

# Asbestos Licensing & Exempt Trade Groups

(Electricians, Mechanical Contractors, Plumbers, Residential Builders, and Residential Maintenance and Alteration Contractors)

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.

## Should an exempt trade group have asbestos awareness training?

If an exempt trade group decides not to perform asbestos abatement, at a minimum, its employees should receive asbestos awareness training covering the recognition of all suspect building materials that may contain asbestos, the health hazards associated with asbestos exposure, and the MIOSHA regulations involving asbestos. Asbestos awareness training assists exempt trade groups in identifying suspect 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 exempt trade groups on site have annual asbestos awareness training. Asbestos awareness training helps prevent employees from inadvertently disturbing ACM.

## What if an exempt trade group 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.

## An exempt trade group 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 Asbestos Abatement Contractor to remove the debris.

The MIOSHA Asbestos Program performs the following services:

- Approves asbestos-related training courses.
- Accredits professionals in the asbestos abatement industry.
- Licenses asbestos abatement contractors.
- Maintains databases of approved trainers, licensed contractors, accredited individuals, and asbestos projects.
- Investigates asbestos-related compliance issues.
- Reviews AHERA management plans.

## For additional information, please contact us at:

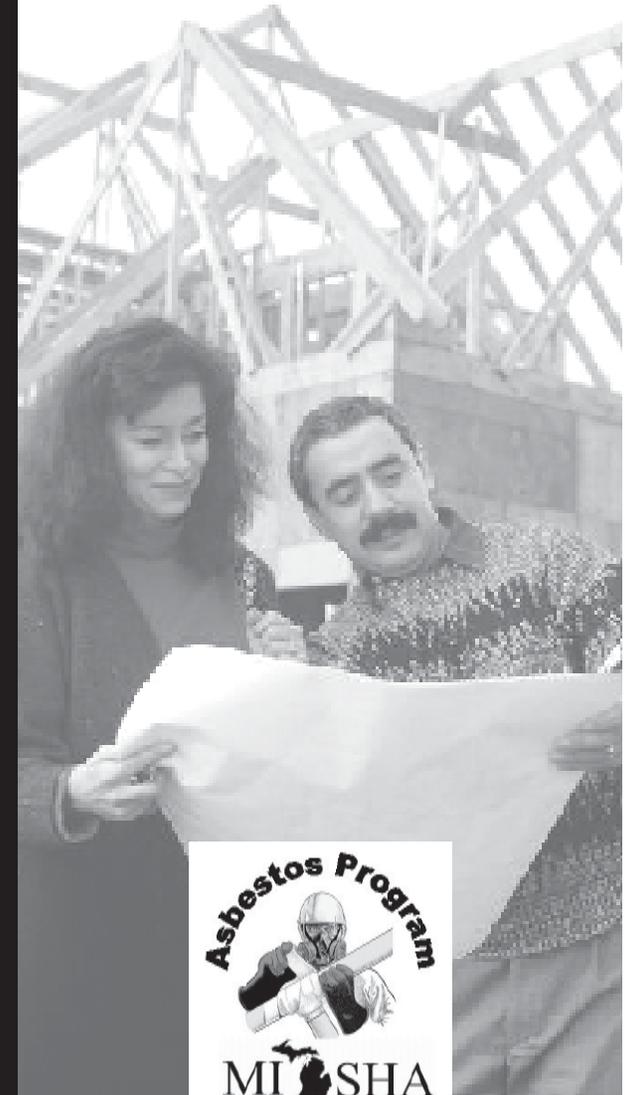
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FORM # MIOSHA-CSH-N14 Lavender



This brochure is provided as a guideline for those exempt from the Act 135 of 1986, as amended (The Asbestos Abatement Contractor Licensing Act).

## Background

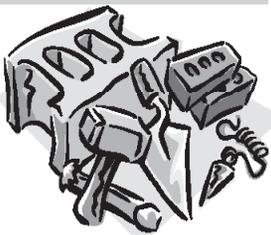
Asbestos is the name of a group of naturally occurring minerals that can separate into microscopic needle-like fibers. The most common of these minerals are *Chrysotile*, *Amosite*, and *Crocidolite*. Once released into the atmosphere, the size and shape of these fibers permit them to remain airborne for long periods of time and thus contaminate the building environment.

If inhaled, these needle-like fibers can cause three specific asbestos-related diseases: *Asbestosis* (a fibrous scarring of the lungs), *Lung Cancer*, and *Mesothelioma* (a cancer of the lining of the chest or abdominal cavity). These diseases do not develop immediately after inhalation of asbestos fibers and typically have a latency period ranging from 15 to 30 years and sometimes as long as 40 to 50 years from first exposure before symptoms appear.

## Asbestos-Containing Materials (ACM)

Asbestos has been used in more than 3,000 different products over the last 100 years primarily because of its thermal insulating, fire retardant, and chemical resistant properties. Some common products in buildings that contain asbestos include but are not limited to pipe insulation, floor coverings, ceiling tile, spray-on insulation, boiler wrap insulation, wall coverings, fire doors, and old electrical wire insulation.

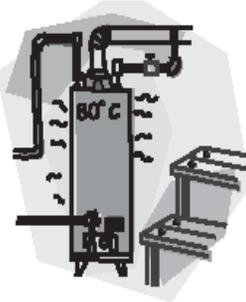
Due to the nature of an exempt trade group's business, employees may perform job duties that encounter asbestos-containing material (ACM).



## Exemption from the Asbestos Abatement Contractor Licensing Act

On February 12, 1990, the state of Michigan enacted Public Acts 2 through 6 (Exempt Trade Group Acts). With Act 2, P.A. 1990, the state of Michigan amended Section 207 of Michigan's Public Act 135 of 1986 (Act 135), to exempt specific licensed trade groups (i.e., electricians, mechanical contractors, plumbers, residential builders, and residential maintenance and alteration contractors) from the asbestos abatement contractor licensing requirements. The exemption only applies if 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 ACM.

Although these licensed trade groups are exempt from the asbestos abatement contractor licensing requirements, it is important to recognize that an exempt trade group could be subject to extensive personal liability if they perform asbestos removal or disturbance activities that are not properly contained to prevent asbestos contamination of a building structure. It must also be emphasized that they have many potential legal obligations under the Michigan Occupational Safety and Health Act (MIOSHA) such as the following:



- Training – All employees performing asbestos abatement must have a 40 or 32-hour accredited asbestos contractor/worker course.
- Communication of Hazards – Before work in areas containing ACM is begun, exempt trade groups must identify the presence, location, and quantity of ACM and/or presumed asbestos-containing material (PACM).
- Work Practices and Procedures – Asbestos abatement projects require proper clothing, respirators, wet methods, a decontamination area, and prompt disposal.
- Air Monitoring – Every asbestos abatement project requires personal air monitoring.
- Project Notification/Fee Requirements – Act 135

requires all licensed asbestos abatement contractors and exempt trade groups to notify the MIOSHA Asbestos Program of any asbestos abatement project greater than 10 linear feet or 15 square feet of friable ACM and include a 1% project notification fee.



Acts 3 through 6 of 1990 amended Act 135, and granted the authority to the licensing boards of the electricians, mechanical contractors, plumbers, residential builders, and residential maintenance and alteration contractors to revoke or suspend these trade licenses for violations of the Asbestos Abatement Contractors Licensing Act.

In conclusion, exempt trade groups encountering ACM have two options:

1. Receive asbestos awareness training; avoid touching, disturbing, or removing ACM when encountered; and have a licensed asbestos contractor perform the abatement.
2. Receive the 40-hour accredited asbestos contractor training to perform asbestos abatement activities, and comply with the state and federal rules and regulations regarding ACM.

***Failure on an exempt trade group'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.***

## What should an exempt trade group do if the building doesn't have an asbestos survey?

If the building owner does not have a survey, an option for the exempt trade group 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 exempt trade group to continue their activities in the building. However, please

