

ARTICLE 18. ASBESTOS MANAGEMENT

Rule 1. Asbestos Management General Provisions

326 IAC 18-1-1 Applicability

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 1. (a) This article applies to persons who do any of the following:

(1) Persons involved in asbestos work including those who:

- (A) inspect for ACM at a facility;
- (B) develop an asbestos management plan for a school building;
- (C) design an asbestos project to be implemented at a facility;
- (D) supervise the implementation of an asbestos project at a facility;
- (E) implement an asbestos project at a facility; or
- (F) work on an asbestos project at a facility.

(2) Persons who provide an approved initial or refresher training course for the purpose of licensing persons under this article.

(b) Persons described in subsection (a)(1) shall comply with 326 IAC 18-2.1.

(c) Persons described in subsection (a)(2) shall comply with 326 IAC 18-3.1 and 326 IAC 18-4. (*Air Pollution Control Division; 326 IAC 18-1-1; filed Sep 23, 1988, 1:45 a.m.: 12 IR 269; filed May 12, 1998, 9:15 a.m.: 21 IR 3747; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Feb 14, 2005, 11:15 a.m.: 28 IR 2022; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-1-2 Definitions

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-11-2; IC 13-17

Sec. 2. In addition to the definitions in IC 13-11-2, the following definitions apply throughout this article:

(1) "Active waste disposal site" means any disposal site other than an inactive site.

(2) "Approved initial training course" means a course approved by the department under this article for purposes of providing initial training to persons to become licensed.

(3) "Approved refresher training course" means a course approved by the department under this article for purposes of providing refresher training to licensed persons.

(4) "Asbestos" means the asbestiform varieties of the following:

- (A) Chrysotile (serpentine).
- (B) Crocidolite (riebeckite).
- (C) Amosite (cummingtonite-grunerite).
- (D) Anthophyllite.
- (E) Tremolite.
- (F) Actinolite.

(5) "Asbestos abatement contractor" means an individual, partnership, corporation, sole proprietorship, unincorporated association, franchise, enterprise, or any other entity that enters into one (1) or more contracts providing for the individual or entity to engage in the inspection, management, or abatement of ACM for compensation.

(6) "Asbestos-containing material" or "ACM" means the following:

(A) A material that contains more than one percent (1%) asbestos by area and that:

- (i) is friable; or
- (ii) has a reasonable probability of becoming friable in the course of ordinary or anticipated use of the building containing the material.

(B) The term does not include asbestos-containing resilient floor covering materials, including:

- (i) sheet vinyl flooring;

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- (ii) resilient tile; and
 - (iii) associated adhesives;
- unless the materials are sanded, beadblasted, or mechanically pulverized so that visible emissions are discharged.
- (7) "Asbestos license" means a document issued by the department to a person meeting the licensing requirements of 326 IAC 18-2.1.
- (8) "Asbestos project" means an activity involving ACM, including the following:
- (A) Abatement.
 - (B) Removal.
 - (C) Renovation.
 - (D) Enclosure.
 - (E) Repair.
 - (F) Encapsulation.
- (9) "Certificate of training" means a document issued by an approved training course provider to a person indicating that the person attended an approved initial or refresher training course and received a passing score on the written examination for the course. A certificate of training issued to a person seeking licensing by the department is not valid for purposes of this subdivision if the certificate of training is issued by a training course provider who is the person's partner or employer or a subsidiary entity of the person's employer.
- (10) "Day", for purposes of determining duration of approved training courses, means eight (8) hours including breaks and lunch.
- (11) "Discipline" means one (1) of the following specific categories of asbestos activities identified in this article for which persons may receive training from an approved training course provider and become licensed by the department:
- (A) Inspector.
 - (B) Management planner.
 - (C) Project designer.
 - (D) Project supervisor.
 - (E) Worker.
 - (F) Asbestos abatement contractor.
- (12) "Electronic submission" means a submission of information to the department via electronic media. The media may include the following:
- (A) Magnetic storage tape or disk.
 - (B) Compact disc read-only memory (CD-ROM).
 - (C) Electronic mail and attachments.
 - (D) File transfer protocol (FTP).
 - (E) Hypertext transfer protocol (HTTP).
- (13) "Facility" means any:
- (A) school building;
 - (B) institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four (4) or fewer dwelling units);
 - (C) ship; and
 - (D) active or inactive waste disposal site.
- For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation, or building that was previously subject to 326 IAC 14-10 is included regardless of its current use or function.
- (14) "Facility component" means any part of a facility, including equipment.
- (15) "Friable" means that the material, when dry, may be crumbled, pulverized, or reduced to powder by hand pressure or mechanical forces reasonably expected to act on the material and includes previously nonfriable material after the nonfriable material becomes damaged to the extent that when dry it may be crumbled, pulverized, or reduced to powder by hand pressure or mechanical forces reasonably expected to act on the material.

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- (16) "Guest instructor" means an individual designated by a training course provider to assist the instructor with hands-on training or to teach one (1) or more topical areas under the general supervision of the instructor.
- (17) "Hands-on training", when referring to a topic covered by a training course, means training that gives students actual experience performing tasks associated with the applicable discipline described in 326 IAC 18-4.
- (18) "Inactive waste disposal site" means any disposal site or portion of the disposal site where additional asbestos-containing waste material has not been deposited within the previous twelve (12) months.
- (19) "Inspection" means those activities undertaken to specifically determine the presence or location, or to assess the condition of, friable or nonfriable ACM, or suspected ACM, whether by visual or physical examination, or by collecting samples of the material. In addition, the term includes all reinspections of friable and nonfriable known or assumed ACM that has been previously identified. The term excludes the activities of periodic surveillance, compliance inspections, and visual inspections as referenced in 40 CFR 763.90(i)*.
- (20) "Inspector" means a person licensed under this article to conduct an inspection for ACM in a facility.
- (21) "Licensed", when referring to a person, means a person holding a current asbestos license issued by the department under this article in the following disciplines:
- (A) Inspector.
 - (B) Management planner.
 - (C) Project designer.
 - (D) Project supervisor.
 - (E) Worker.
 - (F) Asbestos abatement contractor.
- (22) "Major fiber release episode" means any disturbance of ACM, resulting in a visible emission, that involves the falling or dislodging of more than three (3) square feet, three (3) linear feet, or seventy-five hundredths (0.75) cubic foot of friable ACM.
- (23) "Management plan" means a document prepared under 40 CFR 763, Subpart E* that addresses the manner in which ACM will be handled in a school building.
- (24) "Management planner" means a person licensed under this article who prepares management plans for schools.
- (25) "Nonfriable", when referring to material at a facility, means material that, when dry, may not be crumbled, pulverized, or reduced to powder by hand pressure or mechanical forces reasonably expected to act on the material.
- (26) "Person" has the meaning set forth in IC 13-11-2-158(a).
- (27) "Project designer" means a person licensed under this article who designs any of the following activities with respect to RACM in a facility:
- (A) An asbestos project.
 - (B) A maintenance activity that disturbs RACM.
 - (C) An asbestos project for a major fiber release episode.
- (28) "Project supervisor" means a person licensed under this article to supervise or perform any of the following activities with respect to RACM in a facility:
- (A) An asbestos project.
 - (B) A maintenance activity that disturbs RACM.
 - (C) An asbestos project for a major fiber release episode.
- (29) "Regulated asbestos-containing material" or "RACM" means the following:
- (A) Friable asbestos material.
 - (B) Category I nonfriable ACM that has become friable.
 - (C) Category I nonfriable ACM that will be or has been subjected to:
 - (i) sanding;
 - (ii) grinding;
 - (iii) cutting;
 - (iv) abrading; or
 - (v) burning.
 - (D) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or

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reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this article.

(E) The term does not include nonfriable asbestos-containing resilient floor covering materials including:

- (i) sheet vinyl flooring;
- (ii) resilient tile; and
- (iii) associated adhesives;

unless the materials are sanded, beadblasted, or mechanically pulverized so that visible emissions are discharged or the materials are burned.

(30) "Response action" means a method that protects human health and the environment from RACM, including:

- (A) removal;
- (B) encapsulation;
- (C) enclosure;
- (D) repair; and
- (E) operation and maintenance.

(31) "School" means any elementary or secondary institutional day or residential school, including a public elementary or secondary charter school, that provides education, as determined under state law, except that the term does not include any education beyond grade 12.

(32) "School building" means any of the following:

(A) A structure suitable for use as a:

- (i) classroom;
- (ii) laboratory;
- (iii) library;
- (iv) school eating facility; or
- (v) facility used for the preparation of food.

(B) A gymnasium or other facility at a school that is specially designed for athletic or recreational activities for an academic course in physical education.

(C) Any other facility used by a school for the instruction or housing of students or for the administration of educational or research programs.

(D) A maintenance, storage, or utility facility, including any hallway, essential to the operation of any facility described in clauses (A) through (C).

(E) A portico or covered exterior hallway or walkway that is part of a school.

(F) An exterior portion of a mechanical system used to heat, ventilate, or air condition interior space of a school.

(33) "Training course provider" means a person who owns, provides, or offers to provide a training course for which approval is required under this article.

(34) "TSCA Title II" refers to 15 U.S.C. 2641 et seq. of the federal Toxic Substances Control Act.

(35) "Worker" means a person licensed under this article who performs any of the following activities with respect to RACM in a facility:

- (A) An asbestos project.
- (B) A maintenance activity that disturbs RACM.
- (C) An asbestos project for a major fiber release episode.

*These documents are incorporated by reference. Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-1-2; filed Sep 23, 1988, 1:45 p.m.: 12 IR 269; filed Jul 19, 1990, 4:50 p.m.: 13 IR 2110; filed Dec 5, 1990, 3:40 p.m.: 14 IR 612; filed Jul 5, 1995, 10:00 a.m.: 18 IR 2740; errata filed Jul 5, 1995, 10:00 a.m.: 18 IR 2795; filed May 12, 1998, 9:15 a.m.: 21 IR 3748; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; errata filed Dec 12, 2002, 3:35 p.m.: 26 IR 1572; filed Aug 26, 2004, 11:30 a.m.: 28 IR 99; filed Feb 14, 2005, 11:15 a.m.: 28 IR 2022; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-1-3 General provisions (Repealed)

Sec. 3. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-1-4 Asbestos license; qualifications (Repealed)

Sec. 4. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-1-5 Asbestos license; application (Repealed)

Sec. 5. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-1-6 Renewal of asbestos license (Repealed)

Sec. 6. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-1-7 Asbestos license; revocation; denial (Repealed)

Sec. 7. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-1-8 License requirements for contractors performing asbestos projects (Repealed)

Sec. 8. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-1-9 License fee; application fee (Repealed)

Sec. 9. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-1-10 Duplicate asbestos license (Repealed)

Sec. 10. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

Rule 2. Asbestos Training Courses; Requirements for Approval

326 IAC 18-2-1 Applicability (Repealed)

Sec. 1. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-2 Definitions (Repealed)

Sec. 2. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-3 Initial training course requirements (Repealed)

Sec. 3. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-4 Refresher training course requirements (Repealed)

Sec. 4. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-5 Initial and refresher training courses; examination requirements (Repealed)

Sec. 5. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-6 Initial and refresher training courses; qualifications for approval (Repealed)

Sec. 6. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-7 Initial and refresher training courses; application for approval (Repealed)

Sec. 7. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-8 Application requirements for reapproval (Repealed)

Sec. 8. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-9 Representation of training course approval (Repealed)

Sec. 9. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-10 Interim training course approval (Repealed)

Sec. 10. *(Repealed by Air Pollution Control Division; filed May 12, 1998, 9:15 a.m.: 21 IR 3771)*

326 IAC 18-2-10.1 Asbestos training course provider instructor qualifications (Repealed)

Sec. 10.1. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-11 Approval revocation (Repealed)

Sec. 11. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-12 Application fees (Repealed)

Sec. 12. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-13 Record keeping requirements for training providers (Repealed)

Sec. 13. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-2-14 Course notification and record submittal (Repealed)

Sec. 14. *(Repealed by Air Pollution Control Division; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

Rule 2.1. Asbestos Licenses

326 IAC 18-2.1-1 General provisions

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 1. (a) A person shall not conduct the following activities without a license from the department:

- (1) Inspect for ACM at a facility.
- (2) Develop an asbestos management plan for a school building.
- (3) Design an asbestos project to be implemented at a facility.
- (4) Supervise the implementation of an asbestos project at a facility.
- (5) Work on an asbestos project at a facility.
- (6) Implement an asbestos project at a facility.

(b) Except under section 6(3) of this rule, at any time while performing activities specified in subsection (a), a licensed person shall carry:

- (1) a photographic identification card described in subsection (d); and
- (2) an asbestos license.

(c) An asbestos abatement contractor shall employ a person licensed in Indiana under at least one (1) of the following disciplines to implement an asbestos project:

- (1) Inspector.
- (2) Management planner.
- (3) Project designer.
- (4) Project supervisor.
- (5) Worker.
- (6) Asbestos abatement contractor.

(d) For purposes of this rule, a photographic identification card includes the following:

- (1) A valid driver's license or identification card that displays the individual's photograph issued by any state.
- (2) A valid work visa issued by the United States Department of Justice.
- (3) A valid United States passport.
- (4) A valid U.S. Citizenship and Immigration Services identification.

(Air Pollution Control Division; 326 IAC 18-2.1-1; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)

326 IAC 18-2.1-2 Asbestos license qualifications

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 2. (a) A person applying for an asbestos license must:

- (1) meet the qualifications in this section applicable to the discipline for which the person is applying; or
- (2) if a person seeking an initial asbestos license has attended and passed an examination at a U.S. EPA-approved training course outside of Indiana, attend and pass the examination for an Indiana-approved refresher course in the discipline for which the person is applying.

(b) To qualify for an initial Indiana inspector license, a person shall meet the following requirements:

- (1) Possess a high school degree, high school equivalency diploma, or two (2) years of experience in one (1) or a combination of the following fields:

- (A) Asbestos inspection.
- (B) Building construction.
- (C) Building maintenance.
- (D) General building inspection.

- (2) Have attended an approved initial inspector training course and received a passing score on the written examination for the course.

(c) To qualify for an initial Indiana management planner license, a person shall meet the following requirements:

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- (1) Possess at least one (1) of the following:
 - (A) An associate, bachelor's, or graduate degree in:
 - (i) architecture;
 - (ii) industrial hygiene;
 - (iii) engineering;
 - (iv) building system design; or
 - (v) a related field of study.
 - (B) A high school degree or equivalent as described in subsection (b)(1), and one (1) year of experience in one (1) or more of the following fields:
 - (i) Planning, supervision, or cost estimation of building construction.
 - (ii) Planning, supervision, or cost estimation of asbestos projects.
 - (iii) Asbestos inspection.
 - (iv) General building inspection.
- (2) Have attended an approved initial inspector training course and an approved management planner training course and received passing scores on the written examinations for the courses.
- (d) To qualify for an initial Indiana project designer license, a person shall meet the following requirements:
 - (1) Possess at least one (1) of the following:
 - (A) An associate, bachelor's, or graduate degree in:
 - (i) architecture;
 - (ii) industrial hygiene;
 - (iii) engineering;
 - (iv) building system design; or
 - (v) a related field of study.
 - (B) A high school degree or equivalent as described in subsection (b)(1), and one (1) year of experience in one (1) or more of the following fields:
 - (i) Planning, supervision, or cost estimation of building construction.
 - (ii) Planning, supervision, or cost estimation of asbestos projects.
 - (iii) Asbestos inspection.
 - (iv) General building inspection.
 - (2) Have attended an approved initial project designer training course and received a passing score on the written examination for the course.
- (e) To qualify for an initial Indiana project supervisor license, a person shall meet the following requirements:
 - (1) Possess a minimum of six (6) months of experience as a project supervisor or as a worker.
 - (2) Have attended an approved initial project supervisor training course and received a passing score on the written examination for the course.
- (f) To qualify for an initial Indiana worker license, a person shall meet the following requirements:
 - (1) Have attended an approved initial worker or project supervisor training course.
 - (2) Have received a passing score on the written examination for the course.
- (g) To qualify for an initial asbestos abatement contractor license, a person shall meet the following requirements:
 - (1) Meet the following financial responsibility requirements:
 - (A) The asbestos abatement contractor shall possess proof of financial responsibility with a current certificate of insurance documenting that the asbestos abatement contractor carries asbestos liability insurance in the amount of at least five hundred thousand dollars (\$500,000) for the implementation of asbestos projects.
 - (B) The company offering insurance coverage must be recognized or licensed by the Indiana department of insurance to provide asbestos coverage.
 - (C) The department must be listed as a certificate holder on the insurance certificate.
 - (D) The asbestos abatement contractor shall notify the department in writing within five (5) working days of any change in the status of the asbestos abatement contractor's financial responsibility.
 - (2) Meet the following training requirements:

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- (A) The asbestos abatement contractor shall:
 - (i) have attended an approved initial training course for project supervisor or asbestos abatement contractor and received a passing score on the written examination for the course; or
 - (ii) designate an employee to fulfill the training requirements in this subdivision and in section 4(a)(2) of this rule and notify the department of the name of the designated employee.
- (B) The asbestos abatement contractor shall notify the department in writing if the asbestos abatement contractor transfers the designated status to another employee within five (5) working days of the transfer.
- (C) The written notification must include the name of the newly designated employee and evidence that the person successfully completed the training requirements in this subdivision and in section 4(a)(2) of this rule.
- (3) Demonstrate that the asbestos abatement contractor is competent in the field of asbestos project implementation as provided in section 3(b)(5) of this rule.

(Air Pollution Control Division; 326 IAC 18-2.1-2; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)

326 IAC 18-2.1-3 Asbestos license application

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

Sec. 3. (a) A person seeking an initial asbestos license from the department as an inspector, management planner, project designer, project supervisor, or worker shall complete the following:

- (1) Submit a completed application:
 - (A) in writing on forms provided by the department; or
 - (B) through the asbestos online licensing program.
- (2) Provide a copy of all certificates of training for approved initial and, if applicable, refresher training courses indicating:
 - (A) the courses were successfully completed; and
 - (B) passing scores were obtained on all written examinations.
- (3) Pay the license application fee specified in section 7 of this rule.

(b) A person seeking an initial asbestos license from the department as an asbestos abatement contractor shall complete the following:

- (1) Submit a completed application in writing on forms provided by the department.
- (2) Provide a statement that the person has read and understands this rule, 40 CFR 763, Subpart E*, and 326 IAC 14-10.
- (3) Provide a copy of all required certificates of training indicating the person, or the asbestos abatement contractor's designated employee:
 - (A) successfully completed the approved initial and any requisite refresher training courses for project supervisor or asbestos abatement contractor; and
 - (B) received passing scores on all written examinations for the courses.
- (4) Provide a complete list of prior contracts for the previous twelve (12) months for asbestos projects, including names, addresses, electronic mail addresses, and telephone numbers of persons for whom projects were performed.
- (5) Provide an up-to-date copy of the asbestos abatement contractor's written standard operating procedures, which include current compliance procedures, for the following regulatory programs:
 - (A) 326 IAC 14-2.
 - (B) 326 IAC 14-10.
 - (C) This rule.
 - (D) 329 IAC 10-8.2-4.
 - (E) 29 CFR 1926.1101*.
 - (F) 29 CFR 1910.134*.
- (6) Provide a description of any asbestos projects that the asbestos abatement contractor conducted that were prematurely terminated or not completed, including the circumstances surrounding the termination.
- (7) Provide a list of any contractual penalties that the asbestos abatement contractor has paid for noncompliance with contract specifications.

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(8) Provide copies of all warning letters, notices, and orders issued by the commissioner, agreed orders, citations, notices of violation, or findings of violation, levied against the asbestos abatement contractor by any federal, state, or local governmental agency for violations of regulations or other laws pertaining to asbestos activities, including:

- (A) the names and locations of the projects;
- (B) the dates of the projects; and
- (C) a description of how the allegations were resolved.

(9) Provide a description detailing all:

- (A) legal proceedings;
- (B) lawsuits;
- (C) warning letters from the commissioner; or
- (D) claims;

that have been filed or levied against the asbestos abatement contractor or any past or present employees while employed by the asbestos abatement contractor, for asbestos-related activities.

(10) Provide documentation of the asbestos abatement contractor's financial responsibility with a current certificate of insurance documenting that the asbestos abatement contractor carries asbestos liability insurance in the amount of at least five hundred thousand dollars (\$500,000) for the implementation of asbestos projects from a company recognized or licensed by the Indiana department of insurance to provide asbestos coverage.

(11) Pay the license application fee specified in section 7 of this rule.

(c) The department shall review and process an application for an asbestos license as follows:

(1) The department shall not process applications on a walk-in basis or process applications over the telephone.

(2) The department shall determine if the information on the application is complete and, if not, the applicant must submit the missing information requested by the department within one (1) year of the department's receipt of the application or the application expires and the fee is not transferable or refundable.

(3) The department shall make a determination on the eligibility of the applicant.

(4) In addition to the requirements of subsections (a)(2) and (b)(3), the department may require an applicant or a designated employee of an asbestos abatement contractor, in the case of subsection (b)(3), to take an examination administered by the department as follows:

(A) The examination must cover only the discipline for which the applicant is seeking a license.

(B) The department shall deny the application if the applicant does not receive a passing score of at least seventy percent (70%) correct answers.

(C) If the department denies the application, the certificate of training is invalid, and the applicant must retake and pass the initial training course for the discipline for which the applicant is seeking a license.

(5) The department may deny an application for an asbestos license based on:

(A) the criteria listed in section 5 of this rule, as applicable; or

(B) failure to comply with any other provision of this rule.

(6) The department shall issue an asbestos license to a person who fulfills the requirements established by this rule via the United States Postal Service to the address listed on the application.

(d) An asbestos license is valid for one (1) year from the date of issuance.

(e) A person holding an asbestos license shall notify the department within thirty (30) working days of any change in contact information on the application via:

(1) United States Postal Service;

(2) commercial delivery service;

(3) electronic submission;

(4) facsimile; or

(5) hand delivery.

*These documents are incorporated by reference. Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-2.1-3; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-2.1-4 Asbestos license renewal

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 4. (a) A person seeking to renew an asbestos license as an inspector, management planner, project designer, project supervisor, worker, or asbestos abatement contractor shall meet the following requirements:

(1) Have possessed a valid asbestos license within the previous twelve (12) months in the discipline for which the applicant is seeking a renewal asbestos license.

(2) Have attended, within the previous twelve (12) months, an approved refresher training course for disciplines under which the person was previously licensed. In the case of a person seeking to renew an asbestos license as a management planner, the person will be required to have attended both the inspector refresher and the management planner refresher training courses.

(3) Submit a completed application on forms provided by the department and include a copy of the certificates of training indicating that the person successfully completed the refresher training course and written examination.

(4) Pay the license application fee specified in section 7 of this rule.

(b) A person seeking to renew an asbestos license as an asbestos abatement contractor shall include in the application updated information as required in section 3(b)(5) through 3(b)(10) of this rule if any information has changed during the previous twelve (12) months. The asbestos abatement contractor shall routinely examine and update the standard operating procedures manual to reflect the compliance assurance methodologies that meet current federal, state, and local regulations or other laws pertaining to asbestos.

(c) The department shall review and process an application for an asbestos license renewal in accordance with section 3(c) of this rule.

(d) An asbestos license renewal is valid for one (1) year from the date of issuance.

(e) A person who seeks to renew a license for which a twenty-four (24) month time lapse has occurred between training courses is required to repeat the initial training course for the discipline in which the time lapse occurred. (*Air Pollution Control Division; 326 IAC 18-2.1-4; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-2.1-5 Asbestos license revocation and denial

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 5. The department may suspend or revoke an asbestos license or deny an application for an asbestos license or license renewal if the person or applicant does any of the following:

(1) Violates a requirement of this rule or a requirement of:

(A) 40 CFR 763, Subpart E*;

(B) 40 CFR 763, Subpart E, Appendix C*;

(C) 326 IAC 14-2;

(D) 326 IAC 14-10; or

(E) any other federal, state, or local regulation or other laws pertaining to asbestos in buildings or to asbestos projects.

(2) Falsifies information on an application for an asbestos license.

(3) Fails to meet any requirement specified in section 2 of this rule.

(4) Conducts an asbestos project, or related asbestos handling activity, in a manner that is hazardous to the public health.

(5) Performs work requiring an asbestos license without the certificate of training or asbestos license and photographic identification available at a job site.

(6) Permits the duplication or use of one's own asbestos license by another.

(7) Performs work for which an asbestos license has not been received.

(8) Has obtained training from a training course provider that does not have approval to offer training for the particular discipline for which the license was received.

*These documents are incorporated by reference. Copies may be obtained from the Government Publishing Office,

www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-2.1-5; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-2.1-6 Asbestos abatement contractor license requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 6. The following requirements apply to the implementation of an asbestos project at a facility:

(1) Each asbestos abatement contractor is required to have at least one (1) licensed project supervisor, responsible for direct supervision of workers, in the work area of the asbestos project during removal, encapsulation, enclosure, stripping, repair, and work area decontamination activities.

(2) Workers must have access to a project supervisor throughout the duration of the asbestos project.

(3) Each asbestos abatement contractor shall ensure that the current certificate of training or asbestos license, and a photographic identification card, for each project supervisor and worker is kept:

(A) on the job site during an asbestos project; and

(B) outside the work area and available for inspection by the department.

(4) A person employed by the asbestos abatement contractor, or a partner or subsidiary entity thereof, implementing an asbestos project shall not, for the purposes of fulfilling the requirements of 40 CFR 763.90* collect or analyze air samples for determining the completion of that asbestos project.

*This document is incorporated by reference. Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-2.1-6; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-2.1-7 Fees

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 7. (a) Upon application for an asbestos license, a person shall pay a fee as follows:

(1) Inspector: one hundred dollars (\$100).

(2) Management planner: one hundred dollars (\$100).

(3) Project designer: one hundred dollars (\$100).

(4) Project supervisor: one hundred dollars (\$100).

(5) Worker: fifty dollars (\$50).

(6) Asbestos abatement contractor: one hundred fifty dollars (\$150).

(b) Fees paid by mail must be paid by check, money order, or credit card and be made payable to the Asbestos Trust Fund.

(c) The nonrefundable application fee is not transferable:

(1) from one (1) type of asbestos license to another;

(2) from one (1) person to another; or

(3) to any other type of license issued by the department;

unless requested by the applicant and approved by the department within three (3) days of submittal to the department or prior to processing by the department, whichever is earlier.

(d) If the department determines the information on the application to be incomplete, the applicant must submit the missing information requested by the department within one (1) year of the department's receipt of the application, or the application expires and the fee is not transferable or refundable. (*Air Pollution Control Division; 326 IAC 18-2.1-7; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-2.1-8 Duplicate asbestos license

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

- Sec. 8. (a) To replace an asbestos license that has been lost or stolen, a person shall submit:
- (1) a completed application for a duplicate license on a form provided by the department; and
 - (2) photographic identification as described in subsection (d).
 - (b) The form must include a statement indicating that the original asbestos license was lost or stolen.
 - (c) The department shall issue no more than two (2) duplicate asbestos licenses to any person in any calendar year.
 - (d) A request for a duplicate asbestos license must be submitted in person or in writing to the department by the licensee.

When applying in person, one (1) piece of the following acceptable types of valid identification, containing a photograph of the licensee, must be shown at the time of the request:

- (1) State-issued driver's license.
- (2) State-issued identification card.
- (3) United States passport.
- (4) U.S. Citizenship and Immigration Services identification.

(Air Pollution Control Division; 326 IAC 18-2.1-8; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)

Rule 3. Accreditation; Asbestos Removal Personnel (Repealed)

(Repealed by Air Pollution Control Division; filed May 12, 1998, 9:15 a.m.: 21 IR 3771)

Rule 3.1. Asbestos Training Course Approval

326 IAC 18-3.1-1 Applicability

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

Sec. 1. This rule applies to persons who provide an approved initial or refresher training course for the purpose of licensing persons under this article. Those training course providers currently holding a valid Indiana letter of approval, per discipline, are considered approved per discipline under this rule until the expiration date as stated on each letter of approval. *(Air Pollution Control Division; 326 IAC 18-3.1-1; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-3.1-2 Initial training course requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

Sec. 2. (a) Each initial asbestos training course must meet the requirements in this rule specific to the appropriate discipline to be approved by the department.

- (b) Each initial asbestos training course must include the following:
- (1) A written examination as described in section 4 of this rule.
 - (2) Lectures.
 - (3) Audiovisual materials to complement lectures where appropriate.
 - (4) Demonstrations.
 - (5) The specific requirements for the applicable discipline identified in 326 IAC 18-4.

(Air Pollution Control Division; 326 IAC 18-3.1-2; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)

326 IAC 18-3.1-3 Refresher training course requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

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- Sec. 3. (a) A refresher training course must meet the requirements of this section to obtain approval from the department.
- (b) Each refresher training course must meet the following requirements:
- (1) Be specific to each discipline.
 - (2) Review and discuss changes in federal and state regulations and other laws pertaining to the following:
 - (A) Asbestos.
 - (B) Developments in state-of-the-art procedures.
 - (C) A review of key aspects of the initial training course.
 - (3) Include a written examination as described in section 4 of this rule.
- (c) In addition to subsection (b), a refresher training course must meet the specific requirements for each appropriate discipline as follows:
- (1) An inspector refresher training course must be at least one-half (1/2) day in duration.
 - (2) A management planner refresher training course must include one-half (1/2) day of management planner refresher training and one-half (1/2) day of inspector refresher training.
 - (3) The following refresher training courses must be at least one (1) day in duration:
 - (A) Project designer.
 - (B) Project supervisor.
 - (C) Asbestos abatement contractor.
 - (D) Worker.

(Air Pollution Control Division; 326 IAC 18-3.1-3; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)

326 IAC 18-3.1-4 Examination requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

- Sec. 4. (a) Each initial and refresher training course must include a closed-book examination at the conclusion of each course. Demonstration testing may also be included as part of the examination.
- (b) Each examination must adequately cover the topics included in the training course for that discipline.
- (c) Examinations must have a passing score of at least seventy percent (70%) and consist of at least the following number of multiple choice questions for each respective discipline:
- (1) Inspectors: fifty (50) questions.
 - (2) Management planners: fifty (50) questions.
 - (3) Project designers: one hundred (100) questions.
 - (4) Project supervisors: one hundred (100) questions.
 - (5) Workers: fifty (50) questions.
 - (6) Asbestos abatement contractors: one hundred (100) questions.
- (d) Training course providers may allow a trainee to retake the final written examination after having failed to achieve a passing score of seventy percent (70%). The reexamination may be taken two (2) times, allowing a trainee a total of three (3) opportunities to pass the required examination. A trainee shall retake an asbestos training course examination within a two (2) week period following the completion of the initial or refresher asbestos training course. Failure of the trainee to pass the third attempt requires the trainee to retake the entire appropriate asbestos training course.
- (e) Training course providers may allow administration of an oral examination for the worker initial and worker refresher courses in those cases where an individual attending or completing a course or courses is unable to take or complete a written examination.
- (f) Only training course providers or a designated employee of a training course provider who meets the requirements of section 9 of this rule may administer and proctor an examination. A proctor must be present during the entire duration of the examination. *(Air Pollution Control Division; 326 IAC 18-3.1-4; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)*

326 IAC 18-3.1-5 Training course provider qualifications for approval

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 5. Persons wishing to obtain approval of a training course shall do the following:

- (1) Ensure that the training course meets or exceeds the applicable requirements of:
 - (A) sections 2 through 4 of this rule; and
 - (B) 326 IAC 18-4.
- (2) Issue numbered certificates of training to students who attend the training course and successfully pass the examination. The certificate of training must indicate the following:
 - (A) Name of the person who attended the training course.
 - (B) Discipline of the training course completed.
 - (C) Dates of the training course.
 - (D) Date of the examination.
 - (E) An expiration date not to exceed one (1) year after the date upon which the person successfully completed the course and passed the examination.
 - (F) The name, address, electronic mail address, and telephone number of the training course provider who issued the certificate of training.
 - (G) A statement that the person receiving the certificate of training has completed the requisite training for an asbestos license under TSCA Title II.
 - (H) A statement that the training course meets the requirements as outlined by the state of Indiana under this rule.
- (3) Ensure that only instructors who meet the requirements under section 9 of this rule are used to teach the training course.
- (4) Allow the department to attend, evaluate, and monitor any training course without charge to the department. The department is not required to give advanced notice of an inspection.
- (5) Ensure that each initial and refresher training course offered be specific to a single discipline and not combined with training for any other discipline.
- (6) The providers of refresher training courses shall verify that students possess valid initial and, as necessary, refresher training before granting course admission. Those providers offering the initial management planner training course shall verify that students have met the prerequisite of possessing the appropriate initial inspector training at the time of course admission.
- (7) Ensure that all requirements for training students will be met in the event that the:
 - (A) instructor does not speak a language understood by all students; or
 - (B) course materials are not in a language understood by all students.

(Air Pollution Control Division; 326 IAC 18-3.1-5; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA)

326 IAC 18-3.1-6 Application for approval

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 6. (a) A training course provider seeking approval of an initial or refresher training course by the department shall complete the following:

- (1) Submit a completed application on forms provided by the department.
- (2) Submit evidence of either the full or contingent course approval, as described in subdivision (3)(I), by:
 - (A) U.S. EPA; or
 - (B) a state under an accreditation program approved by U.S. EPA.
- (3) Provide the following information:
 - (A) The training course provider's name, address, telephone number, electronic mail address, and primary contact person.
 - (B) The name of the training course.

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- (C) The course curriculum.
 - (D) A letter from the training course provider that clearly indicates how the course meets the applicable requirements of sections 2 through 4 of this rule and 326 IAC 18-4, including the following information:
 - (i) Length of training in days.
 - (ii) Amount and type of hands-on training.
 - (iii) Examination length, format, and passing score.
 - (iv) Topics covered in the course.
 - (E) A copy of all course materials, including:
 - (i) student manuals;
 - (ii) instructor notebooks;
 - (iii) handouts; and
 - (iv) any other applicable course materials.
 - (F) A detailed statement about the development of the examinations and a copy of the examinations used in the course.
 - (G) The names and qualifications of course instructors, including academic credentials and field experience in asbestos abatement.
 - (H) A description and an example of numbered certificates of training issued to students who complete the course and pass the examination with the following:
 - (i) Name of the person who attended the training course.
 - (ii) Discipline of the training course completed.
 - (iii) Dates of the training course.
 - (iv) Date of the examination.
 - (v) An expiration date not to exceed one (1) year after the date upon which the person successfully completed the course and passed the examination.
 - (vi) The name, address, electronic mail address, and telephone number of the training course provider who issued the certificate of training.
 - (vii) A statement that the person receiving the certificate of training has completed the requisite training for asbestos license under TSCA Title II.
 - (viii) A statement that the training course meets requirements as outlined by the state of Indiana under this rule.
 - (I) A list of all states, both U.S. EPA approved and nonapproved states, in which the course has received approval including for the following:
 - (i) A fully approved course that received final approval status from the state after an onsite audit of the training course that determined the course is in full compliance with applicable state and federal requirements.
 - (ii) A course that received contingent approval based on a review of written training course curriculum and other information and materials that describe the training course.
 - (J) A detailed statement of how the training course provider ensures that all requirements for training students be met in the event that the:
 - (i) instructor does not speak a language understood by all students; or
 - (ii) course materials are not in a language understood by all students.
- (4) Pay the asbestos training course provider application fees as specified in section 11 of this rule.
- (b) A training course provider shall notify the department in writing within thirty (30) days whenever there is a significant change in the course curriculum, instructional staff, or primary contact person.
 - (c) The department shall review the application and make a determination as to the eligibility of the training course. The department shall issue a letter of approval to any training course provider, providing an approved initial training course or an approved refresher training course, who fulfills the requirements of this rule. The department may disapprove any training course that fails to meet the requirements of this rule.
 - (d) A letter of approval is valid for one (1) year from the date of issuance. (*Air Pollution Control Division; 326 IAC 18-3.1-6; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-3.1-7 Application requirements for reapproval

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

Sec. 7. (a) A training course provider seeking reapproval of an approved initial training course or an approved refresher training course by the department shall meet the following requirements:

- (1) Have possessed a valid letter of approval from the department within the previous six (6) months.
 - (2) Submit a completed application on forms provided by the department and include updated information as required in section 6(a)(2) and 6(a)(3) of this rule.
 - (3) Pay the annual application fees as specified in section 11(b) of this rule.
- (b) The department shall review the application and make a determination as to the eligibility of the training course provider.

The department shall issue a letter of approval to a training course provider who fulfills the requirements established by this rule.

(c) A letter of approval is valid for one (1) year from the date of issuance. (*Air Pollution Control Division; 326 IAC 18-3.1-7; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-3.1-8 Representation of training course approval

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

Sec. 8. (a) A person shall not make representation as conducting an approved initial training course or approved refresher training course for the purpose of licensing persons under this article without prior written approval from the department.

(b) In any oral or written statement that indicates Indiana's approval of a training course, course providers must clearly indicate that the course is only approved for purposes of licensing under this article. (*Air Pollution Control Division; 326 IAC 18-3.1-8; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-3.1-9 Asbestos training course provider instructor qualifications

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

Sec. 9. (a) A training course provider shall submit resumes and qualifications for a potential instructor, including a guest instructor, for approval by the department prior to their use as instructors for any course.

(b) A person to be approved as an instructor for an asbestos training course must meet the following minimum education and training qualifications:

- (1) Possess a high school degree or equivalent as described in 326 IAC 18-2.1-2(b)(1) and either of the following:
 - (A) A bachelor's or graduate degree in architecture, industrial hygiene, engineering, building system design, science, or a related field.
 - (B) A combination of four (4) years of experience in asbestos inspection, planning, supervision, or cost estimation.
- (2) Have completed the training course and successfully passed the examination in the discipline that the person wishes to instruct. The training course must be taken from a training course provider other than the provider for whom the instructor will be working.
- (3) Provide copies of academic credentials and proof of field experience.

(c) The department shall notify the training course provider within eight (8) weeks of the receipt of the application if a potential instructor is not approved. (*Air Pollution Control Division; 326 IAC 18-3.1-9; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-3.1-10 Approval revocation

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

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Sec. 10. (a) The department may revoke the approval of a training course if the training course provider does any of the following:

- (1) Violates any of the following:
 - (A) A requirement of this rule.
 - (B) 40 CFR 763, Subpart E*.
 - (C) 40 CFR 763, Subpart E, Appendix C*.
 - (D) Any other federal, state, or local regulation.
 - (E) Any other laws pertaining to asbestos.
- (2) Falsifies information on an application for approval.
- (3) Fails to meet any qualifications specified in:
 - (A) this rule; or
 - (B) 326 IAC 18-4.
- (4) Misrepresents the extent of a training course's approval.
- (5) Fails to submit required information or notifications in a timely manner.
- (6) Fails to maintain requisite records.
- (7) Falsifies training records, instructor qualifications, or other training or licensing information.

(b) The department may revoke the approval of a training course if an approved training course instructor or other person with supervisory authority over the delivery of training has been found in violation of other asbestos regulations and other laws administered by U.S. EPA, the department, or from a state that has an accreditation plan approved by U.S. EPA.

*These documents are incorporated by reference. Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-3.1-10; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-3.1-11 Application fees

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 11. (a) Upon application for initial or refresher asbestos training course approval, a training course provider shall pay a one (1) time application fee of one thousand dollars (\$1,000) for each of the following disciplines:

- (1) Inspectors.
- (2) Management planners.
- (3) Project designers.
- (4) Project supervisors.
- (5) Workers.
- (6) Asbestos abatement contractors.

(b) Upon application for initial or refresher asbestos training course reapproval, a training course provider shall pay an annual application fee of five hundred dollars (\$500) for each of the following disciplines:

- (1) Inspectors.
- (2) Management planners.
- (3) Project designers.
- (4) Project supervisors.
- (5) Workers.
- (6) Asbestos abatement contractors.

(c) Fees paid by mail must be paid by check or money order and be made payable to the Asbestos Trust Fund.

(d) The nonrefundable application fee is not transferable:

- (1) from one (1) application to another;
- (2) from one (1) training course provider to another; or
- (3) to any other type of licensing or approval issued by the department;

unless requested by the applicant and approved by the department within three (3) days of submittal to the department or prior to processing of the application by the department, whichever is earlier.

(e) If the department determines the information on the application to be incomplete, the applicant must submit the missing information requested by the department within one (1) year of the department's receipt of the application, or the application expires and the fee is not transferable or refundable. (*Air Pollution Control Division; 326 IAC 18-3.1-11; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-3.1-12 Record keeping requirements for training course providers

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 12. (a) An approved provider of an initial or refresher training course must comply with the following minimum record keeping requirements:

(1) Maintain copies of all training course materials used, including the following:

- (A) Student manuals.
- (B) Instructor notebooks.
- (C) Handouts.

(2) Maintain verification of instructor qualifications, including the following:

- (A) Copies of all instructors' resumes and qualifications.
- (B) Copies of documents indicating approval by the department for each instructor before the instructor teaches an approved course under section 6 of this rule.
- (C) Notice to the department in advance whenever it changes course instructors and the name of the new instructor.
- (D) Records must accurately identify the instructors who taught each particular course for each date that a course is offered.

(3) Maintain the following examination records:

- (A) A copy of the examination.
- (B) The name and test score of each person taking the examination.
- (C) The date of the examination.
- (D) The discipline and whether the course was an initial or refresher course for which the examination was given.
- (E) The name of the person who proctored the examination.

(4) Maintain the following certificate of training records:

- (A) The name of each person receiving a certificate of training.
- (B) Proof of a passing score on the examination.
- (C) The certificate of training number.
- (D) The discipline for which a certificate of training was conferred.
- (E) The dates training was received.
- (F) The expiration date of the certificate of training.
- (G) The location of the training course.

(5) The training course provider shall ensure that the topic and dates of the training course correspond to those listed on each certificate of training.

(b) An approved provider of an initial training or refresher training course must comply with the following records retention and access requirements:

- (1) The training course provider shall maintain all required records for a minimum of three (3) years.
- (2) The training course provider must allow reasonable access to all of the records required by the model accreditation plan under 40 CFR 763, Subpart E, Appendix C* and to any other records that may be required by the department for the approval of asbestos training course providers or the accreditation of asbestos training courses to both U.S. EPA and the department upon request.
- (3) If a training course provider ceases to conduct training, the training course provider shall notify the department and give the department the opportunity to take possession of that provider's asbestos training records.

(4) The training course provider shall maintain the records in a manner that allows verification by telephone of the required information.

*This document is incorporated by reference. Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-3.1-12; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-3.1-13 Course notice and record submittal

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

Sec. 13. An approved provider of an initial or refresher training course must comply with the following requirements on forms provided by the department:

(1) Notify the department in writing of all intended training courses to be held. The notice must contain course dates, daily scheduled start and end times, and exact course locations. Requirements for notice of courses are as follows:

- (A) Notice of courses to be held in Indiana must be submitted to the department two (2) weeks prior to the scheduled course start date.
- (B) Notice of courses to be held outside of Indiana must be submitted to the department four (4) weeks prior to the scheduled course start date.
- (C) Notice of course cancellations must be submitted to the department via electronic submission or facsimile, no later than two (2) hours following the notified start time and date.

(2) Provide the department, not later than two (2) weeks after completion of each course, the following:

- (A) A list of all course attendee names.
- (B) The discipline and whether the course was an initial or refresher course.
- (C) The date or dates of the course and the examination.
- (D) Examination scores for each attendee.
- (E) The certificate of training number issued to each attendee.

(*Air Pollution Control Division; 326 IAC 18-3.1-13; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

Rule 4. Asbestos Training Course Content

326 IAC 18-4-1 Initial training course requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

Sec. 1. To qualify for approval, an asbestos training course must include:

- (1) a written examination as described in 326 IAC 18-3.1-4; and
- (2) the applicable course content described in this rule.

(*Air Pollution Control Division; 326 IAC 18-4-1; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-4-2 Initial inspector training course requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

Sec. 2. (a) An initial inspector training course must meet the requirements of this section.

(b) An inspector training course must be at least three (3) days in duration and include the following:

- (1) Lectures, including the use of audiovisual materials where appropriate.
- (2) Demonstrations.
- (3) At least four (4) hours of hands-on training, including the following:

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- (A) Simulated building walk-through inspection.
- (B) Individual respirator fit testing.
- (4) A course review.
- (c) An inspector training course must adequately address the following topics:
 - (1) Background information on asbestos to include the following:
 - (A) Identification of asbestos and examples and discussion of the uses and locations of asbestos in buildings.
 - (B) The physical appearance of asbestos.
 - (2) Potential health effects related to asbestos exposure to include the following:
 - (A) The nature of asbestos-related diseases.
 - (B) Routes of exposure.
 - (C) Dose-response relationships and the lack of a safe exposure level.
 - (D) The synergistic effect between cigarette smoking and asbestos exposure.
 - (E) The latency period for asbestos-related diseases.
 - (F) A discussion of the relationship of asbestos exposure to asbestosis, lung cancer, mesothelioma, and cancer of other organs.
 - (3) Functions, qualifications, and role of inspectors to include discussion of the following:
 - (A) Prior experience and qualifications for inspectors and management planners.
 - (B) The functions of a licensed inspector as compared to those of a licensed management planner.
 - (C) The inspection process, including inventory of ACM and physical assessment.
 - (4) Legal liabilities and defenses to include the following:
 - (A) Responsibilities of the inspector and management planner.
 - (B) A discussion of comprehensive general liability policies, claims-made and occurrence policies, and environmental and pollution liability policy clauses.
 - (C) State liability insurance requirements.
 - (D) Bonding and the relationship of insurance availability to bond availability.
 - (5) Understanding building systems to include the following:
 - (A) The interrelationship between building systems, including an overview of common building physical plan layout.
 - (B) Heat, ventilation, and air conditioning (HVAC) system types, physical organization, and where asbestos is found on HVAC components.
 - (C) Building mechanical systems, their types and organization, and where to look for asbestos on the systems.
 - (D) Inspecting electrical systems, including appropriate safety precautions.
 - (E) Reading blueprints and as-built drawings.
 - (6) Public, employee, or building occupant relations to include the following:
 - (A) Notice to employee organizations about the inspection.
 - (B) Signs to warn building occupants.
 - (C) Tact in dealing with occupants and the press.
 - (D) Scheduling of inspections to minimize disruption.
 - (E) Education of building occupants about actions being taken.
 - (7) Preinspection planning and review of previous inspection records to include the following:
 - (A) Scheduling the inspection and obtaining access.
 - (B) Building record review.
 - (C) Identification of probable homogeneous areas from blueprints or as-built drawings.
 - (D) Consultation with maintenance or building personnel.
 - (E) Review of previous inspection, sampling, and abatement records of a building.
 - (F) The role of the inspector in exclusions for previously performed inspections.
 - (8) Inspecting for friable and nonfriable ACM and assessing the condition of friable ACM to include the following:
 - (A) Procedures to follow in conducting visual inspections for friable and nonfriable ACM.
 - (B) Types of building materials that may contain asbestos.
 - (C) Touching materials to determine friability.

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- (D) Open return air plenums and their importance in HVAC systems.
 - (E) Assessing damage, significant damage, potential damage, and potential significant damage.
 - (F) Amount of suspected ACM, both in total quantity and as a percentage of the total area.
 - (G) Type of damage.
 - (H) Accessibility.
 - (I) Material's potential for disturbance.
 - (J) Known or suspected causes of damage or significant damage.
 - (K) Deterioration as assessment factors.
- (9) Bulk sampling or documentation of asbestos in schools to include the following:
- (A) Detailed discussion of "Asbestos in Buildings: Simplified Sampling Scheme for Surfacing Materials", (U.S. EPA 560/5-85-030a October 1985)*.
 - (B) Techniques to ensure sampling in a randomly distributed manner for other than friable surfacing materials.
 - (C) Sampling of nonfriable materials.
 - (D) Techniques for bulk sampling.
 - (E) Sampling equipment the inspector should use.
 - (F) Patching or repair of damage done in sampling.
 - (G) An inspector's repair kit.
 - (H) Discussion of polarized light microscopy.
 - (I) Choosing an accredited laboratory to analyze bulk samples.
 - (J) Quality control and quality assurance procedures.
- (10) Inspector respiratory protection and personal protective equipment to include the following:
- (A) Classes and characteristics of respirator types.
 - (B) Limitations of respirators.
 - (C) Proper selection, inspection, donning, use, maintenance, and storage procedures for respirators.
 - (D) Methods for field testing of the facepiece-to-face seal (positive and negative pressure fitting tests).
 - (E) Qualitative and quantitative fit testing procedures.
 - (F) Variability between field and laboratory protection factors.
 - (G) Factors that alter respirator fit, for example, facial hair.
 - (H) The components of a proper respiratory protection program.
 - (I) Selection and use of personal protective clothing.
 - (J) Use, storage, and handling of nondisposable clothing.
- (11) Record keeping and writing the inspection report to include the following:
- (A) Labeling of samples and keying sample identification to sampling location.
 - (B) Recommendations on sample labeling.
 - (C) Detailing of ACM inventory.
 - (D) Photographs of selected sampling areas and examples of ACM condition.
 - (E) Information required for inclusion in the management plan by Section 203(i)(1) TSCA Title II*.
- (12) Regulatory review to include the following:
- (A) National Emission Standards for Hazardous Air Pollutants (NESHAP) at 40 CFR 61, Subpart A* and Subpart M*.
 - (B) Asbestos worker protection at 40 CFR 763, Subpart G*.
 - (C) TSCA Title II*.
 - (D) Occupational Safety and Health Administration (OSHA) asbestos construction standard at 29 CFR 1926.1101*.
 - (E) OSHA respiratory protection requirements at 29 CFR 1910.134*.
 - (F) ACM in schools at 40 CFR 763, Subpart E*.
 - (G) Applicable state and local regulations and differences in federal or state requirements where they apply and the effects, if any, on public and nonpublic schools or commercial or public buildings.
 - (H) 326 IAC 14-2, 326 IAC 14-10, this article, 329 IAC 10-4-2, 329 IAC 10-8.2-4, and any local or municipal regulations, ordinances, or other local laws pertaining to asbestos.
- (13) Field trip comprised of a walk-through inspection to include the following:

- (A) On-site discussion on information gathering and determination of sampling locations.
 - (B) On-site practice in physical assessment.
 - (C) Classroom discussion of field exercise.
- (14) A course review of the key aspects of the training course.

*Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-4-2; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-4-3 Initial management planner training course requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 3. (a) An initial management planner training course must meet the requirements of this section.

(b) The training course provider must verify that each attendee possesses a current and valid inspector certificate of training prior to admission to the management planner training course.

(c) A management planner training course must be at least two (2) days in duration and include the following:

- (1) Lectures, including the use of audiovisual materials where appropriate.
- (2) Demonstrations.
- (3) A course review.

(d) A management planner training course must adequately address the following topics:

(1) Course overview to include the following:

- (A) The role of the management planner.
- (B) Operations and maintenance programs.
- (C) Setting work priorities.
- (D) Protection of building occupants.

(2) Evaluation and interpretation of survey results to include the following:

- (A) Review of TSCA Title II requirements for inspection and management plans as given in Section 203(i)(1) of TSCA Title II*.
- (B) Interpretation of field data and laboratory results.
- (C) Comparison between field inspector's data sheet with laboratory results and site survey.

(3) Hazard assessment to include the following:

- (A) Amplification of the difference between physical assessment and hazard assessment.
- (B) The role of the management planner in hazard assessment.
- (C) Explanation of significant damage, damage, potential damage, and potential significant damage.
- (D) Use of a description (or decision tree) code for assessment of ACM.
- (E) Assessment of friable ACM.
- (F) Relationship of accessibility, vibration sources, use of adjoining space, and air plenums and other factors to hazard assessment.

(4) Legal implications to include the following:

- (A) Liability.
- (B) Insurance issues specific to planners.
- (C) Liabilities associated with interim control measures and in-house maintenance, repair, and removal.
- (D) Use of results from previously performed inspections.

(5) Evaluation and selection of control options to include the following:

- (A) Overview of encapsulation, enclosure, interim operations and maintenance, and removal.
- (B) Advantages and disadvantages of each method.
- (C) Response actions described via a decision tree or other appropriate method.
- (D) Work practices for each asbestos project.

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- (E) Staging and prioritizing of work in both vacant and occupied buildings.
- (F) The need for containment barriers and decontamination in asbestos projects.
- (6) Role of other professionals to include the following:
 - (A) Use of industrial hygienists, engineers, and architects in developing technical specifications for asbestos projects.
 - (B) Any requirements that may exist for architect sign-off of plans.
 - (C) Team approach to design of high quality job specifications.
- (7) Developing an operations and maintenance plan to include the following:
 - (A) Purpose of the plan.
 - (B) Discussion of applicable U.S. EPA guidance documents.
 - (C) What actions should be taken by custodial staff.
 - (D) Proper cleaning procedures.
 - (E) Steam cleaning and high efficiency particulate air (HEPA) vacuuming.
 - (F) Reducing disturbance of ACM.
 - (G) Scheduling operations and maintenance for off-hours.
 - (H) Rescheduling or canceling renovation in areas with ACM.
 - (I) Boiler room maintenance.
 - (J) Disposal of ACM.
 - (K) In-house procedures for ACM-bridging and penetrating encapsulants.
 - (L) Pipe fittings.
 - (M) Metal sleeves.
 - (N) Polyvinyl chloride (PVC), canvas, and wet wraps.
 - (O) Muslin with straps.
 - (P) Fiber mesh cloth.
 - (Q) Mineral wool and insulating cement.
 - (R) Discussion of employee protection programs and staff training.
 - (S) Case study in developing an operations and maintenance plan (development, implementation process, and problems that have been experienced).
- (8) Regulatory review to include the following:
 - (A) Occupational Safety and Health Administration (OSHA) asbestos construction standard at 29 CFR 1926.1101*.
 - (B) NESHAP at 40 CFR 61, Subpart A* and Subpart M*.
 - (C) Asbestos worker protection at 40 CFR 763, Subpart G*.
 - (D) TSCA Title II*.
 - (E) 326 IAC 14-2, 326 IAC 14-10, this article, 329 IAC 10-4-2, 329 IAC 10-8.2-4, and any local or municipal regulations, ordinances, or other local laws pertaining to asbestos.
- (9) Record keeping for the management planner to include the following:
 - (A) Use of field inspector's data sheet along with laboratory results.
 - (B) Ongoing record keeping as a means to track asbestos disturbance.
 - (C) Procedures for record keeping.
- (10) Assembling and submitting the management plan to include the following:
 - (A) Plan requirements in TSCA Title II, Section 203(i)(1)*.
 - (B) The management plan as a planning tool.
- (11) Financing abatement action to include the following:
 - (A) Economic analysis and cost estimates.
 - (B) Development of cost estimates.
 - (C) Present costs of abatement versus future operations and maintenance costs.
 - (D) Grants and loans under the Asbestos School Hazard Abatement Act (20 U.S.C. 4011 et seq.)*.
- (12) A course review of the key aspects of the training course.

*Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate

Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-4-3; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-4-4 Initial project designer training course requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

- Sec. 4. (a) An initial project designer training course must meet the requirements of this section.
- (b) A project designer training course must be at least three (3) days in duration and include the following:
- (1) Lectures, including the use of audiovisual materials where appropriate.
 - (2) Demonstrations.
 - (3) A field trip.
 - (4) A course review.
- (c) A project designer training course must adequately address the following topics:
- (1) Background information on asbestos to include the following:
 - (A) Identification of asbestos.
 - (B) Examples and discussion of the uses and locations of asbestos in buildings.
 - (C) The physical appearance of asbestos.
 - (2) Potential health effects related to asbestos exposure to include the following:
 - (A) The nature of asbestos-related diseases.
 - (B) Routes of exposure.
 - (C) Dose-response relationships and the lack of a safe exposure level.
 - (D) The synergistic effect between cigarette smoking and asbestos exposure.
 - (E) The latency period of asbestos-related diseases.
 - (F) A discussion of the relationship of asbestos exposure to asbestosis, lung cancer, mesothelioma, and cancer of other organs.
 - (3) Overview of abatement construction projects to include the following:
 - (A) Abatement as a portion of a renovation project.
 - (B) Occupational Safety and Health Administration (OSHA) requirements for notification of other asbestos abatement or removal or demolition contractors on a multiemployer site at 29 CFR 1926.1101*.
 - (4) Safety system design specifications to include the following:
 - (A) Design, construction, and maintenance of containment barriers and decontamination enclosure systems.
 - (B) Positioning of warning signs.
 - (C) Electrical and ventilation system lock-out.
 - (D) Proper working techniques for minimizing fiber release.
 - (E) Entry and exit procedures for the work area.
 - (F) Use of wet methods.
 - (G) Use of negative pressure exhaust ventilation equipment.
 - (H) Use of high efficiency particulate air (HEPA) vacuums.
 - (I) Proper cleanup and disposal of asbestos.
 - (J) Work practices for removal, encapsulation, enclosure, and repair.
 - (K) Use of glove bags and a demonstration of glove bag use.
 - (L) Proper techniques for initial cleaning.
 - (5) A field trip comprised of a visit to an abatement site or other suitable building site that includes the following:
 - (A) On-site discussion of abatement design, and building walk-through inspection.
 - (B) Discussion of rationale for the concept of functional spaces during the walk-through.
 - (6) Employee personal protective equipment to include the following:
 - (A) Classes and characteristics of respirator types.
 - (B) Limitations of respirators.

- (C) Proper selection, inspection, donning, use, maintenance, and storage procedures.
 - (D) Methods for field testing of the facepiece-to-face seal (positive and negative pressure fitting tests).
 - (E) Qualitative and quantitative fit testing procedures.
 - (F) Variability between field and laboratory protection factors.
 - (G) Factors that alter respirator fit, for example, facial hair.
 - (H) Components of a proper respiratory protection program.
 - (I) Selection and use of personal protective clothing.
 - (J) Use, storage, and handling of nondisposable clothing.
- (7) Additional safety hazards encountered during abatement activities and how to deal with them, including the following:
- (A) Electrical hazards.
 - (B) Heat stress.
 - (C) Air contaminants other than asbestos.
 - (D) Fire and explosion hazards.
- (8) Fiber aerodynamics and control to include the following:
- (A) Aerodynamic characteristics of asbestos fibers.
 - (B) Importance of proper containment barriers.
 - (C) Settling time for asbestos fibers.
 - (D) Wet methods in abatement.
 - (E) Aggressive air monitoring following abatement.
 - (F) Aggressive air movement and negative pressure exhaust ventilation as a clean-up method.
- (9) Designing abatement solutions to include the following:
- (A) Discussions of removal, enclosure, and encapsulation methods.
 - (B) Asbestos waste disposal.
- (10) Final clearance process to include the following:
- (A) Discussion of the need for a written sampling rationale for aggressive final air clearance.
 - (B) Requirements of a complete visual inspection.
 - (C) The relationship of the visual inspection to final air clearance.
- (11) Budgeting and cost estimation to include the following:
- (A) Development of cost estimates.
 - (B) Present cost of abatement versus future operations and maintenance costs.
 - (C) Setting priorities for abatement jobs to reduce costs.
- (12) Writing abatement specifications to include the following:
- (A) Preparation of and need for a written project design.
 - (B) Means and methods specifications versus performance specifications.
 - (C) Design of abatement in occupied buildings.
 - (D) Modification of guide specifications to a particular building.
 - (E) Worker and building occupant health and medical considerations.
 - (F) Replacement of ACM with nonasbestos substitutes.
- (13) Preparing abatement drawings to include the following:
- (A) Significance and need for drawings.
 - (B) Use of as-built drawings.
 - (C) Use of inspection photographs and on-site reports.
 - (D) Methods of preparing abatement drawings.
 - (E) Diagramming containment barriers.
 - (F) Relationship of drawings to design specifications.
 - (G) Particular problems in abatement drawings.
- (14) Contract preparation and administration.
- (15) Legal liabilities and defenses to include the following:
- (A) Insurance considerations.

- (B) Bonding.
- (C) Hold harmless clauses.
- (D) Use of asbestos abatement contractor's liability insurance.
- (E) Claims-made versus occurrence policies.
- (16) Replacement of asbestos with asbestos-free substitutes.
- (17) Role of other consultants to include the following:
 - (A) Development of technical specification sections by industrial hygienists or engineers.
 - (B) The multidisciplinary team approach to abatement design.
- (18) Occupied buildings to include the following:
 - (A) Special design procedures required in occupied buildings.
 - (B) Education of occupants.
 - (C) Extra monitoring recommendations.
 - (D) Staging of work to minimize occupant exposure.
 - (E) Scheduling of renovation to minimize exposure.
- (19) Relevant federal, state, and local regulatory requirements with a discussion of procedures and standards, including the following:
 - (A) TSCA Title II*.
 - (B) NESHAP at 40 CFR 61, Subpart A* and Subpart M*.
 - (C) OSHA respiratory protection requirements at 29 CFR 1910.134*.
 - (D) Asbestos worker protection at 40 CFR 763, Subpart G*.
 - (E) OSHA asbestos construction standard at 29 CFR 1926.1101*.
 - (F) OSHA hazard communication standard at 29 CFR 1926.59*.
 - (G) 326 IAC 14-2, 326 IAC 14-10, this article, 329 IAC 10-4-2, 329 IAC 10-8.2-4, and any local or municipal regulations, ordinances, or other local laws pertaining to asbestos.
- (20) A course review of the key aspects of the training course.

*Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-4-4; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-4-5 Initial project supervisor and abatement contractor training course requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6

Affected: IC 13-17

Sec. 5. (a) An initial project supervisor and asbestos abatement contractor training course must meet the requirements of this section.

(b) A project supervisor or asbestos abatement contractor training course must be at least five (5) days in duration and include the following:

- (1) Lectures, including the use of audiovisual materials where appropriate.
- (2) Demonstrations.
- (3) At least fourteen (14) hours of hands-on training, including the following:
 - (A) Working with asbestos-substitute material.
 - (B) Individual fitting and using of respirators.
 - (C) Use of glove bags.
 - (D) Donning protective clothing.
 - (E) Constructing a decontamination unit.
 - (F) Other related abatement work activities.
- (4) A course review.
- (c) A project supervisor or asbestos abatement contractor training course must adequately address the following topics:

- (1) Physical characteristics of asbestos and ACM to include the following:
 - (A) Identification of asbestos.
 - (B) Aerodynamic characteristics.
 - (C) Typical uses.
 - (D) Physical appearance.
 - (E) A review of hazard assessment considerations.
 - (F) A summary of abatement control options.
- (2) Potential health effects related to asbestos exposure to include the following:
 - (A) The nature of asbestos-related diseases.
 - (B) Routes of exposure.
 - (C) Dose-response relationships and the lack of a safe exposure level.
 - (D) The synergistic effect between cigarette smoking and asbestos exposure.
 - (E) The latency period for asbestos-related diseases.
- (3) Employee personal protective equipment to include the following:
 - (A) Classes and characteristics of respirator types.
 - (B) Limitations of respirators.
 - (C) Proper selection, inspection, donning, use, maintenance, and storage procedures for respirators.
 - (D) Methods for field testing of the facepiece-to-face seal (positive and negative pressure fitting tests).
 - (E) Qualitative and quantitative fit testing procedures.
 - (F) Variability between field and laboratory protection factors.
 - (G) Factors that alter respirator fit, for example, facial hair.
 - (H) The components of a proper respiratory protection program.
 - (I) Selection and use of personal protective clothing.
 - (J) Use, storage, and handling of nondisposable clothing.
 - (K) Regulations covering personal protective equipment.
- (4) State-of-the-art work practices to include the following:
 - (A) Proper work practices for asbestos abatement activities, including descriptions of proper construction and maintenance of barriers and decontamination enclosure systems.
 - (B) Positioning of warning signs.
 - (C) Electrical and ventilation system lock-out.
 - (D) Proper working techniques for minimizing fiber release.
 - (E) Use of wet methods.
 - (F) Use of negative pressure exhaust ventilation equipment.
 - (G) Use of high efficiency particulate air (HEPA) vacuums.
 - (H) Proper clean-up and disposal procedures.
 - (I) Work practices for removal, encapsulation, enclosure, and repair of ACM.
 - (J) Emergency procedures for unplanned releases.
 - (K) Potential exposure situations.
 - (L) Transport and disposal procedures.
 - (M) Recommended and prohibited work practices.
 - (N) New abatement-related techniques and methodologies.
- (5) Personal hygiene to include the following:
 - (A) Entry and exit procedures for the work area.
 - (B) Use of showers.
 - (C) Avoidance of eating, drinking, smoking, and chewing (gum or tobacco) in the work area.
 - (D) Potential exposures, such as family exposure, must be included.
- (6) Additional safety hazards encountered during abatement activities and how to deal with them, including the following:
 - (A) Electrical hazards.
 - (B) Heat stress.

- (C) Air contaminants other than asbestos.
 - (D) Fire and explosion hazards.
 - (E) Scaffold and ladder hazards.
 - (F) Slips, trips, and falls.
 - (G) Confined spaces.
- (7) Medical monitoring to include the following:
- (A) Occupational Safety and Health Administration (OSHA) and U.S. EPA requirements for a pulmonary function test.
 - (B) Chest x-ray and a medical history for each employee.
- (8) Air monitoring procedures to determine airborne concentrations of asbestos fibers to include the following:
- (A) A description of aggressive sampling.
 - (B) Sampling equipment and methods.
 - (C) Reasons for air monitoring.
 - (D) Types of samples.
 - (E) Interpretation of results, specifically from analyses performed by polarized light, phase-contrast, and electron microscopy.
- (9) Relevant federal, state, and local regulatory requirements with a discussion of procedures and standards to include the following:
- (A) TSCA Title II*.
 - (B) NESHAP at 40 CFR 61, Subpart A* and Subpart M*.
 - (C) OSHA respiratory protection requirements at 29 CFR 1910.134*.
 - (D) OSHA asbestos construction standard at 29 CFR 1926.1101*.
 - (E) Asbestos worker protection at 40 CFR 763, Subpart G*.
 - (F) 326 IAC 14-2, 326 IAC 14-10, this article, 329 IAC 10-4-2, 329 IAC 10-8.2-4, and any local or municipal regulations, ordinances, or other local laws pertaining to asbestos.
- (10) Respiratory protection programs and medical surveillance programs.
- (11) Insurance and liability issues to include the following:
- (A) Asbestos abatement contractor issues.
 - (B) Workers' compensation coverage and exclusions.
 - (C) Third-party liabilities and defenses.
 - (D) Insurance coverage and exclusions.
- (12) Record keeping for asbestos projects to include the following:
- (A) Records required by federal, state, and local regulations.
 - (B) Records recommended for legal and insurance purposes.
- (13) Supervisory techniques for asbestos abatement activities to include supervisory practices that enforce and reinforce the required work practices and discourage unsafe work practices.
- (14) Contract specifications to include a discussion of key elements that are included in contract specifications.
- (15) A course review of the key aspects of the training course.

*Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-4-5; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

326 IAC 18-4-6 Initial worker training course requirements

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11; IC 13-17-6
Affected: IC 13-17

- Sec. 6. (a) An initial worker training course must meet the requirements of this section.
(b) A worker training course must be at least four (4) days in duration and include the following:

- (1) Lectures, including the use of audiovisual materials where appropriate.
- (2) Demonstrations.
- (3) At least fourteen (14) hours of hands-on training, including the following:
 - (A) Working with asbestos-substitute material.
 - (B) Individual fitting and using of respirators.
 - (C) Use of glove bags.
 - (D) Donning protective clothing.
 - (E) Constructing a decontamination unit.
 - (F) Other related abatement work activities.
- (4) A course review.
- (c) A worker training course must adequately address the following topics:
 - (1) Physical characteristics of asbestos to include the following:
 - (A) Identification of asbestos.
 - (B) Aerodynamic characteristics.
 - (C) Typical uses.
 - (D) Physical appearance.
 - (E) A summary of abatement control options.
 - (2) Potential health effects related to asbestos exposure to include the following:
 - (A) The nature of asbestos-related diseases.
 - (B) Routes of exposure.
 - (C) Dose-response relationships and the lack of a safe exposure level.
 - (D) The synergistic effect between cigarette smoking and asbestos exposure.
 - (E) The latency period for asbestos-related diseases.
 - (F) A discussion of the relationship of asbestos exposure to asbestosis, lung cancer, mesothelioma, and cancer of other organs.
 - (3) Employee personal protective equipment to include the following:
 - (A) Classes and characteristics of respirator types.
 - (B) Limitations of respirators.
 - (C) Proper selection, inspection, donning, use, maintenance, and storage procedures for respirators.
 - (D) Methods for field testing of the facepiece-to-face seal (positive and negative pressure fitting tests).
 - (E) Qualitative and quantitative fit testing procedures.
 - (F) Variability between field and laboratory protection factors.
 - (G) Factors that alter respirator fit, for example, facial hair.
 - (H) The components of a proper respiratory protection program.
 - (I) Selection and use of personal protective clothing, use, storage, and handling of nondisposable clothing.
 - (J) Regulations covering personal protective equipment.
 - (4) State-of-the-art work practices to include the following:
 - (A) Proper work practices for asbestos abatement activities, including descriptions of proper construction and maintenance of barriers and decontamination enclosure systems.
 - (B) Positioning of warning signs.
 - (C) Electrical and ventilation system lock-out.
 - (D) Proper working techniques for minimizing fiber release.
 - (E) Use of wet methods.
 - (F) Use of negative pressure ventilation equipment.
 - (G) Use of high efficiency particulate air (HEPA) vacuums.
 - (H) Proper clean-up and disposal procedures.
 - (I) Work practices for removal, encapsulation, enclosure, and repair of ACM.
 - (J) Emergency procedures for unplanned releases.
 - (K) Potential exposure situations.

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- (L) Transport and disposal procedures.
- (M) Recommended and prohibited work practices.
- (5) Personal hygiene to include the following:
 - (A) Entry and exit procedures for the work area.
 - (B) Use of showers.
 - (C) Avoidance of eating, drinking, smoking, and chewing (gum or tobacco) in the work area.
 - (D) Potential exposures, such as family exposure.
- (6) Additional safety hazards encountered during abatement activities and how to deal with them, including the following:
 - (A) Electrical hazards.
 - (B) Heat stress.
 - (C) Air contaminants other than asbestos.
 - (D) Fire and explosion hazards.
 - (E) Scaffold and ladder hazards.
 - (F) Slips, trips, and falls.
 - (G) Confined spaces.
- (7) Medical monitoring to include the following:
 - (A) Occupational Safety and Health Administration (OSHA) and U.S. EPA requirements for a pulmonary function test.
 - (B) Chest x-rays and a medical history for each employee.
- (8) Air monitoring to include procedures to determine airborne concentrations of asbestos fibers, focusing on how personal air sampling is performed and the reasons for it.
- (9) Relevant federal, state, and local regulatory requirements, with a discussion of procedures and standards to include the following:
 - (A) TSCA Title II*.
 - (B) NESHAP at 40 CFR 61, Subpart A* and Subpart M*.
 - (C) OSHA respiratory protection requirements at 29 CFR 1910.134*.
 - (D) OSHA asbestos construction standard at 29 CFR 1926.1101*.
 - (E) Asbestos worker protection at 40 CFR 763, Subpart G*.
 - (F) 326 IAC 14-2, 326 IAC 14-10, this article, 329 IAC 10-4-2, 329 IAC 10-8.2-4, and any local or municipal regulations, ordinances, or other local laws pertaining to asbestos.
- (10) Establishment of respiratory protection programs.
- (11) A course review of the key aspects of the training course.

*Copies may be obtained from the Government Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204. (*Air Pollution Control Division; 326 IAC 18-4-6; filed May 9, 2019, 2:28 p.m.: 20190605-IR-326090363FRA*)

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