



From the Director...

I am pleased to announce that AMA has joined the social media revolution. Social media uses Internet and web-based technologies to transform broadcast media monologues (one-to-many) into social media dialogues (many-to-many). That is our intent. We hope to bring together our clients, colleagues, and friends to a forum that shares information and ideas about the environmental, health and safety industry. Our postings will be meaningful, informative and inquisitive. As of today, you can join AMA's social media revolution by:

twitter



- Following AMA on Twitter at <http://twitter.com/aerosol1>, and/or

facebook

- Becoming a fan of AMA on Facebook by searching Aerosol Monitoring & Analysis.

As the revolution grows, so will our involvement. Where there is the ability for you to interact with our social media website, we ask for your thoughtful insights and comments and, of course, respect.

Hope you have a fantastic holiday season and we'll be talking to you out on the web.

Sincerely,

E. Rush Barnett, CSP, CIH
Director of Training

New DC Lead Law Update...Hold On Tight

The new District lead law became effective in April, 2009. This legislation completely changes the legal landscape for lead poisoning prevention in the District of Columbia and establishes the conditions for an unprecedented level of protection for District residents against lead exposure.

The presence of a Lead-Based Paint Hazard in residential property and child-occupied facility built before 1978 is a violation of the law. Lead-based paint hazard means any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, or deteriorated lead-based paint. The new law establishes that any paint in or on a pre-1978 residential property or child-occupied facility (including daycares, kindergartens, or preschools that host children under the age of 6 on a regular basis) is now presumed to be lead-based paint. *This means that any paint in or on such a property that is not in intact condition is automatically considered to be a lead-based paint hazard!*



In addition, the new law focuses on workers who disturb paint during the course of their renovation, repair, or painting work. These workers must be trained and certified in accordance with the new EPA RRP Rule.

Inspection by the District. With the new lead law, the District can now inspect whenever there is a “reasonable belief” that lead-based hazards may be present in affected properties. The “reasonable belief” can be based on anything ranging from a complaint that there is peeling paint in one of these pre-1978 properties, to knowledge that a particular neighborhood contains a fair amount of poorly maintained housing.

Rental Housing. The new law also impacts pre-1978 rental housing when a change of occupancy occurs. There are two different sets of requirements. The first requirement is a disclosure requirement whereby affected owners must use the new DDOE disclosure form. This is in addition to the traditional disclosure requirements pertaining to the presence of lead-based paint or lead-based paint hazards.

The second requirement has to do with the production of a “clearance report” issued by a risk assessor, inspector technician, or dust sampling technician when there is a change of occupancy.

Enforcement. Whenever a District inspector finds deteriorated paint in an affected property, *it will be treated as a lead-based paint hazard*, and a Notice of Violation will be issued requiring elimination of the hazard. For contractors, if they disturb paint and fail to use lead-safe work practices while doing so, they will be issued a Cease and Desist Order and a Notice of Violation.

October 2009 MDE published Asbestos 101

Maryland notification for asbestos in residential properties

The other day, we asked a contractor, who will remain anonymous, why he hadn't notified us of the abatement of some friable pipe insulation in somebody's basement. "Didn't have to" he said, "it was below NESHAP." Two problems, NESHAP doesn't apply to single family private residences, no matter how much or how little asbestos is involved. Second, COMAR does apply no matter how much or how little asbestos. So, "Yes", we do have to be notified; it's a requirement, not a "courtesy".

Renovation, Repair and Painting (RRP) Program Update (Don't Miss the Deadlines)

The April 22, 2010 deadline for full compliance with the RRP Rule is rapidly approaching. Under the rule, beginning in April 2010, contractors performing renovation, repair and painting projects that disturb paint in homes and child-occupied facilities built before 1978 must be EPA-certified and must follow specific work practices to prevent lead contamination. Effective December 22, 2008 persons performing renovations in affected housing or child-occupied facilities must provide the EPA *Renovate Right* brochure to the owners and occupants before beginning renovations.

Anyone who is paid to perform work that disturbs more than 6 square feet of paint per room inside, or more than 20 square feet on the exterior, must follow the RRP Rule requirements. General contractors, painters, plumbers, carpenters, electricians, and residential rental property owners/managers are all affected by this rule.

AMA has received approval from EPA to conduct the required EPA Renovator course. It is a 1-day course that is mandated by EPA. At this time, Maryland, Virginia and D.C. are working on getting their state approvals.

PCBs IN CAULK Cleanup, Removal, and Disposal

EPA has learned that caulk containing polychlorinated biphenyls (PCBs) was used in many buildings, including schools, constructed or renovated between 1950 and 1978.

PCBs are man-made chemicals that persist in the environment and were widely used in construction materials and electrical products prior to 1978. PCBs can affect the immune system, reproductive system, nervous system and endocrine system, and are potentially cancer-causing if they build up in the body over long periods of time.

Caulk containing PCBs at levels greater than, or equal to, 50 ppm is not authorized for use under the PCB regulations and must be removed. Caulk containing PCBs at levels less than 50 ppm may remain in place. Also, PCBs in caulk are known to contaminate adjacent building material (e.g., masonry, wood, concrete) and soil surrounding the building. Any surrounding building material that is contaminated by PCB-containing caulk, such as through leaching of PCBs, is considered PCB remediation waste and must be cleaned up using 40 CFR 761.61.

When disposed, the caulk must be managed as *PCB bulk product waste*, as defined at 40 CFR 761.3. Building materials that are coated with PCB-containing caulk must also be managed as *PCB bulk product waste*. The disposal of this waste is regulated under 40 CFR 761.62.

What to do if you're the building owner? Consider the impact of renovation activities if caulk is involved and consider having the caulk, sampled and analyzed for PCBs.

What to do if you're a contractor? Consider some specialized training for your works who may be disturbing and/or removing caulk. OSHA requires worker's have training and take protective measures when handling PCBs.



OSHA Proposing HCS Modification to Become Global (SDSs Will Replace MSDSs)

OSHA has been talking about it and is finally proposing to modify the Hazard Communication Standard (HCS) to conform with the United Nations' (UN) Globally Harmonized System of Classification and Labeling of Chemicals (GHS). OSHA has made a determination that the proposed modifications will improve the quality and consistency of information provided to employers and employees regarding chemical hazards and associated protective measures.

A number of countries, including the U.S., and international organizations participated in developing the GHS to address inconsistencies in hazard classification and communications. The GHS was developed to provide a single, harmonized system to classify chemicals, labels and safety data sheets. Under the GHS, labels would include signal words, pictograms, and hazard precautionary statements. Additionally, information on safety data sheets (SDS) would be presented in a designated format. The term Material Safety Data Sheets, or MSDS, will no longer be used.

"The proposal to align the hazard communication standard with the GHS will improve the consistency and effectiveness of hazard communications and reduce chemical-related injuries, illnesses and fatalities," said Jordan Barab, acting OSHA administrator at deadline.

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