

New York City Department of Environmental Protection

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Environmental Protection is promulgating rules that would establish penalties for violations of Title 15, Chapter 1 of the Rules of the City of New York, also known as the Asbestos Control Program Rules. The Office of Administrative Trials and Hearings' Environmental Control Board (OATH ECB) is proposing a companion rule removing the Air Asbestos Penalty Schedule from Title 48 of the Rules of the City of New York.

When and where is the hearing? The Department of Environmental Protection will hold a public hearing on the proposed rule. The public hearing will take place at 10 a.m. on September 5, 2018. The hearing will be in the Department's 8th floor hearing room at 59-17 Junction Boulevard, Flushing NY 11373.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the Department of Environmental Protection through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to nycrules@dep.nyc.gov.
- **Mail.** You can mail comments to Department of Environmental Protection, Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.
- **Fax.** You can fax comments to the Department of Environmental Protection, Bureau of Legal Affairs, at 718-595-6543.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 718-595-6531. You can also sign up in the hearing room before the hearing begins on September 5, 2018. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes, you must submit written comments by September 5, 2018.

What if I need assistance to participate in the hearing? You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 718-595-6531. Advance notice is required to allow sufficient time to arrange the accommodation. Please tell us by August 29, 2018.

This location has the following accessibility option(s) available: wheelchair accessibility.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at a few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Bureau of Legal Affairs, 59-17 Junction Boulevard, Flushing, NY, 11373.

What authorizes the Department of Environmental Protection (DEP) to make this rule? Sections 1043 of the City Charter and Sections 24-136 and 24-178 of the Administrative Code authorize DEP to make this proposed rule. This proposed rule was not included in DEP's regulatory agenda for this Fiscal Year.

Where can I find the DEP's rules? The DEP's rules are in Title 15 of the Rules of the City of New York.

What laws govern the rulemaking process? DEP must meet the requirements of Section 1043(c) of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

DEP is adopting a new rule, to be found at Chapter 51 of Title 15 of the Rules of the City of New York (RCNY), to establish penalties for violations of Title 15, Chapter 1 of the Rules of the City of New York, also known as the Asbestos Control Program Rules (ACP Rules). The proposed rules are authorized by section 1043 of the Charter of the City of New York and sections 24-136 and 24-178 of the Administrative Code.

DEP is making a number of changes to the existing ACP Rules which require changes to the existing Air Asbestos Penalty Schedule. These changes include the addition of penalties for several new sections of the ACP Rules (sections 1-26(b)(4), 1-26(h), 1-26(i), 1-28(f), 1-29(d), 1-38, 1-109(c), and 1-109(d)).

The current Air Asbestos Penalty Schedule, which is located in the rules of the Office of Administrative Trials and Hearings (OATH) at 48 RCNY § 3-101, will be repealed by OATH on the same day that this proposed rule takes effect.

Although OATH ECB is empowered to impose penalties under the New York City Charter and has until now promulgated penalty schedules, the regulatory and enforcement agencies have the necessary expertise to determine appropriate penalties for violations of the rules and of the laws within their jurisdiction based on the severity of each violation and its effect on City residents. Moving the penalty schedule to DEP's rules will also make it easier for the public to find the penalties, which will be located within the same chapter as the rules supporting the violations alleged in the summonses. Finally, the proposed rule relocation will speed up the rulemaking process by eliminating the need for OATH ECB approval of proposed or amended penalties for agency rules that have already been established by the legislature and/or that have already undergone the City Administrative Procedure Act (CAPA) process by the enforcement agency. The public will still have the opportunity to comment on proposed penalties during that process.

Working with the City's rulemaking agencies, the Law Department, the Mayor's Office of Management and Budget, and the Mayor's Office of Operations conducted a retrospective rules review of the City's existing rules, identifying those rules that will be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. The proposed repeal of 48 RCNY §3-101 was identified as meeting the criteria for this initiative.

The rule makes no substantive changes to the subject matter that precedes the schedule as set forth in Section 51-02.

DEP’s authority for these rules is found in sections of the New York City Charter section 1043 and Section 24-136 and 24-178 of the New York City Administrative Code.

New material is underlined.
 [Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

The text of the Rule follows.

Section 1. Title 15 of the Rules of the City of New York is amended by adding a new Chapter 51 to read as follows:

Chapter 51. Air Asbestos Penalty Schedule

§51-01 General

- (a) Whenever a respondent is found in violation of any of the following provisions of the New York City Administrative Code or the Rules of the City of New York or the New York Code of Rules and Regulations, any civil penalties recommended by a hearing officer pursuant to 48 RCNY §6-17(a) in accordance with §1049-A(d)(1)(d) of the Charter and/or any civil penalties imposed for admissions of violations pursuant to 48 RCNY §6-09(a) or late admissions pursuant to 48 RCNY §3-17 will be imposed pursuant to the penalty schedule set forth below.
- (b) If a stipulation is offered and accepted at or before a hearing, the stipulation penalty will be imposed.
- (c) Unless otherwise indicated, all citations are to 15 RCNY Chapter 1.
- (d) A second offense is a violation by the same respondent within two years, for an infraction of the same section of the rules.
- (e) The default penalty for all charges in this Penalty Schedule shall be twice the penalty set forth in subsection (a) of section 51-02.

§51-02 Air Asbestos Penalty Schedule

(a) Penalty Table

<u>Section</u>	<u>Violation Description</u>	<u>1st Offense Penalty</u>	<u>1st Offense Stipulation</u>	<u>2nd Offense Penalty</u>	<u>2nd Offense Stipulation</u>
<u>1-01(c)</u>	<u>Failure of asbestos handler supervisor to comply with all provisions of Asbestos Rules</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-01(e)</u>	<u>Knowingly made a false statement or submitted a false document to DEP</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>

<u>1-01(f)</u>	<u>Did not permit DEP inspection of asbestos project/abatement activities</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-01(g)</u>	<u>Interfered with or obstructed DEP personnel</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-01(h)</u>	<u>Engaged in unprofessional conduct</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-16(a)1</u>	<u>Conducted building survey and hazard assessment without DEP certification</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-16(a)3</u>	<u>Failed to collect bulk samples as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-16(h)</u>	<u>Failed to sign/affix valid investigators seal to plan or report as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-21(a)</u>	<u>Failed to comply with reporting and filing requirements</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-21(b)</u>	<u>Failed to calculate project size and scope as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-22(b)</u>	<u>Failed to submit required certification to Buildings Dept</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-23(c)</u>	<u>Failed to file required Asbestos Assessment Report (ACP-5) with Buildings Dept</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-25(c)</u>	<u>Failed to file Asbestos Project Notification 7 days before work starts</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-25(d)</u>	<u>Failed to notify DEP in writing of any change on project notification</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-26(a)</u>	<u>Failed to obtain asbestos abatement permit when required</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-26(b)(4)</u>	<u>Failed to comply with work place safety plan</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-26(c)3</u>	<u>Failed to maintain/provide record of final inspection</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-26(e)</u>	<u>Failed to terminate asbestos abatement permit w/in 1 yr of issuance</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-26(f)</u>	<u>Failed to maintain required insurance during work permitted work</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-26(h)</u>	<u>Commenced permitted work prior to permit issuance</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-26(i)</u>	<u>Failed to submit letter to ATRU regarding additional asbestos on projects with WPSP</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-27(b)</u>	<u>Failed to immediately notify DEP of emergency project as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-27(c)</u>	<u>Failed to notify DEP in writing of emergency project within 48 hours</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-28(a)</u>	<u>Failed to maintain permanent records of asbestos surveys as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-28(b)</u>	<u>Failed to compile complete records of asbestos survey as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-28(c)</u>	<u>Failed to properly record work by non-certified individual as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-28(d)</u>	<u>Failed to maintain records of asbestos surveys for 30 years</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-28(e)</u>	<u>Failed to make asbestos survey records available for inspection by DEP</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-28(f)</u>	<u>Failed to properly store records or report damage/loss/destruction of records</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-29(a)</u>	<u>Failed to properly maintain project record</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-29(b)</u>	<u>Failed to properly maintain project summary</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-29(c)</u>	<u>Failed to make project record or project summary available for inspection in a timely manner</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>

<u>1-29(d)</u>	<u>Failed to maintain air monitor project summary</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-36(a)</u>	<u>Failed to retain independent third party air monitor</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-36(b)</u>	<u>Failed to have technician present during air sample collection</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-36(c)</u>	<u>Use lab without required qualifications to perform bulk sample analysis</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-36(d)</u>	<u>Used lab without required qualifications to perform air sample analysis</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-36(e)</u>	<u>Employed unqualified analyst to perform air sample analysis (TEM)</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-37(a)</u>	<u>Failed to perform bulk sampling as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-37(b)</u>	<u>Failed to utilize area air sampling equipment for PCM per 60 NIOSH 7400</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-37(c)</u>	<u>Failed to utilize area air sampling equipment for TEM as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-37(d)</u>	<u>Failed to use appropriate air sampling pump calibrated by rotometer</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-37(e)</u>	<u>Failed to properly inspect air sampling equipment</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-37(f)</u>	<u>Failed to create/maintain air sampling log</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-38(a)</u>	<u>Failed to assess/identify exact locations and quantities of ACM/PACM/misc. ACM</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>9600</u>
<u>1-38(b)</u>	<u>Failed to collect bulk samples and submit for analysis</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-38(c)</u>	<u>Failed to comply with sampling requirements</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-41(a)</u>	<u>Failed to conduct air sampling in accordance with required schedule</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-41(b)</u>	<u>Failed to conduct pre-abatement air sampling as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-41(c)</u>	<u>Failed to conduct air sampling during abatement as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-41(d)</u>	<u>Failed to conduct post-abatement air sampling as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-42(a)</u>	<u>Utilized improperly located air samplers</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-42(b)</u>	<u>Failed to locate ambient samplers properly</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-42(c)</u>	<u>Failed to have a chain of custody record for air samples</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-42(d)</u>	<u>Failed to follow specified area sampling schedule for air monitoring</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-42(e)</u>	<u>Failed to conduct air sampling for small projects as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-43(a)</u>	<u>Failed to confirm absence of visible ACM before final air monitoring</u>	<u>2400</u>	<u>1200</u>	<u>4800</u>	<u>3000</u>
<u>1-43(b)</u>	<u>Failed to properly place required number of samplers in work area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-43(c)</u>	<u>Failed to properly place samplers outside work area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-43(d)</u>	<u>Failed to conduct aggressive sampling according to required procedures</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-43(e)</u>	<u>Area air samples did not meet schedule for post-abatement monitoring</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-43(f)</u>	<u>Failed to reclean and re-sample in areas that failed clearance as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-43(g)</u>	<u>Failed to meet release criteria for any independent work area</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>

<u>1-44(a)</u>	<u>Failed to analyze and report PCM area air samples as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-44(b)</u>	<u>Failed to analyze and report TEM area air samples as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-44(c)</u>	<u>Failed to analyze and report bulk sample as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-44(d)</u>	<u>Failed to submit bulk/air sampling results w/in 5 days of DEP request</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-45(a)</u>	<u>Failed to follow proper procedures when action criteria exceeded</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-45(b)</u>	<u>Failed to meet clearance and/or reoccupancy criteria</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-51(a)</u>	<u>Employed uncertified workers on an asbestos project</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-51(b)</u>	<u>Failed to have supervisor present during abatement activities</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-51(c)</u>	<u>Allowed persons inside work place w/out proper protective clothing</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-51(d)</u>	<u>Failed to perform person air monitoring as per OSHA standards</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-51(e)</u>	<u>Failed to meet personal hygiene requirements at work site</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-51(f)</u>	<u>Failed to have required info at work place</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-51(g)</u>	<u>Failed to post asbestos warning signs at all approaches to work place</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-51(h)</u>	<u>Failed to affix required warning labels to all ACM waste containers</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-61(a)</u>	<u>Did not store replacement materials outside work area as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-61(b)</u>	<u>Used replacement materials which did not comply with NYC Code and regulations</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-61(c)</u>	<u>Failed to use plastic of 6-mil thickness or greater for plasticizing</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-61(d)</u>	<u>Used duct tape and/or adhesive incapable of properly sealing plastic</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-61(e)</u>	<u>Failed to use and/or label 6-mil bags or containers for ACM as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-61(f)</u>	<u>Failed to enclose ACM in airtight manner with impact resistant material</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-61(g)</u>	<u>Failed to use HEPA filtration as required on power tools</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-61(h)</u>	<u>Failed to provide ladders/scaffolds and/or seal joints/ends of same</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-61(i)</u>	<u>Failed to use UL listed and approved electrical equipment</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-61(j)</u>	<u>Failed to use non-carcinogenic/non-toxic chemicals</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-61(k)</u>	<u>Failed to use non-combustible/fire-retardant materials</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-61(l)</u>	<u>Failed to obtain DEP approval for substitute equipment/material</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(a)</u>	<u>Failed to post notice of asbestos project as specified</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(b)</u>	<u>Failed to post floor plan as specified</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(c)</u>	<u>Failed to vacate work place prior to and during abatement activities</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(d)</u>	<u>Failed to provide power from outside the work area thru GFI at source</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>

<u>1-81(e)</u>	<u>Failed to install worker decon in required sequence</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(f)</u>	<u>Did not limit disturbance of ACM before erecting partition as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-81(g)</u>	<u>Failed to lockout/isolate heating/ventilation/air conditioning system</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(h)</u>	<u>Commenced abatement prior to completion of work place preparation</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(i)</u>	<u>Failed to properly pre-clean and remove movables and/or cover carpet</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(j)</u>	<u>Failed to remove flammables/extinguish ignition sources</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-81(k)</u>	<u>Failed to properly pre-clean and plasticize fixed objects in work area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(l)</u>	<u>Failed to use temporary emergency lighting when required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(m)</u>	<u>Failed to properly pre-clean the work area prior to plasticizing</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-81(n)</u>	<u>Failed to install isolation barriers over all openings to work place</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(o)</u>	<u>Did not segregate work area from work site with partitions as required</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(o)</u> <u>1-3</u>	<u>Failed to construct partitions to ensure unobstructed means of egress</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(o)</u> <u>4-5</u>	<u>Failed to properly seal floors and walls with 2 layers of 6-mil plastic</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(p)</u>	<u>Failed to remove/clean ceiling-mounted objects not previously sealed</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(q)</u>	<u>Removed contaminated ceiling tiles prior to full work area preparation</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-81(r)</u>	<u>Failed to lock entrances not used for workers or as emergency exits</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-81(s)</u>	<u>Failed to properly maintain/check exits</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(t)</u>	<u>Failed to post/maintain exit signs in work area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(u)</u>	<u>Failed to post/maintain no smoking signs in work place</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(v)</u>	<u>Failed to properly seal and/or cover floor drains, pits, sumps, etc.</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(w)</u>	<u>Did not maintain, secure, lockout elevators running thru work area</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-81(x)</u>	<u>Failed to provide adequate toilet facilities in vicinity of clean room</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(y)</u>	<u>Failed to have fire extinguisher(s) in work place</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-81(z)</u>	<u>Failed to provide or locate worker decon outside work area as required</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-82(a)</u>	<u>Failed to construct worker decon as specified</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-82(b)</u>	<u>Failed to fully line worker decon with 2 layers of opaque 6-mil plastic</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-82(c)</u>	<u>Failed to secure/weatherproof outside or publicly accessible decon</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-82(d)</u>	<u>Failed to provide proper prefabricated or trailer worker decon</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-82(e)</u>	<u>Failed to construct and/or maintain clean room as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-82(f)</u>	<u>Failed to install and/or maintain shower room as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-82(g)</u>					

<u>1-82(h)</u>	<u>Failed to provide shower filtration system as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-82(i)</u>	<u>Failed to properly use or maintain equipment room</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-83(a)</u>	<u>Failed to properly construct waste decon as specified</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-83(b)</u>	<u>Failed to locate/install waste/worker decon where 1 exit exists</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-83(c)</u>	<u>Failed to construct waste decon in accordance with 1-82a,c,d,e,f,g,h</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-84(a)</u>	<u>Failed to properly construct alternative worker/waste decon for small project</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-84(b)</u>	<u>Failed to properly utilize alternative worker/waste decon for small project</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-91(a)</u>	<u>Failed to utilize negative pressure ventilation equipment</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-91(a)1</u>	<u>Failed to use manometer to document pressure differential</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-91(b)</u>	<u>Failed to use negative pressure ventilation equipment 24 hrs/day</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-91(c)</u>	<u>Did not maintain static negative air pressure of 0.02 in. water column</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-91(d)</u>	<u>Failed to turn on negative air units 1 by 1 to check barrier integrity</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-91(e)</u>	<u>Failed to use dedicated power supply for negative air units</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-91(f)</u>	<u>Failed to utilize/properly locate negative air cutoff switch</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-91(g)</u>	<u>Failed to follow procedures for loss of power to negative Air units</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-91(h)</u>	<u>Failed to provide required air changes in work area</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-91(i)</u>	<u>Failed to make openings for negative air units airtight</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-91(j)</u>	<u>Used negative air units not in compliance w/ANSI 9.2 standards</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-91(k)</u>	<u>Operated negative air system contrary to EPA report 560/5-85 (1985)</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-91(l)</u>	<u>Failed to exhaust negative air units to outside as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-91(m)</u>	<u>Failed to properly use second negative air unit in series as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-91(n)</u>	<u>Failed to smoke test/inspect/monitor ducts to ensure no fiber release</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-92(a)</u>	<u>Failed to ensure proper workplace entrance procedures are followed</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-92(b)</u>	<u>Failed to ensure that proper work area exit procedures are followed</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-93(a)</u>	<u>Permitted storage of ACM/carts in clean room when used as holding area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-93(b)</u>	<u>Improperly removed waste while workers used combined decon system</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-93(c)</u>	<u>Improperly worker transit during waste transfer in combined decon</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-93(d)</u>	<u>Did not clean ACM container/equipment properly before transfer into decon</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>

<u>1-93(e)</u>	<u>Failed to properly bag/package containerized ACM waste and equipment</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-93(f)</u>	<u>Improper washroom transit of workers prior to end of waste removal</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-93(g)</u>	<u>Failed to properly remove waste and equipment from airlock to holding area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-93(h)</u>	<u>Failed to use/clean waste storage carts as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-93(i)</u>	<u>Failed to secure exit from waste decontamination system</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-93(j)</u>	<u>Failed to store waste storage carts in worksite holding area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-94(a)</u>	<u>Failed to inspect plastic barriers and partitions twice per shift</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-94(b)</u>	<u>Failed to smoke test plastic barriers and decon twice daily</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-94(c)</u>	<u>Failed to immediately repair damage or defects in decon</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-94(d)</u>	<u>Failed to follow proper procedure upon fiber release or barrier damage</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-94(e)</u>	<u>Failed to document specified events in daily projects log</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-102(a)</u>	<u>Performed dry removal of ACM without EPA and/or DEP approval</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-102(b)</u>	<u>Failed to sufficiently wet down ACM for enhanced penetration</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-102(c)</u>	<u>Failed to properly apply removal encapsulant as per federal guidelines</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-102(d)</u>	<u>Failed to bag ACM directly upon detachment from substrate as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-102(e)</u>	<u>Failed to properly wet, wrap and secure large components of ACM</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-102(f)</u>	<u>Failed to remove all visible ACM residue from abated surfaces</u>	<u>2400</u>	<u>1200</u>	<u>4800</u>	<u>2400</u>
<u>1-103(a)</u>	<u>Failed to utilize proper material for encapsulation/repair of ACM</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(b)</u>	<u>Failed to properly remove loose or hanging ACM before encapsulation</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(c)</u>	<u>Failed to use acceptable pigmented encapsulant</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(d)</u>	<u>Used encapsulant solvent or vehicle containing volatile hydrocarbon</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(e)</u>	<u>Improperly used latex paint as encapsulant</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(f)</u>	<u>Failed to properly field test encapsulant prior to use</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(g)</u>	<u>Failed to apply required thickness of bridging encapsulant over ACM</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(h)</u>	<u>Failed to use a different color for each coat of encapsulant</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(i)</u>	<u>Failed to properly apply penetrating encapsulant to ACM</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(j)</u>	<u>Failed to apply encapsulant with airless spray equipment as specified</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-103(k)</u>	<u>Failed to properly identify encapsulated ACM</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-104(a)</u>	<u>Did not properly remove loose/hanging ACM before installing enclosure</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-104(b)</u>	<u>Failed to properly repair areas damaged during enclosure procedure</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>

<u>1-104(c)</u>	<u>Failed to properly lower/remove/replace utilities service components</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-104(d)</u>	<u>Failed to properly identify enclosed ACM</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(a)</u>	<u>Failed to properly conduct glovebag procedures</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-105(b)1</u>	<u>Failed to bring tools/materials into work area before glovebag begins</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)2</u>	<u>Failed to conduct air monitoring during glovebag procedure as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)3</u>	<u>Failed to have trained/equipped workers to conduct glovebag procedures</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)4</u>	<u>Failed to use properly sized glovebag for diameter of insulation</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)5</u>	<u>Failed to wet ACM prior to stripping during glovebag procedure</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-105(b)6</u>	<u>Failed to properly attach glovebag to insulation</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-105(b)7</u>	<u>Failed to smoke test glovebag as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)8</u>	<u>Failed to properly seal adjacent insulation during glovebag procedure</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)9</u>	<u>Failed to properly clean/wet surface, tools, etc. before glovebag is moved</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)10</u>	<u>Failed to properly seal insulation ends</u>	<u>2400</u>	<u>1200</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)11</u>	<u>Failed to properly remove tools/tool pouch from glovebag</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)12</u>	<u>Failed to use HEPA vacuum to evacuate glovebag or for clean up</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)13</u>	<u>Failed to properly collapse or seal glovebag prior to bag removal</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)14</u>	<u>Failed to properly double-bag and detach glovebag</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(b)15</u>	<u>Failed to properly wet/bag, dispose of waste from glovebag procedure</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-105(d)</u>	<u>Failed to utilize glovebag within containment as specified</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-106(a)</u>	<u>Conducted tent procedures on 260 linear ft/160 sq. or more of ACM</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(b)</u>	<u>Failed to properly install and/or construct tent</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(c)</u>	<u>Failed to install airlock at tent entrance when required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(d)</u>	<u>Failed to wear appropriate personal protective equipment during tent procedure</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-106(e)</u>	<u>Failed to attach tent to surface to produce an airtight seal</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(f)</u>	<u>Failed to provide/maintain proper negative air in tent</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-106(g)</u>	<u>Failed to use required wet removal methods during tent procedures</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(h)</u>	<u>Failed to place ACM removed in tent procedures in leaktight container</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(i)</u>	<u>Failed to properly clean/encapsulate enclosed surfaces in tent</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(j)</u>	<u>Failed to clean/encapsulate surfaces after tent failure/termination</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(k)</u>	<u>Failed to properly clean/double bag ACM for disposal as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>

<u>1-106(l)</u>	<u>Failed to follow specified procedures for worker exit from tent</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(m)</u>	<u>Failed to have 4 Air changes after abatement but before tent collapse</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(n)</u>	<u>Did not collapse tent or dispose of contaminated material as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-106(o)</u>	<u>Failed to follow proper glovebag procedure during removal in tent</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(a)</u>	<u>Failed to properly cordon off and restrict access to work area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(b)</u>	<u>Failed to use proper foam or liquid during removal</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-107(c)</u>	<u>Failed to maintain blanket of foam or liquid during removal</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-107(d)</u>	<u>Failed to keep ACRM wet during bagging process</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(e)</u>	<u>Failed to ensure that all persons in work area wear proper boots/PPE</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(f)</u>	<u>Carried out abatement during adverse weather conditions</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(g)</u>	<u>Failed to properly locate worker/waste decons</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(h)</u>	<u>Failed to remove or plasticize movable objects</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(i)</u>	<u>Failed to properly seal openings/ensure adequate air supply</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(j)</u>	<u>Failed to plasticize fixed objects as specified</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(k)</u>	<u>Failed to blanket roofing material w/foam before removal</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-107(l)</u>	<u>Failed to use HEPA filters on power tools used in removal</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(m)</u>	<u>Failed to properly conduct cleanup procedures</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(n)</u>	<u>Failed to conduct proper visual inspection</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(o)</u>	<u>Failed to remove all plastic sheeting after visual inspection</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-107(p)</u>	<u>Failed to conduct required air monitoring</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-108(b)</u>	<u>Failed to use proper foam or liquid during removal</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-108(c)</u>	<u>Failed to maintain blanket of foam or liquid during removal</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-108(d)</u>	<u>Failed to keep ACM wet during bagging process</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-108(e)</u>	<u>Failed to ensure that all persons in work area wear proper boots/PPE</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-108(f)</u>	<u>Failed to plasticize baseboards and walls as specified</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-108(g)</u>	<u>Failed to provide negative pressure ventilation</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-108(h)</u>	<u>Failed to properly conduct cleanup procedures</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-108(i)</u>	<u>Failed to conduct proper visual inspection</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-108(j)</u>	<u>Failed to remove all plastic sheeting after visual inspection</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-108(k)</u>	<u>Failed to conduct required air monitoring</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(a)(2)</u>	<u>Failed to establish restricted area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(a)(3)</u>	<u>Allowed unauthorized persons to enter restricted area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(a)(4)</u>	<u>Failed to inspect and pre-clean restricted area before plasticizing</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(a)(5)</u>	<u>Failed to make all openings within 25 feet of affected ACM airtight</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>

<u>1-109(a)(6)</u>	<u>Failed to construct/maintain/use scaffolding in accordance with federal/state/city laws</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(a)(7)</u>	<u>Failed to properly construct/plasticize elevated platforms</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(a)(8)</u>	<u>Failed to properly plasticize ground-level restricted area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(a)(9)</u>	<u>Failed to properly plasticize sidewalk bridges in restricted area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(b)</u>	<u>Failed to construct decon within restricted area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(c)</u>	<u>Failed to ensure that all persons in work area wear proper PPE</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(d)</u>	<u>Performed dry removal of ACM/failed to place ACM in leak tight containers</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(e)</u>	<u>Failed to follow proper cleanup procedure</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(f)</u>	<u>Failed to conduct required air monitoring</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(g)</u>	<u>Carried out abatement under adverse weather conditions</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-109(h)</u>	<u>Failed to use HEPA filters on power tools used in removal</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-110(a)</u>	<u>Demolished building w/ACM in place w/no danger of collapse</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-110(b)</u>	<u>Failed to provide copy of condemnation letter to DEP</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-110(c)</u>	<u>Failed to perform demolition as per AC 28-215/56 NYCRR 11.5</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-111(a)</u>	<u>Failed to bag/wrap/containerize waste immediately upon removal</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-111(b)</u>	<u>Failed to properly clean waste decon on completion of waste removal</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-111(c)</u>	<u>Failed to properly clean worker decon when required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-111(d)</u>	<u>Failed to stop work and dispose of excess water in work area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-112(a)</u>	<u>Failed to HEPA vacuum all surfaces after removal of all visible ACM</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-112(b)</u>	<u>Failed to wet clean all surfaces in work area (first cleaning)</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-112(c)</u>	<u>Failed to apply lockdown encapsulant as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
<u>1-112(d)</u>	<u>Failed to vacate area for 12 hrs after 1st cleaning</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-112(e)</u>	<u>Failed to remove 1st layer of surface barriers</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-112(f)</u>	<u>Failed to properly perform 2nd cleaning</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>2400</u>
<u>1-112(g)</u>	<u>Failed to follow required procedures for third cleaning</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-112(h)</u>	<u>Failed to remove 2nd layer of surface barriers</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-112(i)</u>	<u>Failed to verify absence of ACM prior to clearance air monitoring</u>	<u>2400</u>	<u>1200</u>	<u>4800</u>	<u>2400</u>
<u>1-112(j)</u>	<u>Failed to remove containerized waste from work areas as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-112(k)</u>	<u>Failed to properly decontaminate or dispose of tools, equipment, etc.</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>1-112(l)</u>	<u>Removed isolation barriers before successful clearance air monitoring</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
<u>1-112(m)</u>	<u>Failed to submit project monitor's report within 21 days of project completion</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>

1-125(a)	<u>Failed to post notice of asbestos project as required before abatement</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(b)	<u>Failed to evacuate all occupants prior to abatement activities</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(c)	<u>Failed to lock out electrical power and/or provide outside power as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-125(d)	<u>Failed to install worker waste decon in required sequence</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(e)	<u>Failed to lock out HVAC and/or install isolation barriers at ducts</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-125(f)	<u>Commenced abatement prior to completion of work place preparation</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-125(g)	<u>Used methods that raise dust during work area preparation</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(h)	<u>Failed to properly preclean and/or remove movable objects from work area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-125(i)	<u>Failed to install required isolation barriers as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(j)	<u>Failed to properly cover/seal cinderblock/porous construction material</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(k)	<u>Failed to make flooring in work area watertight</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(l)	<u>Disturbed contaminated ceiling tiles prior to full work area prep</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(m)	<u>Failed to establish and maintain required means of egress</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-125(n)	<u>Failed to lock entrances to work area against unauthorized entry</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(o)	<u>Failed to maintain/secure/lock-out elevators running thru work area</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-125(p)	<u>Failed to provide adequate external toilet facilities near clean room</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-126	<u>Performed concurrent abatement & demolition or story removal</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-127(a)	<u>Failed to bag/wrap/containerize waste immediately upon removal</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-127(b)	<u>Failed to properly clean waste decon on completion of waste removal</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-127(c)	<u>Failed to clean worker decon after shift/meal break as specified</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-127(d)	<u>Failed to stop work and dispose of excess water in work area</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-128(a)	<u>Failed to properly remove/containerize visible accumulations of ACM</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-128(b)	<u>Failed to remove containerized waste from work area as required</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-128(c)	<u>Failed to properly wet-clean/HEPA vac surfaces in work area</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-128(d)	<u>Failed to properly clean and/or encapsulate plastic on porous material</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-128(e)	<u>Failed to properly encapsulate surfaces in work area</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
1-128(f)	<u>Failed to remove and decontaminate all tools and equipment as required</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
1-128(g)	<u>Remove isolation barriers before final air clearance</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
1-128(h)	<u>Failed to submit project monitor's report within 21 days of project completion</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>

	<u>Violation of New York State Industrial Code Rule 56-level 1</u>	<u>4800</u>	<u>3000</u>	<u>9600</u>	<u>6000</u>
	<u>Violation of New York State Industrial Code Rule 56-level 2</u>	<u>2400</u>	<u>1500</u>	<u>4800</u>	<u>3000</u>
	<u>Violation of New York State Industrial Code Rule 56-level 3</u>	<u>1200</u>	<u>1000</u>	<u>2400</u>	<u>1500</u>
<u>24-146.1(h)</u>	<u>Resumed work in violation of stop-work order</u>	<u>4400</u>	<u>2750</u>	<u>8800</u>	<u>5500</u>