



# TRAINING SPONSOR Update

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MDLEG - Asbestos Program

## Inspections/Surveys

**D**id you know that Part 602, the MIOSHA Asbestos Standard for Construction, (29 CFR 1926.1101) and Part 305, the MIOSHA Asbestos Standard for General Industry, (29 CFR 1910.1001), requires that all building facilities (excluding residential owner occupied homes) constructed prior to 1981, where employees may enter, work, or contact building materials must be inspected for asbestos-containing building materials (ACBM)? Also, all such vacant buildings scheduled for renovation or demolition must have an asbestos building survey completed prior to the start of the renovation or demolition.

Part 305, The Asbestos for General Industry Standard, Section (j)(2)(i) states, "Building and facility owners shall determine the presence, location, and quantity of ACM (asbestos-containing material) or PACM (presumed asbestos-containing material) at the work site. Employers and building and facility owners shall exercise due diligence in complying with these requirements to inform employers and employees about the presence and location of ACM and PACM."

Part 602, the MIOSHA Asbestos Standards for Construction, Section (k)(2)(i) reads, "Before work subject to this standard is begun, building and facility owners shall determine the presence, location and quantity of ACM and/or PACM at the work site pursuant to paragraph (k)(1) of this section."



The survey/inspection must adhere to the Asbestos Hazard Emergency Response Act (AHERA) inspection protocol and be performed by a Michigan accredited asbestos building inspector or Certified Industrial Hygienist (CIH). The building survey must also include the presence, location, and quantity of all 'suspect' ACBM. Additionally, laboratory analysis information should be a part of the building survey document.

Once an asbestos building survey has confirmed or assumed the presence of ACBM, all employees who work around and may contact but not disturb ACBM (i.e. persons conducting janitorial, building maintenance, and/or housekeeping activities) must receive, at minimum, 2-hour asbestos awareness training. Additionally, employees who may disturb ACBM (i.e. persons working with any of the mechanical systems that have asbestos-containing materials) must have additional asbestos-related training that satisfies the class of work activity that they are involved with (i.e., Class I, II, or III).

If construction contractors would ask for, receive, and review an asbestos building survey before initiating construction activities, many asbestos-related exposure incidences could be avoided.☺

## Building Owner/Contractor Responsibilities

**B**uilding Owners (excluding residential owner occupied) have an obligation to determine: 1) the presence, location and quantity of ACM and/or presumed ACM within their pre-1981 facility, 2) to ensure that all accessible surfaces are maintained as free as practicable of ACM waste and debris, and 3) to ensure all employees performing housekeeping operations have received asbestos awareness training.

Before allowing a contractor to work on their building, building owners should also ascertain if the contractor has acquired asbestos awareness training. Such training is required when the contractor works in the proximity of ACM and may contact but not disturb the material.

Building owners removing asbestos-containing material from their own structure are not required to be a Michigan licensed asbestos abatement contractor. However, the building owner's employees performing the work must comply with the requirements of Part 602, the MIOSHA Asbestos Standards for Construction (29 CFR 1926.1101).

## Asbestos Project Notifications

The Asbestos Abatement Contractors Licensing Act (i.e., Act 135, P.A. 1986, as amended) requires asbestos abatement contractors and exempt trade groups to notify the MDLEG-Asbestos Program of any asbestos abatement project exceeding 10 linear feet or 15 square feet, or both, of friable asbestos materials.

When the 'Notification of Intent to Renovate/Demolish' is received by the Asbestos Program, Section 14 of this form is reviewed. If Section 14 is incomplete or provides information that indicates that an asbestos building survey has not been conducted, the building owner is informed, via letter, of the deficiency.

If it is established that the building owner has not had an asbestos building survey or inspection, the facility is in violation of the MIOSHA asbestos standards, which may result in a monetary citation to the facility owner. ☺

### Index

<input checked="" type="checkbox"/> Inspections/Surveys .....	1
<input checked="" type="checkbox"/> Building Owner Responsibilities .....	1
<input checked="" type="checkbox"/> Management Plans .....	2
<input checked="" type="checkbox"/> Donning a Respirator .....	2
<input checked="" type="checkbox"/> Charter Schools .....	3
<input checked="" type="checkbox"/> Survey/Management Plan Forms .....	3
<input checked="" type="checkbox"/> Competent Person .....	3
<input checked="" type="checkbox"/> Comprehensive/Limited Scope Inspection .....	4
<input checked="" type="checkbox"/> PACM .....	4
<input checked="" type="checkbox"/> Asbestos Awareness Initiative .....	5
<input checked="" type="checkbox"/> Questions for Designated Persons .....	6
<input checked="" type="checkbox"/> Social Security Number Privacy Act .....	6
<input checked="" type="checkbox"/> MIOSHA 30-year Anniversary .....	7
<input checked="" type="checkbox"/> General & Subcontractor Responsibilities .....	7
<input checked="" type="checkbox"/> How to Contact Us .....	8





**Asbestos Survey  
versus  
Asbestos Management Plan  
*Is there a difference?***

**Y**es, there is a difference between an asbestos survey and an asbestos management plan. Under MIOSHA regulations, buildings/facilities (built prior to 1981) are required to have an asbestos building survey. An asbestos building survey informs the owner where asbestos is located inside and outside of the building and in essence, helps a building owner to appropriately 'manage' asbestos materials at their facility.

The Asbestos Hazard Emergency Response Act (AHERA) requires that K-12 public and private non-profit schools develop an asbestos management plan.

An asbestos survey is the initial part of an asbestos management plan. The survey/inspection denotes the areas where ACM or PACM are located and assesses the condition of these materials. The inspection limited to the school building's interior spaces. Once this information is obtained, it is listed and charted in a management plan. A management plan informs the owner, occupant, and others where asbestos is located in a facility and discloses how it will be managed. All K-12 public and private non-profit school buildings are required to have an asbestos management plan per AHERA. This requirement is not limited to pre-1981 buildings.©

**Donning a Respirator:  
Should I?**

**B**efore donning a respirator, the user shall inspect the respirator for defects and cleanliness. This must be done **every time** a respirator is to be used.

Each worker designated to wear a respirator must receive adequate respirator protection training. The training must ensure that employees understand the limitations, use, and maintenance of respiratory equipment. Whenever possible, a respirator should be reserved for the exclusive use of a single individual. After each use, the respirator should be cleaned and disinfected.©



# Management Plans

## ASBESTOS IN SCHOOLS

**U**nder the Asbestos Hazard Emergency Response Act (AHERA), the United States Environmental Protection Agency (EPA) requires each local education agency to identify friable and non-friable asbestos-containing materials (ACM) in Kindergarten through 12th grade (K-12) public and private non-profit school buildings and to prepare an asbestos management plan. If contamination of the building by asbestos fibers is occurring or will likely occur, corrective action must be taken to protect school children and other users of the building from exposure. A corrective or response action may be the repair, removal, encapsulation, or enclosure of ACM. Generally, it is not necessary to close a school building in order to take corrective action. However, significantly damaged ACM may require that the problem areas or rooms be isolated until a corrective action is completed.



EPA and the Michigan Occupational Safety and Health Administration (MIOSHA) have regulations covering the repair, removal, encapsulation, and enclosure of asbestos materials. Listed below is a comparison of EPA and MIOSHA asbestos regulations that a school must follow:

**EPA**

1. Asbestos survey and management plan for all school buildings. It is not limited to pre-1981 buildings.
2. Trained and accredited asbestos abatement workers on abatement projects.
3. Custodial and maintenance workers must have two hours of asbestos awareness training.
4. Notification to parents and staff prior to the initiation of asbestos renovation projects and the availability of a management plan.
5. 6 month periodic surveillance of identified asbestos-containing materials
6. 3 year reinspection of identified asbestos-containing materials
7. Response action clearance levels must not exceed 0.01 fibers per cubic centimeter of air (f/cc).

**OSHA**

1. Asbestos survey for pre-1981 buildings. (This **MUST** be provided to contractors performing renovation activities.)
2. Trained and accredited asbestos abatement workers on abatement projects
3. Custodial and maintenance workers must have two hours of asbestos awareness training. This training must be refreshed annually for custodial and maintenance employees.
4. Notification to staff prior to the initiation of asbestos renovation projects.
5. The state of Michigan (P.A. 135 of 1986, as amended), has a clearance for projects with an enclosure stating asbestos levels must not exceed 0.05 f/cc.

As can be noted, a few EPA and MIOSHA regulations overlap. A school must adhere to the most stringent of the regulations. For example, EPA requires only initial asbestos awareness training for custodians, and MIOSHA requires that asbestos awareness training to be given annually. Therefore, a school must provide annual asbestos awareness training to all of their custodians who may contact asbestos-containing materials.©



# Charter Schools

**T**he Asbestos Hazard Emergency Response Act of 1986 (AHERA) requires that all public and private non-profit elementary and secondary schools inspect their buildings for asbestos-containing material. They must also develop

asbestos management plans to address asbestos hazards in school buildings and implement response actions as necessary. In addition, the rule requires custodial and maintenance personnel to receive asbestos awareness training. The MDLEG-Asbestos Program is the states designated agency for reviewing asbestos management plans for K-12 public and private non-profit schools. The program reviews these plans and determines if they meet minimum AHERA requirements.



During March 2004, the Asbestos Program noted that only **109** management plans had been received from charter schools. To

address this concern, in April 2004, the Asbestos Program distributed letters to all charter schools in Michigan that had not submitted a management plan to remind them of their responsibility and encourage them to submit the plans.

The response to the mailing has been excellent. As a result of this initiative, as of September 2005, the Asbestos Program has received **97** additional management plans from charter schools. To date, a total of **226** management plans have been received from charter schools.

It is hoped that ALL schools will submit management plans to designated state agencies as required by law. The management plan requirement was instituted by AHERA to ensure that schools would have a systematic method to appropriately address asbestos-containing materials and presumed asbestos-containing material in school buildings and thus reduce the likelihood of children developing asbestos-related disease. ☺

## The Asbestos Survey and Asbestos Management Plan *Which forms do I use?*

**T**he Model Management Plan for AHERA contains all forms needed to address surveys and management plans. It is provided on the Asbestos Program website at [www.michigan.gov/asbestos](http://www.michigan.gov/asbestos). The question often arises as to what forms should be used or are needed.

For School Buildings built prior to 1988 that contain suspect ACM, all forms may be needed.

For School Buildings built after 1988, see forms A-1, A-3, C-6a, C-6b, E-9, E-10.

For School Buildings that are asbestos-free after asbestos removal operations, see forms A-1, A-3, C-5a, C-5b, E-9, E-10.

For Public and Commercial Buildings built prior to 1981 that contain ACM, see forms A-1, A-3, D-1, D-2, D-3, D-4, D-5, D-6, E-1, E-9.

For Public and Commercial Buildings built after 1981, see forms A-1, A-3, C-6a, C-6b, E-9, E-10.

For Public and Commercial Buildings that are asbestos-free after asbestos removal operations, see forms A-1, A-3, C-5a, C-5b, E-9, E-10. ☺

## Competent Person

**A** "competent" person, as defined in the general construction standards, [29 CFR 1926.32(f)] must supervise all work under the asbestos construction standard. That person must be "capable of identifying existing asbestos ... hazards in the workplace, and have the authority to take prompt corrective measures to eliminate them ..."

OSHA reiterates its statement in the preamble that "all construction site employees would benefit from the

presence of a competent person to oversee asbestos-related work" (55 FR at 29726). However, the need for on-site supervision varies with the hazard potential of the work undertaken. All workers performing Class I construction work must have continuous access to an on-site supervisor, who meets the training requirements for designation as a "competent person" under this standard. Supervision for Class II and III work does not always require a continuous on-site "competent person," therefore the standard requires inspections at

"sufficient" intervals and at employee request. Supervision of the installation of asbestos containing construction materials and Class IV work must also be accomplished by complying with the "generic" requirement for "frequent and regular" inspection [Part 602 (29 CFR 1926.1101 (0)(2))].

*-excerpt from Regulations (Occupational Exposure to Asbestos section 59:40977. Summary and Explanation of Revised Standards, Issue 9, "Competent Person". ☺*



# A Comprehensive Asbestos Building Inspection

VS.

# A Limited Scope Inspection

**T**he questions have been asked, "What is the difference between a comprehensive building inspection and a limited scope inspection? When is a building inspection required, and when is a limited scope inspection sufficient?"

**A comprehensive asbestos building inspection** or building survey must determine the presence, location, and quantity of asbestos containing-material (ACM) and/or potential ACM in the entire facility. This must be performed by an asbestos building inspector that is trained and accredited, or a Certified Industrial Hygienist (CIH). A comprehensive survey is required for all public and private school buildings; pre-1981 buildings (excluding owner occupied private homes); and facilities.



**A limited scope inspection** as defined in Michigan P.A. 440 of 1988 is allowed only when it is associated with a limited remodeling/renovation operation or maintenance activity in a building that involves not more than two suspect asbestos-containing homogeneous materials and not more than six bulk samples collected randomly from these materials.

### Why did the state of Michigan allow a limited scope inspection?

40 CFR 763 requires an inspector who inspects for ACM in schools or public and commercial buildings to be accredited. As written, this requires that any time a sample of suspect ACM is taken, the individual taking the sample must be a trained and accredited asbestos building inspector. Not only does this conflict with requirements under the state and federal

OSHA Asbestos Construction Standard (i.e., 29 CFR 1926.1101), it places an extreme burden on public and commercial building owners, building trades and regulatory agencies. Therefore, the definition of "inspection" was written in Michigan P.A. 440 to address only those inspections that are conducted for the purpose of determining the location of ACM in an entire facility and/or on larger scope building inspections.

If the requirements had remained unchanged, building trades would have been forced to halt all small scale maintenance, remodeling, or renovation until an accredited inspector or CIH was located to take a sample of the material in question. This added delay and expense can discourage employers from confirming

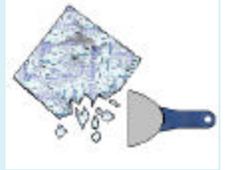
whether or not suspect materials may contain asbestos. It could have also resulted in possible exposure to workers and building occupants while attempting to locate an accredited inspector and/or CIH for material sampling.

### Important points for a limited scope inspection:

- \* The person taking the sample must ensure that a complete cross section of the suspect material is obtained. This would avoid a false negative analysis.
- \* Material bulk samples obtained by an unaccredited individual cannot (i.e., under P.A. 440) be used for a comprehensive asbestos building survey.
- \* A Phase I inspection is NOT an asbestos building survey.
- \* An inadequate building survey can result in asbestos exposure to unprotected persons during subsequent building renovation and/or demolition activities.©

## Presumed Asbestos-Containing Materials (PACM)

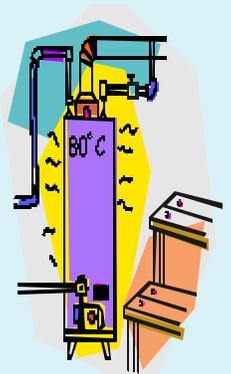
**S**uspect materials may be presumed to contain asbestos in an asbestos building survey. This alleviates



the need for immediate sampling. However, the material must be treated as asbestos-containing until a material sample is obtained according to AHERA protocol and laboratory analysis has determined it to be negative for asbestos. In the interim period, any employee working in the area where the presumed asbestos-containing material (PACM) is located must have annual two-hour asbestos awareness training if they come in contact with PACM but do not disturb it. Should the material (PACM) be disturbed or removed, all the requirements within the Part 602, Asbestos Construction Standard must be followed. This would include air monitoring, applicable work practices and procedures, and appropriate asbestos training.

Please be aware, the MIOSHA asbestos standards requires that all thermal system insulation (TSI), surfacing material and asphalt and vinyl flooring material be PACM until sample analysis indicates the

absence of asbestos. Therefore, if your employees are working in an area containing these materials, you must have the laboratory analysis report or access to the laboratory analysis report to indicate the absence of asbestos in these materials, or your employees must have, at the minimum, annual two-hour asbestos awareness training if they contact but do not disturb these materials.©



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# Asbestos Awareness Initiative

## Training Required by Law

**O**n June 7, 2004, the MDLEG Asbestos Program mailed information to 28,000 construction companies to inform/advise them that they are required by law to provide annual asbestos awareness training for employees who may contact, but not disturb, asbestos-containing materials during maintenance or custodial activities. The mailing also informed the companies that if they disturbed or removed the material, additional training would be required.

In discussing this initiative, MDLEG Director David Hollister said, "Construction employees face a considerable risk of contracting an asbestos-related disease, and yet, many are unaware of the hazards they face. Asbestos awareness training can significantly reduce asbestos exposures and related diseases."

Construction trades routinely renovate and perform limited demolition work activities within buildings. Consequently, asbestos-containing materials may be touched or disturbed. Not only does this expose construction employees and the general public to significant health hazards, it also potentially exposes the companies involved to substantial legal liabilities. Past experience indicates that much of the exposure is linked to workers who unknowingly remove or disturb asbestos-containing materials.

Employees such as mechanical systems workers, plumbers, elevator repair workers, HVAC workers, construction site cleanup workers, electricians, etc. may come in contact with asbestos-containing material during maintenance or custodial activities. Therefore, these workers must receive annual asbestos awareness training. This training ensures that construction workers can recognize asbestos hazards and know not to disturb the material.

The training must be at least two hours in length and be conducted annually by a qualified individual. The training must cover the recognition of all building materials that may contain asbestos, the health hazards associated with asbestos exposure, and the MIOSHA regulations that must be followed if the work involves asbestos removal or disturbance activities. If a company's work activities require employees to actually disturb asbestos-containing material, additional training, work practices, and engineering controls are mandated.

## Asbestos Awareness Outreach

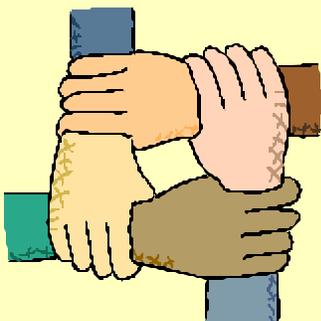
The asbestos awareness initiative was an extensive, proactive educational awareness campaign to address and prevent inadvertent exposure of employees and the general public to airborne asbestos fibers. This new and innovative customer service effort was initiated by two MIOSHA programs (the Asbestos Program and the Consultation Education and Training Division), which demonstrates a team approach in outreach for asbestos awareness

associations in co-sponsoring, promoting and hosting the asbestos awareness training workshops. Additional environmental consultants and asbestos training consultants were involved in this initiative and continue to co-sponsor the training. A list of approved asbestos training providers is available on the Asbestos Program Website at [www.michigan.gov/asbestos](http://www.michigan.gov/asbestos).

When the campaign first began, MIOSHA Director Doug Kalinowski said, "*The MIOSHA program is dedicated to providing outreach services to protect Michigan's working men and women; and we are encouraging every construction company to use all available resources, including the MIOSHA-CET Division, to provide the required asbestos training.*"

The response to this training initiative has been outstanding, and the division has already scheduled and conducted numerous training courses. In addition, many consultants are also participating in this training campaign, and workers that would normally not have been trained are receiving the required training. This initiative has increased an overall awareness in regard to asbestos and the hazards associated with asbestos. Not only has this initiative been successful in reaching our target audience; it also increased awareness of asbestos hazards to the general public. It is hoped that this effort will reduce the potential unwarranted ill effects of airborne asbestos exposure to workers and the general public.

For more information on the Asbestos Awareness Initiative, you may contact Susan Baldwin, Asbestos Program Training/Accreditation Administrator or George Howard, Asbestos Program Manager, at 517.322.1320; or visit the Asbestos Program Web site at [www.michigan.gov/asbestos](http://www.michigan.gov/asbestos). ©



training programs in the state of Michigan. Another advantage of this initiative was to partner with trade

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# Questions the Designated Person Should Ask

## **D**OES THE LOCAL EDUCATION ASSOCIATION (LEA) HAVE AN ACTIVE AND ON-GOING ASBESTOS MANAGEMENT PROGRAM AS OF THE DATE OF THE INSPECTION? SOME EXAMPLES:

1. Has the three year re-inspection been performed? How have they been made part of the plan?
  - a. Are there any buildings, that the LEA utilizes, which were not inspected? Have any new buildings been constructed for school purposes? Have any buildings been reopened for school purposes that had been closed?
  - b. Does the LEA ever find areas of suspected ACM that were not identified in the Management Plan? What is done?
  - c. Does the LEA have: Acoustical plaster, fireproofing (especially in the air plenum systems), TSI, ceiling tile and VAT (Is the LEA implementing proper stripping and waxing techniques). Were all of the above asbestos materials identified in the original and/or the three year inspection?
2. Have the periodic surveillances been performed? How have they been made part of the plan? Are they useful? Is the Management Plan on file in the Principal's Office during the time a periodic surveillance was conducted of the asbestos materials located in the school? Has the plan been reviewed to see if periodic inspection reports and Operation & Maintenance reports are on file?
3. Have response action records been included in the Management Plan? After a response action is conducted, is the plan updated to show repair or removal?
4. Have all asbestos project notifications been provided? How? What school years were parents and employees notified? Are there dated copies on file? Is the notification complete? Does the notification contain information on where the Management Plan can be reviewed, inspections, response action activities that are planned or in progress?
5. Has the new designated person been trained? Has the new designated person signed the plan indicating that LEA responsibilities have been or will be met?
6. Are warning labels properly posted? Are they maintained?

7. Have new custodial workers been given annual two hour asbestos awareness training? This includes contract workers such as "Manpower" and "Services Master."
  8. Have custodial and maintenance employees conducting Operation & Maintenance activities received the additional 14 hours of asbestos training? Are Operation & Maintenance procedures detailed and recorded?
  9. How are short term workers informed as to the location of the ACM in the building?
  10. Is the LEA implementing the response action recommendations that are in the Management Plan? If not, why not? Are the reasons for not following through on the recommendations noted in the plan?
  11. Are the Management Plans in the schools being kept current with the Management Plans in the Administrative Office?
  12. Does the LEA record all Operation & Maintenance activities involving asbestos? Do the reports make any sense?
- DOES THE ABATEMENT CONTRACTOR APPEAR TO KNOW WHAT HE/SHE IS DOING? SOME EXAMPLES:**
1. Are all workers and supervisors accredited? Has the project been planned by an accredited project designer? Do you have the names and addresses of these people? Do you have the name and address of the laboratory doing the air monitoring and/or sampling?
  2. Was the visual inspection performed? How was it done: by whom: what did they look for?
  3. Does the LEA have exact dates on file for the removal projects? Are the square footages and linear footages of the asbestos materials recorded?
  4. Were proper air clearance samples taken; how many; by whom; and were they taken aggressively?
  5. Are there sign-in/sign-out logs? Are they being utilized? Are the logs legible?
  6. Is the containment properly constructed?

7. Is the shower working properly?
8. Are the negative air machines working properly?
9. Does anyone document for the LEA that the abatement project was done properly?
10. Is the waste manifest on file?©



## Social Security Number Privacy Act

**H**ave you heard of the "Social Security Number Privacy Act" (P.A. 454 of 2005) which became effective March 1, 2005? This Act prohibits the use of Social Security Numbers for identification.

However, please note that there are two critical provisions in the legislation that exempts trainers, as a trainer that acts on behalf of the MDLEG-Asbestos Program, from the requirements of that legislation. Those provisions make it clear that the legislative requirements of the Social Security Privacy Act do not supercede or affect the requirements contained in Michigan Public Act 440 of 1988, as amended.

Section 13(1) of Act 440 (the Asbestos Workers Accreditation Act) states "...The numbered certificate of successful course completion shall include the name of the student, the social security number of the student..."

The Asbestos Program is sensitive to the identity theft issue. To ensure accurate record identification, we must continue to require the entire social security number (123-45-6789) on INITIAL training course



certificates since a person taking the initial training course may not have previously applied to the state of Michigan for accreditation. Be assured, the social security number is not published and is kept confidential and secure. Once we

have the correct number, we will permit the use of xxx-xx-6789 on REFRESHER training course certificates.

## Air Clearance

The Asbestos Abatement Contractors Licensing Act, Michigan Public Act 135 of 1986, as amended, states that a building owner or lessee shall have a post abatement air monitoring check performed by a qualified neutral party completely independent of the asbestos abatement contractor at all asbestos abatement project sites involving a negative pressure enclosure that exceeds 10 linear feet or 15 square feet of friable asbestos materials.

In an effort to assure compliance with the asbestos standards, we have provided the definition of a neutral third party. A "neutral party" is defined in Michigan Public Act 135 of 1986, as amended, as follows:



"A business entity that is not part of the asbestos abatement contractor's primary or secondary family and is not legally associated to any business operated by the asbestos abatement contractor."

The terms "neutral party" and "neutral third party" are used interchangeably. Therefore, a sister or brother would not be considered a neutral third party as he or she would be part of the primary family. ©



The Michigan Occupational Safety and Health Administration has been making a difference in Michigan for 30 years. Through Public Act 154 of 1974, the Michigan legislature created the Michigan Occupational Safety and Health Act (MIOSHA) in order to prevent work place injuries, illnesses, and fatalities in Michigan. P.A. 154 went into effect January 1, 1975, for private employers, and July 1, 1975, for public sector employers. ©

## Responsibilities of the General Contractor and/or Subcontractors



### What should a contractor do if the building doesn't have an asbestos survey?

If the building owner does not have a survey, an option for the contractor would be to hire an accredited asbestos inspector to conduct a limited asbestos survey of the areas under renovation. This limited survey will help ensure the safety and health of employees and allow the contractor to continue construction activities in the building. However, please be advised that the building owner (excluding a residential home owner) is legally obligated to complete a comprehensive building survey for all asbestos materials in the building.

### Is the General Contractor/Project Manager responsible to ensure that employees/subcontractors have asbestos awareness training?

Asbestos awareness training assists employees/subcontractors in identifying suspect asbestos-containing material (ACM) and understanding information contained within an asbestos building survey. Therefore, to help assure that a General Contractor/Project Manager properly manages a renovation project in a building containing ACM, it is strongly recommended that all employees/subcontractors on site have annual asbestos awareness training. Asbestos awareness training helps prevent employees from inadvertently disturbing asbestos-containing materials.

The General Contractor/Project Manager is not mandated to ensure that all on-site contractors have asbestos awareness training. However, if an uncontrolled asbestos disturbance occurs, the General Contractor/Project Manager may be accessed a citation for violation of Part 602, the MIOSHA Asbestos Standards for Construction (d)(5), – even if a subcontractor created the disturbance.

### What if a contractor discovers a building material that may contain asbestos at the project site?

All work activities that may impact suspect material must cease until a sample of the

material has been obtained and analyzed. Due to the sampling procedures that must be followed and the varying number of material samples that must be obtained, an accredited inspector should be contacted to obtain the sample(s). Work should not continue until the suspect material has been proven to be negative or properly abated.

### The suspect material is asbestos containing. What does a contractor have to do?

First, the information on the newly discovered ACM must be conveyed to the building owner and to all contractors on the project site pursuant to Part 602, (k)(4). The information must include the location and quantity of this newly discovered ACM. Second, it must be decided how to appropriately abate the ACM, which may include the removal of the ACM by a Michigan Licensed Asbestos Abatement Contractor.

### A subcontractor has disturbed ACM and some of the material is on the floor and/or ground. What should be done?

If the amount of ACM is less than three linear or square feet; thoroughly saturate the debris with water to reduce the release of airborne fibers, restrict entry into the area, and immediately

contract with a Michigan Licensed Asbestos Abatement Contractor to remove the debris.

If the amount of ACM is greater than three linear or square feet, contact the General Contractor/Project Manager. The General Contractor/Project Manager should:

1. Restrict entry into the area and post signs to prevent entry into the area by persons other than those necessary to perform the response action.
2. Shut off or temporarily modify the air-handling system to prevent the distribution of fibers to other areas in the building.
3. Contract with an environmental consultant to evaluate the situation.
4. Contract with a Michigan Licensed Asbestos Abatement Contractor to remove the debris. A list of Asbestos Abatement Contractors can be found on

continued on page 8





the Asbestos Programs website located at [www.michigan.gov/asbestos](http://www.michigan.gov/asbestos).

**A licensed asbestos abatement contractor is performing asbestos abatement. What responsibilities does the General Contractor/Project Manager have with the asbestos abatement project?**

Part 602, paragraph (d)(5) specifically states,

“All general contractors on a construction project which includes work covered by this standard shall be deemed to exercise general supervisory authority over the work covered by this standard, even though the general contractor is not qualified to serve as the asbestos ‘competent person’ as defined by paragraph (b) of this section. As supervisor of the entire project, the general contractor shall ascertain whether the asbestos contractor is in compliance with this standard, and shall require such contractor to come into compliance with this standard when necessary.”

When a general contractor fails to ascertain and ensure, through on site supervision, that all asbestos related work conducted at a

project site is done in accordance with Part 602, they are in violation of Part 602, (d)(5) and may be subject to receiving a citation. Therefore, it is recommended that a General Contractor/Project Manager receive competent person asbestos training. It is also recommended that the General Contractor/Project Manager acquire Asbestos Inspector training. This enables the General Contractor/Project Manager to better understand an asbestos building survey and to correctly obtain a material sample when necessary.

**Can a contractor have one of his/her employees provide the asbestos awareness training?**

A contractor's employees should receive annual asbestos awareness training covering the recognition of all building materials that may contain asbestos, the health hazards associated with asbestos exposure, and the MIOSHA regulations involving asbestos that must be followed. An individual(s) who is knowledgeable of the subject matter must provide this training.

Please be aware, the asbestos awareness training required by Part 602 must be two hours in length. Computer/online training courses, videos, and toolbox talks may not satisfy the requirements of Part 602(k)(9).©

**TRAINING SPONSOR Update**  
MDLEG - Asbestos Program

The Training Sponsor Update is published periodically by the Michigan Department of Labor and Economic Growth (MDLEG), Asbestos Program; which is responsible for assuring that people working with asbestos or individuals performing asbestos abatement activities are properly trained and comply with rules governing the work activity.

The purpose of the Training Sponsor Update is to educate Michigan training providers, contractors, and other interested parties, offer suggestions, and present updated information in regards to asbestos. It is hoped that this information will improve course content and structure as well as inform others of asbestos-related matters.

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**How To Contact Us**

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