

STATE OF MICHIGAN



JAMES J. BLANCHARD, Governor

DEPARTMENT OF PUBLIC HEALTH

3423 N. LOGAN
P.O. BOX 30195, LANSING, MICHIGAN 48909

Raj M Wiener, Director

February 15, 1990

TO: Michigan Licensed Asbestos Abatement Contractors,
Consultants, and Other Interested Parties

FROM: Bill DeLiefde, Asbestos Coordinator *LDL*
Division of Occupational Health
Bureau of Environmental and Occupational Health
Michigan Department of Public Health

SUBJECT: Amendments of the Asbestos Abatement Contractors Licensing
Act (Act 135, Public Acts of 1986)

Please be advised that on February 9, 1990, the state of Michigan passed Public Acts 2 through 6 (copies enclosed) which have a significant impact on contractors allowed to perform asbestos abatement work within the state of Michigan and the procedures they must follow before undertaking a project. These acts became effective February 12, 1990.

Act 2, P. A. of 1990

Act 2 amends section 207 and adds section 220 to Act 135 of the Public Acts of 1986, which is entitled the "Asbestos Abatement Contractors Licensing Act." Previously, section 207 required that any contractor involved in demolition, renovation, or encapsulation activities involving friable asbestos had to become licensed through the Michigan Department of Public Health (MDPH) as an asbestos abatement contractor. This included plumbers, electricians, mechanical contractors, residential builders, and alteration contractors involved in these types of activities.

As a result of Act 2, "licensed" plumbers, electricians, mechanical contractors, residential builders, and alteration contractors are now exempt from the asbestos abatement contractors licensing requirements of Act 135, provided that the asbestos abatement work they perform is incidental to their primary licensed trade and the project involves no more than 160 square feet or 260 linear feet of friable asbestos containing materials. An example of this type of work would include a plumber who must repair/replace valves or pipes that are insulated with asbestos.

377997



ST0072030

It must be emphasized that although these licensed trade groups are now exempt from the asbestos abatement contractor licensing requirements as specified by Act 135, they have many other legal obligations under the newly amended Act 135 and Michigan's Occupational Safety and Health Act (MIOSHA) which is referred to as Act 154 of the Public Acts of 1974, as amended. In essence, these groups of contractors must comply with the same legal requirements applicable to licensed asbestos abatement contractors. They must provide project notification and the newly established project fees that will be discussed subsequently in this letter; their workers and project supervisors must be fully trained through Michigan approved/recognized worker (24 hour) or supervisor (32 hour) training courses; the individual workers or supervisors must be accredited through MDPH; they must comply with all applicable requirements under the MIOSHA, NESHA, and E.P.A. asbestos regulations; and they must assure that clearance air monitoring is performed by a neutral party at the completion of every asbestos abatement project they undertake.

ST0072031

Project Notification and Project Fee Requirements

Sec. 220 (1) of Act 135, P.A. 1986, as amended, revises the project notification requirements. Licensed asbestos abatement contractors must now notify MDPH in writing "10 days" before beginning an asbestos abatement project that exceeds 10 linear feet or 15 square feet, or both, of friable asbestos containing materials. Also, written project notifications must include the following information:

- a). The name and address of the owner of the building or structure.
- b). The location of the building or structure where the asbestos abatement project will be performed.
- c). The schedule for the starting and completion of the asbestos abatement project which may not exceed one year in length.
- d). The amount of friable asbestos materials that will be removed or encapsulated (linear or square feet).

With these more specific project notification requirements, MDPH will "mandate" that any changes in the starting or ending date of a project will require immediate notification to the Asbestos Program by phone of these changes followed by a written amended project notification form.

Sec. 220 (3) of Act 135, P.A. 1986, as amended, specifies that all projects requiring notification must include a "project fee" equal to one percent (1%) of the price of the contract for the asbestos abatement project and shall make available upon request by MDPH, a copy of the contract for the asbestos abatement project. To address both the new project notification and fee requirements, MDPH/DNR have revised the asbestos project notification form (see enclosed copy).

The total cost of the asbestos abatement project includes the cost of abatement area preparation, decontamination, installations, enclosures, alterations, removal abatement, and repairs. Examples of total cost may include: wages, materials, waste disposal, associated environmental monitoring, profit, performance bond, insurance, and administrative overhead. The total cost of the asbestos abatement project does not include the cost of re-insulation.

If the final invoice amount charged to the contracting entity for the asbestos related work exceeds the total costs of the asbestos project previously reported on the notification form, additional fee payment in the amount of one percent (1%) of that difference must be submitted to MDPH. Within five working days after submission of the final invoice to the contracting entity, the asbestos abatement contractor must submit the additional fee and an amended notification form. MDPH shall issue a refund in the event of an overpayment of the project fee.

Emergency Project Notification Procedures

Sec. 220 (8) of Act 135, P.A. 1986, as amended, now specifically addresses emergency project notification procedures. As a result, the Asbestos Program will no longer issue nor recognize past emergency "blanket notification" waivers granted to licensed asbestos abatement contractors for asbestos abatement work associated with emergency maintenance and repair operations at specific businesses or corporations in Michigan. Sec. 220 (8) of Act 135 now specifies that emergency asbestos abatement projects (exceeding 10 linear feet or 15 square feet, or both) resulting from equipment failure or malfunctions are now exempt from the 10-day written advance notice required by Sec. 220 (1) of Act 135. However, contractors or the business entity involved, must contact MDPH by phone immediately or as soon as possible after the discovery of the emergency situation. Within 48 hours after commencement of the asbestos abatement project, the contractor must then submit their standard written project notification form and project fee. Obviously, MDPH recognizes that emergency projects of this nature often are initiated during non-standard business hours and therefore, will accept telephone notification during the next day that state offices are open. When projects of this nature are on a "time and materials basis" and the project cost cannot be calculated within 48 hours of commencing the project, the contractor will be required to submit the one percent (1%) project fee and amended notification form to MDPH within five working days after submission of the final invoice to the contracting entity.

As specified by Sec. 307 (1) of Act 135, P.A. 1986, as amended, any asbestos abatement contractor that fails to provide the proper project notification or fee specified by this act is subject to a monetary civil penalty not to exceed more than \$10,000 for each violation or day that the violation continues.

Project notification forms and fees must be submitted for all asbestos abatement projects initiated after March 5, 1990.

February 15, 1990
Page 4

Acts 3 through 6, P.A. of 1990

Acts 3 through 6 were tie-barred and passed with Act 2 on February 9, 1990. These individual acts grant the authority to the licensing boards of the plumbers, electricians, mechanical contractors, residential builders, and alteration contractors to revoke or suspend these trade licenses for violations of the Asbestos Abatement Contractors Licensing Act, Act 135, P.A. of 1986, as amended.

In conclusion, licensed plumbers, electricians, mechanical contractors, residential builders, and alteration contractors wishing to perform asbestos abatement work under the exemption granted in section 207 (2)(A-D) of Act 135, P.A. 1986, as amended, have many legal rules and obligations with which to comply. Failure on their part to understand these obligations not only exposes them to stiff civil penalties and the potential loss of their primary license, but it can also expose them to substantial liability.

If you have any questions regarding this letter, please contact the Asbestos Program at (517) 335-8246.

JWD:mjb

ST0072033

378000

STATE OF MICHIGAN



JAMES J. BLANCHARD, Governor

DEPARTMENT OF PUBLIC HEALTH

3500 N. LOGAN
P.O. BOX 30035, LANSING, MICHIGAN 48909

Raj M Wiener, Director

November 6, 1989

TO: Michigan Asbestos Abatement Contractors, Consultants,
and Other Interested Parties

FROM: Bill DeLiefde, Asbestos Coordinator *BD*
Asbestos Program, Division of Occupational Health

SUBJECT: Limitation on Glove Bag Usage Within the State of Michigan

ST0072050

As many of you are aware, there has been considerable controversy over the past several months regarding the usage and limitations of glove bags for asbestos removal operations under the requirements of the Federal Occupational Safety and Health Administration (OSHA) Asbestos Construction Standard (i.e., 20 CFR 1926.58). The discussions and concerns were prompted by the issuance of citations by Federal OSHA to contractors in Chicago (Region 5) and Seattle (Region 10) for the usage of glove bags on projects exceeding small-scale, short-duration asbestos renovation and maintenance activities as defined in Appendix G of 1926.58. These were also projects where negative pressure enclosures were deemed feasible by Federal OSHA.

Michigan's Occupational Safety and Health Act (MIOSHA) program policy on glove bag usage has been that there are no limitations on the usage of glove bags provided that employee exposure levels to asbestos are maintained below the action level (i.e., 0.1 fibers/cubic centimeter).

Since the MIOSHA program is mandated by Federal OSHA to implement and enforce occupational health and safety regulations "at least as stringent" as OSHA's, this divergence on glove bag limitations and enforcement policies between the state of Michigan and the Federal government has caused us all great concern.

On March 17, and September 20, 1989, the Michigan Department of Public Health received correspondence letters from Mr. Michael G. Connors, OSHA Regional V Administrator, which addressed OSHA's interpretations and enforcement policies pertaining to the usage of glove bags in lieu of a full negative pressure enclosure as specified by 29 CFR 1926.58 (e)(6).

378017

November 6, 1989

Page 2

Mr. Connor's March 17, 1989, letter confirmed that standard glove bags could only be utilized on small-scale, short-duration asbestos renovation and maintenance activities as specified in 29 CFR 1926.58 (e)(6)(iv) and Appendix G.

Further clarification on the definition of small-scale, short-duration operations was provided in OSHA's instruction directive CPL-2-2.40, dated September 1, 1987. This directive stated that for purposes of the OSHA Asbestos Construction Standard, a small-scale, short-duration operation defined as:

1. Maintenance or renovation tasks, where the removal of asbestos-containing materials is not the primary goal of the job (e.g., repairing a valve which entails the removal of asbestos, installing electrical conduit which must be fastened to asbestos-cement siding, etc.).
2. Activities where employees' exposures to asbestos can be kept below the action level via worker isolation techniques, such as glove bags or other methods described in Appendix G.
3. An operation which has been included in the employer's asbestos maintenance program (as required in Appendix G) of all employers who are claiming an exemption from the requirements of 29 CFR 1926.58 (e)(6).
4. Nonrepetitive operations (viz.: not a series of small-scale jobs, which if performed at one time would have resulted in a large-scale removal).

The most recent correspondence from Mr. Connors dated September 12, 1989, included a copy of a letter written to the Brand Companies, Inc., from Mr. Alan C. McMillan, OSHA's Acting Assistant Secretary. Mr. McMillan's letter addressed the usage of a "negative air glove bag" in lieu of the conventional full negative pressure enclosure with decontamination facilities attached.

Brand's specific procedures for utilizing a negative air glove bag to remove asbestos pipe insulation were as follows:

1. The poly bag is modified so as to allow make-up air to enter the bag but not leave the bag. This is done with the addition of a poly flap which is taped inside the bag over an opening cut into the bag.

ST0072051

378018

STATE OF MICHIGAN



JAMES J. BLANCHARD, Governor

DEPARTMENT OF PUBLIC HEALTH

3423 N. LOGAN
P.O. BOX 30195, LANSING, MICHIGAN 48909

Raj M Wiener, Director

February 15, 1990

TO: Michigan Licensed Plumbers, Electricians, Mechanical
Contractors, Residential Builders, Residential Alteration
Contractors, and Other Interested Parties

FROM: Bill DeLiefde, Asbestos Coordinator *BD*
Division of Occupational Health
Bureau of Environmental and Occupational Health
Michigan Department of Public Health

SUBJECT: Amendments of the Asbestos Abatement Contractors Licensing
Act (Act 135, Public Acts of 1986)

ST0072034

Please be advised that on February 9, 1990, the state of Michigan passed Public Acts 2 through 6 which have a significant impact on contractors allowed to perform asbestos abatement work within the state of Michigan and the procedures they must follow before undertaking a project. These acts became effective February 12, 1990.

Act 2, P. A. of 1990

Act 2 amends section 207 and adds section 220 to Act 135 of the Public Acts of 1986, which is entitled the "Asbestos Abatement Contractors Licensing Act." Previously, section 207 required that any contractor involved in demolition, renovation or encapsulation activities involving friable asbestos had to become licensed through the Michigan Department of Public Health (MDPH) as an asbestos abatement contractor. This included plumbers, electricians, mechanical contractors, residential builders, and alteration contractors involved in these types of activities.

As a result of Act 2, "licensed" plumbers, electricians, mechanical contractors, residential builders, and alteration contractors are now exempt from the asbestos abatement contractors licensing requirements of Act 135, provided that the asbestos abatement work they perform is incidental to their primary licensed trade and the project involves no more than 160 square feet or 260 linear feet of friable asbestos containing materials. An example of this type of work would include a plumber who must repair/replace valves or pipes that are insulated with asbestos.

378001



February 15, 1990

Page 2

It must be emphasized that although these licensed trade groups are now exempt from the asbestos abatement contractor licensing requirements as specified by Act 135, they have many other legal obligations under the newly amended Act 135 and Michigan's Occupational Safety and Health Act (MIOSHA) which is referred to as Act 154 of the Public Acts of 1974, as amended. An overview of some of these obligations are as follows:

Training and Worker Accreditation

Rule 408.1058, Sec. 58, of Act 154, P.A. of 1974, as amended, requires that persons performing asbestos abatement work on the property of someone else, must be trained and accredited as specified by Act 440, P.A. of 1988. This requires that workers receive no less than 24 hours of training and supervisors receive no less than 32 hours of training through a "Michigan approved" asbestos training course. MDPH will also recognize worker or supervisor training courses provided by out-of-state companies that have been approved by the Environmental Protection Agency (EPA) under the authority of the Asbestos Hazard Emergency Response Act's (AHERA's) Model Contractors Accreditation Program. Once the individual worker or supervisor has successfully completed a recognized training course, he/she must then file for individual accreditation as an asbestos worker or supervisor with MDPH before any actual asbestos abatement work is undertaken.

Please be advised that under the authority of Act 440, Sec. 17., P.A. of 1988, any individual, partnership, association, corporation, public or private agency, or other legal entity that violates these training or accreditation requirements is subject to civil penalties for each violation or each day that a violation continues in accordance with the following schedule:

- | | |
|-----------------------------------|----------|
| a). First Violation | \$ 2,000 |
| b). Second Violation | 5,000 |
| c). Third or Subsequent Violation | 10,000 |

Work Practices and Procedures

All contractors involved in asbestos removal, demolition, or renovation operations have many potential legal obligations under the MIOSHA Act 154, rule 408.1057 through 408.1060d, and the Federal OSHA Asbestos Construction Standard, 29 CFR 1926.58. These obligations and requirements are covered in the asbestos worker and supervisor courses and include the following subjects:

- 1). Establishing Regulated Areas
- 2). Employee Air Exposure Monitoring
- 3). Required Engineering Controls
- 4). Respiratory Protection Programs
- 5). Protective Clothing
- 6). Hygiene Facilities and Decontamination
- 7). Communication of Hazards to Employees
- 8). Housekeeping and Waste Disposal
- 9). Medical Surveillance
- 10). Recordkeeping

378002

ST0072035

W

February 15, 1990

Page 3

Project Notification and Project Fee Requirements

Sec. 220 (2) of Act 135, P.A. 1986, as amended, specifies that all licensed plumbers, electricians, mechanical contractors, residential builders, and alteration contractors performing friable asbestos removal or encapsulation in an amount exceeding 10 linear feet or 15 square feet, or both, shall notify the MDPH of the asbestos abatement project "before" it begins. Contact by telephone will suffice these requirements. Certain emergency asbestos abatement work may initiate in non-standard business hours and therefore, must be reported during the next day state offices are open. Not more than 10 days after the discovery, the contractor must then provide written notification to MDPH providing the following information:

- a). The name and address of the owner of the building or structure.
- b). The location of the building or structure where the asbestos abatement project will be performed.
- c). The schedule for the starting and completion of the asbestos abatement project which may not exceed one year in length.
- d). The amount of friable asbestos materials that will be removed or encapsulated (linear or square feet).

Sec. 220 (4) of Act 135, P.A. 1986, as amended, specifies that all licensed plumbers, electricians, mechanical contractors, residential builders and alteration contractors providing a written project notification as specified above must also include a "project fee" of one percent (1%) of the asbestos abatement portion of the contract price. In addition, the contractor must make available upon request by MDPH a copy of that portion of the contract covering the asbestos abatement work.

The total cost of the asbestos abatement project includes the cost of abatement area preparation, decontamination, installations, enclosures, alterations, removal abatement, and repairs. Examples of total cost may include: wages, materials, waste disposal, associated environmental monitoring, profit, performance bond, insurance, and administrative overhead. The total cost of the asbestos abatement project does not include the cost of reinsulation.

If the final invoice amount charged to the contracting entity for the asbestos related work exceeds the total costs of the asbestos project previously reported on the notification form, additional fee payment in the amount of one percent (1%) of that difference must be submitted to MDPH. Within five working days after submission of the final invoice to the contracting entity, the asbestos abatement contractor must submit the additional fee and an amended notification form. MDPH shall issue a refund in the event of an overpayment of the project fee.

As specified by Sec. 307 (1) of Act 135, P.A. 1986, as amended, any contractor that fails to provide the proper project notification or project fee specified above, is subject to a monetary civil penalty not to exceed more than \$10,000 for each violation or day that the violation continues.

Project notification forms and fees required for projects exceeding 10 linear feet or 15 square feet, or both, of friable asbestos containing materials must be submitted for all asbestos abatement projects initiated after March 5, 1990.

ST0072036

February 15, 1990

Page 4

Clearance Air Monitoring

As specified by rule 408.1060b, Sec. 60b. of Act 154, P.A. 1974, as amended, all contractors performing asbestos abatement work (i.e., friable asbestos removal or encapsulation) on the premises of another person must assure that a post abatement air monitoring check is taken at the completion of the asbestos abatement project by a neutral party. These projects cannot be declared complete until the level of asbestos fibers per cubic centimeter of air (f/cc) is confirmed to be no greater than 0.05. In addition, clearance air monitoring results must be submitted to MDPH for all projects exceeding 10 linear feet or 15 square feet. Air monitoring results should be clearly labeled so they can be united with the written notification previously submitted.

Acts 3 through 6, P.A. of 1990

Finally, Acts 3 through 6 were tie-barred and passed with Act 2 on February 9, 1990. These individual acts grant the authority to the licensing boards of the plumbers, electricians, mechanical contractors, residential builders, and alteration contractors to revoke or suspend these trade licenses for violations of the Asbestos Abatement Contractors Licensing Act, Act 135, P.A. of 1986, as amended.

In conclusion, licensed plumbers, electricians, mechanical contractors, residential builders, and alteration contractors wishing to perform asbestos abatement work under the exemption granted in section 207 (2)(A-D) of Act 135, P.A. 1986, as amended, have many legal rules and obligations with which to comply. Failure on a contractor's part to understand these obligations not only exposes them to stiff civil penalties and the potential loss of their primary license, but it can also expose them to substantial liability.

If you have any questions regarding this letter or would like copies of our rules, worker accreditation applications, project notification forms, or lists of worker/supervisor training courses in Michigan, please contact the Asbestos Program at (517) 335-8246.

JWD:mjb

ST0072037

NOTIFICATION
OF INTENT TO RENOVATE/DEMOLISH

(Please Type or Print in Ink, Instructions on the Reverse Side)

If Sent Pursuant to: NESHAP, 40 CFR, Part 61, Subpart M

MAIL TO: ASBESTOS NOTIFIC. COOR. AND U.S. EPA REG. V
DNR, AIR QUALITY DIV. SAC-26-1 Asb. Coord.
P.O. Box 30028 230 S. Dearborn
Lansing, MI 48909 Chicago, IL 60604

For Projects in Wayne County Send Notice To:

Wayne Co. Health Dept., Air Pollution Control Division
2211 E. Jefferson, Detroit, MI 48207

If Sent Pursuant to: Sec. 220 (1-4) or (8), Public Act 135 of 1986, as amended

MAIL TO: MDPH, DOH - Asbestos Program
3423 N. Logan St., P.O. Box 30195
Lansing, MI 48909

DNR/MDPH USE ONLY

Xerox to: _____ Fax to: _____
Postmark Date: _____ Rec'd Date: _____
Cont'y Insp. This FY _____ Notific. Rev'd: OK _____ Send Def. Letter: _____
Def. Letter Sent: _____ Resp. Due: _____ Attd: _____
Entered on Def. Log: _____ Entered on Rec'd Log: _____
FOLLOW UP Date: _____ Rev. Due: _____ Attd: _____
Notification # _____ Transaction # _____
Comments: Spoke w/ _____

Licensed Asbestos Abatement Contractors # _____

Plumber Lic.#	Mechanical Lic.#	Builders Lic.#
------------------	---------------------	-------------------

Electrical Lic.# _____

Licensing Authority: _____

MDPH Asbestos Project Fee Total Project Cost: _____
(To obtain 1% Project Fee multiply _____ x 0.01
Total Project Cost by 0.01) 1% Project Fee: _____

1. ABATEMENT CONTRACTOR: _____
Mailing Address: _____
City/State/Zip: _____
Contact: _____ Phone: () _____
DEMOLITION CONTRACTOR: _____
Mailing Address: _____
City/State/Zip: _____
Contact: _____ Phone: () _____

Name of Facility Owner: _____
Mailing Address: _____
City/State/Zip: _____
Contact: _____ Phone: () _____

4. Estimate of Amount of Friable Asbestos to be Removed:
On Pipe: _____ linear feet
Surface Area: _____ square feet

PLEASE CHECK ALL THAT APPLY

- ☐ MDPH - 10 day notice (>10 in ft or 15 sq ft)
☐ DNR/EPA Renovation (at least 260 in ft or 160 sq ft)
☐ DNR/EPA Demolition - 10 day notice (at least 260 in ft or 160 sq ft)
☐ DNR/EPA Demolition - 20 day notice (<260 in ft or 160 sq ft)

Date of Notification _____
Date of Revision (if applicable) _____
For Questions Regarding Information Provided, Contact: _____
Phone: () _____

3. Facility Name: _____
Street Address (or description _____
of location): _____
City/State/Zip: _____

5. Facility Size (sq ft): _____
Facility Age: _____
Facility Use: _____

6. If demolition involving less than 260 linear feet or 160 square feet, explain techniques of estimation: _____

7. Nature of Removal (example: ceiling, boiler, piping, etc.): _____
Method(s) of Removal (example: cut and/or scrape with hand tools, glove bag, etc.): _____
Methods of Demolition (example: wrecking ball, bulldozer, etc.): _____

8. Dates of Asbestos Removal/Renovation: _____ AND _____
Start: _____ End: _____
Dates of Demolition: (if applicable)
Start: _____ End: _____

9. Emission Control Procedures During Removal: _____

10. Emission Control Procedures During Handling: _____

11. Disposal Site Name: _____
Street Address (or description _____
of location): _____
City/State/Zip: _____

12. If ordered demolition, name and authority of state or local government representative who ordered it: _____
Phone: () _____

378005

ST0072038

Instructions for Completing the Notification of Intent to Renovate/Demolish Form

The following are only guidelines for completing the notice. The regulations contain other requirements that may apply to your project. For more detailed information in completing the form, please see the "Guidance for Preparing Asbestos Demolition/Renovation Notices" pursuant to NESHAP, 40 CFR 61, Subpart M. You may obtain this information from the Department of Natural Resources (DNR) or Michigan Department of Public Health (MDPH). For information regarding Federal and State regulations, please contact the appropriate agency on the front side of this form.

Notification

All information pertinent to the removal, encapsulation, renovation, and/or demolition of asbestos containing material must be completed. Please send the completed form to the specified address of MDPH, DNR, Environmental Protection Agency (EPA) or Wayne county as indicated on the front side of this form. MDPH requires project notification forms and fees for projects exceeding 10 linear feet or 15 square feet, or both, of friable asbestos containing materials.

Failure to notify is a violation of NESHAP, 40 CFR, Part 61, Subpart M and/or Sec. 220 (1-4) or (8) of Public Act 135 of 1986, as amended. DNR and MDPH will accept this form or a facsimile which includes all required information.

Abatement Contractor

An asbestos abatement contractor is a person, partnership, firm, association, corporation, sole proprietorship, public or private agency, or other legal entity, which carries on the business of asbestos abatement on the premises of another business entity as defined by Section 103(d) of Act 135, P.A. 1986. This definition is applicable to plumbers, electricians, mechanical contractors, residential builders, maintenance and alteration contractors, as well as Licensed Asbestos Abatement Contractors.

Other categories

All other categories listed on the front side of this form (1-12) should be self explanatory. However, if additional information is needed, please consult the "Guidance for Preparing Asbestos Demolition/Renovation Notices."

MDPH Asbestos Project Fees

Submit project fees to MDPH only.

Project fees are only required for projects that exceed 10 linear feet or 15 square feet, or both. One-percent (1.0%) of the total cost of a project must be submitted by all asbestos abatement contractors (as defined in the Abatement Contractor paragraph above). The total cost of an asbestos abatement project includes the cost of abatement area preparation, decontamination, installations, enclosures, alterations, removal abatement, and repairs. The total cost of the asbestos abatement project does not include the cost of reinstallation nor does it include non-asbestos related costs, (i.e. cost to repair a boiler, or string electrical cable). Any questions or information regarding fees should be addressed to MDPH only.

Please remit the fee in the form of a check or money order payable to the *State of Michigan*. Attach the check to the notification form so it will not become separated. Please, do not send cash!

Should you have questions or need additional information, please contact:

Asbestos Notification Coordinator
DNR, Air Quality Division
P.O. Box 30028
Lansing, MI 48909
(517) 373-7064

OR

Michigan Department of Public Health
DOH - Asbestos Program
3423 North Logan, P.O. Box 30195
Lansing, MI 48909
(517) 335-8246

STATE OF MICHIGAN



JAMES J. BLANCHARD, Governor

DEPARTMENT OF PUBLIC HEALTH

3423 N. LOGAN
P.O. BOX 30195, LANSING, MICHIGAN 48909

Raj M Wiener, Director

February 13, 1990

TO: Trade Associations and State and Municipal Licensing
Programs for Plumbers, Electricians, Mechanical Contractors,
Residential Builders, and Alteration Contractors

FROM: James W. DeLiefde, Asbestos Coordinator *J.W.D.*
Division of Occupational Health
Bureau of Environmental and Occupational Health
Michigan Department of Public Health

SUBJECT: Changes in Michigan's Asbestos Abatement Contractor
Licensing Requirements

The attached letter summarizes some very important changes to Michigan's asbestos abatement contractor licensing requirements as a result of the passage of Acts 2 - 6 of the Public Acts of 1990 (copies enclosed). These legislative changes will have a significant impact on future work that Michigan licensed plumbers, electricians, mechanical contractors, residential builders, and alteration contractors perform that involves asbestos removal or encapsulation work associated with their primary licensed trade. Obviously, it is extremely difficult for the Michigan Department of Public Health to assure that all affected parties receive notification of these new legislative changes. We would greatly appreciate any assistance that your organization can provide us in circulating the attached information to affected trade groups you represent.

If you have any questions regarding this information, please contact us at (517) 335-8246.

Thank you for your cooperation regarding these matters.

JWD:mjb

Attachment

378007

ST0072040



STATE OF MICHIGAN



JAMES J. BLANCHARD, Governor

DEPARTMENT OF PUBLIC HEALTH

3423 N. LOGAN
P.O. BOX 30195, LANSING, MICHIGAN 48909

Raj M. Wiener, Acting Director

TO: TRAINING COURSE SPONSORS

RE: TRAINING OF CONTRACTOR/SUPERVISORS

This memo is to clarify the State's position on the issue of training an approved worker who successfully completed a 24-hour EPA/State approved course and then allowing that worker to take the last day of the contractor supervisor course within a six month period to become a contractor/supervisor.

It is the Michigan Department of Public Health's (MDPH) position that this practice will not be accepted in the State. The reasoning behind this position are several. First, a student who initially takes the worker course to become a worker may not view the material in the same context as if he was going to be a supervisor of other workers. Second, the training course sponsor will most likely differ their approach and intent of each subject taught in the contractor/supervisor course (i.e. more emphasis will be placed on supervising rather than working). Third, although the specific content of each course is addressed, each individual trainer has the latitude in determining when and how each subject is taught. This situation allows for a considerable degree of uncertainty as to the content of the last day of any contractor/supervisor course. It is for these reasons that a certified worker wishing to become a certified contractor/supervisor must attend and successfully complete an entire 32-hour EPA/State approved course.

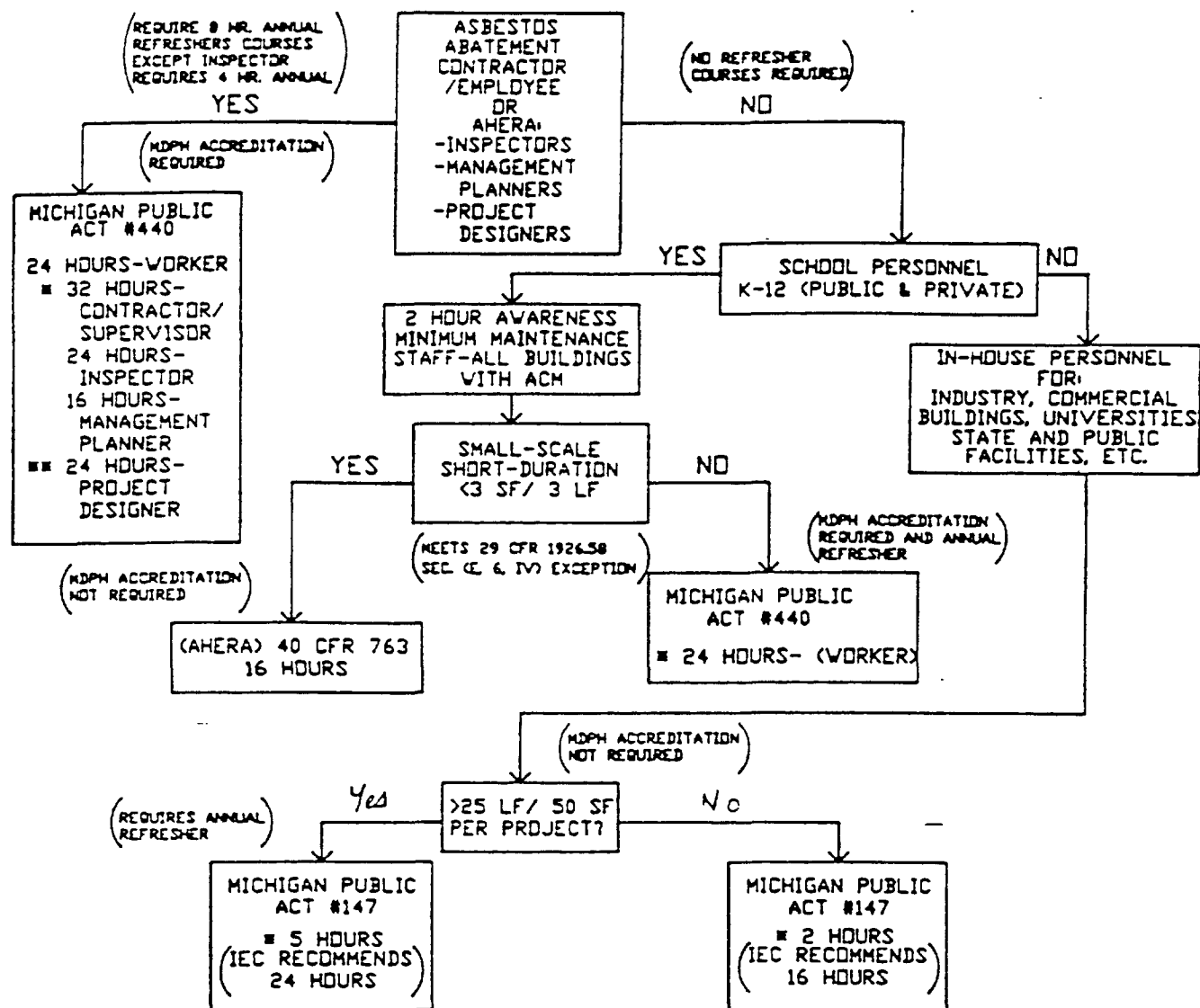
If you have any further questions regarding this or other course accreditation concerns please contact :

Michigan Department of Public Health
DOH - Asbestos Program
3423 North Logan
P.O. Box 30195
Lansing, Michigan 48909
(517) 335-9280

378021

ST0072054

ASBESTOS TRAINING REQUIREMENTS IN MICHIGAN



'ASBESTOS ABATEMENT CONTRACTOR' means an employer who carries on the business of asbestos abatement on the premises of another individual (includes homeowner) or employer and not on the Asbestos Abatement Contractors premises.

■ Projects subject to 29 CFR 1926.58 (e)(6) requirements shall be supervised by a 'competent person' 32 hours training required/recommended.

■ Or successfully complete the 32 hour Contractor/Supervisor course.

(JDG-IEC 89)

Instructions for Completing The Michigan Asbestos Abatement Accreditation Application

Public Act (P.A.) 154 of 1974 and P. A. 440 of 1988 require that any individual engaged in asbestos abatement activity in Michigan apply for and receive a "certificate of accreditation" from the Michigan Department of Public Health (MDPH) before performing this activity. The following information must be provided with a completed application for the approval process to begin.

Reciprocity Information

Sections 10 (2) and 14 of P.A. 440 of 1988 require a person properly accredited in a "reciprocal agreement state" to submit a certificate of successful completion of training from the other states and the appropriate fee for consideration. Please attach the necessary documentation.

Training

Sections 4 (1), (2) and (3) of P.A. 440 of 1988 require that applicants seeking accreditation successfully complete appropriate initial and/or refresher training requirements. Please submit proof (i.e. copy of training certificate) indicating that you have successfully completed the required Environmental Protection Agency (EPA) or Michigan approved training course(s).

Experience

Sections 2 (j) and 7 of P.A. 440 of 1988 require the following experience, where "year(s) of experience in asbestos-related work" means at least twenty-five percent (25%) of the individual's working time was spent on asbestos-related work, or an equivalent amount of work over more than one (1) year's time if the work was conducted after January 1, 1983:

- 1) Asbestos inspectors shall possess at least one (1) year of experience in asbestos-related work or at least five (5) years of supervisory experience in school building operations and maintenance.
- 2) Asbestos management planners and asbestos project designers shall possess no less than two (2) years of experience in asbestos related work or at least five (5) years of experience in school building operations and maintenance.
- 3) No experience requirements have been designated for asbestos abatement workers or supervisors.

Please submit a resume addressing the appropriate experience requirements.

Fee Schedules

Sections 14 (1) and (2) of P.A. 440 of 1988 require that an applicant submit to the department the appropriate fee for each area of accreditation or reaccreditation. Failure to submit the appropriate fee constitutes just cause to deny issuance of a certificate.

General Information

**** Failure to submit any applicable information will result in the denial of your application. ****

Upon approval a certificate of accreditation will be issued to cover a period of one (1) year. An application for renewal of this license must be received by the Department no sooner than 90 days nor later than 30 days prior to the expiration date or it will be considered an initial application. Should this application not be approved, the applicant will be so notified. Please be advised that accreditation fees will not be refunded for rejected applications. The accreditation fee is considered by MDPH to be a processing fee.

Should you have questions or need additional applications, please contact the Department at:

Michigan Department of Public Health
DOH - Asbestos Program
3423 North Logan
P.O. Box 30195
Lansing, Michigan 48909
(517) 335-8229

Michigan Asbestos Abatement Accreditation Application

(Please type or print in ink. Instructions are on the reverse side.)

Applicant Information

Last Name		First Name, Middle Initial	
Home Mailing Address (Number and Street)		City	
State	Zip Code	Social Security Number	Date of Birth
Are you currently, or have you ever been, certified by the State of Michigan in one of the following categories? Please check the appropriate box(es) and attach a copy of the certificate.			
Inspector	☐	Management Planner	☐
Contractor/Supervisor	☐	Project Designer	☐
		Abatement Worker	☐

Reciprocity Information

Are you currently, or have you ever been, certified by a state other than Michigan to perform asbestos abatement activities? If yes, please specify and attach documentation. Yes ☐ No ☐

Training

Attach proof of successful completion of EPA or Michigan approved training course(s) as specified in the license application instructions (i.e. copy of training certificates). These certificates must be included to begin the approval process.

Fee Schedule

Check the appropriate box(es) below to indicate the type of accreditation and whether this is an initial or a renewal application.

Category	Initial	Renewal
Inspector	\$150.00 ☐	\$75.00 ☐
Management Planner	\$150.00 ☐	\$75.00 ☐
Project Designer	\$150.00 ☐	\$75.00 ☐
Contractor/Supervisor	\$ 25.00 ☐	\$25.00 ☐
Abatement Worker	\$ 25.00 ☐	\$25.00 ☐

Total Remittance = Total Initial _____ + Total Renewal _____ = \$ _____ .00 Total Remittance

Make check or money order payable to:

State of Michigan

Please, do not send cash!

Return completed application, documentation and remittance to:

Michigan Department of Public Health
DOH - Asbestos Program
3423 North Logan, P.O. Box 30195
Lansing, MI 48909

I certify that I am the person named above and that all statements are true. Should I become accredited, I will comply with all applicable Federal and State regulations.

Signature: _____ Date: _____

The Michigan Department of Public Health is an equal opportunity, affirmative action employer, service provider and buyer.

A fully completed and signed application must be submitted to and approved by the Michigan Department of Public Health before a certificate of accreditation can be issued. Conducting asbestos abatement activities without accreditation is a violation of P.A. 440 of 1990 and is subject to penalties up to \$10,000 per day.