

# ***Table of Contents***

## **17.04.05 - ACCREDITATION OF ASBESTOS WORKERS**

000. LEGAL AUTHORITY. ....	2
001. TITLE AND SCOPE. ....	2
002. WRITTEN INTERPRETATIONS. ....	2
003. ADMINISTRATIVE APPEALS. ....	2
004. (RESERVED). ....	2
005. INCLUSIVE GENDER. ....	2
006. SEVERABILITY. ....	2
007. -- 009. (RESERVED). ....	2
010. DEFINITIONS. ....	2
011. PURPOSE AND SCOPE. ....	6
012. (RESERVED). ....	6
013. TRAINING AND EXAMINATIONS. ....	6
014. -- 999. (RESERVED). ....	18

**IDAPA 17  
TITLE 04  
Chapter 05**

**17.04.05 - ACCREDITATION OF ASBESTOS WORKERS**

**000. LEGAL AUTHORITY.**

Pursuant to the provisions of Section 72-508, Idaho Code, the Industrial Commission has the authority to promulgate and adopt reasonable rules for effecting the purposes of the Workers' Compensation Act. (7-1-93)

**001. TITLE AND SCOPE.**

These rules shall be cited as IDAPA 17, Title 04, Chapter 05, "Accreditation of Asbestos Workers," and shall be applicable to asbestos workers employed in projects involving public schools. (7-1-93)

**002. WRITTEN INTERPRETATIONS.**

There are no written statements which pertain to the interpretation of these rules. (7-1-93)

**003. ADMINISTRATIVE APPEALS.**

There are no provisions for administrative appeal of these rules. (7-1-93)

**004. (RESERVED).**

**005. INCLUSIVE GENDER.**

For all sections and subsections of these rules, the terms and references used in the masculine include the feminine and vice versa, as appropriate. (7-1-93)

**006. SEVERABILITY.**

The sections and subsections of these rules are severable. If any rule, or part thereof, or the application of such rule, or the application of such rule to any person or circumstance is declared invalid, that invalidity does not affect the validity of any remaining portion. (7-1-93)

**007. -- 009. (RESERVED).**

**010. DEFINITIONS.**

01. Abatement. Means any act which is intended to reduce, eliminate, encapsulate, or enclose asbestos or asbestos-containing materials. (5-18-92)

02. Accreditation. Means recognition given by the Department in the form of a certificate permitting a person to work in a specified asbestos occupation. (5-18-92)

03. Accessible. When referring to ACM, means that the material is subject to disturbance by school or building occupants or custodial or maintenance personnel in the course of their normal activities. (5-18-92)

04. Air Plenum. Is an air compartment or chamber to which one (1) or more ducts are connected and which forms part of either the supply-air, return-air, or exhaust-air system, other than the occupied space being conditioned. The movement within the plenum may erode any ACM that may exist. (5-18-92)

05. Asbestos. Means asbestiform varieties of chrysotile (serpentine); crocidolite (riebeckite); amosite (cummingtoni-grunerite); anthophyllite; tremolite; and actinolite. (5-18-92)

06. Asbestos Abatement Contractor. Includes any partnership, firm, association, public entity, corporation, or sole proprietorship that contracts to perform the enclosure, encapsulation, or removal of asbestos. (5-18-92)

07. Asbestos Abatement Contractor/Supervisor. Means a person who has been accredited by the Department to serve as the contractor's agent and includes those persons who provide supervision and direction to workers engaged in asbestos abatement. Supervisors may include those individuals with the position title of foreman,

working foreman, or leadman pursuant to collective bargaining agreements. At least one supervisor or the contractor is required to be at the worksite at all times while work is in progress. Asbestos workers must have access to accredited supervisors throughout the duration of asbestos abatement projects. (5-18-92)

08. Asbestos Abatement Project. Means any activity involving the removal, enclosure, or encapsulation of friable asbestos materials that involves more than three (3) linear feet of ACM located on pipes or more than three (3) square feet of ACM from any surfaces. (5-18-92)

09. Asbestos Abatement Project Designer. Means an individual who is accredited by the Department as an Asbestos Abatement Project Designer specifically accredited to formulate plans and write specifications for conducting asbestos abatement projects. (5-18-92)

10. Asbestos Abatement Worker. Means an individual who is accredited by the Department as a certified asbestos worker, in a non-supervisory capacity to clean, handle, repair, remove, encapsulate, enclose, haul, dispose of, or otherwise work with asbestos containing materials. (5-18-92)

11. Asbestos Containing Materials or ACM. Means any material containing more than one (1) percent asbestos by weight. (5-18-92)

12. Asbestos Inspector. Means any individual who is accredited by the Department as an asbestos inspector specifically accredited to identify and assess the condition of ACM. (5-18-92)

13. Asbestos Management Planner. Means any individual who is accredited by the Department as a certified asbestos management planner specifically accredited to assess the hazards of ACM, recommend appropriate response actions and develop management plans. (5-18-92)

14. Asbestos Occupation. Means an Inspector, Management Planner, Asbestos Abatement Project Designer, Asbestos Abatement Contractor/Supervisor, or Asbestos Abatement Worker for an asbestos project. (5-18-92)

15. Asbestos Project. Means a project involving encapsulation, enclosure, removal, repair, renovation, or demolition of friable ACM except the term does not include Small-Scale/Short Duration or Operations and Maintenance projects as determined by the Department. (5-18-92)

16. Assessment. When used in reference to ACM in a building, means any evaluation of ACM or suspected ACM, which determines the need for a response action or Operations and Maintenance. (5-18-92)

17. Certificate. Means the certificate issued by the Department which specifies the asbestos occupation for which a person has been accredited to work within. (5-18-92)

18. CFR. Means the Code of Federal Regulations. (5-18-92)

19. Demolition. Means the wrecking or removal of any load-supporting structural member and any related razing, removing, or stripping of asbestos products. (5-18-92)

20. Department. Means the Department of Labor and Industrial Services. (5-18-92)

21. Emergency Project. Means an asbestos abatement project involving the removal, encapsulation, or enclosure of friable ACM in response to an unexpected fiber release episode. (5-18-92)

22. Encapsulation. Means the application of a liquid material to asbestos containing material in order to control the possible release of asbestos fibers either by creating a membrane over the material surface (bridging encapsulant) or by penetrating into the material and binding its components together (penetrating encapsulant). (5-18-92)

23. Enclosure. Means an airtight, impermeable, permanent barrier around ACM to prevent the release of asbestos fibers into the air. (5-18-92)

24. EPA. Means the Environmental Protection Agency. (5-18-92)
25. EPA Approved Training. Means training courses previously approved by the EPA as listed in the February 28, 1990, Federal Register pursuant to the Model Accreditation Plan of the AHERA regulations in Appendix C, Subpart E, 40 CFR, Part 763. (5-18-92)
26. Employer. Means the public department, agency, firm, or individual which hires an employee. (5-18-92)
27. Friable Asbestos Containing Material. Means any ACM that may be crumbled, pulverized, or reduced to powder by hand pressure when dry and includes any ACM that will become or may reasonably be expected to become friable as a result of recent damage or due to cutting, crushing, grinding, or other activities that may occur during an asbestos abatement project. (5-18-92)
28. Glove Bag. Means a manufactured or fabricated containment device typically constructed of at least six (6) mil transparent polyethylene or polyvinylchloride plastic consisting of two (2) inward projecting long sleeves with gloves attached, an internal tool pouch, and an attached, labeled receptacle for asbestos waste. (5-18-92)
29. HEPA. High-efficiency particulate air means a filtering system capable of trapping and retaining at least ninety-nine and ninety-seven hundredths percent (99.97%) of all monodispersed particles of three-tenths (0.3) micrometer in diameter or larger. (5-18-92)
30. Miscellaneous Material. Means interior building material on structural components, structural members or fixtures, such as floor and ceiling tiles, and does not include surfacing material or thermal system insulation. (5-18-92)
31. NESHAPS. Means the National Emission Standard for Hazardous Air Pollutants (40 CFR Part 61, Subpart M). (5-18-92)
32. Nonfriable. Means material which, when dry, may not be crumbled, pulverized, or reduced to powder by hand pressure. (5-18-92)
33. Notification. Employers subject to this rule must report to the Department: (5-18-92)
- a. At least ten (10) days before they begin any asbestos abatement project, except one that involves less than either three (3) linear feet or three (3) square feet of friable ACM or an emergency project, or a project that can be classified as one that is of Small Scale/Short Duration as is defined in these regulations and 40 CFR Part 763, Appendix B to Subpart E. (5-18-92)
- b. If a report is mailed to the Department, the report must be postmarked at least ten (10) days before the asbestos abatement project begins unless the report is for an emergency project. In such a case, the report must be postmarked as soon as possible but in no case more than forty-eight (48) hours after the project begins. (5-18-92)
- c. Required notifications are to be submitted using forms provided by the Department and must include: (5-18-92)
- i. Name and address of the building owner or manager. (5-18-92)
- ii. Description and location of the building. (5-18-92)
- iii. Scheduled starting and completion dates of ACM removal. (5-18-92)
- iv. Description of the planned removal methods. (5-18-92)
- v. Name, address, and location of disposal site. (5-18-92)

34. Operations and Maintenance Program. Means a program of work practices to maintain friable ACM in good condition, ensure cleanup of asbestos fibers previously released and prevent further release by minimizing and controlling friable ACM disturbance or damage. (5-18-92)
35. OSHA. Means the Occupational Safety and Health Administration. (5-18-92)
36. PCM. Means Phase Contrast Microscopy, an analytical technique used for the counting of fibers no smaller than five (5.0) micrometers in length and fifteen hundredths (0.15) micrometers in width. (5-18-92)
37. Person. Means an individual, partnership, corporation, sole proprietorship, firm, enterprise, franchise, association, state or municipal agency, political subdivision of the state, or any other entity. (5-18-92)
38. Reciprocity. For the purposes of these rules, means the act of recognizing/reciprocating with accreditation requirements of another state in order to satisfy requirements for accreditation purposes under Idaho laws. (5-18-92)
39. Removal. Means the taking out or stripping of asbestos or materials containing asbestos. (5-18-92)
40. Renovation. Means the modification of any existing structure, or portion thereof, where exposure to airborne asbestos may result. (5-18-92)
41. Repair. Means overhauling, rebuilding, reconstructing, or reconditioning of structures or substrates where asbestos is present. (5-18-92)
42. Response Actions. Means a method, including removal, encapsulation, enclosure, repair, or operations and maintenance, that protects human health and the environment from friable ACM. (5-18-92)
43. Sampling Area. Means any area, whether contiguous or not, within a building which contains friable material that is homogeneous in texture and appearance. (5-18-92)
44. Small-Scale/Short Duration Projects. Means activities not to exceed three (3) linear feet or three (3) square feet, that are involving: (5-18-92)
- a. Removal of asbestos-containing insulation on pipes. (5-18-92)
  - b. Removal of small quantities of asbestos-containing insulation on beams or above ceilings. (5-18-92)
  - c. Replacement of an asbestos-containing gasket on a valve. (5-18-92)
  - d. Installation or removal of a small section of drywall. (5-18-92)
  - e. Installation of electrical conduits through or proximate to asbestos-containing materials. (5-18-92)
  - f. Removal of small quantities of ACM only if required in the performance of another maintenance activity not intended as asbestos abatement. (5-18-92)
  - g. Removal of asbestos-containing thermal system insulation not to exceed amounts greater than those which can be contained in a single glove bag. (5-18-92)
  - h. Minor repairs to damaged thermal system insulation which do not require removal. (5-18-92)
  - i. Repairs to a piece of asbestos-containing wallboard. (5-18-92)
  - j. Repairs, involving encapsulation, enclosure, or removal, of small amounts of friable ACM only if required in the performance of emergency or routine maintenance activity and not intended solely as asbestos abatement. Such work may not exceed amounts greater than those which can be contained in a single prefabricated

mini-enclosure. Such an enclosure shall conform spatially and geometrically to the localized work area in order to perform its intended containment function. (5-18-92)

45. Surfacing Material. Means material in a building that is sprayed on, troweled on, or otherwise applied to surfaces, such as acoustical plaster on ceilings and fire-proofing materials on structural members, or other materials on surfaces for acoustical, fire-proofing, or other purposes. (5-18-92)

46. TEM (Transmission Electron Microscopy). Means an analytical technique used for the definitive identification of asbestos. (5-18-92)

47. TSCA. Means the Toxic Substances Control Act. (5-18-92)

48. TSCA TITLE II, Section 206. Refers to the requirements contained in 15 U.S.C. Section 2646, requiring the EPA to develop a Model Contractor Accreditation Plan. (5-18-92)

49. Vibration. Means the periodic motion of friable ACM which may result in the release of asbestos fibers. (5-18-92)

**011. PURPOSE AND SCOPE.**

This rule establishes minimum training standards for asbestos professionals, course content standards for trainer providers, annual refresher course and accreditation renewal regulations, and notification regulations for asbestos contractors. This accreditation requirement shall apply only to those persons engaged in occupations involving asbestos projects in elementary or secondary schools (except private for-profit schools). (5-18-92)

01. General Requirements. It shall be unlawful for a person to: (5-18-92)

a. Engage in an asbestos occupation without accreditation for the applicable occupation from the Department; or (5-18-92)

b. Contract or employ in an asbestos occupation a person not accredited for that occupation by the Department. (5-18-92)

02. Operations and Maintenance and Short Duration Projects. Accredited personnel are not required for performing or conducting operations and maintenance activities or Small Scale/Short Duration Projects as defined in these regulations. (5-18-92)

03. Accreditation Requirements. Accreditation shall be required for the following five (5) asbestos disciplines or occupations: (5-18-92)

a. Asbestos abatement workers. (5-18-92)

b. Asbestos abatement contractors or supervisors. (5-18-92)

c. Asbestos inspectors; (5-18-92)

d. Asbestos management planners; (5-18-92)

e. Asbestos abatement project designers. (5-18-92)

**012. (RESERVED).**

**013. TRAINING AND EXAMINATIONS.**

Training and examinations shall be required for: (5-18-92)

01. Asbestos Abatement Workers. Each asbestos abatement contractor shall ensure that each asbestos abatement worker assigned to perform work on an asbestos abatement project for the contractor has had initial and annual refresher training at a course approved by the EPA or Department. Asbestos abatement workers on projects

subject to AHERA must have the appropriate AHERA accreditation. (5-18-92)

a. Minimum requirements for accreditation. Minimum requirements to obtain accreditation from the Department to act as an asbestos abatement worker are: (5-18-92)

i. At least eighteen (18) years of age; (5-18-92)

ii. Provide evidence of successful completion of a three (3) day, EPA or Department approved initial training course for Asbestos Abatement Workers; (5-18-92)

iii. Provide evidence of passing the examination for the above course, which shall consist of at least fifty (50) multiple choice questions, with a passing score of seventy percent (70%); (5-18-92)

b. If the initial training course was completed more than twelve (12) months before the application date, then the applicant shall provide evidence of participation in an EPA or Department approved refresher training course for workers during the past twelve (12) months; (5-18-92)

c. Applicants seeking accreditation in any of the asbestos occupations or disciplines governed by this rule shall make application to the Department using Department provided forms including all required accreditation documentation and the required accreditation fee, for review and approval. Applications will be reviewed within thirty (30) days and a determination made regarding approval or denial of same. Upon application acceptance and/or approval, applicants will be awarded a certificate from the Department with a photo ID card for the applied for discipline/occupation. (5-18-92)

d. Asbestos Abatement Workers shall submit an initial accreditation fee of twenty five dollars (\$25). The annual renewal fee for an asbestos abatement worker shall be twenty five dollars (\$25). (5-18-92)

e. Initial Training. The initial training course for persons seeking accreditation as an Asbestos Abatement Worker shall provide a minimum three (3) days of training as outlined below. The worker training course shall include lectures, demonstrations, at least six (6) hours of hands-on training, individual respirator fit testing, course review, and an examination. The training course shall adequately address the following topics: (5-18-92)

i. Physical characteristics of asbestos: Identification of asbestos, aerodynamic characteristics, typical uses, physical appearance, and a summary of abatement control options. (5-18-92)

ii. Potential health effects related to asbestos exposure: The nature of asbestos-related diseases, routes of exposure, dose-response relationships and the lack of a safe exposure level, synergism between cigarette smoking and asbestos exposure, and latency period for disease. (5-18-92)

iii. Employee personal protective equipment: Classes and characteristics of respirator types; limitations of respirators and their proper selection, inspection, donning, use, maintenance, and storage procedures; methods for field testing of the facepiece-to-face seal (positive and negative pressure fitting tests); qualitative and quantitative fit test procedures; variability between field and laboratory protection factors; factors that alter respirator fit (e.g., facial hair); the components of a proper respiratory protection program; selection and use of personal protective clothing; use, storage, and handling of non-disposable clothing; and regulations covering personal protective equipment. (5-18-92)

iv. State-of-the-art work practices. Proper asbestos abatement activities including descriptions of proper construction, and maintenance of barriers and decontamination enclosure systems; positioning of warning signs; electrical and ventilation system lockout; proper working techniques for minimizing fiber release; use of wet methods; use of negative pressure ventilation equipment; use of glove bags; use of (HEPA) vacuums; proper cleanup and disposal procedures; work practices for removal, encapsulation, enclosure, and repair; emergency procedures for sudden releases; potential exposure situations; transport and disposal procedures; and recommended and prohibited work practices. (5-18-92)

v. Personal hygiene. Entry and exit procedures for the work area; use of showers; avoidance of eating, drinking, smoking, and chewing (gum or tobacco) in the work area; and potential exposures, such as family exposure.

(5-18-92)

vi. Additional safety hazards. Hazards encountered during abatement activities and how to deal with them, including electrical hazards; heat stress; air contaminants other than asbestos; fire and explosion hazards; scaffold and ladder hazards, slips, trips and falls; and confined spaces. (5-18-92)

vii. Medical monitoring. OSHA requirements for a pulmonary function test, chest x-rays, and a medical history for each employee. (5-18-92)

viii. Air monitoring: Procedures to determine airborne concentrations of asbestos fibers focusing on how personal air sampling is performed and the reasons for it. (5-18-92)

ix. Relevant federal, state, and local regulatory requirements, procedures, and standards: With particular attention directed at relevant EPA, OSHA, and state regulations concerning asbestos abatement workers. (5-18-92)

x. Establishment of respiratory protection programs. (5-18-92)

xi. Course review. A review of key aspects of the training course. (5-18-92)

f. Asbestos Abatement Workers shall have available their current accreditation certificate at the work site when they are performing asbestos abatement activities. (5-18-92)

02. Asbestos Abatement Contractor/Supervisors. (5-18-92)

a. Minimum requirements to obtain accreditation from the Department to act as a Contractor/Supervisor are: (5-18-92)

i. Be at least eighteen (18) years of age; (5-18-92)

ii. Provide evidence of successful completion of a four (4) day EPA or Department approved, initial training course for Asbestos Contractor/Supervisors.; (5-18-92)

ii. Provide evidence of passing the examination for the training course, which shall consist of at least one hundred (100) multiple choice questions, with a passing score of seventy percent (70%). (5-18-92)

d. If the initial training course was completed more than twelve (12) months before the application date, then the applicant shall provide evidence of participation in an EPA or Department approved refresher training course for contractors/supervisors during the past twelve (12) months. (5-18-92)

e. Applicants seeking accreditation in any of the asbestos occupations or disciplines governed by this rule shall make application to the Department using Department provided forms including all required accreditation documentation and the required accreditation fee for review and approval. Applications will be reviewed within thirty (30) days and a determination made regarding approval or denial of same. Upon application acceptance and/or approval, applicants will be awarded a certificate from the Department with a photo ID card for the applied for discipline/occupation. (5-18-92)

f. Asbestos Abatement Contractor/Supervisors shall submit an initial accreditation fee of seventy five dollars (\$75). The annual renewal fee for Contractor/Supervisors shall be seventy five dollars (\$75). (5-18-92)

g. The contractor may designate a supervisor to serve as his agent for the purposes of the accreditation requirement. For purposes of TSCA Title II accreditation, asbestos abatement supervisors include those persons who provide supervision and direction to workers engaged in asbestos removal, encapsulation, enclosure, and repair. Supervisors may include those individuals with the position title of foreman, working foreman, or leadman pursuant to collective bargaining agreements. The contractor or his designated supervisor is required to be at the work site at all times while work is in progress. Asbestos workers must have access to the contractor or his designated supervisor throughout the duration of each asbestos abatement project. (5-18-92)



h. Initial Training. The initial training course for persons seeking accreditation as an Asbestos Abatement Contractor/Supervisor shall include lectures, demonstrations, at least six (6) hours of hands-on training, individual respirator fit testing, course review, and a written examination. The training course shall adequately address the following topics: (5-18-92)

i. The physical characteristics of asbestos and asbestos containing materials: Identification of asbestos, aerodynamic characteristics, typical uses, physical appearance, a review of hazard assessment considerations, and a summary of abatement control options. (5-18-92)

ii. Potential health effects related to asbestos exposure: The nature of asbestos-related diseases, routes of exposure, dose-response relationships and the lack of a safe exposure level; synergism between cigarette smoking and asbestos exposure, and latency period for disease. (5-18-92)

ii. Employee personal protective equipment: Classes and characteristics of respirator types; limitations of respirators and their proper selection, inspection, donning, use, maintenance, and storage procedures; methods for field testing of the facepiece-to-face seal (positive and negative pressure fitting tests); qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors; factors that alter respirator fit (e.g., facial hair); the components of a proper respiratory protection program; selection and use of personal protective clothing; use, storage, and handling of non-disposable clothing; and regulations covering personal protective equipment. (5-18-92)

ii. State-of-the-art work practices. Proper work practices for asbestos abatement activities including descriptions of proper construction and maintenance of barriers and decontamination enclosure systems; positioning of warning signs; electrical and ventilation system lockout; proper working techniques for minimizing fiber release; use of wet methods; use of negative pressure ventilation equipment; use of high efficiency particulate air (HEPA) vacuums; and proper clean-up and disposal procedures. Work practices for removal, encapsulation, enclosure, and repair; emergency procedures for sudden releases; potential exposure situations; transport and disposal procedures, and recommended work practices. Discussion of new abatement-related techniques and methodologies may be included. (5-18-92)

v. Personal hygiene. Entry and exit procedures for the work area; use of showers; and avoidance of eating, drinking, smoking, and chewing (gum or tobacco) in the work area. Potential exposures, such as family exposure, shall also be included. (5-18-92)

vi. Additional safety hazards. Hazards encountered during abatement activities and how to deal with them, including electrical hazards, heat stress; air contaminants other than asbestos; fire and explosion hazards; scaffold and ladder hazards, slips, trips and falls; and confined spaces. (5-18-92)

vii. Medical monitoring. OSHA requirements for a pulmonary function test, chest x-rays, and a medical history for each employee. (5-18-92)

viii. Air monitoring: Procedures to determine airborne concentrations of asbestos fibers, including a description of aggressive sampling; sampling equipment and methods; reasons for air monitoring; and types of samples and interpretation of results, specifically from analysis performed by polarized light, phase contrast, and electron microscopy analyses. (5-18-92)

i. Relevant federal, state, and local regulatory requirements. Procedures and Standards, including: (5-18-92)

i. Requirements of TSCA Title II. (5-18-92)

ii. 40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants, Subpart A (General Provisions) and Subpart M (National Emission Standard for Asbestos). (5-18-92)

iii. OSHA Standards for permissible exposure to airborne concentrations of asbestos fibers and respiratory protection (29 CFR 1910.134). (5-18-92)

- iv. OSHA Asbestos Construction Standard (29 CFR 1926.58). (5-18-92)
- v. EPA Worker Protection Rule, 40 CFR Part 763 Subpart G. (5-18-92)
- j. Respiratory protection programs and medical surveillance programs. (5-18-92)
- k. Insurance and liability issues: Contractors issues; worker's compensation coverage and exclusions; third-party liabilities and defenses; insurance coverage and exclusions. (5-18-92)
- l. Record keeping for asbestos abatement projects: Records required by federal, state, and local regulations and records recommended for legal and insurance purposes. (5-18-92)
- m. Supervisory techniques for asbestos abatement activities: Supervisory practices to enforce and reinforce the required work practices and discourage unsafe work practices. (5-18-92)
- n. Contract specifications: Discussion of key elements that are included in contract specifications. (5-18-92)
- o. Course review: A review of key aspects of the training course. (5-18-92)
- p. Asbestos Abatement Contractor/Supervisors shall have their current accreditation certificate at the work site when they are performing asbestos abatement activities. (5-18-92)
- 03. Asbestos Inspectors. All persons seeking accreditation as Inspectors shall complete a three (3) day training course as outlined below: (5-18-92)
  - a. Minimum requirements to obtain accreditation from the Department to act as an asbestos inspector are: (5-18-92)
    - i. At least eighteen (18) years of age. (5-18-92)
    - ii. Provide evidence of successful completion of a three (3) day EPA or Department approved initial training course for Asbestos Inspectors. (5-18-92)
    - iii. Provide evidence of passing the examination for the training course, which will consist of at least fifty (50) multiple choice questions, with a passing score of seventy percent (70%). (5-18-92)
  - b. If the initial training course was completed more than twelve (12) months before the application date, then the applicant shall provide evidence of participation in an EPA or Department approved refresher training course for inspectors during the past twelve (12) months. (5-18-92)
  - c. Applicants seeking accreditation in any of the asbestos occupations or disciplines governed by this rule shall make application to the Department using Department provided forms including all required accreditation documentation and a accreditation fee for review and approval. Applications will be reviewed within thirty (30) days and a determination made regarding approval or denial of same. Upon application acceptance and/or approval, applicants will be awarded a certificate from the Department with a photo ID card for the applied for discipline. (5-18-92)
  - d. Asbestos Inspectors shall submit an initial accreditation fee of twenty five dollars (\$25). The annual renewal fee for an Asbestos Inspector shall be twenty five dollars (\$25). (5-18-92)
  - e. Initial Training. The initial training course for persons seeking accreditation as an Asbestos Inspector shall be a minimum three (3) days of training as outlined below. The three-day training course shall include lectures, demonstrations, at least four (4) hours of hands-on training, individual respirator fit testing, a field trip, course review, and a written examination. The training course shall adequately address the following topics: (5-18-92)

- i. Background information on asbestos: Identification of asbestos, examples and discussion on the uses and locations of asbestos in buildings, and physical appearance of asbestos. (5-18-92)
- ii. Potential health effects related to asbestos exposure: The nature of asbestos-related diseases; routes of exposure; dose-response relationships and the lack of a safe exposure level; the synergistic effect between cigarette smoking and asbestos exposure; the latency period for asbestos-related diseases; a discussion of the relationship of asbestos exposure to asbestos, lung cancer, mesothelioma, and cancer of other organs. (5-18-92)
- iii. Functions/qualifications and role of Inspectors: Discussions of prior experience and qualifications for Inspectors and Management Planners; discussions of the functions of an accredited Inspector as compared to those of an accredited Management Planner; discussion of inspection process including inventory of ACM and physical assessment. (5-18-92)
- iv. Legal liabilities and defenses: Responsibilities of the Inspector and Management Planner; a discussion of comprehensive general liability policies, claims made and occurrence policies, environmental and pollution liability policy clauses, state liability insurance requirements, bonding and the relationship of insurance availability to bond availability. (5-18-92)
- v. Understanding building systems: The interrelationship between building systems including; an overview of common building physical plan layout; heat, ventilation, and air-conditioning (HVAC) system types; physical organization and where asbestos is found on (HVAC) components; building mechanical systems, their types and organization, and where to look for asbestos on such systems; inspecting electrical systems, including appropriate safety precautions; reading blueprints and as-built drawings. (5-18-92)
- vi. Public/employee/building occupant relations: Notifying employee organizations about the inspection, signs to warn building occupants, tact in dealing with occupants and the press, scheduling of inspections to minimize disruptions, and education of building occupants about actions being taken. (5-18-92)
- vii. Pre-inspection planning and review of previous inspection records: Scheduling the inspection and obtaining access; building record review; identification of probable homogeneous areas from blueprints or as-built drawings; consultation with maintenance or building personnel; review of previous inspection, sampling, and abatement records of a building; the role of the inspector in exclusions for previously performed inspections. (5-18-92)
- viii. Inspecting for friable and nonfriable asbestos-containing material (ACM) and assessing the condition of friable ACM: Procedures to follow on conducting visual inspections for friable and nonfriable ACM; types of building materials that may contain asbestos; touching materials to determine friability; open return-air plenums and their importance in HVAC systems; assessing damage, significant damage, potential damage, and potential significant damage; amount of suspected ACM both in total quantity and as a percentage of the total area; type of damage; accessibility; material's potential for disturbance; known or suspected causes of damage or significant damage; and deterioration as assessment factors. (5-18-92)
- ix. Bulk sampling/documentation of asbestos in schools: Detailed discussion of the Simplified Sampling Scheme for Friable Surfacing Materials (EPA 560/585-030a, October 1985), techniques to ensure sampling in a randomly distributed manner for other than friable surfacing materials, sampling of nonfriable materials, techniques for bulk sampling, sampling equipment the Inspector should use, patching or repair of damage done in sampling, an inspectors repair kit, discussion of polarized light microscopy, choosing an accredited laboratory to analyze bulk samples, and quality control and quality assurance procedures. (5-18-92)
- x. Inspector respiratory protection and personal protective equipment: Classes and characteristics of respirator types; limitations of respirators; proper selection, inspection, donning, use, maintenance, and storage procedures for respirators; methods for field testing of the facepiece-to-mouth seal (positive and negative pressure fitting tests); qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors; factors that alter respirator fit (e.g., facial hair); the components of a proper respiratory protection program; selection and use of personal protective clothing, use, storage, and handling of non-disposable clothing. (5-18-92)

xi. Record keeping and writing the inspection report: Labeling of samples and keying sample identification to sampling location, recommendations on sample labeling; detailing of ACM inventory, photographs of selected sampling areas and examples of ACM condition, information required for inclusion in the management plan by TSCA Title II section 203 (i) (1). (5-18-92)

xii. Regulatory review: EPA Worker Protection Rule found at 40 CFR Part 763 Subpart G; TSCA Title II; OSHA Asbestos Construction Standard 29 CFR 1926.58; OSHA Respiratory Requirements found at 29 CFR 1910.134; the Friable ACM in Schools Rule found at 40 CFR Part 763, Subpart F; applicable state and local regulations; and differences in Federal/State requirements where they apply and the effects, if any, on public and nonpublic schools. (5-18-92)

xiii. Field trip: To include a field exercise, including a walk-through inspection; on-site discussion on information gathering and determination of sampling locations; on-site practice in physical assessment; and classroom discussion of field exercise. (5-18-92)

xiv. Course review: A review of key aspects of the training course. (5-18-92)

xv. Asbestos Inspectors shall have their current accreditation certificate at the work site when they are performing asbestos inspection related activities. (5-18-92)

04. Management Planners. All persons seeking accreditation as Management Planners shall complete an inspector training course and a two (2) day management planner training course. The two (2) day training program shall include lectures, demonstrations, course review, and a written examination. The use of audiovisual materials to complement lectures where appropriate is recommended. (5-18-92)

a. Minimum requirements to obtain accreditation from the Department to act as a Management Planner are as follows: (5-18-92)

i. Be at least eighteen (18) years of age. (5-18-92)

ii. Provide evidence of successful completion of a two (2) day EPA or Department approved initial training course for Asbestos Management Planner, in addition to evidence of completion of a three (3) day EPA or Department approved inspector's course. (5-18-92)

iii. Provide evidence of passing the examination for the above Management Planner and Inspector's course, each which will consist of at least fifty (50) multiple choice questions, with a passing score of seventy percent (70%). (5-18-92)

b. If the initial training course was completed more than twelve (12) months before the application date, then the applicant shall provide evidence of participation in an EPA or Department approved refresher training course for inspectors/management planners during the past twelve (12) months. (5-18-92)

c. Applicants seeking accreditation in any of the asbestos occupations or disciplines governed by this rule shall make application to the Department using Department provided forms including all required accreditation documentation and the required accreditation fee for review and approval. Applications will be reviewed within thirty (30) days and a determination made regarding approval or denial of same. Upon application acceptance and/or approval, applicants will be awarded a certificate from the Department with a photo ID card for the applied for discipline/occupation. (5-18-92)

d. Asbestos Management Planners shall submit an initial accreditation fee of fifty dollars (\$50). The annual renewal fee for an asbestos management planner shall be fifty dollars (\$50). (5-18-92)

e. Initial Training. The initial training course for persons seeking accreditation as an Asbestos Management Planner, in addition to the inspector training course, shall provide a minimum two (2) days of training as outlined below. The management planner training course shall include lectures, demonstrations, training, course review, and an examination. The training course shall adequately address the following topics: (5-18-92)

- i. Course overview: The role of the management planner, operations and maintenance programs, setting work priorities, and protection of building occupants. (5-18-92)
  - ii. Evaluation/interpretation of survey results: Review of TSCA Title II requirements for inspection and management plans as given in section 203 (i) (1) of TSCA Title II and summarized field data and laboratory results comparison between field inspector's data sheet with laboratory results and site survey. (5-18-92)
  - iii. Hazard assessment: Amplification of the difference between physical assessment and hazard assessment; the role of the management planner in hazard assessment; explanation of significant damage, damage, potential damage, and potential significant damage; use of a description (or decision tree) code for assessment of ACM; assessment of friable ACM; relationship of accessibility, vibration sources, use of adjoining space; and air plenums and other factors to hazard assessment. (5-18-92)
  - iv. Legal implications: Liability insurance issues specific to planners; liabilities associated with interim control measures; in-house maintenance, repair, and removal; and use of results from previously performed inspections. (5-18-92)
  - v. Evaluation and selection of control options: Overview of encapsulation, enclosure, interim operations and maintenance, and removal; advantages and disadvantages of each method; response actions described via a decision tree or other appropriate method; work practices for each response action; staging and prioritizing of work in both vacant and occupied buildings; and the need for containment barriers and decontamination in response actions. (5-18-92)
  - vi. Role of other professionals: Use of industrial hygienists, engineers, and architects in developing technical specifications for response actions; any requirements that may exist for architect sign-off of plans; team approach to design of high-quality job specifications. (5-18-92)
  - vii. Developing an operations and maintenance (O&M) plan: Purpose of the plan; discussion of applicable EPA guidance documents; what actions should be taken by custodial staff; proper cleaning procedures; steam cleaning and high efficiency particulate air (HEPA) vacuuming; reducing disturbance of ACM; scheduling O&M for off-hours; rescheduling or canceling renovation in areas with ACM; boiler room maintenance; disposal of ACM; in-house procedures for ACM-bridging and penetrating encapsulants; pipe fittings; metal sleeves; polyvinyl chloride (PVC), canvas, and wet wraps; muslin with straps; fiber mesh cloth; mineral wool and insulating cement; discussion of employee protection programs and staff training; and case study in developing an O&M plan (development, implementation process, and problems that have been experienced). (5-18-92)
  - viii. Regulatory review: Focusing on the OSHA Asbestos Construction Standard found at 29 CFR 1926.58; the National Emission Standard for Hazardous Air Pollutants (NESHAPS) found at 40 CFR Part 61, Subpart A (General Provisions) and Subpart M (National Emission Standard for Asbestos); EPA Worker Protection Rule found at 40 CFR Part 763, Subpart G; TSCA Title II; applicable State regulations. (5-18-92)
  - ix. Record keeping for the management planner: Use of field inspector's data sheet along with laboratory results, on-going recordkeeping as a means to track asbestos disturbance, and procedures for record keeping. (5-18-92)
  - x. Assembling and submitting the management plan: Plan requirements in TSCA Title II section 203 (i) (1); the management plan as a planning tool. (5-18-92)
  - xi. Financing abatement actions: Economic analysis and cost estimates, development of cost estimates, and present costs of abatement versus future operations and maintenance costs. (5-18-92)
  - xii. Course review: A review of key aspects of the training course. (5-18-92)
- f. Asbestos Management Planners shall have available their current accreditation certificate when they are performing asbestos abatement related activities governed by these regulations. (5-18-92)
05. Asbestos Abatement Project Designers. All persons seeking accreditation as Asbestos Abatement

Project Designers complete either a three (3) day abatement project designer training course as outlined below or a four (4) day asbestos abatement contractor/supervisor's training course that is outlined in the above, under Contractor/Supervisors training course. The three (3) day asbestos abatement project designer training program shall include lectures, demonstrations, a field trip, course review, and a written examination. The use of audiovisual materials to complement lectures where appropriate is recommended. (5-18-92)

a. Minimum requirements to obtain accreditation from the Department to act as an abatement project designer are: (5-18-92)

i. Be at least eighteen (18) years of age. (5-18-92)

ii. Provide evidence of successful completion of a three (3) day, or four (4) day EPA or Department approved initial training course as required for Asbestos Abatement Project Designers or Contractor/Supervisors respectively. (5-18-92)

iii. Provide evidence of passing the examination for either of the above courses, which will consist of at least one hundred (100) multiple choice questions, with a passing score of seventy percent (70%). (5-18-92)

b. If the initial training course was completed more than twelve (12) months before the application date, then the applicant shall provide evidence of participation in an EPA or Department approved refresher training course for Project Designers during the past twelve (12) months. (5-18-92)

c. Applicants seeking accreditation in any of the asbestos occupations or disciplines governed by this rule shall make application to the Department using Department provided forms including all required accreditation documentation and a accreditation fee for review and approval. Applications will be reviewed within thirty (30) days and a determination made regarding approval or denial of same. Upon application acceptance and/or approval applicants will be awarded a certificate from the Department with a photo ID card for the applied for discipline/occupation. (5-18-92)

d. Asbestos Project Designers shall submit an initial accreditation fee of twenty five dollars (\$25). The annual renewal fee for an Asbestos Abatement Project Designer shall be twenty five dollars (\$25). (5-18-92)

e. Initial Training. The initial training course for persons seeking accreditation as an Asbestos Abatement Project Designer shall provide a minimum three (3) days of training as outlined below. The training course shall include lectures, demonstrations, a field trip, course review, and a written examination. The training course shall adequately address the following topics: (5-18-92)

f. Background information on asbestos: Identification of asbestos, examples and discussion of the uses and locations of asbestos in buildings, physical appearance of asbestos. (5-18-92)

g. Potential health effects related to asbestos exposure: Nature of asbestos-related diseases; routes of exposure; dose-response relationships and the lack of a safe exposure level; the synergistic effect between cigarette smoking and asbestos exposure; the latency period of asbestos-related diseases; a discussion of the relationship between asbestos exposure and asbestosis, lung cancer, mesothelioma, and cancer of other organs. (5-18-92)

h. Overview of abatement construction projects: Abatement as a portion of a renovation project and OSHA requirements for notification of other contractors on a multi-employer site (29 CFR 1926.58). (5-18-92)

i. Safety system design specifications: Construction and maintenance of containment barriers and decontamination enclosure systems; positioning of warning signs; electrical and ventilation system lock-out; proper working techniques for minimizing fiber release; entry and exit procedures for the work area; use of wet methods; use of negative pressure exhaust ventilation equipment; use of high efficiency particulate air (HEPA) vacuums; proper clean-up and disposal of asbestos; work practices as they apply to encapsulation, enclosure, and repair; and use of glove bags and a demonstration of glove bag use. (5-18-92)

j. Field trip: Visit an abatement site or other suitable building site, including on-site discussions of abatement design, building walk-through inspection, and discussion following the walk-through. (5-18-92)

- k. Employee personal protective equipment: To include the classes and characteristics of respirator types; limitations of respirators; proper selection, inspection, donning, use, maintenance, and storage procedures; methods for field testing of the facepiece-to-face seal (positive and negative pressure fit tests); qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors; factors that alter respirator fit (e.g., facial hair); components of a proper respiratory protection program; selection and use of personal protective clothing; use, storage, and handling of non-disposable clothing; and regulations covering personal protective equipment. (5-18-92)
- l. Additional safety hazards: Hazards encountered during abatement activities and how to deal with them, including electrical hazards, heat stress, air contaminants other than asbestos, and fire and explosion hazards. (5-18-92)
- m. Fiber aerodynamics and control: Aerodynamic characteristics of asbestos fibers, importance of proper containment barriers, settling time for asbestos fibers, wet methods in abatement, aggressive air monitoring following abatement, and aggressive air movement and negative pressure exhaust ventilation as a clean-up method. (5-18-92)
- n. Designing abatement solutions: Discussions of removal, enclosure, encapsulation methods, and asbestos waste disposal. (5-18-92)
- o. Budgeting/cost estimation: Development of cost estimates, present costs of abatement versus future operations and maintenance costs, and setting priorities for abatement jobs to reduce cost. (5-18-92)
- p. Writing abatement specifications: Means and methods specifications versus performance specifications, design of abatement in occupied buildings, modification of guide specifications to a particular building, worker and building occupant health/medical considerations, replacement of ACM with non-asbestos substitutes, clearance of work area after abatement, and air monitoring for clearance. (5-18-92)
- q. Preparing abatement drawings: Use of as-built drawings, use of inspection photographs and on-site reports, and particular problems in abatement drawings. (5-18-92)
- r. Contract preparation and administration. (5-18-92)
- s. Legal/liabilities/defenses: Insurance considerations, bonding, hold harmless clauses, use of abatement contractor's liability insurance, and claims-made versus occurrence policies. (5-18-92)
- t. Replacement: Replacement of asbestos with asbestos-free substitutes. (5-18-92)
- u. Role of other consultants: Development of technical specification sections by industrial hygienists or engineers and the multidisciplinary team approach to abatement design. (5-18-92)
- v. Occupied buildings: Special design procedures required in occupied buildings, education of occupants, extra monitoring recommendations, staging of work to minimize occupant exposure, and scheduling of renovation to minimize exposure. (5-18-92)
- w. Relevant Federal or, State, and local regulatory requirements: Procedures and standards including: (5-18-92)
- i. Requirements of TSCA Title II. (5-18-92)
- ii. 40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants, Subpart A (General Provisions), and Subpart M (National Emission Standard for Asbestos). (5-18-92)
- iii. OSHA standards for permissible exposure to airborne concentrations of asbestos fibers and respiratory protection (29 CFR 1910.134). (5-18-92)

- iv. EPA Worker Protection Rule, found at 40 CFR Part 763, Subpart G. (5-18-92)
- v. OSHA Asbestos Construction Standard found at 29 CFR 1926.58. (5-18-92)
- x. Course Review: A review of key aspects of the training course. (5-18-92)
- y. Reciprocity. The Department may recognize accreditation issued by another state for asbestos professionals provided that: (5-18-92)
  - i. The applicant is in possession of a currently valid accreditation certificate from the other state; and (5-18-92)
  - ii. The Department evaluates the other state's qualification procedures and determines the accreditation to be equivalent to the minimum requirements of this chapter; and (5-18-92)
  - iii. When the Department's evaluation of another state's qualification procedures identifies that equivalent requirements are met, the Department is authorized to issue Idaho accreditation upon receipt and approval of a completed application and evidence of successful completion of an approved initial or refresher course for the discipline applied for. The Idaho accreditation will expire the same date specified by the other state's accreditation or twelve (12) months from the date of issuance, whichever is earlier; and (5-18-92)
  - iv. When the Department's evaluation of another state's qualification procedures identifies deficiencies, the Department may require specific supplemental training and/or examination before issuing an Idaho accreditation. (5-18-92)
- z. Reexamination and refresher training. Each person accredited as an Abatement Worker, Contractor/Supervisor, Management Planner, or Project Designer shall take a one (1) day annual refresher training course. Refresher courses for Inspectors shall be a half (1/2) day in length. Management Planners shall attend the Inspector refresher course plus an additional half (1/2) day on Management Planning. The refresher course shall be specific to each discipline. For each discipline, the refresher course shall review and discuss changes in Federal and State regulations, developments in state-of-the-art procedures, and a review of key aspects of the initial training course as determined by the Department. After completing the annual refresher course, persons may have their accreditation extended an additional year. (5-18-92)
- 06. Training Course Content Approval. (5-18-92)
  - a. Any person wishing to sponsor courses in disciplines for which training or accreditation is required shall apply to the Department for approval. In order for a course to be approved it must meet the requirements for courses as outlined above. An applicant will be informed by the Department within sixty (60) days after receipt of his complete application as to whether the course has been approved for recognition in Idaho. (5-18-92)
  - b. Applicants seeking approval for initial training or refresher training courses shall send the information requested below to the Department's Asbestos Coordinator. (5-18-92)
    - i. The course sponsor's name, address, phone number, and contact person; (5-18-92)
    - ii. A list of any states that currently approve the training course; (5-18-92)
    - iii. The course curriculum; (5-18-92)
    - iv. A signed statement which certifies that the course meets the minimum length (in days), the hands-on training requirements, and that the course covers all the topics required by regulation; (5-18-92)
    - v. Amount and type of hands-on training; (5-18-92)
    - vi. A copy of all course materials (student manuals, instructor notebooks, handouts, etc.); (5-18-92)



- vii. Names and qualification of course instructors. Instructors must have academic credentials and/or field experience in asbestos abatement. (5-18-92)
- viii. Description and an example of numbered certificates issued to students who attend the course and pass the examination. (5-18-92)
- c. For refresher courses in any of the disciplines, information required is as follows: (5-18-92)
  - i. A signed statement which certifies that the course meets the minimum length (in days), the hands-on training requirements, and that the course covers all the topics required by regulation; Length of training; (5-18-92)
  - ii. Topics covered in the course; (5-18-92)
  - iii. A copy of all course materials; (5-18-92)
  - iv. Names and qualifications of course instructors; (5-18-92)
  - v. Description and an example of certificates issued to students who completed the refresher course; (5-18-92)
- d. As noted above, the training course administrator must issue numbered certificates to students who successfully pass the training course's examination. The numbered certificate would indicate the name of the student and the course completed, the dates of the course and examination, and a statement indicating that the student passed the examination. The certificate also would include an expiration for accreditation that is one (1) year after the date on which the student completed the course and examination. Training course administrators who offer refresher training courses must also provide certificates with all of the above information (except testing information). Accredited persons must have their initial and current accreditation certificates at the locations where they are conducting work. Failure to have accreditation certificates at the job site could result in decertification. (5-18-92)
- e. The Department may audit any training course to verify consistency with requirements contained within the EPA model plan. Any significant omissions or deficiencies may result in decertification of the course. There will be no charge to the Department for auditing a training course. (5-18-92)
- 07. Notification Requirements. Employers subject to this rule must report to the Department: (5-18-92)
  - a. At least ten (10) days before they begin any asbestos abatement project, except one that involves less than either three (3) linear feet or three (3) square feet of friable ACM or an emergency project, or a project that can be classified as one that is of Small Scale/Short Duration as is defined in these regulations and 40 CFR Part 763, Appendix B to Subpart E. (5-18-92)
  - b. If a report is mailed to the Department, the report must be postmarked at least ten (10) days before the asbestos abatement project begins unless the report is for an emergency project. In such a case, the report must be postmarked as soon as possible but in no case more than forty-eight (48) hours after the project begins. (5-18-92)
  - c. Required notifications are to be submitted using forms provided by the Department and must include: (5-18-92)
    - i. Names and address of the building owner or manager. (5-18-92)
    - ii. Description and location of the building. (5-18-92)
    - iii. Scheduled starting and completion dates of ACM removal, encapsulation, and/or enclosure. (5-18-92)
    - iv. Description of the planned removal, encapsulation, and/or enclosure methods. (5-18-92)

- v. Name, address, and location of disposal site. (5-18-92)
- 08. Enforcement and Penalties. (5-18-92)
  - a. At least once a year, during an actual asbestos project, the Department shall conduct an on-site job inspection for each asbestos contractor. The Department may make similar job inspections for other asbestos occupations. The Department shall have the power and authority to enter, at reasonable times, upon any property for this purpose. (5-18-92)
  - b. An asbestos contractor shall keep a record of each asbestos project that it performs and shall make the record available to the Department upon request. Records required by this section shall be kept for at least thirty (30) years unless otherwise specified by the Department. The records shall include: (5-18-92)
    - i. The name, address, and accreditation number of the individual who supervised the asbestos project and each employee or agent of the contractor who worked on the project. (5-18-92)
    - ii. The location and a description, as required by the Department, of the project and the amount of asbestos material that was removed. (5-18-92)
    - iii. The starting and completion dates of each project and a summary of the procedures that were used to comply with all federal and state standards for asbestos projects. (5-18-92)
    - iv. The name and address of each asbestos disposal site where waste containing asbestos was deposited and the disposal site receipts. (5-18-92)
  - c. Transfer of Records. Whenever the employer ceases to operate and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the Department at least ninety (90) days prior to discontinuance of operation of business and, upon request, transmit them to the Department. (5-18-92)
  - d. The Department may reprimand, suspend, deny, or revoke the accreditation of any person who: (5-18-92)
    - i. Fraudulently or deceptively obtains or attempts to obtain accreditation. (5-18-92)
    - ii. Fails at any time to meet the qualifications for accreditation or to comply with the requirements of this chapter or any regulation adopted by the Department. (5-18-92)
    - iii. Fails to meet any applicable federal or state standard for asbestos projects. (5-18-92)
  - e. Notwithstanding any other provision of law, any person who willfully violates any provision of this chapter or any regulation related to accreditation and training adopted pursuant to this chapter shall be guilty of a misdemeanor for the first two (2) violations and felony for a third and each subsequent violation within a three (3) year period. The Department, upon determination that there is a violation of this chapter, or any regulation promulgated pursuant to this chapter, may issue an order to cease and desist, to abate hazards, for building closure or evacuation. Any person to whom any order is directed shall immediately comply with the order. (5-18-92)
  - f. In addition, accredited persons may be assessed a civil penalty by the Director of not more than one thousand dollars (\$1,000) per day for an initial violation and five thousand dollars (\$5,000) per day for each subsequent violation within a three (3) year period arising from willful violation of Federal or State standards for asbestos projects. (5-18-92)
  - g. A person who engages in an asbestos project without valid accreditation shall be assessed a civil penalty by the Department of not more than twenty five thousand dollars (\$25,000) per day and, in the case of continuing violation, every day such violation continues shall be deemed a separate violation. (5-18-92)

**014. -- 999. (RESERVED).**