



# MIOSHA ASBESTOS PROGRAM

## ANNUAL REPORT Fiscal Year 2018

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 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 Act (Act 154, P.A. 1974, as amended).

During fiscal year (FY) 2018 (October 1, 2017 through September 30, 2018), 12 staff members worked in the MIOSHA Asbestos Program; one program manager, one supervisor, seven industrial hygienists, one departmental analyst, and two secretaries.

### AHERA Management Plan

The MIOSHA Asbestos Program is the **state-designated lead program** 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 2018	
CATEGORY	#
Public Schools	4,467
Private Schools	1,106
Charter Schools	332
<b>TOTAL</b>	<b>5,905</b>

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	0	\$0	13	\$2,400	\$0	13	\$2,400
Contractor/Supervisor Initial	3	\$1,200	28	\$5,400	\$200	31	\$6,800
Contractor/Supervisor Refresher	3	\$1,200	36	\$7,000	\$200	39	\$8,400
Inspector Initial	2	\$800	16	\$3,200	\$200	18	\$4,200
Inspector Refresher	2	\$800	22	\$4,400	\$200	24	\$5,400
Management Planner Initial	0	\$0	5	\$1,000	\$0	5	\$1,000
Management Planner Refresher	0	\$0	11	\$2,200	\$0	11	\$2,200
Project Designer Initial	0	\$0	4	\$800	\$0	4	\$800
Project Designer Refresher	0	\$0	10	\$2,000	\$0	10	\$2,000
<b>TOTALS</b>	<b>10</b>	<b>\$4,000</b>	<b>153</b>	<b>\$30,000</b>	<b>\$800</b>	<b>163</b>	<b>\$34,800</b>

### Asbestos Training Courses

A function of the MIOSHA Asbestos Program is to review and approve 10 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 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 training courses and the associated revenue for FY 2018.

### 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 FY 2018.



TABLE THREE		
PROJECT NOTIFICATIONS		
CATEGORY	#	REVENUE
Regular	7,316	\$444,467
Emergency	169	\$6,893
<b>TOTALS</b>	<b>7,485</b>	<b>\$451,360</b>

## 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 review and verification of the information submitted. *Table Four* displays information regarding accreditation applications for FY 2018.

### Licensing of Asbestos Abatement Contractors

With the exception of exempt trade group members (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 FY 2018.

ACCREDITATION APPLICATIONS		
CATEGORY	#	REVENUE
Worker Initial	552	\$27,370
Worker Renewal	583	\$14,525
Contractor/Supervisor Initial	1,025	\$50,050
Contractor/Supervisor Renewal	2,427	\$60,375
Inspector Initial	161	\$23,850
Inspector Renewal	877	\$64,425
Management Planner Initial	18	\$2,850
Management Planner Renewal	140	\$10,500
Project Designer Initial	7	\$1,050
Project Designer Renewal	87	\$6,525
Late Fees	—	\$52,425
Card Reissue Fees	—	\$1,800
<b>TOTALS</b>	<b>5,877</b>	<b>\$315,745</b>

CONTRACTOR LICENSING		
CATEGORY	#	REVENUE
Type I Initial	23	\$4,600
Type I Renewal	65	\$6,500
Type I Late Fee	—	\$1,300
Type I Processing Fees	3	\$75
<b>TOTAL TYPE I REVENUE</b>	<b>91</b>	<b>\$12,475</b>
Type II Initial	6	\$2,400
Type II Renewal	128	\$38,400
Type II Late Fees	—	\$2,100
Type II Processing Fees	2	\$50
<b>TOTAL TYPE II REVENUE</b>	<b>136</b>	<b>\$42,950</b>
<b>GRAND TOTALS</b>	<b>227</b>	<b>\$55,425</b>

### Compliance Investigations

The MIOSHA Asbestos Program is granted the authority to conduct programmed (self-initiated) investigations and respond to 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 penalties that were assessed during FY 2018.

NUMBER OF INVESTIGATIONS, CITATIONS, AND PENALTIES ASSESSED			
TYPE OF CITATION	INV	CIT	AMOUNT
Act 135	—	18	\$10,750
Act 440	—	6	\$1,600
Act 154	—	697	\$309,550
<b>TOTALS</b>	<b>264</b>	<b>721</b>	<b>\$321,900</b>

REVENUE SUMMARY	
CATEGORY	REVENUE
Project Notification Fees	\$451,360
Accreditation Applications	\$315,745
Contractor Licensing Applications	\$55,425
Training Course Applications	\$34,800
<b>SUBTOTAL</b>	<b>\$857,330</b>
Citation Penalties Assessed	\$321,900
<b>TOTAL</b>	<b>\$1,179,230</b>

### Revenue Summary

All statistics provided with this report are based upon information derived from the Asbestos Management Information System and the OSHA Information System.

*Table Seven* provides a breakdown of revenue received by category for FY 2018. 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 and Act 154 were remitted to the State of Michigan General Fund.

### Summary

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](http://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.

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