



Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

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Governor

Karyn E. Polito
Lieutenant Governor

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Asbestos Inspection Protocol Revision Statement Asbestos Inspector Qualifications/Training at C&D Processors and Large C&D Transfer Stations May 1, 2017

During outreach meetings with the regulated community in recent years, MassDEP has heard that the requirements for the “Asbestos Inspector Qualifications” contained in the “Asbestos Inspection Protocol for C&D Processing Facilities and Large C&D Transfer Stations” do not completely align with what is necessary to effectively inspect incoming waste loads at a C&D facility.¹ The current protocol requires the in-house C&D Handling Facility “asbestos inspector” to be in possession of a valid Asbestos Inspector Certification ID Card issued by the Department of Labor Standards (DLS) under 453 CMR 6.00. This requirement imposes two additional burdens that are perceived to be of limited value for in-house staff: 1) required minimum-experience to initially qualify for DLS certification that are not entirely relevant to C&D operations; and 2) continued annual fee to maintain a valid Certification ID Card.

In order to better align the requirements of the protocol with the job function, MassDEP is revising the “Asbestos Inspector Qualifications” specified in the “Asbestos Inspection Protocol for C&D Processing Facilities and Large C&D Transfer Stations.” Effective immediately, the protocol will no longer require the individual who performs ongoing inspections on inbound C&D waste loads to possess a valid and legible Massachusetts DLS Asbestos Inspector Certification Card (photo ID) issued by DLS pursuant to 453 CMR 6.00. (Please note that the “Asbestos Inspection Protocol” only applies to in-house staff at C&D Processing Facilities and Large C&D Transfer Stations. This revision does not apply to individuals who conduct “Third-Party Inspections” as specified at 310 CMR 19.018.)

¹ For a traditional “Asbestos Inspector”, their job function is “to determine and document the presence and condition of known or suspect ACM [asbestos-containing material] in facilities,” in other words, to generate written inspection reports documenting the presence, quantity and condition of ACM in built structures. For a person inspecting inbound waste loads at a C&D Waste Handling Facility, their job function is “to identify and prevent the acceptance, improper handling, and processing of ACM at the Facility.” So while the respective job functions exhibit some similarities; they are not entirely the same, nor do they serve the same purpose. Therefore, it is appropriate that they would have separate training/qualification requirements.

Notwithstanding the relief from the requirement of possessing a valid DLS Asbestos Inspector Certification ID Card, **MassDEP believes that the Classroom Training requirements for the traditional “Asbestos Inspector” (both initial and annual refresher training) are still the best options currently available to train an individual who will inspect inbound C&D waste loads at a C&D Waste Handling Facility to properly recognize and identify ACM and Suspect ACM.** If, at some later date, a C&D Waste Handling Facility, a group of C&D Waste Handling Facilities, or a C&D Waste/Recycling Association were to engage a DLS-certified Training Provider to develop a curriculum specific to inbound C&D waste load inspectors at C&D Waste Handling Facilities, the MassDEP BAW Solid Waste Division may, after review, approve such a curriculum as an acceptable alternative to the current Asbestos Inspector Initial and Refresher training. At this time, however, no such alternative curriculum yet exists or has been approved.

Given that building materials containing ACM or Suspect ACM in inbound C&D waste loads may often be altered from their original appearance and hard to recognize when the load arrives at the C&D Waste Handling Facility, MassDEP believes that “On-The-Job” (O-T-J) training under an experienced inbound C&D waste load inspector at a C&D Waste Handling Facility is as important as the classroom training. **So in addition to the classroom training requirements specified above, the individual inspecting inbound waste loads at a C&D Waste Handling Facility will need to demonstrate that he/she received a minimum of 40 hours O-T-J Training under an experienced incoming C&D waste load inspector.** (Note: For existing staff already serving in this capacity at a currently operating C&D Handling Facility at the time this protocol revision is issued, their prior experience in this job function will be considered an adequate substitute for demonstrating the 40-hour O-T-J training.)

In accordance with the protocol revision outlined above, C&D Waste Handling Facilities shall demonstrate compliance with the revised requirements as follows: **For each individual whose job description includes inspecting inbound C&D waste loads to prevent the acceptance, improper handling, and processing of ACM at the C&D Handling Facility, the following documentation shall be maintained at the facility and be readily available for inspection:**

- a) **A Certificate of Completion issued by a DLS certified Asbestos Training Provider for having successfully completed the Initial Asbestos Inspector training as specified in 453 CMR 6.10(4)(d); and**
- b) **A Certificate of Completion for the current 12-month period issued by a DLS certified Asbestos Training Provider for having successfully completed the Annual Refresher Asbestos Inspector training as specified in 453 CMR 6.10(5); and**
- c) **A record of having completed 40 hours of On-the-Job (OTJ) training under an experienced incoming C&D waste load inspector at said C&D Handling Facility that covers (1) how to identify ACM and suspect ACM in incoming C&D waste loads, and (2) what actions must be taken under the facility-specific Asbestos Inspection Protocol after a Suspect ACM or ACM is identified.**

MassDEP believes that this protocol revision will improve both the minimum experience requirements and the training requirements so that they are more relevant for the specific job function performed by in-house staff who perform the inbound C&D waste load inspections at C&D Waste Handling facilities. Plus they will clarify the required training documentation to be maintained and available for inspection at the facility. MassDEP believes this revision will help ensure that properly qualified individuals are serving in the critical function of preventing the acceptance, improper handling, and processing of ACM at C&D Waste Handling Facilities.

If you have any questions about this protocol revision, please do not hesitate to contact the MassDEP statewide C&D program coordinator, Michael Elliott: 617-292-5575 or michael.elliott@state.ma.us