

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

Chapter 21 Control of Asbestos

Authority: Environment Article, Title 2, and Title 6, Subtitle 4, Annotated Code of Maryland

.01 Definitions.

- A. "Asbestos project" means any activity involving the demolition, renovation, or encapsulation of friable asbestos materials.
- B. "Business entity" means a partnership, firm, association, corporation, sole proprietorship, or other business concern.
- C. "Demolition" means the wrecking or taking out of any load-supporting structural member and any related removing or stripping of friable asbestos materials.
- D. "Encapsulate" means to coat, bind, or resurface walls, ceilings, pipes, or other structures to prevent friable asbestos from becoming airborne.
- E. "Friable asbestos material" means any material that contains more than 1 percent asbestos by weight and that can be crumbled, pulverized, or reduced to powder, when dry, by hand pressure.
- F. "License" means any authorization issued by the Department to encapsulate or remove asbestos.
- G. "Maryland Air Management Administration" means that unit of the Department of the Environment responsible for the implementation and enforcement of the State air quality control regulations.
- H. "Negative pressure system" means equipment that ensures that the static pressure in an enclosed work area is lower than that of the environment outside the containment barriers.
- I. "Operations and maintenance (O and M)" means the removal, encapsulation, or disturbance of friable asbestos-containing materials when the amount of material is less than 10 square feet or 20 linear feet and is associated with small repairs or maintenance.
- J. "Person", as defined in Environment Article, §§1-101 and 2-101, Annotated Code of Maryland, includes any business entity or public unit.

K. "Public unit" means:

- (1) Any agency, bureau, department, or instrumentality of State government that is not subject to Executive Order 01.01.1987.22;
- (2) Any agency, bureau, department, or instrumentality of federal or local government;
- (3) Educational institutions that are not subject to Executive Order 01.01.1987.22; and
- (4) Any public, quasi-public, or municipal corporation.

L. "Renovation" means the removal or stripping of friable asbestos materials used on any pipe, duct, boiler, tank, reactor, turbine, furnace, or structural member. Operations in which load-supporting structural members are wrecked or taken out are excluded.

M. "Structural member" means any load-supporting member, such as beams and load-supporting walls, or any nonsupporting member, such as ceilings and nonload-supporting walls.

N. "Supervisor" means an individual responsible for:

- (1) Asbestos abatement project planning, oversight, or contracting; or
- (2) Directing the work of others involved in asbestos abatement work.

O. "Three stage decontamination station" means a series of three enclosures consisting of a:

- (1) Clean room;
- (2) Shower room; and
- (3) Contaminated room for removal of disposable clothing and storage of contaminated equipment.

P. "Worker" means an individual actually involved in the removal or encapsulation of friable asbestos material and who will come into contact with friable asbestos.

.02 Applicability.

A. Regulations .03, .06, .07, and .08 of this chapter apply to any person who performs or intends to perform an asbestos project within Maryland.

B. Regulations .04, .05, and .09—.12 of this chapter apply only to any business entity or public unit which performs or intends to perform an asbestos project within Maryland.

C. Regulation .13 of this chapter applies to any person applying for approval of a course on the health and safety aspects of asbestos demolition, renovation, and encapsulation.

D. If a provision of Regulation .06 of this chapter conflicts with a requirement under a National Emission Standard for a Hazardous Air Pollutant (NESHAP) in COMAR 26.11.15.02, the NESHAP requirement takes precedence.

E. Request for Determination of Applicability.

- (1) A person may request that the Department determine whether a project is an asbestos project subject to this chapter. The Department will make the determination in writing not later than 30 days after it has received a written request describing the asbestos-containing materials, the proposed project, and the person.
- (2) An erroneous determination by the Department that a project is not subject to this chapter relieves a person from the requirements of this chapter only to the extent that the Department was provided with the appropriate information to make a correct determination.

.03 Notification.

A. NESHAP Sources. A person who intends to engage in an asbestos project which is a NESHAP source shall notify the Maryland Air and Radiation Management Administration (ARMA) in writing in accordance with the requirements of 40 CFR Part 61. Notifying ARMA does not relieve a person of the obligation to also notify the U.S. Environmental Protection Agency, Region III office.

B. Encapsulation. A person who intends to engage in an asbestos project which will include encapsulation of more than 160 square feet or 260 linear feet of asbestos shall notify the Maryland Air and Radiation Management Administration in writing as soon as possible before the project begins.

C. All Other Asbestos Projects.

(1) Any business entity or public unit licensed under this chapter, performing an asbestos project which is not subject to §A, B, or D of this regulation, shall notify the Maryland Air Management Administration in writing before beginning the project.

(2) The notification in §C(1), of this regulation, shall consist of:

- (a) The location of the removal or encapsulation work;
- (b) The approximate amount of asbestos or asbestos-containing materials to be removed or encapsulated; and
- (c) The scheduled start and completion date of the asbestos project.

D. Asbestos projects which meet the definition of operations and maintenance (O and M) are not required to notify the Maryland Air Management Administration.

04 License Requirement.

A business entity or public unit may not engage in any asbestos project unless it is licensed by the Department under this chapter.

.05 Worker Protection Requirements.

A. Respiratory Protection Program. A business entity or public unit, before it engages in any asbestos project, shall prepare a written respiratory protection program as defined in MOSH regulations at 29 CFR Part 1910.134 and make the program available to the Department and workers at the job site.

B. Physical Examination. The business entity or public unit shall ensure that each worker and supervisor who will be involved in an asbestos project has been examined within the preceding year and has been declared by a physician to be physically capable of working while wearing a respirator.

C. Training.

(1) The business entity or public unit shall ensure that each worker or supervisor of the business entity or public unit who will come in contact with friable asbestos or will be responsible for an asbestos project, except operations and maintenance (O and M), receives the following training:

(a) An initial course approved by the Department, consisting of 24 hours of instruction for workers or 32 hours of instruction for supervisors, completed before engaging in any asbestos projects; and

(b) An annual review course approved by the Department.

(2) The business entity or public unit shall ensure that workers and supervisors responsible for operations and maintenance (O and M) complete:

(a) A training course of at least 6 hours duration; and

(b) An annual review course of at least 4 hours duration.

D. Protective Clothing and Equipment. The business entity or public unit shall provide workers and supervisors exposed to an asbestos environment with protective clothing and equipment including the items listed below and ensure that workers and supervisors involved in any asbestos project use the items:

(1) Disposable clothing, including hair cover and foot covers, which reasonably prevents asbestos fibers from reaching the body; and

(2) Respirators approved by the National Institute of Occupational Safety and Health (NIOSH) and, at a minimum, capable of being qualitatively fit tested using positive and negative methods.

E. No Smoking, Eating, or Drinking. The business entity or public unit shall ensure that there is no smoking, eating, or drinking in the work area.

F. A business entity or public unit shall ensure that a supervisor is present at any project subject to NESHAP.

G. Alternative Procedures. The Department may, on a case-by-case basis, approve an alternative to a worker protection requirement in §§A—E for an asbestos project provided that the business entity or public unit submits the alternative procedure to the Department in writing and demonstrates to the satisfaction of the Department that the proposed alternative procedure provides equivalent worker protection and is in compliance with EPA, NESHAP, and OSHA worker protection rules.

.06 Control of Emissions from an Asbestos Project Subject to NESHAP.

A. Signs.

(1) Danger Signs. A person engaged in an asbestos project that is a NESHAP source shall display 20-inch by 14-inch danger signs wherever airborne asbestos fibers may be present, in accordance with Regulation 29 CFR Part 1926.58.

- (2) Project Notification Signs. A business entity or public unit planning an asbestos project that is a NESHAP source shall also comply with the following:
 - (a) Except in emergency situations and except as provided in §A(3), of this regulation, at least 3 days before removing or encapsulating asbestos, post the signs required by §A(4), of this regulation immediately outside all entrances to and exits from the work site or asbestos project to inform the public in the immediate vicinity that asbestos abatement will be performed; and
 - (b) Keep the signs required by §A(4), of this regulation, posted until the Maryland Air and Radiation Management Administration receives the written notice of final air monitoring results required under §B(3)(f) of this regulation.
- (3) Utility companies are not required to post signs 3 days before removing or encapsulating asbestos at a work site or asbestos project, but shall comply with any federal requirements regarding the posting of signs.
- (4) Notice of Asbestos Project signs required by §A(2)(a) of this regulation shall display the following language with letter sizes and styles of type at least equal to those specified in this subsection:
 - (a) The following is an example of the Notice of Asbestos Project sign:

NOTICE OF ASBESTOS PROJECT

Pursuant to Environment Article, §6-414.1, Annotated Code of Maryland, and COMAR 26.11.21.06A(4), notice is hereby given that an asbestos project is planned for this area. The work will commence on _____ and is expected to be completed on _____.

Contractor: _____ Owner: _____

This notice is required to be posted 3 days in advance on all asbestos projects which exceed 160 square feet or 260 linear feet of friable asbestos material.

Date of Posting: _____

Problems or complaints concerning this work may be referred to Maryland Air and Radiation Management Administration, (410)631-3200.

(b) Printing Requirements — Type Sizes and Fonts.

- (i) The heading "Notice of Asbestos Project" shall be printed in 1 inch sans serif type, gothic or block.
- (ii) Lines two through ten of the "Notice of Asbestos Project" sign shall be printed in 24 point sans serif type, gothic or block.
- (iii) The "Date of Posting" shall be printed in 24 point sans serif type, gothic or block.
- (iv) The sentence beginning "Problems or complaints" shall be printed in 18 point sans serif type, gothic or block.

B. Any Asbestos Project That Is a NESHAP Source. A person engaged in an asbestos project in which 260 feet (80 meters) or more of pipe covered or coated with asbestos materials are stripped or removed, or 160 square feet (15 square meters) or more of asbestos materials used to cover or coat any duct, boiler, tank, reactor, turbine, or structural member are stripped or removed, shall comply with the following:

- (1) Use plastic sheeting 6 mils thick or equivalent. Use either duct tape or equivalent waterproof tape.
- (2) Wet asbestos materials to be removed with a solution containing a surfactant which significantly reduces interfacial surface tension of water or penetrates friable asbestos materials such that the material is wet thoroughly and remains wet during the removal process to minimize dust.
- (3) Use the following cleaning and air monitoring procedures:
 - (a) If a building or structure is to be completely demolished, after removing any asbestos materials, clean the work area until no residue or asbestos material is visible.
 - (b) During any other asbestos project subject to this section, after removing any asbestos materials, and before removing any plastic barriers separating the site from the rest of the building or any plastic barriers covering vents, windows, doors, or entries to the work site:
 - (i) Clean all surfaces in the work area using the water and surfactant solution prescribed in §B(2) of this regulation;
 - (ii) When the surface has dried, vacuum any remaining dry residue on all surfaces using a vacuum equipped with a high efficiency particulate air (HEPA) filter; and
 - (iii) Repeat the sequence of wet mopping and vacuuming until no residue is visible and the measured airborne concentration of asbestos fibers longer than 5 microns is less than 0.01 fibers per cubic centimeter (8-hour time-weighted average) using the procedures specified in §B(3)(c)—(e), of this regulation.
 - (c) Conduct air monitoring required by §B(3)(b)(iii), of this regulation, using procedures specified in NIOSH Analytical Method #P&CAM 239, Asbestos Fibers in Air (February, 1979) which is incorporated by reference, or equivalent. When clearance monitoring by transmission electron microscopy is elected, the protocol outlined in the U.S. EPA Asbestos Hazard and Emergency Response Act (AHERA) rules in 40 CFR Part 763 shall apply, including the application of the "Z" test.
 - (d) Also, for air monitoring required by §B(3)(b)(iii), of this regulation, take sufficient samples to represent asbestos concentrations in the entire work area. Representative sampling shall require at least:
 - (i) One sample in every room; and
 - (ii) At least one sample for every 50,000 cubic feet or 5,000 square feet of floor area, whichever requires more samples.
 - (e) Within 24 hours after receiving final written monitoring results, submit to the Department a record of the air monitoring required by §B(3)(b)(iii) of this regulation. The record shall indicate the asbestos concentration monitored in the work area after it is cleaned and before barriers are removed.
- (4) To minimize airborne asbestos dust inside enclosures, use negative pressure systems which meet the following:
 - (a) The exhaust air passes through a High Efficiency Particulate Air (HEPA) filter;

(b) The air flow is such that a complete change of air occurs in the enclosed area at least once every 15 minutes; and

(c) When practical, the negative pressure systems are vented to the outside air.

C. Demolition. A person subject to §§A and B, of this regulation, and engaged in demolition shall also comply with the following:

- (1) Before beginning any demolition project, cover all windows, doors, and other openings with plastic sheeting and seal with tape;
- (2) Use a negative pressure system described in §B(4) of this regulation;
- (3) If a structure or building is to be partially demolished, construct a barrier of plastic sheeting sealed with tape to prevent asbestos from entering any portion of the structure or building not to be demolished, and seal ducts, including air conditioning and heat ducts, before wetting and removal;
- (4) Wet all components that contain or may contain asbestos before stripping the asbestos;
- (5) Wet the structure and components as necessary to assure that the asbestos material to be stripped remains wet during removal, loading, and transportation; and
- (6) For structural members and components from which asbestos will not be stripped, wet the asbestos at the cut points and remove this wet asbestos before cutting and removing the structural member or component.

D. Renovation. A person subject to §§A and B, of this regulation, and engaged in renovation shall also comply with the following:

- (1) Before beginning any renovation project, remove all movable objects from the work area and cover the nonmovable objects with plastic sheeting taped securely in place. Cover floors, other large areas such as walls, and all windows in the work area with plastic sheeting sealed with tape. Shut down all forced-air ventilation to the work area and seal exhaust and intake ducts.
- (2) Construct double barriers of plastic sheeting at all entrances and exits to the work area. Construct double barriers at entrances to a separate three-stage decontamination station with the work area to be used for removal of contaminated protective clothing and for storage of contaminated items and tools. Also provide a separate clean room where workers obtain clean protective clothing and respirators before entering the decontamination area.
- (3) Wet all areas or surfaces that contain or may contain friable asbestos before removal. Ensure that the asbestos-containing materials remain wet during the removal process.
- (4) Not use the glove bag technique on projects subject to NESHAP.
- (5) Ensure that all persons not involved in the asbestos project are out of the area before beginning abatement.

E. Exemptions.

- (1) The Department may, on a case-by-case basis, approve an alternative procedure for control of emissions from an asbestos project provided that the person submits a written description of the alternative procedure to the Department and demonstrates to the satisfaction of the Department that compliance with the prescribed procedures is not practical or not feasible, or that the proposed alternative procedure provides equivalent

control of asbestos. The Department, following its review, may approve an alternative procedure if it determines that it will minimize the emissions of asbestos into the air. The Department shall respond to a written request within 10 working days of receipt of the request.

(2) A person may not be exempt from the requirements of 40 CFR Part 61, except as provided there.

.07 Control of Emissions from Any Other Asbestos Project.

A. Any Asbestos Project That Is Not a NESHAP Source. A person engaged in any other asbestos project not subject to Regulation .06 shall take reasonable precautions to prevent asbestos from becoming airborne, including:

- (1) Removing all friable asbestos before any demolition project;
- (2) Wetting any asbestos (except asbestos to be encapsulated) as described in Regulation .06B(2) of this chapter;
- (3) Isolating and containing asbestos that is to be removed or encapsulated;
- (4) Using other appropriate work practices to minimize the dispersal of particulate asbestos;
- (5) Leaving no visible residue of asbestos after completing the project; and
- (6) Posting "Danger" signs at entrances where asbestos is to be removed.

B. Exemptions. The Department may, on a case-by-case basis, approve an alternative procedure for control of emissions from an asbestos project provided that the person submits a written description of the alternative procedure to the Department and demonstrates to the satisfaction of the Department that compliance with the prescribed procedures is not practical or not feasible, or that the proposed alternative procedure provides equivalent control of asbestos. The Department, following its review, may approve an alternative procedure if it determines that it will minimize the emissions of asbestos into the air. The Department shall respond to a written request within 10 working days of receipt of the request.

.08 Waste Disposal.

A. Containing Asbestos Waste. A person who engages in or has engaged in an asbestos project shall comply with the following:

- (1) Deposit all asbestos waste, including sealing tape, plastic sheeting, mop heads, sponges, filters, and disposable clothing, in plastic bags of at least 6 mils thickness and seal the bags.
- (2) Clearly label the bags and any structural components wrapped in plastic as required in §A(3), of this regulation, as asbestos waste. In addition to any label required by 29 CFR Part 1910 or 40 CFR Part 61, affix a label including the following information:
 - (a) The number of the person's license to remove or encapsulate asbestos; and
 - (b) The date the bag was sealed.

- (3) If large structural members containing asbestos cannot be bagged or placed in containers, wrap them in 6 mil plastic, and tape the plastic closed and label them as required in §A(2), of this regulation, before transporting them to the disposal site.
- (4) Ensure that asbestos waste is segregated from other waste and kept in a secure area or securely locked containers.

B. Removing Asbestos Waste from the Project Site. A person who engages in or has engaged in an asbestos project shall comply with the following:

- (1) Remove asbestos waste from the site of an asbestos project that is not subject to 40 CFR Part 61 not later than 24 hours after completing the asbestos renovation, demolition, or encapsulation project;
- (2) Remove asbestos waste from the site of an asbestos project that is subject to 40 CFR Part 61 not later than 7 days after completing the asbestos renovation, demolition, or encapsulation project;
- (3) After removing asbestos waste from the site of an asbestos project, dispose of the asbestos waste as provided in §D, of this regulation, or comply with interim storage requirements under §C, of this regulation.

C. Interim Storage.

- (1) A person may not store asbestos waste unless:
 - (a) The person is licensed by the Department under this chapter;
 - (b) Less than 20 cubic yards of asbestos waste is stored;
 - (c) The asbestos waste is enclosed in rigid containers which are kept in a secure area; and
 - (d) The person has submitted a written application for and received Departmental approval under §C(2), of this regulation.
- (2) The Department will incorporate any approval for interim storage of asbestos waste in the license granted under this chapter and may include reasonable conditions to ensure that the stored asbestos does not become a threat to the public health.

D. Transport and Disposal. A person who engages in or has engaged in an asbestos project shall comply with the following:

- (1) Transport and dispose of asbestos waste in a manner to prevent asbestos from becoming airborne. A person may not transport asbestos waste in an open vehicle.
- (2) If disposing of asbestos waste within the State, use a disposal facility authorized by the Department for that purpose.
- (3) Within 10 days after disposal of asbestos waste, submit to the Department a copy of the disposal receipt or record of appropriate disposal showing the disposal facility and date.

.09 Records.

- A. Each licensed business entity or public unit shall maintain records of all asbestos projects which it performs, and shall make these records available to the Department upon request. The business entity or public unit shall retain the records for at least 6 years.
- B. The business entity or public unit shall record the following information for each project:
- (1) Name and address of supervisor responsible for the project;
 - (2) The location and description of the project, and the estimated amount of asbestos removed or estimated area encapsulated at each project;
 - (3) Starting and completion dates;
 - (4) Summary of the procedures used to comply with applicable requirements; and
 - (5) Name and address of the waste disposal site where the asbestos waste was deposited.

.10 License Application.

- A. To apply for or to renew a license, a business entity or public unit shall:
- (1) Submit a completed application to the Department on forms provided by the Department; and
 - (2) Except for public units, pay the fee in §B, of this regulation, by certified check made payable to the Department of the Environment Clean Air Fund.
- B. Application Fee.

Number of Employees to be Engaged in Asbestos Projects	License Fee
2 or less	No fee
3 or more	\$625

.11 Action on an Application.

- A. Within 30 days after receiving an application, the Department will acknowledge receipt of the application and, within 15 working days after acknowledgment, will notify the applicant of any deficiency in the application. Within 60 calendar days after receiving a completed application, including all additional information requested by the Department, the Department will issue a license or deny the application.
- B. Denial.
- (1) The Department will deny an application if it determines that the applicant has not demonstrated the ability to comply fully with applicable requirements, procedures, and standards established by the:
 - (a) Department in this chapter;
 - (b) U.S. Environmental Protection Agency in 40 CFR 61; and

(c) Maryland Occupational Safety and Health Program in 29 CFR §§1910.134 and 1926.58.

(2) If the Department denies a license, the Department will return to the applicant the application fee, less \$25.

(3) The Department will send the denial of an application by certified mail. The applicant may request a hearing within 10 days after receipt of the certified mail. If it receives a timely request, the Department will hold a hearing in accordance with State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

C. Conditions and Generic Alternative.

(1) In granting a license, the Department may impose reasonable terms and conditions to ensure continuous compliance with the requirements of this chapter.

(2) In granting a license, the Department may approve an alternative procedure for controlling emissions from a specified type of asbestos project provided that the following conditions are satisfied:

(a) The business entity or public unit submits in writing a specific, detailed description of the type of asbestos project and the alternative procedure;

(b) The business entity or public unit demonstrates to the satisfaction of the Department that compliance with a procedure prescribed in Regulation .06, .07, or .08 of this chapter is not practical or not feasible or that the proposed alternative procedure provides equivalent control of asbestos; and

(c) The Department determines that compliance with the proposed alternative procedure will minimize the emission of asbestos into the air.

.12 Duration, Renewal, and Transferral of a License.

A. Unless the Department revokes or suspends a license, the license shall remain in effect for 1 year from the date of issuance. Subject to the hearing provisions of Environment Article, §6-415 et seq., Annotated Code of Maryland, the Department may suspend or revoke any license if it determines that a licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license; or

(2) Fails at any time to meet the qualifications for a license or any requirement, procedure, or standard established by the Department in this chapter.

B. The Department may renew a license annually if the business entity or public unit:

(1) Submits a completed application for a renewal on forms provided by the Department not sooner than 90 days and not later than 30 days before the license expires;

(2) Except for public units, pays to the Department by certified check a renewal application fee as specified in Regulation .10B of this chapter; and

(3) Has complied fully with all applicable requirements.

C. A license to remove or encapsulate asbestos is not transferrable.

.13 Health and Safety Training.

- A. Application for Approval of a Training Course. A person may apply for approval of a course on the health and safety aspects of asbestos demolition, renovation, and encapsulation for purposes of Regulation .05C of this chapter by submitting a written application on forms provided by the Department.
- B. Criteria for Initial Course. In order to obtain or retain Department approval, a person sponsoring a course shall substantially satisfy the following criteria:
- (1) Provide a core of 24 hours of instruction reflecting state-of-the-art information on the following topics for supervisors and workers:
 - (a) Recognition of asbestos, including its characteristics and uses;
 - (b) Health hazards, including the relationships between asbestos exposure, smoking, and diseases;
 - (c) Worker protection, including respiratory protection, protective clothing, safety equipment, air monitoring, medical surveillance, and personal hygiene;
 - (d) Work practices, including area preparation, decontamination, and waste disposal;
 - (e) A detailed description of respirators and their use and care, including the degree of protection afforded, fitting and testing procedures, and maintenance and cleaning, and including the following:
 - (i) Airline respirators;
 - (ii) Powered air purifying respirators;
 - (iii) Negative pressure respirators; and
 - (iv) Adjunct equipment for these respirators;
 - (f) Requirements, procedures, and standards established by the:
 - (i) U.S. Environmental Protection Agency at 40 CFR Part 61, Subparts A and M; and
 - (ii) U.S. Occupational Safety and Health Administration at 29 CFR Parts 1910.134 and 1926.58.
 - (2) Divide training classes into work groups consisting of not more than 6 trainees and provide at least 2 hours of hands-on work practices including respirator care and qualitative fit testing, glove bag techniques, state-of-the-art techniques in asbestos abatement, site preparation, and construction of barriers and decontamination enclosure systems.
 - (3) Provide an additional 8 hours of training beyond the 24 hours core course for those individuals seeking certification as supervisors. The additional 8 hours shall include:
 - (a) A discussion of work site safety including:
 - (i) Working conditions—heat, cold, and rest periods;
 - (ii) Emergency procedures; and

- (iii) Hazards associated with heating, ventilating, air conditioning (HVAC) systems, water, and electricity;
- (b) A discussion of site considerations and preparations including:
 - (i) Confining and minimizing airborne fibers;
 - (ii) Site access; and
 - (iii) Clean-up and disposal, including landfill and transport requirements; and
- (c) Liability, including owners, contractors, consultants, workers' compensation, bonding, omissions, and errors.
- (4) Ensure that instruction is given or supervised by:
 - (a) An industrial hygienist who is at least designated an industrial hygienist in training (IHIT) by the American Board of Industrial Hygiene; or
 - (b) An individual with equivalent education and experience as determined by the Department.
- (5) Maintain lists of students trained, the dates on which training occurred, and students' test scores, and make this information available to the Department within 10 days of completion of the training session.
- (6) Provide an opportunity for students to complete written course evaluations.
- (7) Administer to each student an examination approved by the Department.
- (8) Issue to each student who completes the course and successfully passes the examination with a score of at least 70 percent a certificate of completion containing information required by the Department.
- (9) Provide to the Department a schedule of dates on which training will be conducted. Ensure that the Department receives this notice at least 5 days before the first course date.

C. Criteria for operations and maintenance (O and M) training courses shall substantially satisfy the following:

- (1) Provide at least 6 hours of instruction reflecting state-of-the-art information on the following topics:
 - (a) Recognition of asbestos, including its characteristics and uses;
 - (b) Health hazards, including the relationships between asbestos exposure, smoking, and diseases;
 - (c) Worker protection, including respiratory protection, protective clothing, safety equipment, air monitoring, medical surveillance, and personal hygiene;
 - (d) Work practices, including area preparation, decontamination, and waste disposal;
 - (e) A detailed description of respirators and their use and care, including the degree of protection afforded, fitting and testing procedures, and maintenance and cleaning, and including the following:
 - (i) Air respirators;

- (ii) Powered air purifying respirators;
 - (iii) Negative pressure respirators; and
 - (iv) Adjunct equipment for these respirators;
- (f) Requirements, procedures, and standards established by the:
- (i) U.S. Environmental Protection Agency at 40 CFR Part 61, Subparts A and M;
 - (ii) Maryland Occupational Safety and Health Program at 29 CFR Part 1910.1001 and 1910.134; and
 - (iii) Department in this chapter;
- (2) Provide each student at least 15 minutes of practical instruction in the use of respirators consisting of individual qualitative fit tests, a demonstration of the proper donning and removal procedure, positive and negative fit checks, and an opportunity to use respirators;
- (3) Ensure that instruction is given or supervised by an:
- (a) Industrial hygienist who is at least designated an industrial hygienist in training (IHIT) by the American Board of Industrial Hygiene; or
 - (b) Individual with equivalent education and experience as determined by the Department;
- (4) Maintain lists of students trained and the dates on which training occurred, and make this information available to the Department upon request;
- (5) Provide an opportunity for students to complete written course evaluations;
- (6) Issue to each student who completes the course a certification of attendance containing information required by the Department.

D. Criteria for Review Course. In order to obtain or retain Departmental approval, a person sponsoring a review course shall provide at least 4 hours of instruction adequately addressing the topics in §C(1) of this regulation, and shall substantially satisfy the criteria in §B(2)—(6) of this regulation.

E. Action on an Application for Course Approval.

- (1) The Department will acknowledge receipt of an application within 10 working days after receiving the application.
- (2) The Department will act on an application within 90 days after it is complete.
- (3) The Department will approve a course if the Department determines the course substantially satisfies or will substantially satisfy the criteria in §B or C of this regulation.
- (4) The Department may deny or revoke approval of a course if the Department determines the course does not or will not substantially satisfy the criteria in §B or C of this regulation.

- (5) Courses to be presented by the private sector which are accredited by the U.S. EPA under AHERA for supervisors or workers may be approved provided the training entity provides proof of U.S. EPA accreditation to the Department and receives prior written approval from the Department.
- (6) Training courses presented by one of the U.S. EPA regional training centers and accredited by the U.S. EPA under AHERA for supervisors or workers are approved as meeting the requirements for training programs under this section.

Administrative History

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Regulation .08C amended effective July 16, 1990 (17:11 Md. R. 1345)

Regulation .10 amended effective July 16, 1990 (17:11 Md. R. 1345)

Regulation .10B amended effective August 24, 1998 (25:17 Md. R. 1362); December 21, 2015 (42:25 Md. R. 1547)

Regulation .11A amended effective August 24, 1998 (25:17 Md. R. 1362)

Regulation .11B amended effective July 16, 1990 (17:11 Md. R. 1345)

Regulation .12 amended effective July 16, 1990 (17:11 Md. R. 1345)

Regulation .13 amended effective July 16, 1990 (17:11 Md. R. 1345)

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