Asbestos Management Plan for Bournedale Elementary School

For Compliance With:
State of Massachusetts Department of Labor Standards (DLS)
Asbestos Containing Materials in Schools Regulation (453 CMR 6.00)
And
EPA Asbestos Hazard Emergency Response Act (40 CFR Part 763)

Bourne Public Schools

Bourne, Massachusetts

December 2011

FUSS & O'NEILL
EnviroScience, LLC

Fuss & O'Neill EnviroScience, LLC
50 Redfield Street, Suite 100
Boston, Massachusetts 02122

FUSS & O'NEILL
EnviroScience, LLC

January 3, 2012

Mr. Edward Donoghue
Director of Business Services
Bourne Public Schools
36 Sandwich Road
Bourne, MA 02532

RE: 2011 Three Year AHERA Management Plan Update
Bournedale Elementary School
Fuss & O'Neill EnviroScience, LLC No. 20070914.A7E

Dear Mr. Donoghue:

Enclosed is the Asbestos Management Plan prepared by Fuss & O'Neill EnviroScience, LLC (EnviroScience) for the Bournedale Elementary School located at 41 Ernest Valeri Road in Bourne, Massachusetts. Please insert the missing information (*Appendices C, D, & F*) and sign *Appendix B*. This report is an important document that must be kept on file at the school as well as at a central location where the Management Plans are preserved.

If you have any questions regarding this report, please do not hesitate to contact us. Thank you for this opportunity to have served your environmental needs.

Sincerely,

Robert L. May, Jr.
Vice President

Stephen W. Connelly
Senior Vice President

RLM /asn

Enclosure

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Massachusetts
Rhode Island
South Carolina

FUSS & O'NEILL
EnviroScience, LLC

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FUSS & O'NEILL
EnviroScience

1 INTRODUCTION

This Asbestos Management Plan for the Bournedale Elementary School, located at 41 Ernest Valeri Road in Bourne, Massachusetts, was developed in accordance with the requirements of the following regulations:

(i) State of Massachusetts Department of Labor Standards (DLS) Asbestos Containing Materials in Schools Regulation (453 CMR 6.00).
(ii) United States Environmental Protection Agency (USEPA) Asbestos Hazard Emergency Response Act (AHERA) regulation (40 CFR Part 763, Section 763.85 (b)).

The Bournedale Elementary School was newly constructed in 2009. Per Section 763.99 (1)(7) of 40 CFR Part 763, a school building constructed after October 12, 1988, can be exempted from the requirements of inspection if the architect or the project engineer responsible for construction signs a statement that no ACBM was specified as a building material in any construction document for the building, or to the best of his or her knowledge, that no ACBM was used as a building material in the building.

A letter from the architect/construction manager is inserted in *Appendix A*, indicating that no asbestos-containing materials were used in the construction. MSD sheets must also be collected and inserted into *Appendix F* if the architect's letter is going to be valid. These sheets should document that asbestos containing materials were not installed in the building.

Please note that building materials installed that do not have documentation proving they are not asbestos containing must be sampled and analyzed for asbestos content prior to performing activities that would disturb them. This AMP does not negate the need for a full NESHAP survey prior to building renovations/ demolition.

2 DESIGNATED PERSON'S STATEMENT OF ASSURANCE

Mr. Edward Donoghue, the AHERA Designated Person for Bourne Public Schools, provides a Statement of Assurance that an Asbestos Management Plan has been developed for Bourne Middle School.

Please see *Appendix B* for this Statement of Assurance.

3 PARENT/TEACHER/EMPLOYEE NOTIFICATION

The Local Education Agency (LEA) shall ensure that workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response action activities; this includes periodic re-inspections and surveillance activities that are planned or in progress.

Please see *Appendix C* for such Notifications.

4 TRAINING RECORDS

The Local Education Agency (LEA) shall ensure that all custodial and maintenance employees working in the Bournedale Elementary School are properly trained as required by State of Massachusetts Department of Labor Standards (DLS) Asbestos-Containing Materials in Schools regulation and other applicable federal and/or state regulations. Two hour awareness training is required annually.

Please see *Appendix D* for training records.

5 EPA CERTIFICATION REQUIREMENT

The certificate and the license of Robert May, the Asbestos Management Planner, is provided in *Appendix E*.

FUSS & O'NEILL
EnviroScience, LLC

Appendix A

Letter from Construction Manager/Architect

KAESTLE BOOS
associates, inc

August 11, 2011

Ms. Mary Jo Coggeshall
Executive Administrative Assistant
Office of the Superintendent
Bourne Public Schools
36 Sandwich Road, Bourne, MA 02532

Re:Bournedale Elementary School
Bourne, MA
KB# 02043

Dear Ms. Coggeshall:

I am writing to certify that no asbestos-containing building materials were specified for use in, nor to the best of our knowledge installed in, the construction of the Bournedale Elementary School.

Very truly yours,

Michael J. McKeon, AIA
Vice President
KAESTLE BOOS ASSOCIATES, INC.

MJM:ym

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EnviroScience, LLC

Appendix B

Designated Person's Statement of Assurance

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EnviroScience, LLC

DESIGNATED PERSON'S STATEMENT OF ASSURANCE

I, the Designated Person of Bourne Public Schools, assure that the Bournedale Elementary School has been inspected in accordance with the requirements of US Environmental Protection Agency (USEPA) Asbestos Hazard Emergency Response Act (AHERA) 40 CFR Part 763. I also assure that general LEA responsibilities under Section 763.84 have been met. I understand the recommendations made by the Asbestos Management Planner.

Name: Edward Donoghue

Title: Asbestos Designated Person, Bourne Public Schools

Address: Bourne Public Schools
36 Sandwich Road, Bourne, Massachusetts 02532

Phone #: (508) 759-0660

Signature: _____ Date: _____

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Connecticut
Massachusetts
Rhode Island
South Carolina

FUSS & O'NEILL
EnviroScience, LLC

Appendix C

Parent/Teacher/Employee Notification

FUSS & O'NEILL
EnviroScience, LLC

Sample Annual Notification of Asbestos Management Plan

[Date]

Dear Parents, Teachers, Building Occupants, and Employee Organizations:

In the past, asbestos was used extensively in building materials because of its insulating, sound absorbing, and fire retarding capabilities. Virtually any building constructed before the late 1970s contained some asbestos. Intact and undisturbed asbestos materials generally do not pose a health risk. Asbestos materials, however, can become hazardous when, due to damage or deterioration over time, they release fibers. If the fibers are inhaled, they can lead to health problems, since as cancer and asbestosis.

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA) which required schools to be inspected to identify any asbestos containing building materials. Suspected asbestos-containing building materials were located, sampled (or assumed) and rated according to condition and potential hazard. Every three years, ***[Name of School District or School]*** has conducted a reinspection to determine whether the condition of the known or assumed asbestos containing building materials (ACBM) has changed and to make recommendations on managing or removing the ACBM. At the last reinspection conducted on ***[Date of Reinspection]***, all materials listed in the Management Plan as asbestos containing (or assumed to be asbestos-containing) were inspected ***[and found to be in good condition].***

The law further requires an asbestos management plan to be in place by July 1989. ***[Name of School District or School]*** developed a plan, as required, which has been continually updated. The plan has several ongoing requirements: publish a notification on management plan availability and the status of asbestos activities; educate and train its employees about asbestos and how to deal with it; notify short-term or temporary workers on the locations of the asbestos containing building materials; post warning labels in routine maintenance areas where asbestos was previously identified or assumed; follow set plans and procedures designed to minimize the disturbance of asbestos containing building materials; and survey the condition of these materials every six months to assure that they remain in good condition.

The following buildings contain no asbestos-containing building materials; therefore, no operations and maintenance programs or future inspections are required: ***[Name of Buildings]***. During the past year, asbestos containing building materials have been removed, encapsulated, or enclosed in the following buildings: ***[Name the Buildings***]. During the next year, we plan to conduct the following asbestos related activities at the following school buildings ***[describe the activities and name the buildings].***

It is the intention of ***[Name of School District or School]*** to comply with all federal and state regulations controlling asbestos and to take whatever steps are necessary to ensure students and employees a healthy and safe environment in which to learn and work. You are welcome to review a copy of the asbestos management plan in school district administrative office or administrative office of the school during regular business hours. ***[Name of AHERA Designated Person]*** is our designed asbestos program coordinator, and all inquiries regarding the asbestos plan and asbestos-related issues should be directed to ***[him/her]*** at ***[telephone number]***.

FUSS & O'NEILL
EnviroScience, LLC

Appendix D

Training Records

Fuss & O'Neill EnviroScience, LLC

146 Hartford Road, Manchester, CT 06040 – (860) 646-2469

This is to certify that

John Coletti

xxx-xx-6275

has successfully completed the

8 Hr. Asbestos Project Monitor Refresher

Asbestos Accreditation under TSCA Title II

40 CFR Part 763

James L. Scott, CIH, Principal Instructor

Kevin W. Miller, Ph.D., Training Manager

September 26 & 27, 2011
Dates of Course

APM-R-09/11-02
Certificate Number

September 27, 2011; B+
Examination Date & Grade

September 27, 2012
Expiration Date

Fuss & O'Neill EnviroScience, LLC

146 Hartford Road, Manchester, CT 06040 – (860) 646-2469

This is to certify that

John Coletti

xxx-xx-6275

has successfully completed the

4 Hr. Asbestos Inspector Refresher

Asbestos Accreditation under TSCA Title II

40 CFR Part 763

James L. Scott, Principal Instructor

Kevin W. Miller, Training Manager

September 7, 2011
Date of Course

AI-R-09/10-6
Certificate Number

September 7, 2011; B
Examination Date & Grade

September 7, 2012
Expiration Date

INSTITUTE FOR ENVIRONMENTAL EDUCATION, INC.

16 Upton Drive Wilmington, MA 01887
PHONE (978) 658-5272

IEE IEE

This is to certify that

Dustin A Diedricksen

has completed the requisite training, and has passed an examination for reaccreditation

Asbestos Project Monitor Refresher

pursuant to Title II of the Toxic Substance Control Act, 15 U.S.C. 2646

September 08, 2011
Examination Date

11-6659-174-208040
Certificate Number

September 8, 2011
Course Dates

Course Location
Institute for Environmental Education, Inc.
16 Upton Drive
Wilmington, MA 01887

September 08, 2012
Expiration Date

Training Director

INSTITUTE FOR ENVIRONMENTAL EDUCATION, INC.

16 Upton Drive Wilmington, MA 01887
PHONE (978) 658-5272

IEE IEE

This is to certify that

Dustin A Diedricksen

has completed the requisite training, and has passed an examination for reaccreditation

Asbestos Project Monitor Refresher

pursuant to Title II of the Toxic Substance Control Act, 15 U.S.C. 2646

September 8, 2011
Course Dates

Course Location
Institute for Environmental Education, Inc.
16 Upton Drive
Wilmington, MA 01887

September 08, 2011
Examination Date

11-6659-174-208040
Certificate Number

September 08, 2012
Expiration Date

Training Director

INSTITUTE FOR ENVIRONMENTAL EDUCATION, INC.

16 Upton Drive Wilmington. MA 01887
PHONE (978) 658-5272

IEE

IEE

This is to certify that

Dustin A Diedricksen

has completed the requisite training, and has passed an examination for reaccreditation as:

Asbestos Inspector Refresher

pursuant to Title II of the Toxic Substance Control Act, 15 U.S.C. 2646

January 26, 2011
Examination Date

11-6128-106-208040
Certificate Number

January 26, 2011
Course Dates

Course Location
Institute for Environmental Education, Inc.
16 Upton Drive
Wilmington, MA 01887

January 26, 2012
Expiration Date

Training Director

INSTITUTE FOR ENVIRONMENTAL EDUCATION, INC.

16 Upton Drive Wilmington, MA 01887
PHONE (978) 658-5272

IEE IEE

This is to certify that

Dustin A Diedricksen

has completed the requisite training, and has passed an examination for reaccreditation

Asbestos Designer Refresher

pursuant to Title II of the Toxic Substance Control Act, 15 U.S.C. 2646

July 18, 2011
Examination Date

11-6166-128-208040
Certificate Number

July 18, 2011
Course Dates

Course Location
Institute for Environmental Education, Inc.
16 Upton Drive
Wilmington, MA 01887

July 18, 2012
Expiration Date

Training Director

FUSS & O'NEILL
EnviroScience, LLC

Appendix E

Fuss & O'Neill EnviroScience AHERA Accreditations

Commonwealth of Massachusetts

Division of Occupational Safety

Heather E. Rowe, Acting Commissioner

Asbestos Inspector

ROBERT L MAY JR.

Eff. Date 03/10/11
Exp. Date 03/27/12
AI041302
Member of C.O.N.E.S.
NB

12



NB-RENEWAL

Commonwealth of Massachusetts

Division of Occupational Safety

Heather E. Rowe, Acting Commissioner

Asbestos Designer

ROBERT L MAY JR.

Eff. Date 03/10/11
Exp. Date 03/27/12
AD041301
Member of C.O.N.E.S.
NB

12



NB-RENEWAL

Commonwealth of Massachusetts
Division of Occupational Safety
Heather E. Rowe, Acting Commissioner
Asbestos Management Planner

ROBERT L MAY JR.

Eff. Date 03/10/11
Exp. Date 03/27/12
AP041719
Member of C.O.N.E.S.
NB

12



NB-RENEWAL

Commonwealth of Massachusetts

Department of Labor Standards

Heather E. Rowe, Acting Director

Asbestos Inspector

DUSTIN A. DIEDRICKSEN

Eff. Date 04/28/11
Exp. Date 04/26/12
AI041867
Member of C.O.N.E.S.
NB

12



NB-RENEWAL

Commonwealth of Massachusetts

Department of Labor Standards

Heather E. Rowe, Acting Director

Asbestos Project Monitor

DUSTIN A. DIEDRICKSEN

Eff. Date 04/28/11
Exp. Date 04/26/12
AM041868
Member of C.O.N.E.S.
- NB

12



NB-RENEWAL

Commonwealth of Massachusetts

Department of Labor Standards

Heather E. Rowe, Director

Asbestos Project Monitor

JOHN A. COLETTI

Eff. Date 11/10/11

Exp. Date 11/01/12

AM072279

Member of C.O.N.E.S.

NB

12



NB-RENEWAL

Commonwealth of Massachusetts

Department of Labor Standards

Heather E. Rowe, Director

Asbestos Inspector

JOHN A. COLETTI

Eff. Date 11/10/11

Exp. Date 11/15/12

AI072277

Member of C.O.N.E.S.

NB

12



NB-RENEWAL

INSTITUTE FOR ENVIRONMENTAL EDUCATION, INC.

16 Upton Drive Wilmington, MA 01887
PHONE (978) 658-5272

IEE IEE

This is to certify that

Robert May Jr.

has completed the requisite training, and has passed an examination for reaccreditation

Asbestos Designer Refresher

pursuant to Title II of the Toxic Substance Control Act, 15 U.S.C. 2646

July 18, 2011
Examination Date

11-6166-128-218974
Certificate Number

July 18, 2011
Course Dates

Course Location
Institute for Environmental Education, Inc.
16 Upton Drive
Wilmington, MA 01887

July 18, 2012
Expiration Date

Training Director

Certificate of Training

Awarded to

ROBERT MAY JR

For successful completion of an 8 Hour, 1 Day

Asbestos Inspector & Management Planner

Annual Refresher Training

SEPTEMBER 30, 2011

This training was approved and given in accordance with Regulations for Connecticut State Agencies RCSA 20-440 - 1-9 and RCSA 20-441 and meets the requirements of the EPA Revised MAP under TSCA Title II of 4/4/94

Presented by

Mystic Air Quality Consultants, Inc.

1204 North Road, Groton, CT 06340 (800) 247-7746

Certificate Number: IMPR20375 **Exam Grade:** 100 **Exam Date:** 09/30/2011 **Expiration Date:** 09/30/2012

Christopher J. Eident, CIH, CSP, RS

George Williamson, Training Director

Richard Haffey, Training Director

Mystic Air Quality Consultants, Inc.

ASBESTOS INSPECTOR MANAGEMENT PLANNER RF

SEPTEMBER 30, 2011

STUDENT ROSTER for FUSS & O'NEILL ENVSC

NAME	SS #	CERTIFICATION #	GRADE
ROBERT MAY JR	044-74-7085	IMPR20375	100

Communications (24 hours):

Office: (860) 449-8903 FAX: (860) 449-8860 Toll Free: 1 (800) 247-7746

website: www.mysticair.com e-mail:maqc2@aol.com

Mystic Air Quality Consultants, Inc.

1204 North Road (Rt. 117) Groton, Connecticut 06340

October 12, 2011

FUSS & O'NEILL ENVSC MASS
50 RADFIELD ST
BOSTON, MA 02122

We want to thank you for selecting Mystic Air Quality Consultants as the training facility for the recent "ASBESTOS INSPECTOR MANAGEMENT PLANNER RF" Training Course on SEPTEMBER 30, 2011.

We affirm that the persons listed on the attached roster have faithfully participated in the course and achieved a passing grade on the examination. This entitles them to the training certificate whose number is located on the bottom left hand corner of the certificate and in the list that follows.

As you know this certification is not transferable and it is a violation of the laws to use this certification and the document for anyone other than the person who actually participated in the course and took the exam.

Please review the information on the certificate, to make sure all the information is correct. If you spot anything wrong, please call me right away.

We look forward to providing any other training you need in the future.

Sincerely,

Richard Haffey
President

Communications (24 hours):

Office: (860) 449-8903 FAX: (860) 449-8860 Toll Free: 1 (800) 247-7746

website: www.mysticair.com e-mail:maqc2@aol.com

Massachusetts Public Schools PCB AHERA Inspection Update

The following information is provided to our valued customers who retain our services for asbestos inspection work in accordance with the Asbestos Hazard Emergency Response Act (AHERA). We are making you aware of several other considerations your school system may wish to consider becoming more informed about. We are including some general information for your use to make you aware of other environmental concerns.

Polychlorinated Biphenyls (PCBS) in Building Materials

In recent years, EPA has learned that many building materials may contain potentially harmful polychlorinated biphenyls (PCBs). PCBs were used in many buildings, including schools, in the 1950s through the 1970s. In general, schools and buildings built after 1978 should not contain PCBs in building materials. On September 25, 2009, EPA announced new guidance for school administrators and building managers with important information about managing PCBs and tools to help minimize possible exposure. Through EPA's Regional PCB Coordinators, the Agency will also assist communities in identifying potential problems and, if necessary, developing plans for PCB testing and removal. The Agency has prepared many Fact Sheets and Questions and Answers document on the announcement.

The EPA also announced additional research into this issue. There are several unresolved scientific questions that must be better understood to assess the magnitude of the problem and identify the best long-term solutions. For example, the link between the concentrations of PCBs in building materials and PCBs in the air or dust is not well understood. The EPA is doing research to determine the sources and concentrations of PCBs in schools and to evaluate different strategies to reduce exposures. The results of this research will be used to provide further guidance to schools and building owners as they develop and implement long-term solutions.

EPA has calculated prudent public health levels that maintain PCB exposures below the "reference dose" – the amount of PCB exposure that EPA does not believe will cause harm.

Sampling for PCB's in building materials such as paint, sealants, caulking, and adhesives is presently not mandated by the EPA, however significant liability risk for disposing of PCB containing wastes exist. Recent knowledge of PCB's within building materials such as paint, sealants, caulking, and adhesives and other building materials has become more prevalent especially with remediation contractors, waste haulers and disposal facilities. Many, property Owners have become subject to large changes in schedule, scope and costs as a result of failure to identify this possible contaminant prior to renovation or demolition.

An article appeared in the Sunday Boston Globe (September 6, 2009) entitled "PCB risk feared at older N.E. Schools". This article raised the awareness of possible PCB containing building materials present in school buildings. Many uses of PCBs are well known such as in dielectric fluids of transformers; however, many building Owners, and Contractors are discovering, the presence of PCBs in common building materials. The historic use of PCBs in building products such as paints, coatings, adhesives, caulking and sealants, and their current locations is a growing concern. Heightened awareness of the possibility of PCBs present in materials may generate questions by teachers and parents. Before you decide to perform or allow testing of building materials here are some things to consider.

Considerations:

1. About one third of random buildings tested in limited studies by Harvard University in 2004 detected PCBs in caulking materials greater than regulated action concentrations (50 parts per million or ppm) for buildings constructed between 1960 and 1980.
2. Testing is not currently mandated by the EPA and only if materials are to be disposed is testing required.
3. Testing should be done by knowledgeable and experienced staff to avoid cross contamination of samples. Sample equipment used to collect samples must be decontaminated between collection of samples.
4. If PCBs are found the cost to remove is significant and may also require removal or treatment of surfaces adjacent to the caulking such as brick, concrete and metal.
5. PCB contamination may also be present in soil adjacent to building caulking and within interiors in dust and air.
6. Remediation standards for adjacent surfaces are lower than 50 ppm and depend upon building occupancy.
7. Removal of caulking and treatment of adjacent surfaces may require the submission of a plan to the EPA as well as state agencies before removal is performed.

Massachusetts Public Schools PCB AHERA Inspection Update

There is significant liability associated with improper disposal of PCB containing materials. PCBs greater than 50 ppm have the greatest requirements for disposal and cleaning or removal of adjacent surfaces. Unless you are currently undertaking a project where these materials will be disturbed and disposed, you may want to consider waiting until a more appropriate time to collect samples. If in the planning stages of a project where these materials may be impacted, such as a weatherization project, window replacement project, or major renovation, consider testing as the cost implications, planning requirements and approval for certain plans by the EPA and State agencies can significantly impact your project.

Though a real possibility exists that your school may contain PCBs in caulking, adhesives or other possible media if constructed between 1960 and 1980, improperly characterizing and sampling materials could cost more in the long run. If you decide based on a planned project to perform testing, because of the cost and impact to schedule for planning, testing should be performed early in the project.

Testing is also expensive. Testing of samples of caulking involves the collection of the material for submission to laboratory. Testing adjacent surfaces to determine PCB content involves use of wipe sampling and collection of chips of materials such as brick and concrete and soil at varying depths to determine how far into a substrate PCBs have penetrated. The verification required by the EPA after a removal project is complete can involve much more frequent sampling and analysis to ensure PCBs are effectively removed.

The removal of PCBs in building materials require similar containment procedures for the removal as does asbestos abatement. The containment requirements are used for both interior and exterior removal of PCBs.

Despite EPA not mandating testing, if it is determined that PCBs are present at greater than 50 ppm it is considered an unauthorized use since materials containing greater than 50 ppm of PCBs were banned by the EPA in 1977.

There is a heightened awareness amongst Contractors, Waste Haulers and Waste Transfer Facilities about potential for PCBs in building materials. This awareness has resulted in Contractors collecting samples resulting in significant impact to projects for costly change orders, major schedule impacts and increased consulting costs for preparation of plans and testing.

Fuss & O'Neill EnviroScience, LLC staff is available to help answer questions you may have.

For additional guidance visit EPA website www.epa.gov/pcbsincaulk/ and Massachusetts Bureau of Environmental Health Guidance document titled "An Information Booklet Addressing PCB-Containing Materials in the Indoor Environment of Schools and Other Public Buildings" dated December 2009.

Massachusetts Public Schools RRP Rule AHERA Inspection Update

The following information is provided to our valued customers who retain our services for asbestos inspection work in accordance with the Asbestos Hazard Emergency Response Act (AHERA). We are making you aware of several other considerations your school system may wish to consider becoming more informed about. We are including some general information for your use to make you aware of other environmental concerns.

Lead Renovation, Repair and Painting Rule

RRP Rule/Lead-Safe Renovation

Effective July 9, 2010, the Massachusetts Department of Labor Standards ("DLS") (then Division of Occupational Safety "DOS") promulgated amendments to its De-leading and Lead-Safe Renovation Regulation, 454 CMR 22.00. These amendments establish safety standards for renovation, repair and painting work that disturbs lead paint in target housing and child-occupied facilities built before 1978, which parallel similar federal EPA requirements that became effective in April 2010 under the "Renovation, Repair and Painting Rule" (RRP Rule) intended to increase awareness of lead hazards that occur as a result of renovations. DLS received authorization from EPA to administer and enforce the lead safety standards for renovation, repair and painting work set forth in 454 CMR 22.00, in lieu of the federal standard being enforced by EPA in Massachusetts. This regulation applies to residential houses, apartments, and child-occupied facilities such as schools and day-care centers built before 1978.

The term "renovation" is broadly defined as any activity that disturbs painted surfaces and covers all activities performed for compensation that disturb painted surfaces including plumbing, electrical work, window replacement, weatherization and partial demolition of structures. The DLS regulation includes pre-renovation education requirements as well as training, licensure, and work practice requirements.

The phrase "performed for compensation" includes pay for work performed, such as that paid to contractors and subcontractors; wages, such as those paid to employees of contractors, building owners, property management companies, child-occupied facility operators, State and local government agencies, and non-profits; and rent for target housing or public or commercial building space.

- Contractors, property managers, and others who perform renovations for compensation in residential houses, apartments, and child-occupied facilities built before 1978 are required to distribute a lead pamphlet to unit owners and adult occupants before starting work.
- Contractors and other entities are required to be licensed by DLS; their employees must be trained in the use of lead-safe work practices, and those lead-safe work practices must be followed to minimize occupants' exposure to lead hazards.

The state's Department of Labor Standards De-leading and Lead-Safe Renovation regulation, 454 CMR 22.00 requires training, licensing and safe work practice requirements for renovation, repair and painting work - conducted for a fee - that disturbs lead paint in any residence or building that contains a child-occupied facility built before 1978.

The state's regulation requires:

1. Contractors and other entities that carry out work covered by these requirements must be licensed as "Lead-Safe Renovation Contractors" by the state's Department of Labor Standards. Affected occupations include, but are not limited to, painters, plumbers, electricians, window installers, general contractors, property maintenance workers, and remodelers.
2. A "Lead-Safe Renovator-Supervisor" or "Certified Renovator" must be on site and in control of the work at all times when the work is in progress.
3. The work must be carried out in accordance with work practice requirements specified in 454 CMR 22.00, including, but not limited to: testing of suspect materials, work area isolation or delineation, exclusion of untrained personnel, covering of objects, acceptable work methods, cleanup and cleaning verification. Certain recordkeeping and notification requirements are also required.

Massachusetts Public Schools RRP Rule AHERA Inspection Update

- BE AWARE that any work that disturbs 20 square feet of painted surface on the exterior or more than 6 square feet per room on the interior, of a property built before 1978, is subject to this regulation.
- ASK to see a contractor's Lead Safe Renovator Contractor License and training certificate from an authorized trainer before hiring him/her. These licenses and training certificates are valid for a period of 5 years.
- INFORM your contractor that you expect them to work lead-safe.
- NOTICE unsafe work practices that spread lead dust and debris beyond the work area.
- REPORT contractors or properties that you believe are in violation of this regulation to DLS.

The Department of Labor Standards representatives have been meeting with local building and health departments, contractor groups, trade and professional associations to provide information and educate the regulated community and homeowners and property owners about RRP. In addition, the Department of Labor Standards inspectors inspect job sites daily to check for compliance and enforce the RRP rule. Violations of the Department of Labor Standards RRP rule may result in a civil administrative penalty up to $5,000 per violation. The Department of Labor Standards has fined contractors for violating this law. If you are a contractor, make sure you comply with the RRP rule.

For more information, to report a concern, or to ask for assistance, contact the Department of Labor Standards at www.mass.gov/dols or 617-969-7177.

Fuss & O'Neill EnviroScience, LLC staff are also available to help answer questions you may have on RRP/Lead Safe Renovation in your School Facility.