

Air Quality Division Asbestos Program



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Asbestos

- Used extensively until 1970s
 - Fireproofing
 - Thermal & acoustical insulation
 - Condensation control
 - Decoration
- 1973 federal regulations to protect general public from exposure during demolitions & renovations



Why is it Regulated?

- To protect public health
- Asbestos is a known human carcinogen
- Widely used as a building materials
- Renovation/demolition processes are likely to disturb the fibers and create inhalation hazards

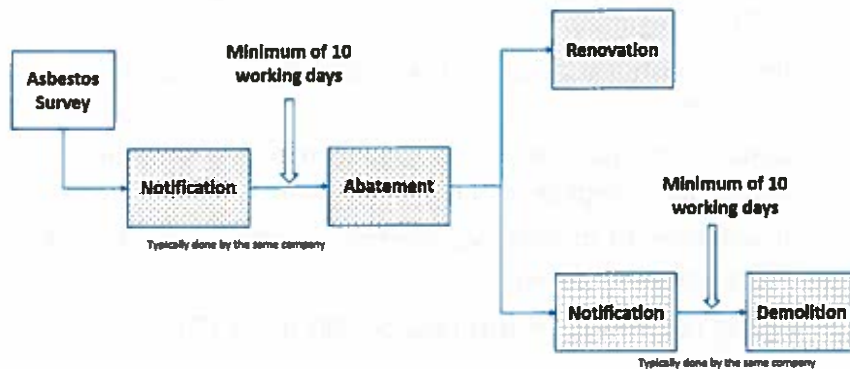


Air Regulations

- National Emission Standard for Hazardous Air Pollutant (NESHAP)
- Specifies work practices
- Applies to private dwellings if part of urban renewal or public/commercial project
- Requires submission of a notification
- Applies to owner of the property & all contractors involved
- Provides for emergency demolitions



Asbestos Removal Process



Notification

Per NESHAP it is required 10 working days prior to the abatement or demolition activity

- Allows for initial survey for asbestos
- Obtain test results from material sampled
- Allows owner/operator/contractor to verify asbestos removed prior to demolition
- Time for DEQ and/or EPA inspections
- Provides public notice



Asbestos Program

- Protect the general public from asbestos exposure
 - Ensure owners and operators are following the asbestos NESHAP regulations.
 - Receive notification prior to any asbestos removal or demolition.
 - Conduct and document unannounced inspections and determine compliance with the NESHAP
 - If violations of the NESHAP are found, follow procedures to bring voluntary compliance.
- Funding is General Fund (\$635,000 in FY17)



DLARA MIOSHA Asbestos Program

- Protect workers from asbestos exposure
 - Assure asbestos workers are properly trained
 - Assure workers comply with the work activity rules
 - Provide training
 - Maintain and post a current list of accredited and licensed asbestos workers.
- Funding is fee based
 - The fee is 1% of the abatement project. (\$457,000 in 2016)
- The MIOSHA and DEQ asbestos programs use the same notification form and on-line system.



Compliance Issues



2017 Program Stats

- 2 FTEs located in Lansing, 2 FTEs in Detroit & 1 part time inspector in Marquette.
- Over 50K notifications received, 12K were originals and 43K were revisions.
- 1300 unannounced & complaint inspections.
- 110 violation notices sent to owner/operators.
- Over 25 presentations/outreach were conducted.
- OAG Audit performed & completed, final report August 2017

Inspections

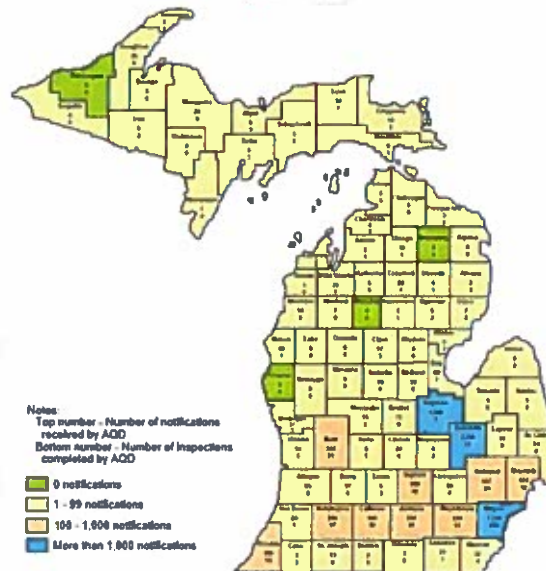
Metric Goal – 15% inspection rate

Asbestos Program	FY06	FY09	FY12	FY14	FY16	F17
Original Notifications Rec'd	3,290	3,550	5,470	14,750	17000	12,000+
Total Notifications Rec'd				31,625	51270	50,000+
Inspections	494	371	664	718	1170	1300
Staff (FTEs)	3.25	2.5	3.5	3.5	4.5	4.5
Inspection Rate	15%	10%	12%	5%	7%	10%



FY14 Asbestos Notifications & Inspections

Notifications of Intent to Demolish/Renovate Received and Inspections Completed by County
Fiscal Year 2014



OAG Audit – Objectives & Findings

- **Objective 1** – Assess effectiveness of compliance with the NESHAP. **Conclusion: Moderately effective.**
- **2 Findings** – Related to documentation entry into the compliance database. Inspection reports were incomplete, date fields blank and violation notice responses were not documented completely in the database.
- **AQD Response** - AQD agreed that the standard operating procedures were not completely followed. AQD's highest priorities are to conduct inspections and respond to complaints. The high volume of notifications, field inspections and limited staffing contributed to the omitted and unfinished and incomplete reports. Staff are focused on inspections and preventing violations.



Cont. OAG Audit Findings

- **Objective #2** – Assess the effectiveness of efforts to ensure proper disposal of asbestos at Landfills. **Conclusion: Moderately effective.**
- **Finding** – Insufficient documentation of landfill inspections.
- **AQD Response** – AQD agreed that actions are needed to ensure proper disposal. AQD maintains staff are following disposal but failed to document the activity correctly in the database.



Cont. OAG Audit

- **Objective #3** - assess the efficiency of the process to inspect demolition and renovation projects.
Conclusion: Efficient
- **Observations** – DEQ should establish a fee structure to assist in funding the asbestos program for additional staff. It was noted that the DLARA MIOSHA and the other great lakes states charge fees to operate their programs. The OAG audit concluded that the AQD was “limited” in the number of inspections conducted, and its ability to conduct inspections in all areas of the state and all landfills. Also, the DEQ has been unable to meet its scorecard goal of 15% of notifications received.



OAG Observation

- “DEQ should work with the Legislature to establish a fee structure to assist in funding the Asbestos Program. Increased funding could be used to hire additional staff to assist DEQ in meeting its scorecard goal of inspecting 15% of notifications received.”

Indiana	\$50 for up to 1,600 square feet/2,600 linear feet of asbestos removed \$150 for more than 1,600 square feet/2,600 linear feet of asbestos removed
Michigan	None
Ohio	\$3 per 50 linear/square feet of asbestos abated
Wisconsin	\$135 for demolitions with less than 160 square feet/260 linear feet \$400 for demolitions or renovations with greater than 160 square feet/260 linear feet but less than 1,000 feet combined \$700 for demolitions or renovations with at least 1,000 but less than 5,000 total feet \$1,350 for demolitions or renovations with at least 5,000 total feet



OAG Observation Cont.

State	Number of Inspectors	Number of Notifications	Number of Inspections	Percent of Inspections to Notifications
Illinois	1	3,789	53	1%
Indiana	4.5	2,725	356	13%
Michigan	4.3	17,188	1,404	8%
Ohio	31	6,193	2,056	33%
Wisconsin	4	933	218	23%



FY18 Asbestos Program

- Protect public health
 - Inspections
 - Compliance assistance
 - Outreach
- Address Audit Findings
 - Training
 - Review processes
 - Updating policies and procedures
- Evaluate options
 - Number of inspectors
 - Technology options



Questions

