

MAINE

STATUTES : (0)

(NONE)

Terms

References

Industrial Hygiene	0
Industrial Hygienist	0
Certified Industrial Hygienist - CIH	0
Certified Associate Industrial Hygienist	0
Construction Health and Safety Technician – CHST	0
Industrial Hygienist in Training - IHIT	0
AIHA Lab Accreditation Program	0
American Industrial Hygiene Association - AIHA	0
American Board of Industrial Hygiene - ABIH	0
American Conference of Governmental Industrial Hygienists – ACGIH	0
Occupational Health and Safety Technologist – OHST	0
Associate Safety Professional – ASP	0
Certified Safety Professional – CSP	0
Board of Certified Safety Professionals – BCSP	0

MAINE

RULES AND REGULATIONS: (2)

CODE OF MAINE RULES:

**DEPARTMENT OF ENVIRONMENTAL PROTECTION 06-096
SOLID WASTE MANAGEMENT RULES:
CHAPTER 424: LEAD MANAGEMENT REGULATIONS**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION 06-096
SOLID WASTE MANAGEMENT RULES:
CHAPTER 425: ASBESTOS MANAGEMENT REGULATIONS**

<u>Terms</u>	<u>References</u>
Industrial Hygiene	1
Industrial Hygienist	1
Certified Industrial Hygienist - CIH	1
Certified Associate Industrial Hygienist	0
Construction Health and Safety Technician – CHST	0
Industrial Hygienist in Training - IHIT	0
AIHA Lab Accreditation Program and related	9
American Industrial Hygiene Association - AIHA	3
American Board of Industrial Hygiene - ABIH	0
American Conference of Governmental Industrial Hygienists – ACGIH	1
Occupational Health and Safety Technologist – OHST	0
Associate Safety Professional – ASP	0
Certified Safety Professional – CSP	0
Board of Certified Safety Professionals – BCSP	0

MAINE STATUTES

(NONE)

MAINE RULES/REGULATIONS

<http://www.maine.gov/sos/cec/rules/06/chaps06.htm>

CODE OF MAINE RULES

DEPARTMENT OF ENVIRONMENTAL PROTECTION 06-096 SOLID WASTE MANAGEMENT RULES: CHAPER 424: LEAD MANAGEMENT REGULATIONS

5. Certification Requirements for Lead Professionals.

B. Education and Experience Standards. The minimum education and experience requirements for initial certification in each discipline are as follows. Relevancy of education or experience in a related field shall be determined by the Department.

- (1) Lead Abatement Worker: None.
- (2) Project Supervisor: High school diploma or G.E.D. plus one year as a lead abatement worker or two years experience in building trades, asbestos abatement, environmental technician or related field.
- (3) Sampling technician: High school diploma or G.E.D.
- (4) Lead Inspector: High school diploma or G.E.D.
- (5) Risk Assessor: Any combination of education and experience as follows is acceptable.
 - (a) **Certified industrial hygienist**, professional engineer, registered architect or related scientific field, plus one year experience as a certified lead inspector including a minimum of 20 lead inspections, or
 - (b) Bachelors degree and at least one year of experience in a related field, such as asbestos or radon, code enforcement, building construction, or residential energy auditing, plus one year experience as a certified lead inspector including a minimum of 20 lead inspections, or
 - (c) High school diploma or G.E.D. with a combination of education and experience equivalent to the educational requirements in (b) above (six months experience is equal to one year of college for purposes of this requirement); plus one year experience as a certified lead inspector, including a minimum of 20 lead inspections, or 40 lead determinations that included the use of an XRF to take at least 30 readings as part of each determination, characterization of lead-painted surfaces, and the production of a report meeting the standards for lead inspection reports.

8. Licensure of Lead Training Providers and Accreditation of Training Courses. Lead training providers must be licensed to offer accredited lead training courses in the State of Maine. A training course, used by an individual to fulfill certification requirements (including renewals), must be approved by the Department. Individuals are responsible for ensuring that a training course is approved by the Department before taking the course. Instructors cannot initially self-certify as a lead professional by both instructing and attending the same initial training course. Instructors may both instruct and attend a refresher course to re-certify as a lead professional.

A. Licensure of Lead Training Providers. To obtain a license as a lead training provider or to renew an existing lead training provider license, a business entity must submit a complete application to the Department on a form approved by the Department. The application must demonstrate that the training provider meets all applicable standards and must include the following:

- (1) The name, address, telephone number and license number of the applicant, including any other name under which the applicant is known;
- (2) The name, background, education, training and experience of the employee of the applicant who is the training manager responsible for the development and administration of training courses. This must include proof that the training manager has a post-secondary degree in adult education, or has successfully completed a 40-hour "Train the Trainer" course that is approved by the Department, or has at least two full years experience teaching adult learners;
- (3) The name, background, education, training and experience of the persons who the lead training provider plans to use as instructors. This shall include the designation of a qualified principal instructor and evidence that this principal instructor has:
 - (a) Demonstrated experience, education, or training in teaching adults;
 - (b) Successfully completed at least 16 hours of DEP-approved lead training; and
 - (c) Demonstrated experience, education, or training in lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or **industrial hygiene**.

MAINE RULES/REGULATIONS

<http://www.maine.gov/sos/cec/rules/06/chaps06.htm>

CODE OF MAINE RULES

DEPARTMENT OF ENVIRONMENTAL PROTECTION 06-096 SOLID WASTE MANAGEMENT RULES: CHAPTER 425: ASBESTOS MANAGEMENT REGULATIONS

1. Definitions. The following terms as used in the Maine Asbestos Law and in this rule shall have the following meanings, unless the context indicates otherwise.

G. AIHA: "AIHA" means American Industrial Hygiene Association.

P. Asbestos abatement design consultant: "Asbestos abatement design consultant" means a Department-certified individual engaged in preparing and supervising the implementation of facility plans for the removal or abatement of asbestos. These activities include, but are not limited to: the performance of air quality and bulk sampling; advising building owners, contractors, and project supervisors on health impacts of asbestos abatement activities; and supervising the conduct of training courses. This category of specialists includes, but is not limited to, engineers, architects, health professionals, industrial hygienists, private consultants, or other individuals involved in asbestos risk assessment or regulatory activities.

ZZZ. PAT: "PAT" means Proficiency Analytical Testing, prescribed by AIHA to determine asbestos analytical laboratory or analyst proficiency.

D. Asbestos Analytical Laboratory

(1) License Requirement. A business or public entity that qualitatively or quantitatively analyzes samples of solids, liquids, or gases for asbestos fibers, or that analyzes air samples for total fiber count, must be licensed as follows:

(a) An Asbestos Analytical Laboratory performing asbestos bulk, and/or air analysis of samples collected in the State of Maine must hold a valid license for the type of service provided.

(b) An Asbestos Analytical Laboratory whose license encompasses air analysis must use phase contrast microscopy (PCM), transmission electron microscopy (TEM), or another US EPA approved method for the analysis of air samples.

(c) An Asbestos Analytical Laboratory whose license encompasses bulk analysis must use the analytical methods set forth in Section 6(B)(2) of this rule.

(d) An Asbestos Analytical Laboratory that performs air sample analysis must be an active participating laboratory rated proficient by the AIHA's PAT (American Industrial Hygiene Association's Proficiency Analytical Testing) program and must use the analytical methods set forth in Section 8(B)(2)(f) of this rule.

An Asbestos Analytical Laboratory that performs bulk sample analysis must be accredited by the National Voluntary Laboratory Accreditation Program (NVLAP) or be an active participating laboratory rated proficient by **AIHA's bulk quality assurance program**.

(3) Application and Recordkeeping Requirements

(b) The laboratory must submit documentation describing its QA/QC program for ensuring accuracy of analysis of air and bulk samples. This must include at a minimum, annual QA/QC training for all air and bulk analysts that includes:

- (i) A review of applicable methods (NIOSH 9002, EPA/600/R-93/116, etc.);
- (ii) A review of relevant current literature (**AIHA**, **ACGIH**, McCrone, etc.) and state-of-the-art technology;
- (iii) A review of the lab's current QA/QC program, which should include at a minimum: the statistical calculation of intrinsic sample variability, intra-counter variability, and inter-and intra-laboratory variability, including the laboratory's current Relative Standard Deviation;
- (iv) A review and hands-on session for microscope cleaning and calibration; and
- (v) Two hours of reading QA samples to determine the analyst's proficiency, including actual field samples, round-robin samples from other laboratories if applicable, and third party QA samples such as the PATs or AARs.

(c) An applicant for Asbestos Analytical Laboratory must demonstrate that the applicant meets the recordkeeping requirements set forth in these regulations and must make the following available for review within 24 hours of request by the Department:

- (i) Sample chain of custody procedures, including but not limited to handling, storage, and disposal procedures;
- (ii) A copy of the laboratories analytical quality assurance program(s);
- (iii) Equipment calibration and standardization procedures;
- (iv) Results of the last four quarters of PAT or round robin tests, including the following: round number, date of participation in the round, and PAT results including each analysts individual results;
- (v) Laboratory standard procedures for asbestos analysis;
- (vi) An up to date asbestos analytical equipment inventory;
- (vii) Documents related to laboratory personnel training;
- (viii) The certificate of the laboratory owner, operator, or supervisor;
- (ix) A copy of their NVLAP or **AIHA accreditation** as applicable; and
- (x) A copy of their quality assurance program ensuring proficiency of all analysts.

E. In-house Asbestos Abatement Unit

(1) Application Requirements

An In-house Asbestos Abatement Unit that engages in asbestos abatement activities, excluding asbestos associated activities, must meet the application requirements set forth in the Asbestos Abatement Contractor section of this rule.

An In-house Asbestos Abatement Unit that engages in the asbestos associated activities of inspection, design, monitoring must meet the application requirements set forth in the Asbestos Consultant section of this rule.

An In-house Asbestos Abatement Unit that engages in the asbestos associated activity of analysis for asbestos must meet the application requirements set forth in the Asbestos Analytical Laboratory section of this rule. In-house laboratories are exempt from laboratory proficiency as long as each analyst is rated proficient by **AIHA's Asbestos Analytical Registry** or by an active participating laboratory that is rated proficient by **AIHA** or NVLAP and that has an independent business relationship with the in-house laboratory. Analysts must be annually rated proficient as part of their individual **AIHA certification**.

5. Certification Requirements for Asbestos Professionals. This section sets forth specific certification requirements for an individual engaging in an asbestos abatement activity. This section also sets forth the general standards of conduct, specific training, and other requirements for maintaining such certificates.

E. Training, Education and Experience Requirements

(2) The minimum on-going training and other requirements for renewal certification in each discipline are as follows:

Asbestos Abatement Design Consultant - successful completion of a Department approved one-day ("8 hour") project design refresher course and exam.

(f) Asbestos Air Analyst

(i) Documentation of participation in a Maine-licensed laboratory's annual analyst QA/QC training; and

(ii) A statement from a licensed Asbestos Analytical Laboratory affirming that the applicant is proficient in air analysis through participation in the laboratory's administration of the **AIHA's PAT program**, including results of the last four rounds of the applicant's testing, or proof that the applicant is listed in the **AIHA Asbestos Analysis Registry**.

(g) Asbestos Bulk Analyst

(i) Documentation of participation in a Maine-licensed laboratory's annual analyst QA/QC training; and

(ii) A statement from a licensed Asbestos Analytical Laboratory affirming that the applicant is proficient in bulk analysis through participation in the laboratory's administration of the NVLAP or **AIHA bulk quality assurance program**, including results of the last 4 rounds of the applicant's testing.

(i) Asbestos Management Planner - successful completion of a Department-approved 1/2-day ("4 hour") asbestos manager planner refresher course and exam.