

**3701-34-11 Asbestos hazard abatement project agreement.**

- (A) No asbestos hazard abatement contractor shall enter into an agreement to perform any aspect of an asbestos hazard abatement project unless the agreement is in writing and contains all of the following:
- (1) A requirement that all persons working on the project are licensed or certified by the department;
  - (2) A requirement that all project clearance levels and sampling be in accordance with the following:
    - (a) All clearance air-sampling to be analyzed by phase contrast microscopy (PCM) shall be conducted in accordance with the "National Institute of Occupational Safety and Health" (NIOSH) method 7400 entitled "Fibers" published in the "NIOSH Manual of Analytical Methods, "3rd edition, second supplement, August 1987. A minimum of three samples shall be taken and show that the concentration of fibers for each sample is less than or equal to a limit of quantitation for PCM (0.01 fibers per cubic centimeter of air). NIOSH method 7402 may also be used to complement the results obtained by phase contrast microscopy (method 7400); and
    - (b) All clearance air-sampling to be analyzed by Transmission Electron Microscopy shall be conducted in accordance with the regulations established by the United States environmental protection agency, 40 C.F.R. Part 763, Subpart E, Appendix A (1987);
  - (3) A requirement that all clearance air sampling be conducted by an asbestos hazard abatement air-monitoring technician, or asbestos hazard evaluation specialist certified by the department, or a certified industrial hygienist or industrial hygienist in training as certified by the American board of industrial hygiene;
  - (4) A detailed description of the project activities, including the amount, indicated in linear or square feet, of asbestos-containing material to be abated, the exact location and type of that material, and whether or not a contained work site will be established as required by regulations of the United States occupational safety and health administration, 29 C.F.R. Part 1926.1101 (2000); and
  - (5) A requirement that all asbestos hazard abatement activities be done in accordance with all applicable federal, state, and local asbestos regulations.

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CERTIFIED ELECTRONICALLY

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Date

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