

LEAD EXPERTS

A Lead Hazard Training Provider

THE LEAD ABATEMENT ADVISOR

VOLUME TWENTY, ISSUE ONE
SUMMER 2017

SPECIALIZING IN MOLD, ASBESTOS
AND
LEAD PAINT TOPICS

P.O. BOX 1390 MENTOR, OH 44061-1390
440.266.0403 / 800.259.8930 / FAX 440.266.0413
LEADEXPERTS.ORG / INFO@LEADEXPERTS.ORG

INSIDE THIS ISSUE:

OHIO DEPARTMENT OF HEALTH PUBLISHES STATEWIDE LEAD HAZARDS.....	1
OHIO CHILDREN AT RISK	5
FLINT WATER OFFICIALS' MANSLAUGHTER CHARGE.....	6
OLD PIPES/PAINT RENEW EFFORTS FOR POISONED CHILDREN.....	6
OSHA UPDATE	8
EPA UPDATE.....	9
CITATIONS & PENALTIES.....	10
LEAD EXPERTS 2017 TRAINING SCHEDULE.....	11

OUR SERVICES INCLUDE

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

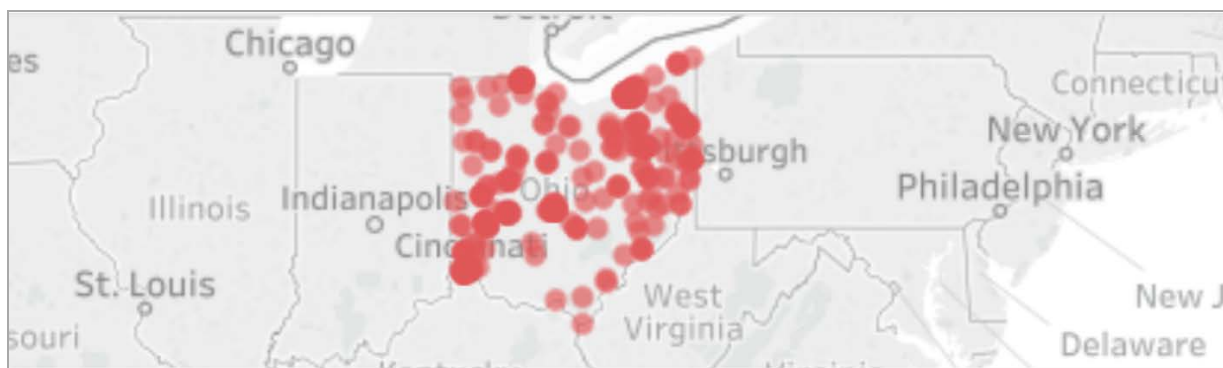
OSHA Training: Lift Truck, HazCom, PPE, Lockout-tagout, Confined Space, Emergency Evacuation, Fire Prevention, Spill Response, Lead Abatement Training, Electrical Shock & Arc Flash Protection, Bloodborne Pathogens, Excavation, Fall Protection, Scaffolding

- 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

OHIO DEPARTMENT OF HEALTH PUBLISHES STATEWIDE LEAD HAZARDS

As part of its focus on cases of childhood lead poisoning, The Ohio Department of Health (ODH) has published a list of homes with unaddressed lead hazards. Published on the [ODH website](#), the list includes homes where children were poisoned from 2004 to March of this year. Officials expect the list to grow as state and local authorities include older cases in the state's latest database. From 2011-2016, there were at least 309 cases where, a child was poisoned, an investigation confirmed a lead hazard, and the hazard was not acted on.



Each pin represents a verified, unaddressed lead hazard. Officials are working to confirm the status of more than 1,000 additional unverified, or open cases. Source - Ohio Department of Health

Cuyahoga County Board of Health's Lead Program Supervisor, John Sobolewski said the state's list is the next step for cities seeking funds to deal with problem properties. "Part of the plan for making this list was to see how we could reduce the number of properties on it," Sobolewski said. "This is the final action on these homes and it's usually an indication that they're not going to be revitalized and they're not going to be lived in anymore and they're heading to be demolished. It's a last straw and it's an expensive one, as well."

ODH has shared its plan to renovate over seven hundred active lead hazards in homes that may be ineligible for other federal grants. Employing its list of non-compliant homes to earmark up to ten-million in funding.

Earlier this year ODH asked local health authorities for plans to address existing hazards, an update on ongoing investigations, and investigations closed due to non-compliance, where property owners had not acted on the hazard in nearly a year.

Non-compliant properties should be vacated and placarded with warning signs. Local officials can choose to prosecute owners, request courts to deem the property a nuisance, or file

PROPERTIES WITH UNADDRESSED LEAD HAZARDS REPORTED BY INVESTIGATING HEALTH AUTHORITY

Ohio Department of Health: 283
Canton Health Department: 21
Cincinnati Health Department: 47
Cleveland Department of Public Health: 23
Cuyahoga County Board of Health: 21
Columbus Department of Public Health: 51
Dayton & Montgomery County Public Health Department: 21
Franklin County Public Health Department: 1
Hamilton County Public Health Department: 10
Lorain General Health District: 10
Toledo-Lucas County Health Department: 27
Summit County Public Health Department: 25

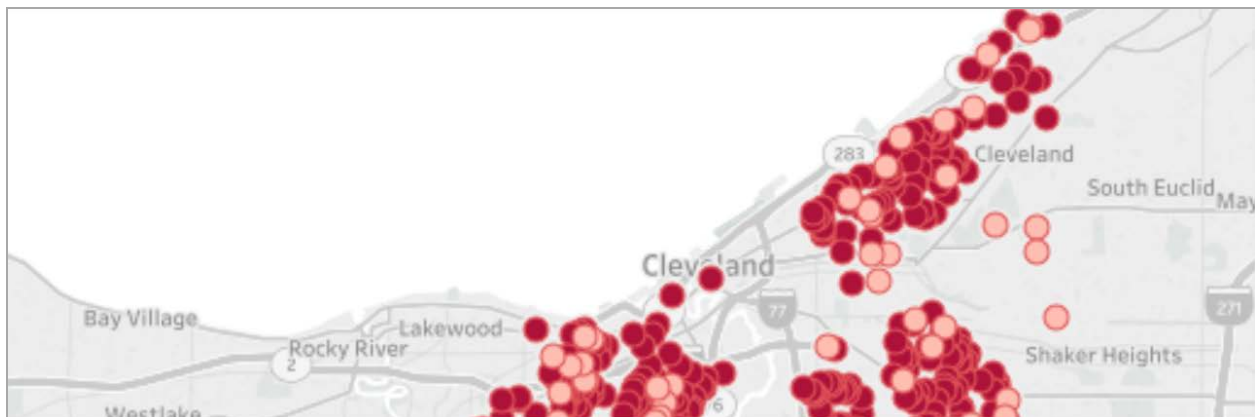
affidavits attached to the property's title indicating a hazard has not been fixed.

Non-compliant properties are not only hazardous to the children who were first poisoned there, but potentially to new families that move in. Ron O'Leary, Director of Cleveland Building & Housing, has reported routine inspections of rental properties will begin in July.

In a recent budget proposal, Governor Kasich recommended annual funding of \$200,000, for a voluntary lead-safe rental property listing. However, Cleveland currently manages its own voluntary lead safe listing, consisting of zero properties. An area property manager, stated that volunteering for a lead safe list, creates an association with impropriety.

ODH will share their findings with agencies that help families with rental assistance to avoid unknowingly paying landlords who refuse to control lead hazards. Under federal and state law, landlords and property sellers are required to inform potential renters, and buyers of any known lead hazards, though there's little enforcement.

Making lead hazards public "would be a big step forward," said Spencer Wells, a representative of the Cleveland Lead Safe Network. Until recently, much of the information from local investigations has been withheld, over concerns of medical privacy.



Lighter pins represent verified, unaddressed lead hazard. Darker pins are older, unverified cases.
Source - City of Cleveland, Ohio Department of Health

OHIO CHILDREN AT RISK

The Ohio Department of Health (ODH) has released a list of residential properties with untreated lead hazards. These are homes and apartment-buildings where children suffered from lead poisoning, and were ordered to vacate. Twenty-one properties in Montgomery County alone have been designated “Not to Occupy.” Dayton & Montgomery County Public Health Director, Tom Hut said, often, these are rental properties in low-income areas.

Hut also stated, “All lead tests are reported to the Ohio Department of Health, so whenever there’s a child with a blood lead level greater than 10, that case is then referred to us. At that point, we make efforts to contact the parent or guardian to initiate a lead investigation. An investigation includes administering a questionnaire to determine possible lead exposures, and how long the child has been living in the home.” Currently the county has one licensed professional to handle lead poisoning investigations. Local officials say it is sometimes impossible to reach some impoverished residents, who often live a transient life-style, and change phone numbers frequently.

Approximately 500,000 children under the age of 5 have more than 5 micrograms of lead per deciliter in their blood, according to the CDC, and the issue disproportionately impacts impoverished and minority communities.

In 2015, approximately 156,135 Ohio children, under 72 months of age, were tested for lead poisoning, and 1,215 had high blood lead levels. In Montgomery County, 20 children were confirmed to have at least 10 µg/dL (micrograms of lead per deciliter of blood).

However, most children aren’t being tested for lead. The American Academy of Pediatrics recommends that all children be tested at age one, and again at age two, but only a fraction are ever tested. “We have a long way to go, both in terms of contaminated water and residual lead-based paint, to reduce disparities that put some of our children at disproportionate risk of exposure to lead,” said Harvey Kaufman, senior medical director of Quest Diagnostics and study author.

“Comparing that to census data and the number of children in that age range, I’d say we’re well below a suitable number of children being screened for lead poisoning,” Hut said.

A 2016 study from the Journal of Pediatrics found that 7 percent of the nation’s highest blood lead levels were found in Ohio, and exposures correlated to housing, poverty-to-income ratio, and health plan enrollment.

FLINT WATER OFFICIALS CHARGED WITH MANSLAUGHTER

Bill Schuette, Michigan State Attorney General, has charged five former Flint Water Department officials with involuntary manslaughter related to their alleged failures in the Flint water crisis. Defendants are presumed innocent, until proven guilty.

Following the switch from Detroit Water & Sewer Department (DWSD) to the Flint River, several area residents died of Legionnaires disease. The defendants are charged with the involuntary manslaughter of Robert Skidmore on December 13, 2015, a resident who succumbed to the disease after many others had been diagnosed and no public warning had been issued. The case alleges a failure to notify the public, and a lack of action, which allowed the disease to spread through Flint's water system.

Joined by County Prosecutor David Leyton, Special Prosecutor Todd Flood, and Chief Investigator Andrew Arena, Attorney General Schuette released the initial results of the more than a year-long investigation. Allegations brought by Schuette include:

Michigan Department of Health and Human Services Director Nick Lyon, was notified of the outbreak one year before informing the public. Lyon deliberately withheld information from the public, which resulted in the death of Robert Skidmore. Furthermore, Lyon conspired to shield the source of the Legionnaires' disease by obstructing an independent investigation to the cause of the outbreak. Charges include misconduct in office, and involuntary manslaughter.

As Michigan Department of Environmental Quality District 8 Water Supervisor, Stephen Busch, had the ability to order the closure of Flint's Water Treatment Plant for failure to produce safe water. Busch was notified of the outbreak, yet misrepresented Flint's drinking water as being safe to the general public. Busch was previously charged with felony misconduct in office, tampering with evidence, conspiracy to tamper with evidence, and two counts of violations of the Safe Water Drinking Act. Charges now include involuntary manslaughter of Skidmore by failing to alert the public about the outbreak, when notified an additional outbreak would occur.

Department of Environmental Quality's Drinking Water Chief Liane Shekter-Smith should also have ordered the closure of Flint's Water Treatment Plant for failure to produce safe water. Shekter-Smith was previously charged with felony of misconduct in office, and willful neglect of duty. Charges now include involuntary manslaughter for the death of Skidmore for not alerting the public of previous outbreaks and having been notified that additional outbreaks would occur.

As Director of Public Works for the City of Flint, Howard Croft's failure to treat the water properly contributed to the outbreaks. Croft had the ability to ensure proper disinfection, or switch back to DWSD. Former Water Dept. operator, Mike Glasgow, was pressured by Croft to prematurely, initiate use of Flint's new water treatment plant. Croft was previously charged with felony false pretenses, and conspiracy to commit false pretenses. Charges now include

involuntary manslaughter for Skidmore and failing to alert the public about the outbreak, when notified an additional outbreak would occur.

Former appointed Flint Emergency Manager Darnell Earley was responsible for ensuring the health and welfare of the city. It is alleged that he took part in decisions to keep the city on the river water source rather than switching back to DWSD. He was previously charged with felony false pretenses, conspiracy to commit false pretenses, misconduct in office, and misdemeanor willful neglect of duty. Charges now include involuntary manslaughter in the death of Robert Skidmore.

Michigan Department of Health and Human Services Chief Medical Executive Eden Wells, is alleged to have threatened to withhold funding for Flint Area Community Health & Environment Partnership, a water-crisis-victim aid program, if it pursued its investigation into the source of the outbreak, and for knowingly providing false testimony to a special agent, during the course of an investigation. While not charged with manslaughter, charges include lying to a peace officer, and obstruction of justice.

OLD PIPES/PAINT RENEW EFFORTS FOR POISONED CHILDREN

The crisis in Flint has highlighted the problem of lead exposure from drinking water. Last year The American Water Works Association Journal found that lead based water lines were contaminating nearly ten million residential properties.

Despite a decline in childhood lead poisoning, from more than 13 million cases in 1976 to less than 500,000 in 2000, the successful formula, which was used to reduce the number of lead poisoned children for many national health organizations, has been lost. Impoverished children are three times more likely, and African-American children are two times more likely than white children, to have elevated blood lead levels.

While blood lead levels were declining, scientific evidence is mounting that there is *no safe level of lead exposure in infants and young children*. In 2012, the Centers for Disease Control and Prevention reduced the elevated exposure level to 5 µg/dL. Today, nearly 500,000 children have levels at or above 5 µg/dL.

It is clear that the sharp declines in blood lead levels over the past four decades came about through a focused national strategy: limiting sources of exposure; better managing the lead already in place (lead based paint); replacing major sources of lead exposure (i.e. lead-based paint windows); maintaining a surveillance infrastructure to identify and manage lead hazards by testing children for elevated blood levels, and most importantly, acknowledge that no level of lead exposure is safe.

The country needs to get back to what worked in the past, focus on what has been learned, and expand efforts to protect everyone from the hazards of lead.

OSHA UPDATE

OSHA Delays Construction Enforcement of Silica

Citing the need for more outreach and employer guidance, OSHA has announced a delay in enforcement of the crystalline silica standard for the construction industry. Due to the unique nature of the construction requirements, OSHA has determined that additional guidance is necessary. Originally scheduled to begin June 23, enforcement will now begin in late September.

OSHA expects industry employers to continue to implement operations specific dust controls and continue to take steps to come into compliance with the new permissible exposure limit. Employers also should continue to implement the standard's other requirements, including exposure assessment, medical surveillance and training.

After learning of the delay, The Construction Industry Safety Coalition (CISC) released this statement "While the CISC appreciates the 90-day delay in enforcement, the CISC remains concerned about the overall feasibility of the standard in construction and has requested that the agency delay enforcement for a year."

"Tools to wet down silica dust and vacuum it up are practical, affordable and readily available. The new standard was announced more than a year ago and employers are aware of their responsibilities to limit worker exposure," said Marcy Goldstein-Gelb, co-executive director of the National Council for Occupational Safety and Health (National COSH). "Three months of delay means that millions of workers will be exposed to hazardous silica dust that will make them sick and take their lives," Goldstein-Gelb continued.

In a written statement National COSH Co-Executive Director Jessica Martinez explained that the standard is based on, "Scientific evidence and the experience of workers who have suffered cancer, silicosis and other life-threatening diseases. There is no reason for delaying this rule, which will save more 600 lives each year."

Quotable

"Every science has for its basis a system of principles as fixed and unalterable as those by which the universe is regulated and governed. Man cannot make principles, he can only discover them." – Thomas Paine

EPA UPDATE

Ohio Dept. of Health to Transfer Asbestos Program to OEPA

Provisions within Ohio's Biennium Budget, if enacted, include the transfer of the Ohio Department of Health (ODH) Asbestos program, to the Ohio Environmental Protection Agency (OEPA).

Currently ODH provides certification and licensing to industry professionals. The proposal would allow OEPA to adopt rules governing asbestos abatement contractors, specialists, project designers, workers, training courses and other professionals.

Currently both ODH and OEPA must be notified of asbestos abatement projects, which are then inspected by each agency independently. The purpose of the transfer, stated within the proposal, is to eliminate this regulatory overlap.

The earliest that the transfer of the asbestos program would occur is January, 2018.

Northeast Ohio Area Wide Coordinating Agency Annual Air Quality Report

The report is in and eight Ohio counties surpassed clean air standards in four of six categories, and failed to comply with the U.S. EPA's limits in the other two categories.

From 2000 to 2010, Northeast Ohio particulate matter was reduced by 27 percent, and sulfur dioxide was reduced by 48 percent, the report said. However, as air pollution has improved the EPA has continued to lower allowable levels.

The region exceeded federal standards for sulfur dioxide. Nearly 90 percent of sulfur dioxide emissions in the region come from power plants. The pollutant irritates lungs and can worsen respiratory and heart problems. It also is a primary component of acid rain, which damages buildings, sickens plants and alters pH levels in lakes and rivers.

The region exceeded federal standards for particulates. Particulate matter are microscopic pieces of soot, smoke, dirt, and dust that come primarily from automobile exhaust, coal-burning power plants, industrial smoke stacks, and road salt. Particulates are considered the most harmful form of air pollution because they are able to bypass the body's defenses and be inhaled deeply into the lungs.

"By and large, air quality continues to improve," said NOACA's Joe MacDonald.

CITATIONS & PENALTIES

Company Faces \$256k Penalty for Exposing Workers to Acid

After learning that a machine operator suffered third-degree burns after falling into a 170-degree acid-etching tank, OSHA inspected A-Brite Plating in Cleveland, OH. The employer failed to report the incident as required by law. Inspectors found other workers climbing on top of the same tanks. The agency posted an imminent danger notice at the auto parts plating company and issued nine safety and health violations. During their investigation OSHA found at least seven employees had fallen into the tank, in the past five years.

USPS Fined \$342,000 for Exposing Workers to Bloodborne Pathogen Hazards

The U.S. Postal Service has been cited for six health violations, after an OSHA inspection of the Brooklyn South Carrier Annex in Brooklyn, MD. Inspectors responded to a complaint that personnel were exposed to blood and other potentially infectious bodily fluids while handling packages labeled as containing biological infectious materials. The Postal Service failed to implement a written Bloodborne Pathogens Control Plan, Hazard Communication Program, and did not properly train workers on bloodborne pathogen protection. Proposed penalties total \$342,059.

Injection Mold Company Fined \$54,765 For Corrosive and Other Hazards

Following a Virginia Occupational Safety and Health (VOSH) inspection of IMS Gear Holding's Virginia Beach, VA facility, inspectors determined the company failed to assess the workplace to determine if hazards were present, or likely to be present; did not ensure lockout/tagout devices were secured to each energy isolating device; failed to provide quick drenching and adequate eye washing stations for employees working with corrosive materials, and failed to ensure safe operation of forklifts.

Quotable

“We don't have to save the world. The world is big enough to look after itself. What we have to be concerned about is whether or not the world we live in will be capable of sustaining us in it.”
– Douglas Adams

2017 LEAD TRAINING SCHEDULE LEAD EXPERTS

Type, Length and Price	Location	Course Dates
Contractor Initial - 40 Hour \$795 Per Trainee	Toledo Cleveland	Sept 11–15 Aug 28–Sep 1 Oct 30–Nov 3 Dec 4–8
Contractor Refresher - 8 Hour \$195 Per Trainee	Toledo Cleveland Akron	Jul 25 Oct 17 Jul 18 Aug 15 Sep 19 Oct 24 Nov 21 Dec 19 Aug 11 Nov 7
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	Aug 21–23 Nov 27–29 Sep 25–27 Dec 11–13
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	Aug 24–25 Nov 30–Dec 1 Sep 28–29 Dec 14–15
Risk Assessor Refresher - 8 Hr \$195 Per Trainee	Toledo Cleveland Akron	Jul 26 Sep 6 Oct 16 Jul 17 Aug 14 Sep 18 Oct 23 Nov 20 Dec 18 Aug 10 Nov 6
Renovation, Repair and Painting Certification Initial - 8 Hour \$189 Per Trainee	Toledo Cleveland Akron	Jul 24 Sep 5 Oct 10 Nov 13 Dec 28 Jul 20 Aug 17 Sep 21 Oct 26 Nov 16 Dec 21 Sep 7 Nov 9
Renovation, Repair and Painting Refresher (Grandfather) - 4 Hr \$95.00 per Trainee	Toledo Cleveland Akron	Jul 27 Oct 11 Dec 29 Aug 18 Sep 22 Oct 27 Nov 17 Dec 22 Sep 8 Nov 10

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

Lead Experts, P.O. Box 1390, Mentor, OH 44061-1390

Phone: 440-266-0403 / 800-259-8930 Fax: 440-266-0413

INFO@LEADEXPERTS.ORG/LEADEXPERTS.ORG