

LEAD EXPERTS

A Lead Hazard Training Provider

THE LEAD ABATEMENT ADVISOR

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Your Free Newsletter of Lead, Asbestos, and Mold
News and Information

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OUR SERVICES INCLUDE:

- * Lead Paint Risk Assessments * Lead Abatement Consulting
- * Lead and Asbestos Abatement Training * Site Safety Audits
- * Mock OSHA/EPA/DOT Audits * Environmental Permitting
- * **OSHA Programs:** Lead, Respirator, PPE, HazCom, Fall Protection
 - * Construction Safety Programs * DOT HazMat Training
 - * OSHA 10 & 30 Hour Courses * Air and Noise Sampling
- * **OSHA Competent Person Training:** Confined Space, Scaffolding, Fall Protection
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The Lead Abatement Advisor is prepared by The Dell Group, 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 The Dell Group, 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.

OHIO NEWS

CHIP Grants

The Office of Community Development (OCD) of the Ohio Development Services Agency announced in September that it had awarded 56 grants totaling \$27,994,000 for FY 2012 under the Community Housing Improvement Program (CHIP).

The CHIP provides flexible funding for the improvement and provision of affordable housing to low-to-moderate income persons, including homeowner rehab and home repair. Eligible applicants are cities and counties that are non-participating HUD jurisdictions, under the HOME Program, or CDBG Program non-entitlement communities. For a list of city and county recipients: [CHIP Grant Recipients](#)

Healthy Homes Regional Support Program

Information about the Ohio Healthy Homes Regional Support Program (RSP) is now available on the Ohio Department of Health website, as well as a map of the RSP regions and contact information: [Ohio Healthy Homes \(RSP\)](#)

HUD Updates Slides Explaining New Lead Guidelines

The Second Edition HUD Lead Guidelines (2012) and updated overview slide presentations are now available: [Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing](#)

Budget Cut to CDC Program Leaves Lead Poisoned Children without Assistance

USA Today reported in October that due to cuts to the CDC's lead poisoning prevention program, thousands of children with lead poisoning won't get help. The authors asked 20 cities, including Cincinnati, how they're responding to the threat of lead poisoning: [Read More](#)

Ohio's Childhood Lead Poisoning Numbers

Database: Ohio Childhood Lead Poisoning Numbers as reported by the Ohio Department of Health – [Ohio City Data & Rankings](#)

Ohio Supreme Court Defends Workplace Safety

The Ohio Supreme Court has upheld the Employer Intentional Tort Statute. Results:

- Deliberate removal of any safety guard creates a rebuttable presumption that an Ohio employer deliberately intended to injure the employee;
- No stop gap liability insurance coverage now for Ohio employers sued for a workplace intentional tort; and
- State of Ohio Attorney General can pursue an Ohio employer found responsible for an employer workplace intentional tort for all worker compensation benefits, etc., paid out. [Ohio Revised Code](#)

EPA Releases Report On Children's Health

In January the EPA released "America's Children and the Environment, Third Edition," a comprehensive compilation of information from a variety of sources on children's health and the environment. The report shows trends for contaminants in air, water, food, and soil that may affect children; concentrations of contaminants in the bodies of children and women of child-bearing age; and childhood illnesses and health conditions. [Full Report](#)

"This latest report provides important information for protecting America's most vulnerable – our children. It shows good progress on some issues, such as reducing children's blood lead levels and exposure to tobacco smoke in the home, and points to the need for continued focus on other issues", said EPA Administrator Lisa P. Jackson. "Although we are encouraged by these findings, there is still much work to be done. By monitoring trends, identifying successes, and shedding light on areas that need further evaluation, we can continue to improve the health of our children and all Americans."

Among the contaminants clearly linked to health conditions in children, key findings include:

- The median concentration of lead in the blood of children between the ages of 1 and 5 years was 92 percent lower in 2009-2010 compared to 1976-1980 levels. Although the majority of the decline occurred in the 1980s, consistent decreases have continued since 1999.
- The median level of cotinine (a marker of exposure to environmental tobacco smoke) measured in blood of nonsmoking children ages 3 to 17 years was 88 percent lower in 2009-2010 than it was in 1988–1991. In 2010, 6 percent of children ages 0 to 6 years lived in homes where someone smoked regularly, compared with 27 percent in 1994.
- The percentage of children living in counties where pollutant concentrations were above the levels of one or more national air quality standards declined from 75 percent to 59 percent from 1999 to 2009.

The level of knowledge regarding the relationship between environmental exposures and health outcomes varies widely among the topics presented in this report, and the inclusion of an indicator in the report does not necessarily imply a known relationship between environmental exposure and children's health effects. The report provides data for selected children's health conditions that warrant further research because the causes, including possible contributing environmental factors, are complex and not well understood at this point.

ODH PUBLISHES LEAD MEDICAL EXAM FORM

The Ohio Department of Health (ODH) has created a new form to include information currently required by the OSHA Lead Construction Standard, 29 CFR 1926.62, titled "Physician's Written Opinion - Recommended Form." Use of the form, found on the next page, is not required by ODH but its use will satisfy the Ohio Administrative Code requirement that a licensed lead abatement contractor shall maintain a copy of their physician's written opinion on each project site as part of their written pre-abatement plan.

This memo and form is posted on the ODH Lead Poisoning Prevention - Abatement Program webpage: [ODH FORMS PAGE](#). Please call Mark Needham (Environmental Abatement Section, Supervisor) at 614-466-1450 with any questions or concerns that you have regarding this form.

Ohio Department of Health- Lead
Physician's Written Opinion - Recommended Form

The following individual has been examined in accordance with the Occupational Safety and Health Administration (OSHA) Lead Construction Standard, 29 CFR 1926.62:

Name of Individual: _____ Date of Birth: _____

Name of Examining Physician: _____ Date of Exam: _____

Name of Medical Facility: _____

Address of Medical Facility: _____

Phone No. of Medical Facility: _____

In accordance with the requirements of Section (j) of the OSHA Lead Construction Standard, 29 CFR 1926.62, the examining physician will provide the employer with a written opinion which shall contain the following: *(The physician must check a box for each statement below.)*

Based on the results of the medical examination, I have determined this individual may /
 may not use a respirator while performing lead work. Recommended limitations for respirator use:

The results of my examination today have have not detected a medical condition which would place the employee at an increased risk of material impairment from exposure to lead.

I have informed the above named individual of the results of the medical examination and any recommended special protective measures or limitations that dictate further medical examination or treatment: _____

Results of the blood lead determinations (if applicable): _____

Signature of Examining Physician: _____

Date: _____

CDC REDEFINES “LEVEL OF CONCERN” FOR LEAD POISONING

The Centers for Disease Control and Prevention (CDC) announced its acceptance of its advisory committee’s recommendation to redefine the level at which children are considered to have too much lead in their blood and to focus the nation’s attention on preventing lead exposure.

CDC’s “level of concern,” unchanged since 1991, is a blood lead level of 10 micrograms per deciliter. The new reference value, which is based on population blood lead levels, would focus action on those children with the highest blood lead levels, those above 97.5%. The revised value is 5 micrograms per deciliter. The change will increase the number of children requiring follow-up services from less than 100,000 to 450,000.

The National Center for Healthy Housing and the American Public Health Association (APHA) expressed their support for the decision – stating that the policy change is supported by overwhelming evidence, and that more resources are needed to fully implement the decision. “Despite the near elimination of CDC funding for lead poisoning, this is the right policy for the nation’s children. Parents will now have the information they need to protect their families from lead,” said Rebecca Morley, executive director of the National Center for Healthy Housing.

CDC’s actions also underscore the need for prevention, since the damage caused by lead poisoning is irreversible. Older housing with lead-based paint, and the dust and soil it generates, are the key sources of exposure for children. CDC will call on housing officials and others to join the public health community in prevention efforts.

“The evidence provided by the committee clearly demonstrates that even lower levels of lead exposure can adversely impact one’s health,” said Georges C. Benjamin, MD, executive director of APHA. “These recommendations should be a wake-up call to members of Congress that they are missing opportunities to protect the health of our nation’s children. Appropriate funding for lead poisoning programs must be reinstated.”

New findings suggest that the adverse health effects of BLLs less than 10 ug/dL in children extend beyond cognitive function to include cardiovascular, immunological, and endocrine effects. Families can prevent exposures by keeping homes “lead-safe,” and agencies can help eliminate lead poisoning by enforcing new EPA regulations requiring the use of lead-safe work practices during home renovation and repairs, and targeting resources to high-risk families and communities.

The National Center for Healthy Housing (NCHH) is the only national scientific and technical non-profit organization dedicated to creating healthy and safe homes for America’s children through practical and proven steps. NCHH develops scientifically valid and practical strategies to make homes safe from hazards, to alert low-income families about housing-related health risks, and to help them protect their children. More information is available online at [National Center for Healthy Housing](#).

CONDORS THREATENED BY 'EPIDEMIC' LEAD POISONING

California condors, one of the world's most endangered species, are being poisoned by lead from bullets "at epidemic levels" a recent study concluded. Although a ban on lead bullets in their habitats is in place, steps to enforce the law are needed to save the species. A review of more than 1,154 blood samples taken from wild California condors tested from 1997 to 2010 found that 48 percent of the birds had lead levels so high they would have died without treatment.

Condors — the birds with the largest wingspan in North America — are scavengers. They eat dead deer, pigs and other animals, often shot by hunters, thereby ingesting bullet fragments. "Lead poisoning is preventing the recovery of the California condors," said Myra Finkelstein, a research toxicologist at the University of California, Santa Cruz, who was a lead author of the study. "The population is not self-sustaining."

Former California Governor Arnold Schwarzenegger signed a law in 2007 to ban hunting with lead bullets, slugs or buckshot in the condors' range, which extends from Los Angeles to San Jose. However, birds analyzed before the law took effect had blood levels the same as birds analyzed afterward. The reason, said Finkelstein, is that condors eat 75 to 150 dead animals a year. "If just one has a lead bullet fragment, that can be enough to kill the bird," she said.

Condors once ranged from British Columbia to Mexico; however, due to habitat loss, hunting, and lead poisoning, the population dwindled to 22 nationwide by 1982. Federal biologists captured all remaining wild condors in 1987 and began breeding them in zoos, gradually releasing their offspring back into the wild. Today, the California condor population has grown to 386; 213 living in the wild and 173 living in captivity.

Free-flying condors, tracked by GPS collars, are captured twice a year and tested for lead. By matching isotope levels of lead in bullets, to lead found in the condor's feathers, scientists can confirm that the lead is coming from bullets and shot, rather than other sources, such as old paint chips. Twenty percent of birds captured yearly have lead levels that if left untreated would be fatal. Birds are treated with chelation therapy to remove lead from their blood and then require supportive care for a month or more, before being released back into the wild. Thirty percent of the condors captured had lead levels that, while not potentially fatal, could block reproduction and cause immune system problems.

While California's Department of Fish and Game, as well as, hunting and environmental groups have worked to promote the lead ban in condor habitats, there is little enforcement. Ranchers and hunters continue to use lead bullets and shot, which are cheaper and more readily available than other types of ammunition, with little risk of getting caught. "Unfortunately, even if only a few people are using lead ammunition... one exposure event could kill a condor," Finkelstein said.

DEMOLITIONS AND LEAD POISONING

In August, Attorney General Mike DeWine thanked communities in Ohio that are taking advantage of the Moving Ohio Forward grants to demolish abandoned homes. "This program is not a cure all for residential blight. However, by smartly maximizing local resources with funds from the national foreclosure settlement, Moving Ohio Forward can help remedy a significant portion of the damage caused to Ohio neighborhoods and property owners by the foreclosure crisis," said DeWine. [Moving Ohio Forward](#)

While there is wide agreement on the need to demolish vacant and blighted homes, concerns are being raised by advocates for lead poisoned children over lead dust from demolitions. A report published by the Annie E. Casey Foundation in 2011, titled "[Responsible Redevelopment](#)," cites research studies on demolition and lead poisoning.

A 2003 study by Johns Hopkins University examined three sites in Baltimore where row houses were demolished using typical demolition practices that didn't include safeguards. Lead dust levels in the air were found to be 40 times higher during demolition and six times higher when debris was being removed. (Johns Hopkins: [Operations Protocol](#)) A 2007 study by Tulane University found children living in low-income areas of St. Louis undergoing substantial levels of demolition had higher levels of lead in their blood compared with children in similar neighborhoods where little or no demolition was taking place.

The Casey Foundation observed, "Despite such findings, federal laws and regulations provide no protections to ensure that lead exposure is minimized during demolition...." The Case Study is the story of how residents, together with the Casey Foundation, city officials and Johns Hopkins, developed responsible protocols during demolition to protect residents during neighborhood revitalization.

Protocols include:

- Effective community notification;
- Adequate use of water to minimize spread of dust;
- Partial deconstruction of homes, fencing and other barriers to control spread of dust;
- Picker method of demolition (rather than wrecking ball);
- Prompt and careful debris removal with water;
- Replacing contaminated soil with new sod; and
- Independent testing to measure the amount of lead dust emitted through demolition

Anecdotal Anecdotes

The energy you use to read this sentence is powered, ultimately, by sunlight - perhaps first soaked up by some grass that got digested by a cow before it turned into the milk that made the cheese that topped the pizza. But sunlight, just the same.

- K.C. Cole

OSHA UPDATE

OSHA's Plan to Help Reduce Injuries and Illnesses at High Hazard Workplaces

OSHA has issued its plan for the [Site-Specific Targeting](#) program (SST). SST directs enforcement resources to high hazard workplaces where the highest rates of injuries and illnesses occur based on data collected from a survey of 80,000 establishments. These non-construction workplaces having 20 or more workers are randomly selected for inspection. "Through the SST program, we can prevent injuries and illnesses and save lives by focusing our inspection resources on employers in high hazard worksites where workers are at greater risk," said David Michaels, OSHA's Assistant Secretary.

In addition to the SST program, OSHA currently has eleven [National Emphasis Programs](#) and seven [Local Emphasis Programs](#) (in Ohio's region 5). These programs intensify inspections of Lead, Silica, Renovation/Rehabilitation, Industrial Vehicles, Fall Hazards in Construction, Dairy Operations, Grain Handling Facilities, Primary Metal Industry, and Safety Management.

Construction Company Fined \$196,000 for Workers' Lead Exposure

OSHA has cited American Masonry for seven counts of willfully violating Lead Exposure Standards. OSHA inspectors found that workers at a building in Chicago were exposed to unsafe levels of lead while conducting sandblasting operations. The agency has proposed a total of \$196,000 in penalties. "Lead exposure is very dangerous, and construction companies need to take proper precautions to ensure workers remain safe, particularly when working on older buildings," said attorney Robert Briskman. "The list of alleged violations is extensive and, if true, seems to indicate a total disregard for the presence of lead and the hazards that come with it."

The alleged violations against American Masonry involve:

- Failure to properly evaluate workers' ability to wear tight-fitting, full-face respirators;
- Failure to provide proper fit tests for respirators;
- Failure to determine workers' initial blood levels of lead prior to work;
- Failure to monitor workers' blood levels of lead during and after work;
- Failure to provide and ensure the proper use of appropriate protective clothing;
- Failure to provide clean changing areas to prevent contamination;
- Failure to establish and implement a written lead safety compliance program, and
- Failure to contain contaminated construction debris and spent abrasive.

Quotable Quotes

Nature is by and large to be found out-of-doors, a location where it cannot be argued; there are never enough comfortable chairs.

– Fran Lebowitz

EPA UPDATE

The U.S Environmental Protection Agency (EPA) announced three enforcement actions for violations of the Lead Renovation, Repair and Painting Rule (RRP) and other lead rules. The RRP rule requires the use of lead-safe work practices to ensure that common renovation activities like sanding, cutting, and demolition, which can create hazardous lead dust, are conducted properly by trained and certified contractors or individuals. The EPA's finalized 2008 RRP rule took effect on April 22, 2010.

“Exposure to lead can cause serious health problems and affects our most vulnerable population, our children,” said Cynthia Giles, assistant administrator for EPA's Office of Enforcement and Compliance Assurance. “By taking action to enforce lead rules we are protecting people's health and ensuring that businesses that follow the rules have a level playing field.”

On March 21, 2012, Colin Wentworth, a rental property owner who was responsible for building operation and maintenance, agreed to pay \$10,000 to resolve violations of the RRP rule. The complaint alleged that Mr. Wentworth had failed to apply for firm certification with the EPA. Because the lead dust had not been properly contained, residents were potentially exposed and the dust could have also contaminated the ground surrounding the apartment building. Two of the four units in the building were rented to recipients of HUD Section 8 vouchers and there were at least four children under the age of 18, including one under the age of six, living in the units.

On March 20, 2012, Valiant Home Remodelers, a New Jersey window and siding company, agreed to pay \$1,500 to resolve violations from failing to follow the RRP rule during a window and siding replacement project at a home in Edison, N.J. Valiant Home Remodelers failed to contain renovation dust, contain waste, and train workers on lead-safe work practices.

On February 21, 2012, Johnson Sash and Door, a home repair company located in Omaha, Nebraska, agreed to pay a \$5,558 penalty for failing to provide the owners or occupants of housing built prior to 1978 with an EPA approved lead hazard information pamphlet or to obtain a written acknowledgement prior to commencement of renovation activities at five homes. The complaint also alleged that Johnson failed to obtain initial certification prior to performing renovations at these residences.

These recent actions are part of the EPA's effort to ensure that contractors and individuals follow the RRP requirements to protect people's health from exposure to lead. As required by the law, an individual's ability to pay a penalty is evaluated and penalties are adjusted accordingly. Lead exposure can cause a range of health effects, from behavioral problems and learning disabilities to seizures and death, putting young children at the greatest risk because their nervous systems are still developing.

Quotable Quotes

Drawing on my fine command of language, I said nothing. – Robert Benchley

BITS & PIECES

“The Plain Dealer” columnist Regina Brett's 50 Life Lessons:

1. Life isn't fair, but it's still good.
2. When in doubt, just take the next small step.
3. Life is too short to waste time hating anyone.
4. Don't take yourself so seriously. No one else does.
5. Pay off your credit cards every month.
6. You don't have to win every argument. Agree to disagree.
7. Cry with someone. It's more healing than crying alone.
8. It's OK to get angry with God. He can take it.
9. Save for retirement starting with your first paycheck.
10. When it comes to chocolate, resistance is futile.
11. Make peace with your past so it won't screw up the present.
12. It's OK to let your children see you cry.
13. Don't compare your life to others. You have no idea what their journey is all about.
14. If a relationship has to be a secret, you shouldn't be in it.
15. Everything can change in the blink of an eye. But don't worry; God never blinks.
16. Life is too short for long pity-parties. Get busy living, or get busy dying.
17. You can get through anything if you stay put in today.
18. A writer writes. If you want to be a writer, write.
19. It's never too late to have a happy childhood. But the second one is up to you and no one else.
20. When it comes to going after what you love in life, don't take no for an answer.
21. Burn the candles, use the nice sheets. Don't save it for a special occasion. Today is special.
22. Over-prepare, then go with the flow.
23. Be eccentric now. Don't wait for old age to wear purple.
24. The most important sex organ is the brain.
25. No one is in charge of your happiness except you.
26. Always choose life.
27. Frame every so called disaster with these words: "In five years, will this matter?"
28. Forgive everyone everything.
29. What other people think of you is none of your business.
30. Time heals almost everything. Give time, time.
31. However good or bad a situation is, it will change.
32. Your job won't take care of you when you are sick. Your friends will. Stay in touch.
33. Believe in miracles.
34. God loves you because of who God is, not because of anything you did or didn't do.

35. Whatever doesn't kill you really does make you stronger.
36. Growing old beats the alternative-dying young.
37. Your children get only one childhood. Make it memorable.
38. Read the Psalms. They cover every human emotion.
39. Get outside every day. Miracles are waiting everywhere.
40. If we all threw our problems in a pile and saw everyone else's, we'd grab ours back.
41. Don't audit life. Show up and make the most of it now.
42. Get rid of anything that isn't useful, beautiful, or joyful.
43. All that truly matters in the end is that you loved.
44. Envy is a waste of time. You already have all you need.
45. The best is yet to come.
46. No matter how you feel, get up, dress up, and show up.
47. Take a deep breath. It calms the mind.
48. If you don't ask, you don't get.
49. Yield.
50. Life isn't tied with a bow, but it's still a gift.

Quotable Quotes

The most striking contradiction of our civilization is the fundamental reverence for truth that we profess, and the thorough going disregard for it that we practice.

– Vilhjalmur Stefansson

How many legs does a dog have if you call the tail a leg? Four. Calling a tail a leg doesn't make it a leg.

– Abraham Lincoln

Always acknowledge a fault frankly. This will throw those in authority off guard and allow you opportunity to commit more.

– Mark Twain

Tell me and I'll forget; show me and I may remember; involve me and I'll understand.

– Old Chinese Proverb

(1st Half) 2013 Lead Training Schedule

LEAD EXPERTS

Type, Length and Price	Location	Course Month / Dates
<u>Contractor Initial - 40 Hour</u> \$795 Per Trainee	Toledo Cleveland Columbus	May 6 – 10 Feb 4 – 8 Apr 1 – 5 Jun 17 – 21 Mar 25 - 29
<u>Contractor Refresher - 8 Hour</u> \$195 Per Trainee	Toledo Cleveland Columbus	Jan 8 Apr 9 Jan 29 Feb 26 Mar 19 Apr 23 May 14 Jun 25 Mar 5
<u>Worker Initial</u> \$595 Per Trainee <u>Worker Refresher</u> \$195 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 <i>lower</i> fee shown in this section. Please call if you have <u>any</u> questions.
<u>Inspector Initial - 24 Hour</u> \$475 Per Trainee	Toledo Cleveland Columbus	Apr 1 – 3 Jan 14 – 16 Mar 11 – 13 May 20 – 22 Jun 10 – 12
<u>Inspector Refresher - 8 Hour</u> \$195 Per Trainee	Toledo Cleveland Columbus	**Risk Assessor Refresher classes shown below satisfy the Inspector Refresher requirements of the Ohio Department of Health**
<u>Risk Assessor Initial - 16 Hour</u> \$320 Per Trainee	Toledo Cleveland Columbus	Apr 4 – 5 Jan 17 – 18 Mar 14 – 15 May 23 – 24 Jun 13 – 14
<u>Risk Assessor Refresher - 8 Hr</u> \$195 Per Trainee	Toledo Cleveland Columbus	Jan 7 Apr 8 Jan 28 Feb 25 Mar 18 Apr 22 May 13 Jun 24 Mar 4
<u>Renovation, Repair and Painting Certification Initial - 8 Hour*</u> \$189 Per Trainee	Toledo Cleveland Akron	Jan 24 Mar 6 May 31 Jan 25 Feb 14 Mar 8 Mar 27 Apr 24 May 16 Jun 5 Jun 27 Jan 11 Feb 28 Apr 25 Jun 6
<u>Renovation, Repair and Painting Refresher (Grandfather) - 4 Hr*</u> \$95.00 per Trainee	Toledo Cleveland Akron	Mar 7 May 30 Jan 31 Mar 21 May 17 Feb 13 Apr 26

If You Have Any Special Needs Or Need Reasonable Accommodations, Please Contact Us Immediately

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

**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 Depart. of Health, ODH Requires Refreshers Taken During Second Year of License Period
EPA RRP accredited classes for certification under Section 402 of TSCA***

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

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