Background

40 years working with top companies to achieve world class safety in their sector.

- Classes: OSHA 10/30 Hour, Incident Investigation, Confined Space, Excavation Safety, Cranes Signaling, Rigging Safety, Fall Protection, Scaffold Competent Person, Silica Competent Person, CHST Prep, Lockout, Machine Guarding, OSHA Recordkeeping, and Safety Management
- Services: Mock OSHA Inspections, Site Safety Audits, Expert Witness,
- Since 1987, he has trained over 50,000 people including OSHA compliance officers and Fortune 500 Clients in numerous areas of Safety and Health.







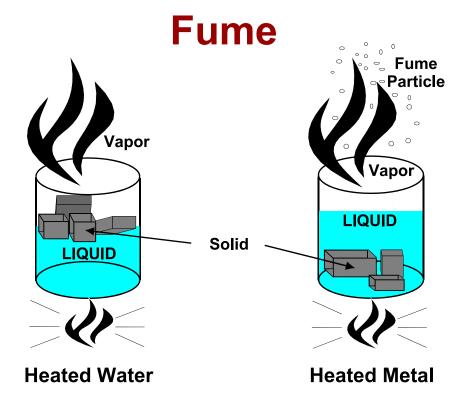
Dust

 Dust are solid particles that are formed by handling, crushing, grinding, drilling, or blasting of organic or inorganic materials.



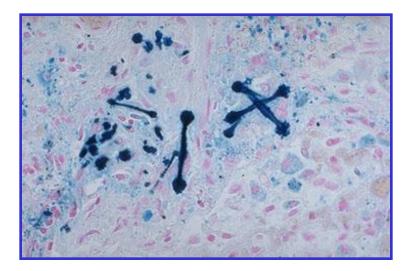
Fumes

• Fumes consists of very small fine solid particles in air that form when solid particles are heated to a high temperature, evaporate to vapor, and become solid again



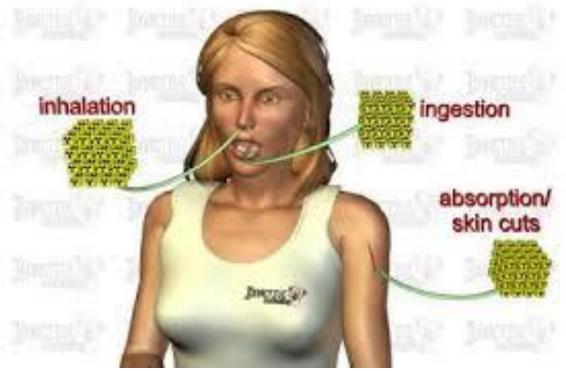
Fibers

 Solid particles whose length is several times greater than their diameter. Asbestos is an example.



Routes of Entry

- Inhalation
- Ingestion
- Skin Absorption
- Injection



Respiratory System

 The respiratory system is the major route of exposure for airborne chemicals and dusts.



Acute Exposure

 Acute exposures and acute effects generally involve short-term, high concentrations, and immediate or prompt health effects (illness, irritation, or death).



Chronic Exposure

 Chronic exposure refers to exposure continued or repeated for a prolonged period, usually years.
 For example, asbestosis.



Nov 2018

Stop cancer

at work

53% of all work-related deaths are caused by occupational cancer.

 Image: Constraint in the second se

With more than 100,000 deaths a year, cancer is the number one work-related killer in the EU28



Estimations of occupational cancer deaths per EU country in 2011, based on Takala report (2015).



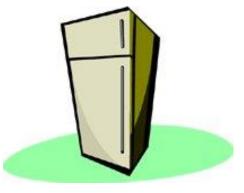
Clean Air Paradox

- Quality of Air
- 78.1% Nitrogen
- 20.9% Oxygen
- 0.9% Argon
- 0.03% Carbon Dioxide



Units Seem Small

- 1 % = 10,000 ppm
- PEL = Permissible Exposure Limits (OSHA)
- 5 Mg/M3 is very small
- 2 f/cc = 2,000,000f/M3
- OSHA has said that following some PELs may not protect the workers.





Health Effects

- Irritation
- Asphyxiation
- Organ Specific Effects
- Mutagen
- Teratogen
- Acute/Chronic
- Reversible vs. Nonreversible

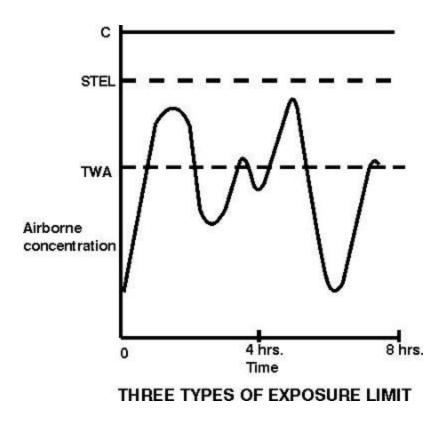


Factors

- Genetics
- Age
- Health status
- Route of entry
- Frequency and duration of exposure



Exposure Limits



- Animal Studies
- Epidemiological studies
- Industrial Experience
- STEL 15 minutes
- Ceiling never exceeded
- Threshold Limit Value

Control of Health Hazards

- Hierarchy of Controls
 - Engineering
 - Substitution
 - Work practices
 - Administrative
 - Personal
 protective
 equipment

Source	Path	Worker

Engineering Controls

- Engineering controls include:
 - Substitution with less harmful material
 - Enclosure
 - Isolation
 - Ventilation "Should be within two duct diameters for welding smoke."



Ventilation



Administrative Controls

- Administrative controls include:
 - Controlling employees' exposure by scheduling production and workers' tasks
 - Or both, in ways that minimize exposure levels

Pres	chedule Week 47 is Department
Permissable T	Press-100 DBA ime Exposure - 2 Hours
John Brown	8:00 AM To 10:00 AM
Bob Drake	10:00 AM To 12:00 Noon
Ruth Jones	12:00 Noon to 2:00 PM
Sally Smith	2:00 PM To 4:00 PM
Max Lane	4:00 PM To 6:00 PM

Personal Protective Equipment

- Personal protective equipment includes:
 - Respirators
 - Ear muffs
 - Gloves
 - Safety goggles
 - Helmets
 - Safety shoes
 - Protective clothing



What is Asbestos

- A naturally occurring mineral
- Added to building materials because of its good insulating, strength, sound-proofing, fireproofing and corrosionresistance properties



What Is Asbestos

Asbestos is the name given to a group of naturally occurring minerals used in certain products, such as building materials and vehicle brakes, to resist heat and corrosion.



Where did we get Asbestos?

 It was mined underground.

• Libby MT mine.



- Libby MY
- 400 died
- Thousands with respiratory issues

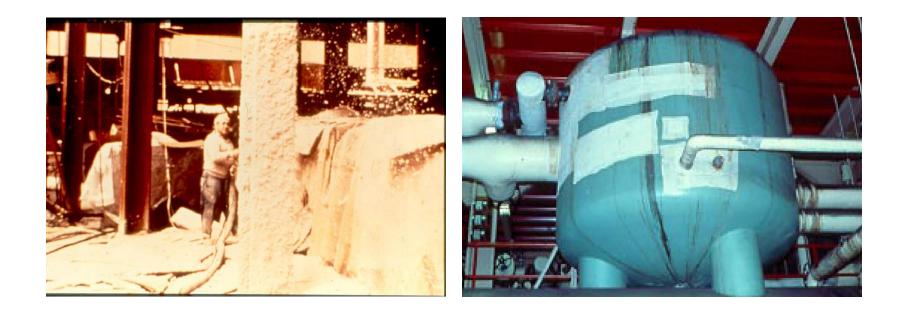


Examples of Asbestos Use

- Shingles
- Floor tiles
- Asbestos cement
- Roofing felts
- Insulation & acoustical products
- Steam pipes, boilers
- "Popcorn" ceilings
- Patching, joint compounds, textured paint, asbestos paper tape
- Brakes, clutch facings
- Plastics, fabrics, paints, paper



Where Asbestos Hazards May Be Found In The Home







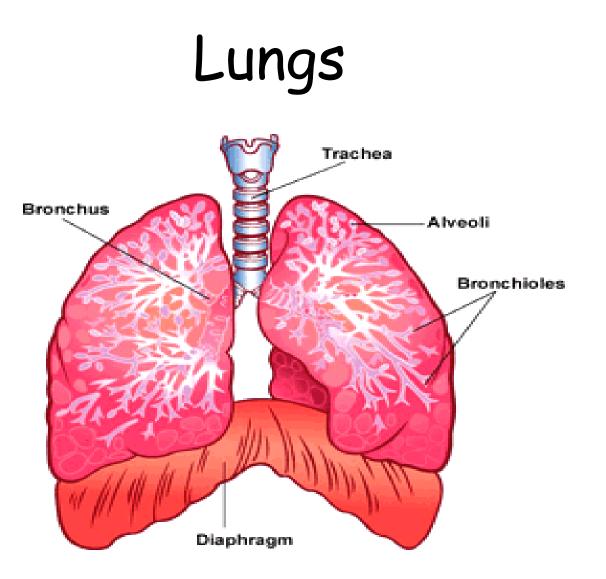




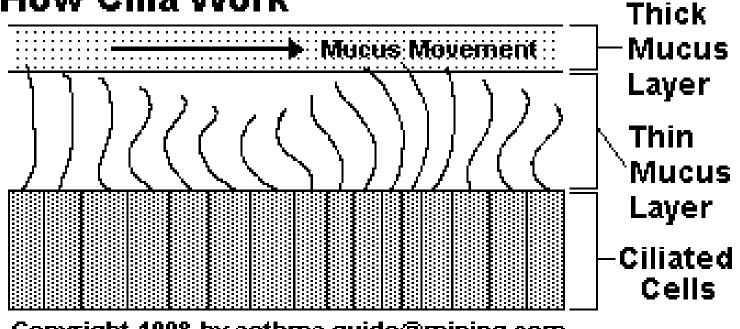






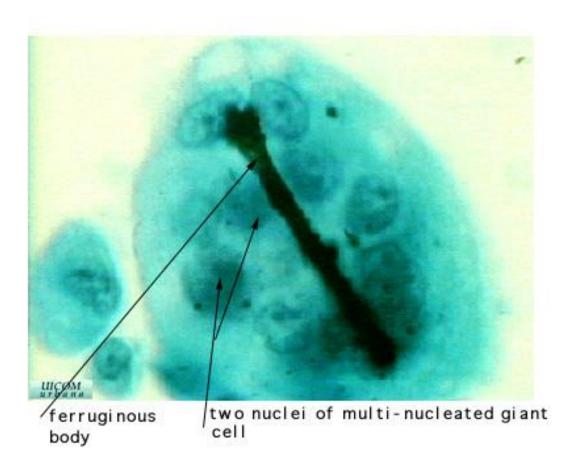


Lungs' Defense Mechanisms How Cilia Work



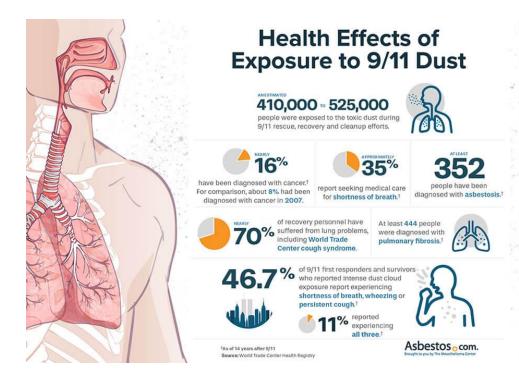
Copyright 1998 by asthma.guide@mining.com

Lungs' Defense Mechanisms



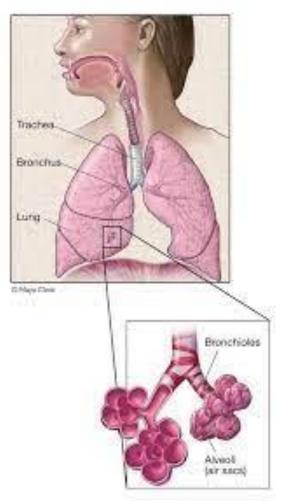
Why is Asbestos a Health Hazard?

- Asbestos is made up of microscopic bundles of fibers.
- These fibers get into the air and may become inhaled into the lungs, where they may cause significant health problems.
- Researchers still have not determined a "safe level" of exposure



Health Issues

- Asbestosis a lung disease was first found in naval shipyard workers.
- As asbestos fibers are inhaled, they become trapped in the lung tissue.
- The body tries to dissolve the fibers by producing an acid.
- This acid, due to the chemical resistance of the fiber, does little to damage the fiber, but may scar the surrounding tissue.
- Eventually, this scarring may become so severe that the lungs cannot function.
- The *latency period* is often 25 40 years.

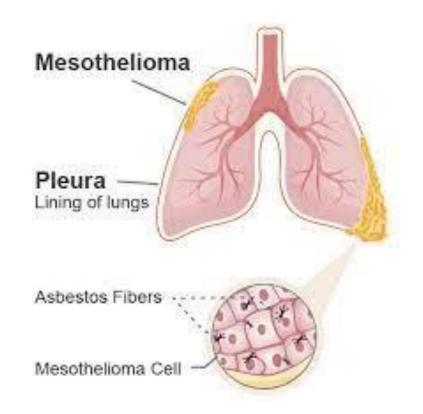


Respiratory system

Health Issues

• Mesothelioma:

- a cancer of the pleura (the outer lining of the lung and chest cavity) and/ or the peritoneum (the lining of the abdominal wall).
- This form of cancer is peculiar because the only known cause is from asbestos exposure.
- The *latency period* for mesothelioma is often 15-30 years.



Health Issues

• Lung Cancer:

- Asbestos is a contributing factor of lung cancer.
- The effects of lung cancer are greatly increased by cigarette smoking (by about 50%).
- Cancer of the gastrointestinal tract can also be caused by asbestos.
- The *latency period* for cancer is often 15-30 years.



1960s

• The Snowmen



EPA

The purpose of the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) Program is to protect public health from exposure to regulated asbestos-containing material (RACM) during **NESHAP** facility renovation/demolition activities, asbestos removal, transport and disposal, closely monitoring those activities for proper notification and asbestos emissions control



Ambler PA Superfund

Asbestos

- Ambler PA
- Marilyn Amento's Joe Jr. dad died from environmental exposure in the town's air in 2015

AMBLER ASBESTOS PRODUCTS



PAPER, MILLBOARD, PACKINGS GASKETS, TEXTILES AND GARMENTS

> KEASBEY & MATTISON COMPANY AWBLER, FENNA

EPA

- Under Section 112 of the Clean Air Act (CAA), Congress gave the U.S. Environmental Protection Agency (EPA) the responsibility for enforcing regulations relating to asbestos renovations and demolitions activities.
- The CAA allows the U.S. EPA to delegate this authority to state and local agencies.



1973

 In 1973, under the EPA's Clean Air Act, most spray-applied asbestos products were banned for fireproofing and insulating purposes.



Asbestos

- 1918 A Prudential Insurance Company official notes that life insurance companies will not cover asbestos workers, because of the "healthinjurious conditions of the industry."
- In 1933, Metropolitan Life Insurance Co. doctors found that 29% of workers in a Johns-Manville plant had asbestosis.





History of Standards

- Consensus Standards
- ACGIH 1946 MAC's
- Bureau of Mines 1954

White fibers represent asbestos in the lung



• OSHA 1970

Asbestos

- OSHA
- Must comply with 1926.1101
- 1910.1001



Abatement: any operation that is designed to permanently remove asbestos-containing materials.



Asbestos Hazard Emergency Response Act (AHERA): this act became law in 1987 and specified a plan by which K-12 schools would manage

asbestos.



Asbestos-Containing Material

(ACM): any material that contains more than 1% of

asbestos.



Asbestos related work: any work

that involves ACM and may result in the release of any quantity of asbestos fibers into

the air.



Disturbance: contact with any material that contains ACM or PACM that causes release of fibers.

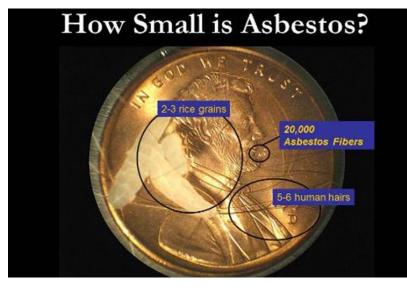


Fiber: a particulate form of asbestos, 5 micrometers or longer, with a length-to-diameter ratio of at least 3-to-1.



• Fiber:

- Greater risk if fiber's size is greater than 5 microns (1 inch = 25,000 microns)
- Most fibers removed from lungs within a few hours.
- Long and/or thin fibers, particularly in the deepest parts of lung may stay for years or may never be removed.



Friable -Asbestos-containing material can be crushed with hand pressure



Intact: ACM that has not crumbled, been pulverized, or otherwise deteriorated.



Presumed Asbestos-Containing

Material (PACM): materials that may contain asbestos but have not yet been tested.



Removal: all operations where ACM and/or PACM is taken out or stripped from structures or substrates, including demolition operations.



Renovation: any operations that involves altering a facility or one or more facility components in any way.



December 2014

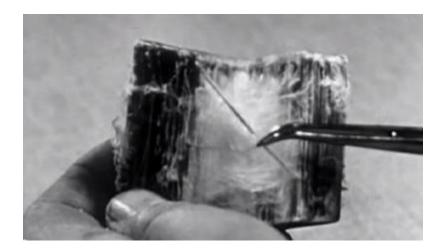
- Evanston IL
- \$132,000 to six contractors
- OSHA's inspection found that onsite asbestos consultant directed the HVAC contractor to cut and remove 60 feet of piping that contained asbestos insulation without PPE.



Typical asbestos pipe.

Asbestos

- OSHA 0.1f/cc
- EPA-recommended clearance criteria for reoccupancy into work area following asbestos abatement, often cited as 0.01 f/cc.



Twin Towers

- Marcy Borders
- 1973-2017





9/11 DUST EXPOSURE RELATED TO CANCER

20 YEARS LATER

The Sept. 11, 2001, terrorist attacks on the World Trade Center in New York City changed America forever. In the two decades since, researchers have linked the toxic dust from the WTC debris to deadly conditions such as lung cancer, mesothelioma and other respiratory diseases.



410,000-525,000

The number of first responders, residents and cleanup workers exposed to contaminated air from the collapse of the Twin Towers.

3,000+

The number of first responders who have died after 9/11.

1,366

The number of people who have died from lung or other related cancers.

112,000 X HIGHER

The asbestos levels above the legal limit of a building near Ground Zero. Tests showed that the building had become toxic.

1.8 MILLION

The tons of debris removed from Ground Zero.

19%

The increase of cancer diagnoses in firefighters who served during 9/11.

\$7.375 billion

The amount of money the federal government is authorized to spend on the Victim Compensation Fund that was extended until 2092, assuring that all families of victims and survivors would be covered, both medically and financially.

2,000 TONS

The amount of asbestos fibers that were released into the air by the towers' collapse.



Asbestos

- 3000 die in the US
- Some are spouses or kids of asbestos workers
- Stephanie Harper of the North Texas city of Bonham



Asbestos

- Tony Rich fibers like ceramic wools rockwool all collect.
- Can usually tell asbestos



May 2018

- A California jury has awarded \$11.4 million at the conclusion of a take-home asbestos exposure trial, finding that the defendant had acted with malice when it failed to warn employees of asbestos-related hazards.
- This suit was brought by tenants who allege they were exposed to asbestos





- Heather Von St James hugging Dad
- Mike Mattmuller dad ground asbestos brakes as a mechanic

Asbestos

June 2014

- The asbestos lawsuit that saw a \$1 million award
- Richard Rost has Mesothelioma
- Defendants included Ford Motor Company (Ford), General Electric, Westinghouse and Ingersoll-Rand.
- However, the latter three defendants settled with the plaintiffs out of court, before the trial had an opportunity to begin.

<image>

Overall, nearly 3,000 people are <u>diagnosed with mesothelioma</u> each year in the United States, which represents 0.02 percent of all U.S. cancer cases.

Jan 2016

Lab # Sample #		Time On	Time Off	Total Min	Flow Rate		Volume (L)	Fiber Count	Result (f/cc)	Notes
						-		0/100	-	No Fiber observed
B-10	Black		1			-		-0/100	-	HFO
803-11~	Living Rm	1410	1610	120	10	10	1200	y100	C0.004	
803-116	Living Rm	1410	1610	120	10	10	1200	5/100	CO 004	
703-12a	Bunit 703 Kitchen	1415	1615	120	10	10	1200	10/100	0.004	
703-126	Unit 703 Kitchan	1415	1615	120	10	10	1200	7/100	60.004	
103-13n	Unit 703 Living Rm	1420	1620	120	10	10	1200	12/100	0.005	
703-136	Unit 703 Living Rm	1426	1620	120	10	10	1200	10/100	0.004	
		1430	1630	120	10	10	1200	11/100	0.004	
203-145	Unit 703 Foyer	1430	1630	120	10	10	1200	12/100	0.007	
	B-9 B-10 803-11a 803-116 703-12a 703-12a 703-126 703-130 703-136	Sample # Description B-9 Black B-10 Black B-10 Black Whit 803 803-112 Living Rum UNIT 803 803-116 Living Rum 103-122 BUAIT 703 Kitchen 103-126 Unit 703 Kitchen 103-126 Unit 703 Kitchen 103-136 Unit 703 Living Rum 103-136 Unit 703 Living Rum 103-142 Unit 703 Foyce 103-145 Unit 703 Foyce	On B-9 Black B-10 Black 	On Off B-9 Black B-10 Black B-10 Black 303-112 Living Rum 1410 1610 1410 1610 103-122 PUL it 703 Kitchen 1415 1615 103-126 Unit 703 Kitchen 1415 1615 103-126 Unit 703 Kitchen 1420 1620 1420 1620 1420 1620 1420 1620 1420 1620 1420 1620 1420 1620 1420 1620 1420 1620 1420 1630	On Off Min B-9 13 Last	On Off Min R B-9 13 hak	On Off Min Rate B-9 13 hak	On Off Min Rate (L) B-9 Blank -	On Off Min Rate (L) Count B-9 13 Lank 9/100 9/100 9/100 9/100 B-10 13 Lank 9/100 9/100 9/100 9/100 803-11a Living Rum 1410 1610 120 10 1200 100 803-11b Living Rum 1410 1610 120 10 1200 100 803-11b Living Rum 1410 1610 120 10 1200 100 803-11b Living Rum 1410 1610 120 10 1200 100 703-12a PUnit 703 Kitchen 1415 1615 120 10 1200 1/100 703-13a Unit 703 Kitchen 1415 1615 120 10 1200 1/100 703-13b Unit 703 Living Rum 1426 1620 120 10 1200 12/100 703-13b Unit 703 Living Rum 1430 1630 120 10 1200 11/100 73-14a	On Off Min Rate (L) Count (f/cc) B-9 Blank

Case Study #1

- Aurora
- White Powder from pipe Insulation
- Hires 3 Homeless people for \$60 each to remove it
- Asbestos over the surfaces
- Cited 2 Willful



Old Pipe insulation can contain asbestos

Case Study #2

- Church notices tile in basement area peeling.
- One of the members offers to remove it.
- Mastic used to set it was asbestos complaint.
- What should have been done?



Example of tile type used.

Case Study #3

- Middle School
- Employees on renovation job concerned about possible asbestos in dumper
- Hi-flow pumps used
- Asbestos abatement hired to clean it after notified Asbestos on mastic, floor t

mastic, floor tile, and ceiling tiles.





#1 Most Cited

• 1926.1101(k)(9)(i)

 The employer shall, at no cost to the employee, institute a training program for all employees who are likely to be exposed in excess of a PEL and for all employees who perform Class I through IV asbestos operations.



A training exercise.

#2 Most Cited

• 1926.1101(e)(1)

 All Class I, II and III asbestos work shall be conducted within regulated areas.



Sample regulated area

#3 Most Cited

• 1926.1101(f)(2)(i)

 a "competent person" must conduct an exposure assessment immediately before or at the initiation of the operation to ascertain expected exposures during that operation or workplace.



Sample of a tile scraped to be tested.

#4 Most Cited

- 1926.1101(i)(1)
- General. Protective clothing, such as coverall's or similar whole-body clothing, head coverings, gloves, and foot coverings for any employee exposed to airborne concentrations of asbestos that exceed the TWA and/or excursion limit.



Typical protective clothing.

#5 Most Cited

• <u>1926.1101(I)(2)</u>

• Waste disposal. Asbestos waste, scrap, debris, bags, containers, equipment, and contaminated clothing consigned for disposal shall be collected and disposed of in sealed, labeled, impermeable bags or other closed, labeled, impermeable containers.





#6 Most Cited

• 1926.1101(k)(3)(i)

 Before work in areas containing ACM and PACM is begun; employers shall identify the presence, location, and quantity of ACM, and/or PACM therein pursuant to paragraph (k)(1) of this section.



ASBESTOS CANCER AND LUNG DISEASE HAZARD

> AUTHORIZED PERSONNEL ONLY

RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED IN THIS AREA

Signs warning of Asbestos presences will need to be posted.

Case Study #5 Metal Container



Illinois EPA Involvement

- 12/10/10 IEPA went to company
- Samples taken on piping, compactor and on floor positive
- 12/17/10 referred to OSHA
- Referred to Illinois States Attorney.
 - Cease and desist order
 - Court ordered remediation of facility shut down plant until IEPA deemed the area clean.

Pipe Insulation



OSHA Investigation

- Based on interviews conducted
 - Safety consultant hired in 2002
 - CSP
 - Identified machine guarding and asbestos issues at facility.
 - Made specific recommendations to mgmt regarding asbestos.
 - Sent detailed report outlining specific asbestos safeguards to company management.
 - » Virtually all recommendations were ignored by the employer.

Description of Events

- Nov. 29 through Dec. 10, 2010, Plant Manager, directed five employees to remove and dispose of piping and heaters covered with asbestos containing insulation.
 - Only the Lead Man was told that the material contained asbestos
 - No one had been trained
 - Provided employees only with dust masks for protection.
 - Removed the pipes from the ceiling with reciprocating saw and brought them to the floor
 - Ripped-off the insulation with help of utility knives
 - Disposed of ACM/PACM in compactor for later disposal in a dumpster
 - Pipes placed in metal recycling bin
 - Dry swept the asbestos containing debris

Area Removed



Area Removed



Area Removed



Photos – ACM Pipes



Compactor



Interviews - Management

- Owner,
 - Authorized the work
 - to make the area more aesthetically appealing
 - the employees would have been laid off due to little work in the facility
 - Was aware of the ACM on the boiler
- Plant Manager
 - Directed the work
 - Claimed awareness of ACM on the boiler but not the pipes

Interviews – Lead Man

- Plant Manager told him the insulation contained asbestos
- The employees conducting the removal were not instructed that the material was asbestos.
- The employees dry swept and disposed of material were not instructed that the material was asbestos.
- None of the employees were trained for asbestos work
- Only provided with dust masks

Employer Knowledge of Facility's ACM

- Building built in 1951.
- 2002 Consultant advised company of asbestos hazard
 - CSP
 - Initially hired to provide guidance on machine guarding problems
 - Saw potential asbestos containing material.

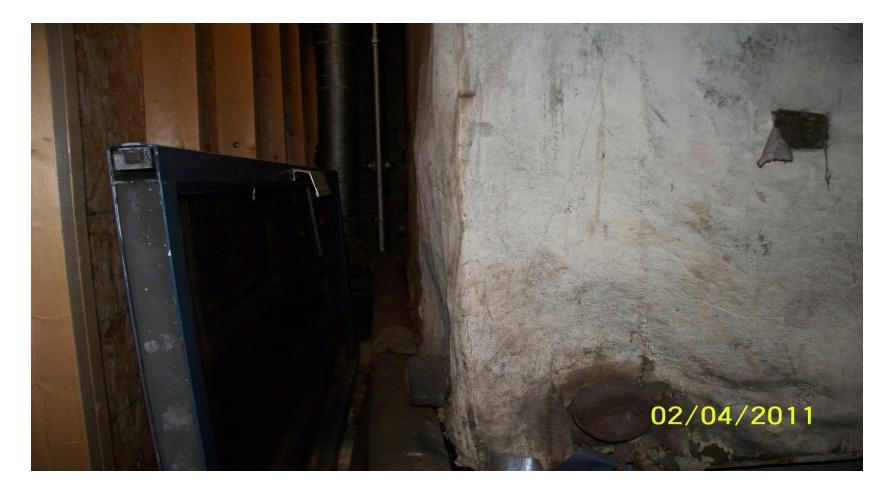
Heightened Knowledge of Regulation

- Company <u>asked</u> CSP to test the material.
- CSP relayed the positive ACM samples.
- Discussed the options to manage and/or dispose of material.
- Provided regulatory and training information to the Company.
- June 2003 Company received a quote from a contractor for a boiler enclosure to be built.

Photos- Enclosure



Enclosure Interior



Asbestos Repair on Boiler



A Pattern of Disregard: Evidence of previous ACM removals



Other Removal



Why?

• COST

- Potential Removal Cost \$250,000+

- Paying for Asbestos permits.
- Removal of ACM in facility by licensed contractor.
- Disposal of ACM by legal means.
- Not providing training, protective clothing, and respirators for employees.
- If abatement contractor was used, facility might be shut down during work.
 - Halting production at facility.
- Recycling of pipe and heaters

Summary of Violations

- 1926.1101 Asbestos
 - 8 Serious (\$50,400)
 - 4 Willful (\$252,000)
 - 15 Egregious (\$945,000)
- TOTAL \$1,247,400

Violations - Serious

•	1926.1101(e)(1) — Work in Regulated areas 1926.1101(g)(2)		\$6300
•	 Exhaust, Ventilation 	\$6300	
•	1926.1101(g)(3)	ŶĊŨŨŨ	
	 Saws and Dry Sweeping 		\$6300
•	1926.1101(g)(4)		
	 Engineering Controls 	\$6300	
٠	1926.1101(g)(5)		
	 Negative Enclosure 	\$6300	
•	1926.1101(h)(2)		
	 Respiratory Program 	\$6300	
٠	1926.1101(j)(1)		
	 Hygiene Facilities 	\$6300	
•	1926.1101(I)(2)		
	 Proper Disposal 		\$6300

Violations – Willful

•	1926.1101(f)(1)	
	 Air Monitoring 	\$63 <i>,</i> 000
•	1926.1101(f)(2)	
	 Exposure Assessment 	Grouped
•	1926.1101(f)(3)	
	 Daily Monitoring 	Grouped
•	1926.1101(g)(1)	
	 Engineering Controls and Work Practices 	\$63,000
•	1926.1101(k)(3)	
	– Duty of employer to ID ACM \$63000	
•	1926.1101(k)(6)	
	 Mechanical room identification of ACM 	\$63000
•	1926.1101(k)(8)(vii)	
	 Labeling Previous PACM or ACM 	Grouped

Violations – Willful Egregious

- 1926.1101(h)(1) & (h)(3)(i)[A]
 - Respiratory Protection \$315,000*
- 1926.1101(i)(1)
 - Protective Clothing \$315,000*
- 1926.1101(k)(9)(i)
 - Employee Training \$315,000*
- * \$63,000 x 5 employee exposures

Total Violation Amount

- 8 Serious \$50,400
- 4 Willful \$252,000
- 3 Willful Egregious \$945,000

• Total Penalty \$1,247,400

2013

- Franklin "Al" Bieri, 54, of Lebanon, Ill., was sentenced in federal court to five months in prison, followed by three months of home confinement.
- Disposed in dumpster with no bagged or labels



Failed to notify Environmental Protection Agency at least 10 working days prior to beginning the asbestos work an offense punishable under the Clean Air Act.

2018

- \$1.8 million dollar fine to IL Roofer for OSHA violations for asbestos.
- "This case stands out because of the outrageous behavior of Joseph Kehrer," said Assistant Secretary of Labor for Occupational Safety and Health David Michaels.
- Workers were threatened with firing if they spoke to investigators, Michaels said.



Baby Powder



Accidental Contact

Minor Contact:

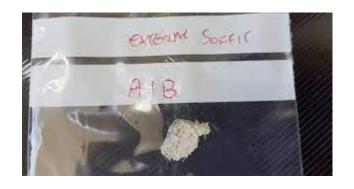
- (i.e. brushing up against PACM with small amount of fiber sticking to clothes)
- <u>DO NOT</u> brush off or blow off PACM.
- Remove PACM with wet rag or wet paper towel.
- Wrap wet rag or wet paper towel containing PACM in another layer of wet rag or wet paper towel.
- Dispose of rags and/or paper towels in sealed plastic bag
- Use N100 Respirator



Accidental Contact

Major Contact:

- Take measures to terminate contact with PACM.
- Notify supervisor and Asbestos Coordinator and management.
- Initiate testing procedure for PACM material contacted.
- Change clothes and shower
- Clothing may be bagged and remain sealed until testing procedure determines if ACM is present.
- Use N100 Respirator and protective clothing





The Wives

- Rachel
- Alabama
- One Lung Removed



Questions?

