

LEAD EXPERTS

A Lead Hazard Training Provider

THE LEAD ABATEMENT ADVISOR

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SPECIALIZING IN MOLD, ASBESTOS
AND
LEAD PAINT TOPICS

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OUR SERVICES INCLUDE

- OSHA Programs: Emergency Action, Respirator, PPE, HazCom, Fall Protection
- Customized Safety Programs ● DOT HazMat Training ● Air and Noise Sampling

OSHA Training: Lift Truck, HazCom, PPE, Lockout-tagout, Confined Space, Emergency Evacuation, Fire Prevention, Spill Response, Lead Abatement Training, Electrical Shock & Arc Flash Protection, Bloodborne Pathogens, Excavation, Fall Protection, Scaffolding

- Respirator Training and Fit Tests ● Lead, Arsenic, Cadmium
- Consulting: Mock OSHA/EPA/DOT Audits ● Environmental Permitting and Reporting
- Lead Paint Risk Assessments and Clearance Reports ● Lead Abatement Consulting
- ISO 14001 EMS Training and Consulting
- Management Training: Supervisory Skills, Modern Safety Management Skills, Behavior Based Safety

The Lead Abatement Advisor is prepared by Lead Experts, Inc. to inform its clients and friends of developments in lead- based paint hazard evaluation and control, safety management, environmental compliance, and new developments in the environmental remediation field. The newsletter is available free of charge to interested parties. The articles appearing in this newsletter do not constitute legal or other advice or opinion. The views expressed in this newsletter are not necessarily those of Lead Experts, Inc. The application of various laws and regulations to your business operations may depend on many specific facts. Questions regarding your operation relative to the topics discussed in this newsletter should be directed to a qualified professional. For more information, call us at (800) 259-8930 or info@leadexperts.org

SEASON'S GREETINGS

Friends,

As the holiday season is upon us, we find ourselves reflecting on the past year and the gratitude we have for those who have helped to shape our business.

The end of the year brings no greater joy, than to express our sincerest appreciation to those who have made our success possible.

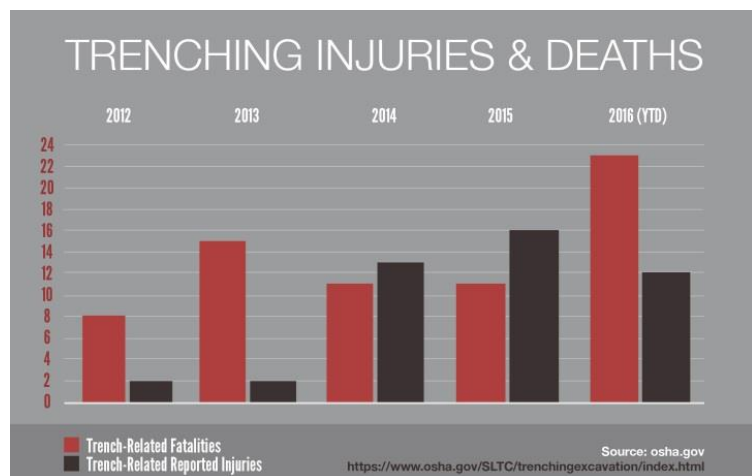
Thank you for your continued partnership, and giving us the opportunity to do what we enjoy. We wish you joy and prosperity as we embark upon the New Year together.

OHIO WORKER'S DEATH HIGHLIGHTS NATIONAL TREND OF TRENCH FATALITIES

OSHA has cited KRW Plumbing LLC, after a 33-year-old employee was crushed to death in June. The 12-foot walls collapsed, as he was digging soil out of the trench, burying him in thousands of pounds of dirt. Rescue workers recovered his body a few hours later.

Trench collapse fatalities have more than doubled this year. He is one of 23 workers killed, and 12 others who reported injuries in trench collapses in 2016. Trench collapses are rarely survivable. One cubic yard of soil can weigh up to 3,000 lbs. - the weight of a small car.

“Trench deaths have more than doubled nationwide since last year an alarming and unacceptable trend that must be halted,” said Dr. David Michaels, assistant secretary of labor for OSHA. **“There is no excuse. These fatalities are completely preventable by complying with OSHA standards that every construction contractor should know.”**



The employee was part of a crew installing a sewer line in the residential, 400 block of Claxton Glen Court. The agency found earlier that same day, a portion of the trench had collapsed and the worker was able to escape. Inspectors also learned the same worker, was involved in a trench collapse just a month earlier, at another site.

OSHA found KRW Plumbing: Failed to train workers in recognizing trench hazards; Did not provide trench cave-in protection; Failed to protect workers from excavated material falling or rolling into the trench. Proposed penalties total \$274,359.

OSHA has a national emphasis program on trenching and excavations. Trenching standards require protective systems on trenches deeper than 5 feet, and soil and other materials kept at least two feet from the edge of trench.

OSHA UPDATE

OSHA's Fines Grow in 2016

Last year OSHA stated fines were going to increase. The maximum penalty rose by nearly \$50,000.

In 2015, Congress passed legislation requiring federal agencies to adjust their civil penalties to account for inflation. The new penalties took effect August 2, 2016. Any citations issued by OSHA on or after this date will be subject to the new penalties.

Type of Violation	Current Maximum Penalty	New Maximum Penalty
Serious Other-Than-Serious Posting Requirements	\$7,000 per violation	\$12,471 per violation
Failure to Abate	\$7,000 per day beyond the abatement date	\$12,471 per day beyond the abatement date
Willful or Repeated	\$70,000 per violation	\$124,709 per violation

The Top Ten

OSHA's most-frequently cited violations for 2016 may look similar to last year's, but there are changes happening behind the scenes.

OSHA is collecting additional information from employers; the resulting information has led to the agency "engaging with every employer" involved in the reported incidents, said Patrick Kapust, of OSHA's Directorate of Enforcement Activities, in an exclusive interview with *Safety & Health Magazine*

Also OSHA has announced it will begin using a new, weighted system for evaluating inspections. "We continue to encourage employers to abate hazards before an OSHA inspection and, more importantly, before a worker gets hurt," said Kapust. The new system is intended to allow for easier strategic planning. Evaluations will now consider the complexity of an inspection.

Based on preliminary list for the fiscal year, compiled from nearly 32,000 inspections

The top 10 cited health and safety violations in 2016 were:

1. Fall Protection
2. Hazard Communication
3. Scaffolding
4. Respiratory Protection
5. Lockout - Tagout
6. Powered Industrial Trucks
7. Ladders
8. Electrical, Wiring Methods
9. Machine Guarding
10. Electrical, General Requirement

Are You Ready For an OSHA Inspection?

OSHA can visit worksites without warning. Before a visit, employers should have already decided on who will serve as their point of contact, noted where various documents are located, and how to respond to questions. Following are basic rules for getting through an OSHA inspection.

Do	Don't
BE NICE	BE RUDE
ESTABLISH PROCEDURES FOR WHEN OSHA KNOCKS	KEEP INACCURATE RECORDS
VERIFY THE IDENTITY OF THE OSHA INSPECTOR	REFUSE ENTRY TO THE INSPECTOR
ENSURE THE INSPECTOR IS WEARING APPROPRIATE SAFETY GEAR FOR YOUR ESTABLISHMENT	AVOID ANSWERING QUESTIONS
MAKE SURE RECORDS ARE EASILY ACCESSIBLE	TELL EMPLOYEES TO LIE TO THE INSPECTOR
TAKE PHOTOS DURING THE INSPECTION	GIVE MONEY TO AN INSPECTOR
PROVIDE AN AREA FOR THE INSPECTOR TO INTERVIEW EMPLOYEES	WAIT TO CORRECT HAZARDS UNTIL CITED
CORRECT HAZARDS POINTED OUT BY THE INSPECTOR A.S.A.P.	

EPA UPDATE

EPA Finalizes new Standard on Ozone Levels

The Environmental Protection Agency (EPA) has released its [final rule](#) tightening the national ozone standard. Non-compliant areas face significant consequences, including potential restrictions on new construction, and the use of construction equipment.

Ozone occurs both naturally and from chemical reactions emitted from equipment/vehicle exhaust, industrial facilities, and chemical solvents. EPA is required to review national air quality standards every five years, to determine whether changes are needed to maintain a level “requisite to protect the public health.”

EPA’s final rule reduces its current level of 75 parts per billion (ppb) to 70 ppb. The standard grandfathers certain construction permit applications, allowing those applications to be reviewed under the current 75 ppb standard. In 2017, areas exceeding the new limits will be designated for compliance enforcement. Currently The EPA projects 241 counties to be included.

Timeline

- 2018 - States must submit their plan to implement, maintain and enforce the new standard. Local non-compliance renders that area’s transportation program invalid, and imposes sanctions of federal transportation funds.
- 2019 - Designated states must develop emission inventories, and mandatory control measures, requiring pollution abatement.
- 2020 - Designated states must implement the New Source Review (NSR) preconstruction permitting program.

Quotable

“A man is not old until regrets take the place of dreams.” – John Barrymore

“The young have aspirations that will never come to pass, and the old have reminiscences of what never happened.” – H.H. Munro

CITATIONS & PENALTIES

EPA Settle Stormwater Discharges during School Construction

EPA enforcement action resulted in the general contractor and the excavation company who worked on construction of a new high school. Bacon-Agostini Construction Co., Inc., the general contractor, and K.R. Rezendes, Inc., the excavation company, also agreed to pay a penalty of \$49,500 to settle claims they violated Clean Water Act at the construction site of the new Somerset-Berkley Regional High School.

EPA alleged that the two companies both failed to follow provisions of the Construction General Permit. In addition, Bacon-Agostini failed to get the required Pollutant Discharge permit, and file a notice of its discharges. "Following requirements for discharging stormwater from construction sites is an important way construction companies help protect our rivers, lakes and wetlands," said Curt Spalding, regional administrator for EPA.

Construction involved work on about 32 acres. The general construction permit covered demolition as well as construction of the high school, parking lots and athletic facilities. During an inspection, EPA found evidence that the companies failed to design or implement "best management practices" (BMPs), and have an adequate storm water pollution prevention plan for the site. The inspection found discharges of sediment-laden storm water from the site into the municipal system and the Taunton River.

Contractor Faces Nearly \$360K in Penalties for Exposing Workers to Fall Hazards

OSHA inspectors cited Panama City Framing LLC with two willful and two repeated safety violations after observing employees working at heights of up to 22 feet without fall protection. The company was also cited for not having a ladder for workers to access roof trusses, allowing workers to use nail guns without eye protection and failing to ensure workers were wearing head protection. The company has been cited four times since 2012 for the same violations. The agency conducted the inspection as part of its Regional Emphasis Program on Falls in Construction.

Tree Trimming Service Cited for Violations that led to Fatal Electrocution of Worker

A tree trimmer was fatally electrocuted when an aluminum pole saw made contact with overhead power lines. His employer, Ray Carolan Services Inc., was cited for three safety violations including: allowing workers to use an aluminum pole saw near power lines; exposing workers to fractures and amputations while using an improperly-guarded wood chipper and exposing workers to hazards associating with chemicals and not implementing a Hazard Communication Program. Proposed penalties total \$133,617.

2017 LEAD TRAINING SCHEDULE LEAD EXPERTS

Type, Length and Price	Location	Course Dates
Contractor Initial - 40 Hour \$795 Per Trainee	Toledo Cleveland	May 1–5 Feb –Mar 3 Apr 10–14 Jun 10–14 Jun 5–6
Contractor Refresher - 8 Hour \$195 Per Trainee	Toledo Cleveland Akron	Mar 28 Jun 30 Jan 24 Feb 14 Mar 21 Apr 18 May 18 Jun 20 Feb 24 Apr 28 Jun 2
Worker Initial \$595 Per Trainee	The Contractor Initial and Refresher courses shown above satisfy Ohio Department of Health’s requirements for Worker Classes. A Worker enrolling in these classes will be charged the lower fee shown in this section. Please call if you have <u>any</u> questions.	
Worker Refresher \$195 Per Trainee		
Inspector Initial - 24 Hour \$475 Per Trainee	Toledo Cleveland	Jan 9–11 Feb 6–8 Jun 12–14 Jan 30–Feb 1 Mar 13–15 May 8–10
Inspector Refresher - 8 Hour \$195 Per Trainee	Toledo Cleveland Columbus	**Risk Assessor Refresher classes shown below satisfy the Inspector Refresher** **requirements of the Ohio Department of Health**
Risk Assessor Initial - 16 Hour \$320 Per Trainee	Toledo Cleveland	Jan 12–13 Feb 9–10 Jun 15–16 Feb 2–3 Mar 16–17 May 11–12
Risk Assessor Refresher - 8 Hr \$195 Per Trainee	Toledo Cleveland Akron	Mar 29 Jun 29 Jan 23 Feb 13 Mar 20 Apr 17 May 22 Jun 19 Feb 23 Apr 27 Jun 1
Renovation, Repair and Painting Certification Initial - 8 Hour \$189 Per Trainee	Toledo Cleveland Akron	Jan 17 Mar 27 May 15 Jan 19 Feb 16 Mar 23 Apr 20 May 25 Jun 22 Jan 5 Mar 9 May 18
Renovation, Repair and Painting Refresher (Grandfather) - 4 Hr \$95.00 per Trainee	Toledo Cleveland Akron	Mar 30 Feb 17 Mar 24 Apr 21 May 26 Jun 23 Jan 6 Mar 10 May 19

IF YOU HAVE ANY SPECIAL NEEDS OR NEED A REASONABLE ACCOMMODATION, PLEASE CONTACT US IMMEDIATELY

EPA RRP accredited classes for certification under Section 402 of TSCA

**YOU ARE NOT ENROLLED IN ANY CLASS UNTIL YOU RECEIVE WRITTEN CONFIRMATION FROM US.
CERTIFICATES WILL NOT BE ISSUED IF YOU ARE LATE TO CLASS. CERTIFICATES ARE HELD UNTIL PAID IN FULL.**

Licensing courses approved by the Ohio Department of Health
ODH Requires Refreshers Taken During Second Year of License Period

RRP CLASSES ARE ADDED AS CLASSES FILL UP – CALL FOR ADDITIONAL DATES

On Site Classes Available, Closed Enrollment - Your Location / Your Students - Priced per Day, Call for More Information

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