work sequence, or performance standards for an asbestos hazard abatement activity, including preparation of specifications, plans, and contract documents.
- (H) "Asbestos hazard abatement specialist" means a person with responsibility for the oversight or supervision of asbestos hazard abatement activities including asbestos hazard abatement project managers, hazard abatement project supervisors and foremen, and employees of school districts or other governmental or public entities who coordinate or directly supervise or oversee asbestos hazard abatement activities performed by school district, governmental, or other public employees in school district, governmental, or other public buildings.
- (I) "Asbestos hazard abatement worker" means the person responsible in a nonsupervisory capacity for the performance of an asbestos hazard abatement activity.
- (J) "Asbestos hazard evaluation specialist" means a person responsible for the identification, detection, and assessment of asbestos-containing materials, the determination of appropriate response actions, or the preparation of asbestos management plans for the purpose of protecting the public health from the hazards associated with exposure to asbestos, including the performance of air and bulk sampling. This category of specialists includes management planners, health professionals, industrial hygienists, private consultants, or other individuals involved in asbestos risk identification or assessment or regulatory activities.
- (K) "Business entity" means a partnership, firm, association, corporation, sole proprietorship, or other business concern.
- (L) "Certificate" means:
- (1) A document issued by the department to an individual affirming that the individual successfully has completed the training and other requirements set forth in Chapter 3701-34 of the Administrative Code to qualify as an asbestos hazard abatement specialist or an asbestos hazard evaluation specialist, an asbestos hazard abatement worker, an asbestos hazard abatement project designer, an asbestos hazard abatement air-monitoring technician, or an approved asbestos hazard abatement training course provider; or
  - (2) A document issued by a training institution in accordance with rule 3701-34-07 of the Administrative Code affirming that an individual successfully has completed the instruction required in all licensing or certification categories as provided in sections 3710.07 and 3710.10 of the Revised Code and the rules of Chapter 3701-34 of the Administrative Code.
- (M) "Clearance air-sampling means air-sampling performed after the completion of any asbestos hazard abatement activity and prior to the reoccupation of the contained work area by the public and conducted for the purpose of protecting the public from the health hazards associated with exposure to friable asbestos-containing material.
- (N) "Contained work area" means designated rooms, spaces, or other areas where asbestos abatement activities are being performed, including decontamination structures. The contained work area is separated from the uncontaminated environment by polyethylene sheeting or other materials used in conjunction with

the existing floors, ceilings, and walls of the structure.

- (O) "Director" means the director of the Ohio department of health or his or her authorized representative.
- (P) "Employee" means an individual who is employed by a business or public asbestos hazard abatement contractor.
- (Q) "Encapsulate" means to coat, bind, or resurface walls, ceilings, pipes, or other structures to prevent friable asbestos from becoming airborne.
- (R) "Enclosure" means the permanent confinement of friable asbestos-containing materials with an airtight barrier in an area not used or designed as an air plenum.
- (S) "Environmental monitoring" means any air sampling other than clearance air sampling or employee exposure monitoring performed for the purpose of determining airborne asbestos concentrations.
- (T) "Friable asbestos-containing material" means any material that contains more than one per cent asbestos by weight and that can be crumbled, pulverized, or reduced to powder, when dry, by hand pressure.
- (U) "License" means a document issued by the director to a business entity or public entity affirming that the entity has met the requirements set forth in Chapter 3710. of the Revised Code and rule 3701-34-04 of the Administrative Code to engage in asbestos hazard abatement activities as an asbestos hazard abatement contractor.
- (V) "Oversight" means to directly observe an asbestos abatement project for the purpose of determining compliance with contractual, performance or regulatory standards affecting the safety of the asbestos abatement activity.
- (W) "Person" means any individual, business entity, governmental body, or other public or private entity.
- (X) "Public entity" means the state or any of its political subdivisions or any agency or instrumentality of either.
- (Y) "Removal" means the stripping of friable asbestos containing materials from a wall, ceiling, pipe, boiler, duct, turbine, reactor, tank, furnace, load-supporting member, nonload-supporting member, or the taking out of any friable asbestos-containing material from any site.
- (Z) "Visible emissions" means any emissions which are visually detectable without the aid of instruments and which contain particulate asbestos material.

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