



GUIDE TO DHS 159 ASBESTOS RULE REVISIONS: Rule Revisions for Asbestos Inspectors

The newly revised asbestos rule, DHS 159, will affect Wisconsin Certified Asbestos Inspectors. To download a copy of the new rule, visit www.dhs.wisconsin.gov/asbestos. The rule becomes effective on May 1, 2009.

New Training and Certification Provisions

- Your initial training and your current certification remain valid. However, you must take your next refresher training in Wisconsin. Out-of-state refreshers will no longer be acceptable.
- *Provisional Certification*: Under the old rule you had to wait until you received your certification card before you could conduct regulated asbestos work. The new rule includes 'provisional certification' that allows you to perform regulated asbestos work as long as you have completed required training and submitted your application with fee. Provisional certification is good for up to 30 calendar days from the date you complete training and requires you to carry your training certificate with you when performing regulated work.
- *New Certification Fee*: Beginning May 1, 2009, \$175 per year.
- *Company Certification Required*: Under the rule all inspectors must be associated with (own or work for) a Certified Asbestos Company, including one-person operations. Beginning August 1, 2009 company certification will be required. The fee will be \$400 for two years and for satellite offices, \$200 for two years.

New Definitions

- "Asbestos-containing material" or "ACM" means a material or product that contains more than 1% of asbestos, as determined using the method specified in 40 CFR Part 763, Appendix E to Subpart E, Section I, "Polarized Light Microscopy," and a material meeting the definition of suspect asbestos-containing material.
- "Suspect asbestos containing material" means vermiculite insulation, and any untested material used in or on a building component, except for metal, glass, wood, or fiberglass. Vermiculite insulation must be treated as ACM unless a recommended EPA sampling and analysis protocol specific to vermiculite insulation proves that it does not contain asbestos. (No such recommended protocol has been established to date.)

Recordkeeping

- All records related to your asbestos management activities must be kept for at least 3 years.
- Records required to be retained include:
 - Any written contracts for asbestos work
 - Asbestos inspection reports
 - Bulk sampling lab results

More Information

Visit our asbestos website at www.dhs.wisconsin.gov/asbestos for more information. For information on other agencies' asbestos regulations visit these websites:

EPA: www.epa.gov/opptintr/asbestos

OSHA: www.osha.gov/SLTC/asbestos

WI DNR: www.dnr.wi.gov/air/compenf/asbestos.