



MIOSHA ASBESTOS PROGRAM

ANNUAL REPORT Fiscal Year 2017

In accordance with Act 135, P.A. 1986, as amended, Section 220(7) and Section 315, herein is the Michigan Occupational Safety and Health Administration (MIOSHA), Asbestos Program's Annual Report to the Governor and the Legislature.

Overview

The MIOSHA Asbestos Program is **responsible for the enforcement** of the Asbestos Abatement Contractors Licensing Act (Act 135, P.A. 1986, as amended), the Asbestos Workers Accreditation Act (Act 440, P.A. 1988, as amended), and for meeting the State of Michigan responsibilities under the Environmental Protection Agency (EPA) Asbestos Hazard Emergency Response Act (AHERA). The program also enforces asbestos issues related to the Michigan Occupational Safety and Health (MIOSH) Act (Act 154, P.A. 1974, as amended).

During fiscal year (FY) 2017 (October 1, 2016 through September 30, 2017), 11 staff members worked in the MIOSHA Asbestos Program; one program manager, one supervisor, six industrial hygienists, one departmental analyst, and two secretaries.

AHERA Management Plan

The MIOSHA Asbestos Program is the **state-designated lead agency** for reviewing asbestos management plans for K-12 public, charter, and private nonprofit schools. The role of the program is to ensure that the plans meet the minimum requirements of AHERA. The program has received and reviewed AHERA management plans since December 1987. *Table One* provides information regarding how many management plans have been received and reviewed per school category.

TABLE ONE	
MANAGEMENT PLANS	
DEC 1987 – SEPT 2017	
CATEGORY	#
Public Schools	4,465
Private Schools	1,105
Charter Schools	333
TOTAL	5,903

TABLE TWO							
TRAINING COURSE APPLICATIONS							
CATEGORY	INITIAL		RENEWAL		LATE FEES	TOTAL	
	#	REV	#	REV	REV	#	REV
Abatement Worker Initial	0	\$0	8	\$1,600	\$0	8	\$1,600
Abatement Worker Refresher	2	\$800	12	\$2,400	\$0	14	\$3,200
Contractor/Supervisor Initial	1	\$400	30	\$6,000	\$0	31	\$6,400
Contractor/Supervisor Refresher	3	\$1,200	36	\$7,200	\$200	39	\$8,600
Inspector Initial	2	\$800	16	\$3,200	\$0	18	\$4,000
Inspector Refresher	1	\$400	24	\$4,800	\$200	25	\$5,400
Management Planner Initial	1	\$0	5	\$1,000	\$0	6	\$1,000
Management Planner Refresher	0	\$0	13	\$2,400	\$0	13	\$2,400
Project Designer Initial	0	\$0	4	\$800	\$0	4	\$800
Project Designer Refresher	0	\$0	11	\$2,200	\$0	11	\$2,200
TOTALS	10	\$3,600	159	\$31,600	\$400	169	\$35,600

Asbestos Training Courses

A function of the MIOSHA Asbestos Program is the review and approval of ten distinct types of asbestos training courses. These courses are conducted by various organizations such as environmental consulting firms, trade unions, and asbestos abatement firms.

The approval process for each course is regulated by the federal EPA's *Model Accreditation Plan*. The Asbestos Program periodically conducts unannounced, on-site audits of training courses to evaluate the instructor's overall abilities, the effectiveness of the instruction, and the hands-on portion of the class. *Table Two* provides a listing by category of the approved training courses and the associated revenue for FY 2017.

Asbestos Abatement Project Notifications

Section 220(3) of Act 135, P.A. 1986, as amended, specifies that all projects requiring notification (any friable asbestos removal or encapsulation projects exceeding **10 linear feet** or **15 square feet**, or both) must include a project fee equal to one percent of the price of the contract for the asbestos abatement portion of the project. *Table Three* provides information regarding asbestos abatement project notifications received by the Asbestos Program for this fiscal year.



TABLE THREE		
PROJECT NOTIFICATIONS		
CATEGORY	#	REVENUE
Regular	6,396	\$548,126
Emergency	168	\$6,980
TOTALS	6,564	\$555,106

Accreditation of Asbestos Workers

Asbestos Abatement workers, asbestos contractors/supervisors, building inspectors, management planners, and project designers must become accredited before performing asbestos-related work. The MIOSHA Asbestos Program accreditation process consists of reviewing and verifying the information submitted. *Table Four* displays information regarding accreditation applications for this fiscal year.

Licensing of Asbestos Abatement Contractors

With the exception of exempt trade group members (e.g., Michigan licensed plumbers, electricians, mechanical contractors, residential builders, and maintenance/alteration contractors), **any person or entity** desiring to conduct friable asbestos abatement on the premises of another individual or business entity must receive a license from the MIOSHA Asbestos Program before engaging in any asbestos abatement activities in Michigan. *Table Five* displays information regarding contractor license applications for this fiscal year.

TABLE FIVE		
CONTRACTOR LICENSING		
CATEGORY	#	REVENUE
Type I Initial	23	\$4,600
Type I Renewal	66	\$6,500
Type I Late Fee	—	\$1,600
Type I Processing Fees	10	\$250
TOTAL TYPE I REVENUE	99	\$12,950
Type II Initial	14	\$5,400
Type II Renewal	125	\$36,650
Type II Late Fees	—	\$2,400
Type II Processing Fees	2	\$50
TOTAL TYPE II REVENUE	141	\$44,500
GRAND TOTALS	240	\$57,450

penalties that were assessed during this fiscal year.

TABLE SEVEN	
REVENUE SUMMARY	
CATEGORY	REVENUE
Project Notification Fees	\$555,106
Accreditation Applications	\$284,400
Contractor Licensing	\$57,540
Training Course Applications	\$35,600
SUBTOTAL	\$932,646
Citation Penalties Assessed	\$352,510
TOTAL	\$1,285,156



The MIOSHA Asbestos Program adds significantly to the safety and health of employees in the state of Michigan. Information on the MIOSHA Asbestos Program is available at www.michigan.gov/asbestos. Questions regarding this report and the Asbestos Program may be directed to MIOSHA Director **Barton G. Pickelman**, CIH, at 517-284-7777.

The MIOSHA Asbestos Program publishes this report annually. This document is in the public domain and we encourage reprinting.

TABLE FOUR		
ACCREDITATION APPLICATIONS		
CATEGORY	#	REVENUE
Worker Initial	298	\$14,875
Worker Renewal	524	\$13,100
Contractor/Supervisor Initial	957	\$48,650
Contractor/Supervisor Renewal	2,326	\$58,075
Inspector Initial	122	\$18,225
Inspector Renewal	855	\$63,075
Management Planner Initial	9	\$1,200
Management Planner Renewal	137	\$10,275
Project Designer Initial	10	\$1,500
Project Designer Renewal	90	\$6,750
Late Fees	—	\$47,300
Card Reissue Fees	—	\$1,375
TOTALS	5,328	\$284,400

Compliance Investigations

The MIOSHA Asbestos Program is granted the authority to conduct programmed (self-initiated) investigations and respond to formal and informal complaints of **improper work practices** or procedures involving asbestos abatement and disturbance activities and issue citations under Act 154, P.A. 1974, as amended, Act 135, P.A. 1986, as amended, and Act 440, P.A. 1988, as amended. *Table Six* displays information regarding the number of investigations, citations, and

TABLE SIX			
NUMBER OF INVESTIGATIONS, CITATIONS, AND PENALTIES ASSESSED			
TYPE OF CITATION	INV	CIT	AMOUNT
Act 135	—	21	\$54,660
Act 440	—	4	\$1,400
Act 154	—	323	\$296,450
TOTALS	279	348	\$352,510

Revenue Summary

All statistics provided with this report are based upon information derived from the *Asbestos Management Information System (AMIS)*.

Table Seven provides a breakdown of revenue received by category for FY 2017. All revenue generated by project notifications, accreditation applications, contractor licensing, and training course applications has been deposited in the Asbestos Abatement Fund, which was created by Act 135, P.A. 1986, Section 220(5). As indicated in Act 135, Section 220(6), these funds are to be used **only for asbestos-related responsibilities** of the department under the act. Citation revenue resulting from violations of Act 135 were remitted to the state of Michigan General Fund.

Summary