

Massachusetts Department of Labor Standards

New England Region and NEHA Affiliates

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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

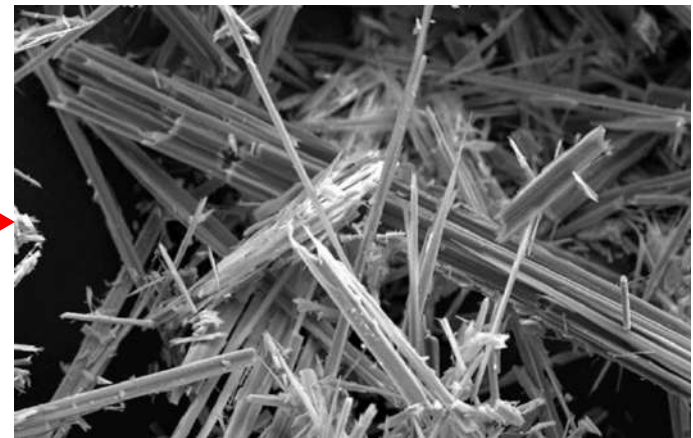
What is asbestos?

- Asbestos is a natural mineral (6 types)
 - Cheap, durable, heat and chemical resistant
 - For a long time considered a “miracle”
 - At the height of its use, asbestos could be found in over 3,000 consumer products.



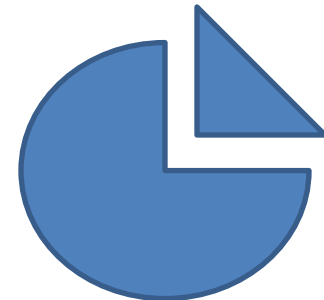
What is the health hazard?

- When inhaled or ingested, the microscopic asbestos fibers work their way into the lining of the lungs, abdomen or heart. Over a period of 10 to upwards of 50 years, the fibers can cause inflammation and scarring, which can develop into mesothelioma or other diseases.



Asbestos Regulations, 453 CMR 6.00

- DLS is responsible for the regulation of occupational asbestos exposure in the Commonwealth.
 - Worksite visits
 - License asbestos operations
 - Provides oversight of labs and training providers
 - Assists with technical information.
- DLS regulates when work is being done that disturbs, or could disturb, asbestos.
 - Worker health
- DEP regulates it everywhere else.
 - Public health and environment



Asbestos Licensing

- On an asbestos abatement job everyone has to have training AND a DLS license.
 - At least one supervisor ON SITE.
 - Anyone else handling asbestos has to have training and a DLS license of some kind.



Asbestos Inspections

- Pre-Demolition
 - DEP Requirement
- Final Clearance
 - Visual
 - Vigorous air sample





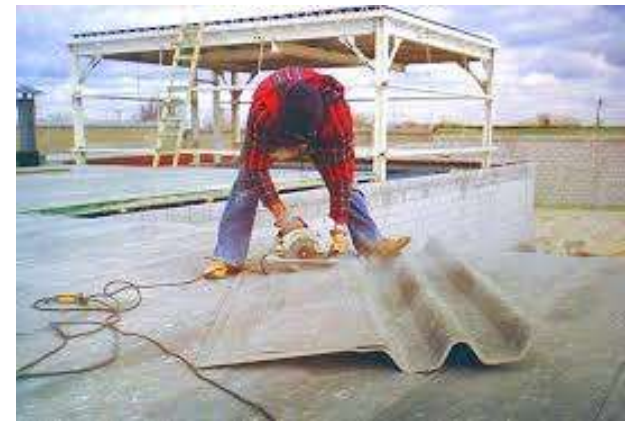
Friability



- Asbestos-Containing Material (ACM) - Any material containing more than one percent asbestos (>1%).
- Friable - Any material which, when dry, may be crumbled, pulverized or reduced to powder by hand pressure.
- Non-Friable – Anything else with asbestos. Building materials typically include, but are not limited to: asbestos cement pipe, sheathing siding and shingles; vinyl asbestos building materials, such as floor tiles.

Why Friability Matters

- If the material is friable or made friable then there is a risk to the workers, residents, building occupants and general public of breathing in asbestos particles.
- Non-friable does NOT mean safe.
 - Cutting, grinding, sanding, breaking etc... can make non-friable asbestos friable and airborne.



When to contact DLS

- Health Department and Inspectional Services are vital partners in stopping asbestos exposure.
 - First responders to illegal and improper work practices.
- Regardless of friability, contact DLS any time work on asbestos containing material is creating dust, being broken, scraped, sheared, or otherwise damaged.
- If you encounter any unlicensed personnel (asbestos workers/supervisors/project monitors/inspectors) during an active abatement.
- Also contact DLS any time you receive a complaint regarding a possible asbestos violation
- Call: 617-626-6960

Asbestos in Schools



- Under authority delegated by the United States - Environmental Protection Agency, DLS administers and enforces the Asbestos-Containing Materials in Schools Rule, **40 CFR 763, Subpart E**, commonly known as the **Asbestos Hazard Emergency Response Act** (“AHERA”).
- AHERA requires that schools:
 - Inspect buildings that they own, lease or rent for asbestos-containing building materials (“ACBMs”);
 - Create and execute written plans for managing ACBMs in a manner that minimizes asbestos exposure hazards;
 - Abate asbestos hazards that cannot be controlled through operations and maintenance (“O&M”) procedures;
 - Carry out certain recordkeeping and notification functions; and
 - Ensure that the mandatory elements of a management plan are present.

Vermiculite/Zonolite Attic Insulation

- Vermiculite is harmless, but 70% pre-1990 is contaminated with asbestos
- If there is Zonolite insulation, the Environmental Protection Agency recommends that you:
 - Do not store boxes or other items in your attic if it contains vermiculite insulation.
 - Do not allow children to play in an attic with vermiculite insulation.
 - Do not attempt to remove the insulation yourself.
 - Hire a professional asbestos contractor if you plan to remodel or conduct renovations that would disturb the vermiculite.



Zonolite Attic Insulation Trust

- Eligible claimants will be reimbursed only for costs to remove Zonolite and reinsulate.
- Claimants must prove their eligibility by opening a claim and submitting a sample of the Zonolite.
- The ZAI Trust will have the sample analyzed to determine if the sample is Zonolite. The analysis does not test for the presence of asbestos.
- Trust provides reimbursement of up to 55% of a total maximum bill of \$7,500 for abatement and re-insulation.

Lead Safe Renovation (LSR)

- Regulations are applicable under following conditions:
 - Home/residential building built before 1978
 - Child occupied facility, including preschools and kindergartens built before 1978
 - When disturbing greater than six square feet of painted surfaces in a room for interior projects, more than twenty square feet of painted surfaces for exterior projects, any window replacement projects or any projects resulting in the demolition of painted surfaces.
- Not Deleading
 - Not intended for Letter of Compliance (LOC).
 - No notification or inspection required



Roles of DLS and DPH

- DLS – worker health
 - Site work, active renovation, clean up, or any recent work
- DPH – child health (under 6)
 - No such restrictions



LSR Licensing

- Licensed firm and only need one supervisor
 - Supervisor trains workers
- No special waste stream like asbestos
- Visual clearance only



When to call DLS

- If building meets criteria, and
- If you see paint chips or painted surface debris during renovation, or
- Power sander, pressure washer or other tool creating dust or chips is being used, or
- Anytime you receive a complaint regarding possible lead paint violations.
- Call 617-626-6960