



# SENATE BILL No. 454

April 19, 1995, Introduced by Senator SHUGARS and referred to the Committee on Local, Urban and State Affairs.

A bill to amend the title and sections 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, and 15 of Act No. 440 of the Public Acts of 1988, entitled

"Asbestos workers accreditation act,"

being sections 338.3402, 338.3403, 338.3404, 338.3405, 338.3406, 338.3407, 338.3409, 338.3410, 338.3411, 338.3412, 338.3413, 338.3414, and 338.3415 of the Michigan Compiled Laws; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. The title and sections 2, 3, 4, 5, 6, 7, 9, 10,  
2 11, 12, 13, 14, and 15 of Act No. 440 of the Public Acts of 1988,  
3 being sections 338.3402, 338.3403, 338.3404, 338.3405, 338.3406,  
4 338.3407, 338.3409, 338.3410, 338.3411, 338.3412, 338.3413,

1 338.3414, and 338.3415 of the Michigan Compiled Laws, are amended  
2 to read as follows:

3 TITLE

4 An act to provide for the accreditation of persons who per-  
5 form asbestos-related work in schools, ~~and~~ school buildings,  
6 AND PUBLIC AND COMMERCIAL BUILDINGS; to prescribe the powers and  
7 duties of certain state agencies and officers; to prescribe reme-  
8 dies and penalties; and to assess certain fees.

9 Sec. 2. As used in this act:

10 (A) "ACBM" MEANS ASBESTOS-CONTAINING BUILDING MATERIAL.

11 (B) ~~(a)~~ "Asbestos" means a group of naturally occurring  
12 minerals that separate into fibers, including chrysotile, am-  
13 site, crocidolite, anthophyllite asbestos, tremolite asbestos,  
14 and actinolite asbestos.

15 (C) "ASBESTOS MODEL ACCREDITATION PLAN" MEANS THE ASBESTOS  
16 MODEL ACCREDITATION PLAN ISSUED BY THE ENVIRONMENTAL PROTECTION  
17 AGENCY, APPENDIX C TO SUBPART E OF PART 763 OF TITLE 40 OF THE  
18 CODE OF FEDERAL REGULATIONS.

19 (D) ~~(b)~~ "Asbestos-related work" means any activity or task  
20 performed by a person working with asbestos in buildings, includ-  
21 ing, but not limited to, inspection, management plan development,  
22 the design or conduct of response actions, and remedial work.

23 (E) ~~(c)~~ "Certificate of accreditation" means a numbered  
24 document issued by the director ~~pursuant to~~ AS PROVIDED IN sec-  
25 tion 13 to a person who possesses the necessary qualifications  
26 and who successfully completes the initial training and  
27 examination required by this act.

1 (F) ~~(d)~~ "Day of training" means the equivalent of 8 hours,  
2 including breaks and lunch ~~which shall~~ THAT DO not exceed 1  
3 hour.

4 (G) ~~(e)~~ "Department" means the department of public  
5 health.

6 (H) ~~(f)~~ "Director" means the director of public health or  
7 his or her authorized representative.

8 (I) "INSPECTION" MEANS AN ACTIVITY UNDERTAKEN IN A SCHOOL  
9 BUILDING OR PUBLIC AND COMMERCIAL BUILDING TO DETERMINE THE PRES-  
10 ENCE OR LOCATION OR TO ASSESS THE CONDITION OF FRIABLE OR NONFRI-  
11 ABLE ACBM OR SUSPECTED ACBM, WHETHER BY VISUAL OR PHYSICAL EXAMI-  
12 NATION, OR BY COLLECTING SAMPLES OF MATERIAL. INSPECTION  
13 INCLUDES REINSPECTIONS OF KNOWN OR ASSUMED ACBM THAT HAS BEEN  
14 PREVIOUSLY IDENTIFIED. INSPECTION DOES NOT INCLUDE THE  
15 FOLLOWING:

16 (i) PERIODIC SURVEILLANCE OF THE TYPE DESCRIBED IN 40  
17 C.F.R. 763.92(b) SOLELY FOR THE PURPOSE OF RECORDING OR REPORTING  
18 A CHANGE IN THE CONDITION OF KNOWN OR ASSUMED ACBM.

19 (ii) INSPECTIONS PERFORMED BY EMPLOYEES OR AGENTS OF FEDER-  
20 AL, STATE, OR LOCAL GOVERNMENT SOLELY FOR THE PURPOSE OF DETER-  
21 MINING COMPLIANCE WITH APPLICABLE STATUTES OR REGULATIONS.

22 (iii) VISUAL INSPECTIONS OF THE TYPE DESCRIBED IN 40  
23 C.F.R. 763.90(i) SOLELY FOR THE PURPOSE OF DETERMINING COMPLETION  
24 OF RESPONSE ACTIONS.

25 (iv) LIMITED SCOPE INSPECTIONS ASSOCIATED WITH A REMODELING,  
26 RENOVATION, OPERATION, OR MAINTENANCE ACTIVITY IN A PUBLIC AND  
27 COMMERCIAL BUILDING THAT INVOLVES NOT MORE THAN 2 HOMOGENEOUS

1 AREAS AS DEFINED IN 40 C.F.R. 763.83 AND NOT MORE THAN 6 BULK  
2 SAMPLES COLLECTED IN A RANDOMLY DISTRIBUTED MANNER.

3 (J) "INTERIOR SPACE" MEANS AN ENCLOSED PORTION OF A PUBLIC  
4 AND COMMERCIAL BUILDING, INCLUDING AN EXTERIOR HALLWAY, CONNECT-  
5 ING STRUCTURE, PORTICO, OR MECHANICAL SYSTEM USED TO CONDITION AN  
6 ENCLOSED SPACE.

7 (K) ~~(g)~~ "Person" means an individual, partnership, associ-  
8 ation, corporation, public or private agency, or other legal  
9 entity. PERSON DOES NOT INCLUDE A HOMEOWNER PERFORMING  
10 ASBESTOS-RELATED WORK WITHIN HIS OR HER OWN HOME.

11 (l) "PUBLIC AND COMMERCIAL BUILDING" MEANS THE INTERIOR  
12 SPACE OF A BUILDING THAT IS NOT A SCHOOL BUILDING, A RESIDENTIAL  
13 APARTMENT BUILDING OF FEWER THAN 10 UNITS, OR A DETACHED SINGLE  
14 FAMILY HOME. PUBLIC AND COMMERCIAL BUILDING INCLUDES, BUT IS NOT  
15 LIMITED TO, ALL OF THE FOLLOWING:

16 (i) INDUSTRIAL AND OFFICE BUILDINGS.

17 (ii) RESIDENTIAL APARTMENT BUILDINGS AND CONDOMINIUMS OF 10  
18 OR MORE DWELLING UNITS.

19 (iii) GOVERNMENT OWNED BUILDINGS.

20 (iv) COLLEGES AND UNIVERSITIES.

21 (v) MUSEUMS.

22 (vi) AIRPORTS.

23 (vii) HOSPITALS.

24 (viii) CHURCHES.

25 (ix) PRESCHOOLS.

26 (x) STORES.

1 (xi) WAREHOUSES.

2 (xii) FACTORIES.

3 (M) ~~(h)~~ "School" means a private or public elementary or  
4 secondary institution of learning including grades kindergarten  
5 through grade 12.

6 (N) ~~(i)~~ "School building" means any of the following at a  
7 school:

8 (i) A structure suitable for use as a classroom, including a  
9 school laboratory, library, eating facility, or food preparation  
10 facility.

11 (ii) A gymnasium or other facility ~~which~~ THAT is specially  
12 designed for athletic or recreational activities or for an aca-  
13 demic course in physical education.

14 (iii) A facility used for the instruction or housing of stu-  
15 dents for the purpose of administration of educational or  
16 research programs.

17 (iv) A maintenance, storage, or utility facility, including  
18 a hallway essential to the operation of a facility or structure  
19 identified in ~~subparagraphs~~ SUBPARAGRAPH (i), (ii), or (iii).

20 (v) A portico or covered exterior hallway or walkway.

21 (vi) An exterior portion of a mechanical system.

22 (O) ~~(j)~~ "Year of experience in asbestos-related work"  
23 means A YEAR OF WORK IN WHICH at least 25% of the individual's  
24 working time was spent on asbestos-related work, or an equivalent  
25 amount of work over more than 1 year's time if it was conducted  
26 after January 1, 1983.

1       Sec. 3. A person shall not perform ~~any of~~ the following  
2 asbestos-related work in A school ~~buildings~~ BUILDING OR A  
3 PUBLIC AND COMMERCIAL BUILDING in this state unless that person  
4 receives a certificate of accreditation and maintains annual  
5 reaccreditation through training, examination, and continuing  
6 education ~~pursuant to~~ UNDER this act:

7       (a) Inspect for asbestos-containing materials in A school  
8 ~~buildings under the authority of a school building's owner,~~  
9 ~~operator, or agent~~ BUILDING OR A PUBLIC AND COMMERCIAL BUILDING,  
10 UNLESS THE INDIVIDUAL PERFORMING THE INSPECTION IS CERTIFIED BY  
11 THE AMERICAN BOARD OF INDUSTRIAL HYGIENE AS A CERTIFIED INDUS-  
12 TRIAL HYGIENIST.

13       (b) Prepare AN asbestos management ~~plans~~ PLAN for A school  
14 ~~buildings~~ BUILDING.

15       (c) Design ~~or conduct response actions~~ A RESPONSE ACTION  
16 beyond the scope of A small-scale, ~~or~~ short-duration operations  
17 maintenance and repair ~~activities~~ ACTIVITY, OR A RESPONSE  
18 ACTION TO A MAJOR FIBER RELEASE EPISODE, as those terms are  
19 defined in work practices and engineering controls for A  
20 small-scale, short-duration ~~operations maintenance and repair~~  
21 ~~(O&M) activities involving ACM, 52 F.R. appendix B to subpart E,~~  
22 ~~p. 41894 (October 30, 1987)~~ ACTIVITY IN THE ASBESTOS MODEL  
23 ACCREDITATION PLAN.

24       (D) CONDUCT A RESPONSE ACTION BEYOND THE SCOPE OF  
25 SMALL-SCALE, SHORT-DURATION OPERATIONS MAINTENANCE AND REPAIR  
26 ACTIVITY OR AN ACTIVITY THAT INVOLVES A MAJOR FIBER RELEASE  
27 EPISODE, AS THOSE TERMS AS DEFINED IN THE ASBESTOS MODEL

1 ACCREDITATION PLAN. HOWEVER, THIS SUBDIVISION DOES NOT APPLY TO  
2 CLASS II ASBESTOS WORK INVOLVING ONLY THE REMOVAL OR DISTURBANCE  
3 OF 1 GENERIC CATEGORY OF BUILDING MATERIAL, CLASS III ASBESTOS  
4 WORK, OR CLASS IV ASBESTOS WORK THAT IS NOT PERFORMED IN A REGU-  
5 LATED AREA, AS THOSE TERMS ARE DEFINED IN THE OCCUPATIONAL SAFETY  
6 AND HEALTH ADMINISTRATION'S STANDARDS FOR OCCUPATIONAL EXPOSURE  
7 TO ASBESTOS IN THE CONSTRUCTION INDUSTRY, 59 F.R. 1926. 1101,  
8 P. 41132 (AUGUST 10, 1994).

9       Sec. 4. (1) A person who seeks accreditation to perform  
10 asbestos-related work in A school ~~buildings~~ BUILDING OR A  
11 PUBLIC AND COMMERCIAL BUILDING in this state ~~shall be~~ IS  
12 required to complete initial training ~~pursuant to~~ UNDER this  
13 act. This initial training shall provide ~~training~~ EDUCATION in  
14 asbestos-containing materials inspection, management plan devel-  
15 opment, and response action technology.

16       (2) The length of THE initial training ~~courses~~ COURSE  
17 required for accreditation ~~pursuant to~~ UNDER this act shall  
18 vary by discipline as follows:

19       (a) ~~Asbestos inspectors shall be required to~~ AN ASBESTOS  
20 INSPECTOR SHALL complete a 3-day training course and successfully  
21 pass an examination.

22       (b) ~~Asbestos management planners shall be required to~~ AN  
23 ASBESTOS MANAGEMENT PLANNER SHALL complete the inspector training  
24 course as prescribed by subdivision (a) plus an additional 2 days  
25 of training devoted to management planning and shall successfully  
26 pass an examination on each course of training.

1 (c) ~~Asbestos abatement project designers shall be required~~  
2 ~~to have at least~~ AN ASBESTOS ABATEMENT PROJECT DESIGNER SHALL  
3 COMPLETE NOT LESS THAN 3 days of training and successfully pass  
4 an examination. ~~, or shall successfully complete the 4 day~~  
5 ~~training course and pass the examination prescribed by subdivi-~~  
6 ~~sion (d).~~

7 (d) ~~Asbestos abatement contractors and supervisors shall be~~  
8 ~~required to~~ AN ASBESTOS ABATEMENT CONTRACTOR OR SUPERVISOR SHALL  
9 complete a ~~4 day~~ 5-DAY training course and successfully pass an  
10 examination.

11 (e) ~~Asbestos abatement workers shall be required to~~ AN  
12 ASBESTOS ABATEMENT WORKER SHALL complete a ~~3 day~~ 4-DAY training  
13 course and successfully pass an examination.

14 (3) A person who seeks reaccreditation ~~pursuant to~~ UNDER  
15 this act to perform asbestos-related work in A school ~~buildings-~~  
16 BUILDING OR A PUBLIC AND COMMERCIAL BUILDING in this state shall  
17 ~~be required to~~ complete a 1-day annual refresher training  
18 course, except that AN asbestos ~~inspectors shall only be~~  
19 INSPECTOR IS ONLY required to complete a 1/2-day ANNUAL refresher  
20 training course.

21 Sec. 5. (1) A person who meets the requirements of this act  
22 and who completes the initial training and passes the examination  
23 required ~~pursuant to section 4(1) and (2)~~ UNDER SECTION 4 shall  
24 receive a certificate of accreditation from the director  
25 ~~pursuant to~~ IN ACCORDANCE WITH section 13. The certificate of  
26 accreditation shall authorize the person to perform  
27 asbestos-related work in A school ~~buildings-~~ BUILDING OR A

1 PUBLIC AND COMMERCIAL BUILDING in this state for a period of 1  
2 year after its issuance.

3 (2) A person who completes the refresher training course  
4 required ~~pursuant to section 4(3)~~ UNDER SECTION 4 shall receive  
5 an annual certificate of reaccreditation from the director  
6 ~~pursuant to~~ IN ACCORDANCE WITH section 13. The certificate of  
7 reaccreditation shall authorize the person to perform  
8 asbestos-related work in A school ~~buildings~~ BUILDING OR A  
9 PUBLIC AND COMMERCIAL BUILDING in this state for a period of 1  
10 year after its issuance.

11 Sec. 6. (1) The initial training courses, examinations,  
12 ~~and~~ refresher training courses, AND CERTIFICATES OF SUCCESSFUL  
13 COURSE COMPLETION required ~~pursuant to~~ UNDER this act shall be  
14 ~~conducted~~ PROVIDED by the department or a person approved by  
15 the department to sponsor the training and examinations AND ISSUE  
16 THE CERTIFICATES OF SUCCESSFUL COURSE COMPLETION OF A TRAINING  
17 COURSE in accordance with the initial training, ~~the~~ examina-  
18 tions, ~~and the refresher training course~~ CONTINUING EDUCATION  
19 components, AND THE CERTIFICATE ISSUANCE REQUIREMENTS of the  
20 ~~EPA~~ ASBESTOS model ~~contractor~~ accreditation plan. ~~for states~~  
21 ~~found in appendix C of subpart E of part 763 of title 40 of the~~  
22 ~~code of federal regulations.~~

23 (2) THE DEPARTMENT MAY DENY, WITHDRAW, OR SUSPEND APPROVAL  
24 OF A PERSON SEEKING APPROVAL OR APPROVED UNDER THIS ACT FOR 1 OR  
25 MORE OF THE FOLLOWING REASONS:

26 (A) MISREPRESENTATION OF THE EXTENT OF DEPARTMENT APPROVAL  
27 OF A TRAINING COURSE.

1 (B) FAILURE TO SUBMIT REQUIRED INFORMATION OR NOTIFICATIONS  
2 IN A TIMELY MANNER.

3 (C) FAILURE TO MAINTAIN RECORDS REQUIRED BY LAW.

4 (D) FALSIFICATION OF ACCREDITATION RECORDS, INSTRUCTOR QUAL-  
5 IFICATIONS, OR OTHER ACCREDITATION INFORMATION.

6 (E) FAILURE TO ADHERE TO THE TRAINING STANDARDS AND REQUIRE-  
7 MENTS OF THIS ACT OR OF THE ASBESTOS MODEL ACCREDITATION PLAN.

8 Sec. 7. The following minimum experience ~~shall be~~ IS  
9 required of ~~all persons~~ A PERSON seeking accreditation as AN  
10 asbestos ~~inspectors~~ INSPECTOR, management ~~planners~~ PLANNER,  
11 or project ~~designers~~ DESIGNER:

12 (a) ~~Asbestos inspectors~~ AN ASBESTOS INSPECTOR shall pos-  
13 sess either of the following:

14 (i) Not less than 1 year of experience in asbestos-related  
15 work OR IN GENERAL BUILDING INSPECTIONS RELATED TO ENVIRONMENTAL  
16 AND HEALTH CONCERNS.

17 (ii) Not less than 5 years of supervisory experience in  
18 school building OR PUBLIC AND COMMERCIAL BUILDING operations and  
19 maintenance.

20 (b) ~~Asbestos~~ BOTH AN ASBESTOS management ~~planners~~  
21 PLANNER and AN asbestos abatement project ~~designers~~ DESIGNER  
22 shall possess either of the following:

23 (i) Not less than 2 years of experience in asbestos-related  
24 work.

25 (ii) Not less than 5 years of supervisory experience in  
26 school building OR PUBLIC AND COMMERCIAL BUILDING operations and  
27 maintenance.

1       Sec. 9. (1) The department, on its own initiative, or upon  
2 the written complaint of an aggrieved party, a state agency, or  
3 political subdivision, may investigate the acts of a person  
4 accredited under this act. The department may deny, suspend, or  
5 revoke a certificate of accreditation or reaccreditation under  
6 this act ~~pursuant to~~ UNDER the administrative procedures act of  
7 1969, Act No. 306 of the Public Acts of 1969, being sections  
8 24.201 to 24.328 of the Michigan Compiled Laws, if a person is  
9 found not to be in compliance with this act or other applicable  
10 state or federal laws.

11       (2) The department may deny, suspend, or revoke a certifi-  
12 cate of accreditation or reaccreditation for ~~any~~ 1 OR MORE of  
13 the following REASONS:

14       (a) ~~Willful~~ A WILLFUL or negligent ~~actions~~ ACTION in  
15 violation of this act or other state or federal laws pertaining  
16 to the public health and safety aspects of asbestos-related work  
17 in A school ~~buildings~~ BUILDING OR A PUBLIC AND COMMERCIAL  
18 BUILDING.

19       (b) Falsification of records.

20       (c) Failure to obtain or renew a certificate of  
21 accreditation.

22       (d) Deliberate misrepresentation in applying for accredit-  
23 ation or reaccreditation.

24       (e) Permitting ~~any~~ A person who has not received the  
25 proper training or accreditation under this act to be responsible  
26 for asbestos-related work in A school ~~buildings~~ BUILDING OR A  
27 PUBLIC AND COMMERCIAL BUILDING.

1 (F) PERMITTING THE DUPLICATION OR USE OF ONE'S OWN  
2 ACCREDITATION CERTIFICATE BY ANOTHER.

3 (G) OBTAINING ACCREDITATION FROM A TRAINING PROVIDER THAT  
4 DOES NOT HAVE APPROVAL TO OFFER TRAINING FOR THAT PARTICULAR DIS-  
5 CIPLINE FROM EITHER THE ENVIRONMENTAL PROTECTION AGENCY OR A  
6 STATE THAT HAS AN APPROVAL PROGRAM AS STRINGENT AS THIS ACT.

7 Sec. 10. (1) The department shall seek to obtain written  
8 reciprocal agreements with other states ~~which~~ THAT have accred-  
9 itation and reaccreditation requirements ~~which are equal to~~  
10 THAT EQUAL or exceed the requirements of this act for ~~persons~~  
11 ~~who perform~~ A PERSON WHO PERFORMS asbestos-related work in A  
12 school ~~buildings~~ BUILDING OR A PUBLIC AND COMMERCIAL BUILDING.

13 (2) Following the department's execution of a written recip-  
14 rocal agreement with another state, a person who has been prop-  
15 erly accredited by that state shall not be required to receive  
16 the initial training or take the examination to receive a certifi-  
17 cate of accreditation ~~pursuant to~~ REQUIRED BY this act to per-  
18 form asbestos-related work in A school ~~buildings~~ BUILDING OR A  
19 PUBLIC AND COMMERCIAL BUILDING in this state. That person shall  
20 submit a certificate of successful completion of training from  
21 the other state and the fee as required by section 14.

22 (3) ~~Reaccreditation pursuant to~~ FOR A PERSON DESCRIBED IN  
23 SUBSECTION (2), REACCREDITATION UNDER sections 4 and 5 may only  
24 be obtained by submitting a copy of the certificate of successful  
25 completion of a refresher training course from another state and  
26 the fee as required by section 14.

1       Sec. 11. (1) A person desiring to sponsor a training course  
2 or refresher training course for those disciplines required to be  
3 accredited under this act may apply for department approval on  
4 forms supplied by the department. The department shall approve a  
5 training course or a refresher training course that meets the  
6 requirements for the course as prescribed by section 6.

7       (2) An applicant desiring to sponsor a training course shall  
8 submit ~~a fee of \$400.00 and shall supply~~ all of the following  
9 information AND FEES to the department:

10       (a) The course sponsor's name, address, and telephone  
11 number.

12       (b) A list of any states that currently approve the training  
13 course, including information as to whether the training course  
14 has been approved by the United States environmental protection  
15 agency.

16       (c) The course curriculum.

17       (d) A letter from the training course sponsor clearly indi-  
18 cating compliance of the course with the requirements of this act  
19 for all of the following:

20       (i) The length of training in days.

21       (ii) The amount and type of hands-on training.

22       (iii) The length, format, and passing score of the  
23 examination.

24       (iv) The topics covered in the course.

25       (e) A copy of all course materials, including student manu-  
26 als, instructor notebooks, handouts, and ~~any~~ ALL other  
27 materials that the department may request.

1 (f) A detailed statement about the development of the  
2 examination used in the course.

3 (g) The names and qualifications of course instructors.

4 (h) A description and example of the certificate of success-  
5 ful course completion issued to students who attend the course  
6 and pass the examination THAT SATISFIES THE REQUIREMENTS OF THE  
7 ASBESTOS MODEL ACCREDITATION PLAN.

8 (I) AN INITIAL APPLICATION FEE OF \$400.00 AND, AFTER THE  
9 INITIAL YEAR, AN ANNUAL RENEWAL FEE OF \$200.00.

10 (3) An applicant desiring to sponsor a refresher training  
11 course in ~~any of the disciplines~~ A DISCIPLINE required to be  
12 accredited under this act shall supply all of the following  
13 information to the department:

14 (a) The length of training.

15 (b) The topics covered in the course.

16 (c) A copy of all course materials.

17 (d) The names and qualifications of course instructors.

18 (e) A description and an example of the certificate of suc-  
19 cessful completion of the training course ~~issued to students who~~  
20 ~~complete the refresher training course~~ THAT SATISFIES THE  
21 REQUIREMENTS OF THE ASBESTOS MODEL ACCREDITATION PLAN.

22 (4) Within 60 days after receipt of the appropriate fee and  
23 a complete application from a person desiring to sponsor training  
24 courses as specified in this section, the department shall make a  
25 determination as to the approval or denial of the application and  
26 shall notify the applicant in writing of its determination.

1       (5) ~~Instructors of courses~~ THE INSTRUCTOR OF A COURSE  
2 offered under this section shall have academic credentials or  
3 field experience, or both, in asbestos abatement.

4       Sec. 12. (1) A TRAINING COURSE SPONSOR SHALL SUBMIT TO THE  
5 DEPARTMENT A NOTICE OF SCHEDULED COURSES NOT LESS THAN 7 CALENDAR  
6 DAYS BEFORE THE START OF THOSE COURSES, INDICATING STARTING AND  
7 ENDING DATES AND TIMES, LOCATION, AND INSTRUCTORS. A TRAINING  
8 COURSE SPONSOR SHALL ALSO ADVISE THE DEPARTMENT OF CANCELLATION  
9 OF A COURSE NO LESS THAN 1 DAY BEFORE THE INDICATED START DATE OF  
10 THAT COURSE.

11       (2) ~~Training course sponsors~~ A TRAINING COURSE SPONSOR  
12 shall permit department representatives, as part of a training  
13 course inspection, to attend, evaluate, and monitor ~~any~~ A  
14 training course without charge to the department. The department  
15 shall not provide advance notice of a training course  
16 inspection. The department may revoke or suspend approval of a  
17 training course if the inspection of a field site, conducted  
18 ~~pursuant to~~ UNDER a training course inspection, indicates that  
19 a training course is not in compliance with the requirements of  
20 section 6.

21       (3) A TRAINING COURSE SPONSOR SHALL SATISFY THE  
22 RECORD-KEEPING REQUIREMENTS FOR A TRAINING PROVIDER DESCRIBED IN  
23 UNIT I.F. OF THE ASBESTOS MODEL ACCREDITATION PLAN.

24       Sec. 13. (1) The ~~director~~ TRAINING COURSE SPONSOR shall  
25 issue a numbered certificate of ~~accreditation~~ SUCCESSFUL COURSE  
26 COMPLETION to a student who meets the requirements of this act  
27 and who successfully completes the training and passes the

1 training course's examination required under this act. ~~Upon~~  
2 ~~receipt of a copy of a certificate to that effect and the fee as~~  
3 ~~required by section 14.~~ The numbered certificate of  
4 ~~accreditation~~ SUCCESSFUL COURSE COMPLETION shall include the  
5 name of the student and the course completed, the dates of the  
6 course and the examination, ~~and~~ a statement certifying that the  
7 student passed the examination, AN EXPIRATION DATE THAT IS 1 YEAR  
8 AFTER THE DATE ON WHICH THE PERSON SUCCESSFULLY COMPLETED THE  
9 COURSE AND EXAMINATION, AND THE NAME, ADDRESS, AND TELEPHONE  
10 NUMBER OF THE TRAINING COURSE SPONSOR THAT ISSUED THE  
11 CERTIFICATE.

12 (2) ~~The certificate issued by the director pursuant to sub-~~  
13 ~~section (1) shall include an expiration date for accreditation~~  
14 ~~which is 1 year after the date on which the student completed the~~  
15 ~~course and the examination. A training course sponsor who offers~~  
16 ~~refresher training courses shall also provide students with cer-~~  
17 ~~tificates of successful completion of the refresher training~~  
18 ~~course with all of the information required by subsection (1),~~  
19 ~~except for testing information. Upon receipt of a copy of the~~  
20 ~~certificate of successful completion of the refresher training~~  
21 ~~course and the fee as required by section 14, the director shall~~  
22 ~~issue a numbered certificate of annual reaccreditation to the~~  
23 ~~student.~~ UPON THE DEPARTMENT'S RECEIPT OF THE FEE REQUIRED UNDER  
24 SECTION 14 AND A COPY OF A CERTIFICATE OF SUCCESSFUL COURSE COM-  
25 PLETION UNDER SUBSECTION (1), THE DIRECTOR SHALL ISSUE A NUMBERED  
26 CERTIFICATE OF ACCREDITATION TO THE STUDENT. THE NUMBERED  
27 CERTIFICATE OF ACCREDITATION SHALL INCLUDE THE NAME OF THE

1 STUDENT, THE COURSE COMPLETED, AND THE EXPIRATION DATE FOR  
2 ACCREDITATION.

3 (3) THE CERTIFICATE ISSUED BY THE DIRECTOR UNDER THIS SEC-  
4 TION SHALL INCLUDE AN EXPIRATION DATE FOR ACCREDITATION THAT IS 1  
5 YEAR AFTER THE DATE ON WHICH THE CERTIFICATE OF ACCREDITATION IS  
6 ISSUED. UPON THE DEPARTMENT'S RECEIPT OF THE FEE REQUIRED UNDER  
7 SECTION 14 AND A COPY OF A CERTIFICATE VERIFYING A STUDENT'S SUC-  
8 CESSFUL COMPLETION OF A REFRESHER TRAINING COURSE, THE DIRECTOR  
9 SHALL ISSUE A NUMBERED CERTIFICATE OF ANNUAL REACCREDITATION TO  
10 THE STUDENT.

11 (4) ~~(3) The~~ WITHIN 10 CALENDAR DAYS AFTER ISSUING CERTIFI-  
12 CATES OF SUCCESSFUL COURSE COMPLETION, THE sponsor of an approved  
13 training course shall supply the department with a list of those  
14 persons ~~who successfully complete each training course, pass the~~  
15 ~~examination, and are issued~~ TO WHOM THE certificates of success-  
16 ful completion ~~of the training course and examination~~ WERE  
17 ISSUED. The list shall be maintained by the department and shall  
18 include each person's name, social security number, and address,  
19 the discipline for which the certificate was issued, and the date  
20 of the certificate.

21 Sec. 14. (1) A person desiring accreditation or reaccredit-  
22 ation from the director ~~pursuant to~~ UNDER section 13 shall  
23 submit to the department the appropriate annual fee as part of  
24 his or her application to the department for accreditation or  
25 reaccreditation according to the following fee schedule:

1		Accreditation	Reaccreditation
2	(a) Asbestos inspectors	\$150.00	\$75.00
3	(b) Asbestos management		
4	planners	\$150.00	\$75.00
5	(c) Asbestos abatement		
6	project designers	\$150.00	\$75.00
7	(d) Asbestos abatement con-		
8	tractors and supervisors	<del>-\$25.00</del>	\$50.00 \$25.00
9	(e) Asbestos abatement		
10	workers	<del>-\$25.00</del>	\$50.00 \$25.00

11 (2) Failure to submit the annual fee as prescribed by sub-  
 12 section (1) as part of the application for accreditation consti-  
 13 tutes just cause for the director to deny issuance to a person of  
 14 a certificate of accreditation or reaccreditation ~~pursuant to~~  
 15 UNDER section 13.

16 (3) All fees collected by the department ~~pursuant to~~ UNDER  
 17 subsection (1) shall be deposited in the asbestos abatement fund  
 18 created in section ~~222~~ 220 of the asbestos abatement contrac-  
 19 tors licensing act, Act No. 135 of the Public Acts of 1986, BEING  
 20 SECTION 338.3220 OF THE MICHIGAN COMPILED LAWS.

21 Sec. 15. A person who is accredited under this act to per-  
 22 form asbestos-related work in A school ~~buildings~~ BUILDING OR A  
 23 PUBLIC AND COMMERCIAL BUILDING shall have his or her initial and  
 24 current certificate of accreditation or reaccreditation at the  
 25 location where he or she is conducting asbestos-related work. A  
 26 person's failure to have his or her certificate of accreditation  
 27 or reaccreditation at the job site where he or she is working may

1 result in the suspension or revocation of that person's  
2 certificate of accreditation.

3       Section 2. Section 16 of Act No. 440 of the Public Acts of  
4 1988, being section 338.3416 of the Michigan Compiled Laws, is  
5 repealed.