

October 2009

Dear Clients,

Please note that the State of New Jersey Department of Health and Senior Services (DHSS) has issued new regulatory requirements which are coming into effect pertaining to Indoor Environmental Health Assessments being conducted at Child Care Centers.

## **LICENSURE OF INDOOR ENVIRONMENTAL CONSULTANTS GENERAL PROVISIONS**

*The standards for indoor environment certification and for licensure of indoor environmental consultants*

What you can do with this licensure

- Conduct an indoor environmental health assessment (IEHA) of buildings to be used as either child care centers or educational facilities;
- Conduct an IEHA of facilities required to obtain construction permits for the reconstruction, alteration, conversion or repair of a building to be used as a child care center or educational facility if that building was either:
  - Used for industrial, storage or high hazard purposes, as a nail salon, dry cleaning or gasoline station; or
  - Located on a contaminated site
- Obtain a safe building interior certification.

## **LICENSURE OF INDOOR ENVIRONMENTAL CONSULTANTS**

*How do I get certified?*

- Submit the completed application forms in Appendix A of N.J.A.C. 8:50

*Application Fee*

- \$2,000

*Supporting Documentation*

- Supporting documentation must be submitted with the application in electronic format
  - Documentation must show that the applicant has staff resources to meet, at a minimum, the following education and experience requirements:
    - At least one year of experience in each of the following disciplines:
      - Indoor air quality assessment;
      - Asbestos assessment;
      - Lead hazard evaluation and assessment; and
      - Environmental consulting; and
  - Staff with experience in the areas listed above must:
    - Hold at least a bachelor's degree; and/or
    - Be certified or licensed, as applicable to the discipline for which the individual's experience is to count, as a health officer, an industrial hygienist, an engineer or in another profession in a scientific field related to environmental protection or remediation.

- All documents must be submitted in a hardcopy and electronically
  - Examples of forms of documentation:
    - Training certificates, professional degrees, certifications, transcripts, resumes and past projects

#### *Proof of Insurance*

- Proof of insurance must be provided from one or more insurance companies
- Insurance must be carried for the entire licensure period

#### *We got licensed!*

Congratulations! Here are the basics on what you need to know about your license:

- Your license will –
  - Be valid for two years from the date of issuance;
  - Contain the name and business address of the consultant to whom it is issued;
  - **Be non-transferable.**

### **EVALUATION AND ASSESSMENT OF BUILDINGS AND LEASED SPACES FOR USE AS CHILD CARE CENTERS AND EDUCATIONAL FACILITIES**

To conduct an IEHA, the licensee shall:

- Be the only party to conduct an IEHAs;
- Conduct a site inquiry;
- Determine if contaminants are present and if they have an impact on the health of the children and staff;
- Determine if adjacent/proximate businesses are known/suspected to contain contaminants that may impact the indoor environment of the building;
- Determine if the building/space or adjacent/proximate businesses to child care centers or educational facilities are known/suspected contaminated sites or industrial sites that are subject to the Industrial Site Recovery Act, N.J.A.C. 7:26B;
- Evaluate for the presence of the following contaminants:
  - Asbestos-containing materials;
  - Lead;
  - Organic compounds;
  - Formaldehyde;
  - Metals;
  - Inorganic compounds;
  - Pesticides;
  - Radon; and
  - Other contaminants of environmental concern;
- Determine potential sources of interior vapor intrusion by suspected/known contaminants;
- Provide a site diagram or drawing showing area(s) of concern;
- Conduct a thorough visual inspection of all building spaces and surfaces to identify areas of environmental concern
- Conduct appropriate environmental sampling
  - Selection of sampling locations should be biased toward areas of suspected contamination based on the licensee's professional judgment

- **Conduct indoor air sampling in accordance with the Vapor Intrusion Guidance, by using the procedures outlined by Methods TO-15 and TO-17 for the appropriate volatile organic compounds;**
- Adhere to applicable procedures for:
  - The identification and assessment of asbestos-containing materials;
  - The evaluation and assessment of lead-based paint;
  - The evaluation of radon;
  - The collection of metals in dust;
  - The collection of chip samples;
- The licensee shall ensure that all samples are analyzed by a laboratory that is:
  - Appropriate to the material being tested; and
  - Accredited by the New Jersey Department of Environmental Protection, the AIHA, or the NVLAP.

Reporting the results of the IEHA in child care centers and educational facilities

- Use forms provided in Appendix B of N.J.A.C. 8:50

## QUESTIONS ABOUT THE IEHA & ITS IMPORTANCE

*What is an IEHA?*

- Assesses conditions inside a building which may impact the health of occupants.
- Evaluates the whole indoor environment; not just indoor air. *Air sampling alone is not considered thorough IEHA.*
- Any child care center co-located in a building or other structure with a *dry cleaner* or *nail salon* MUST obtain indoor air sampling
- Reviews current and historical uses/operations in/surrounding the building

*What are the steps for conducting an IEHA?*

Step 1: Evaluation of the building's historical use

- Residual contaminants [PCBs, petroleum products, solvents, metals (e.g. mercury, lead) or other compounds]

Step 2: Evaluation of current activities and conditions

- Adjacent businesses with operations potentially impacting the child care center.
  - Nail salons, dry cleaners or shoe repair services
  - Assess emissions pathways within the building or complex

Step 3: Evaluation of other environmental concerns

- Gas stations, historical LUSTs, etc.

*Is sampling required to be performed as part of the IEHA?*

- Sampling is not always required but may be necessary as part of the IEHA
- If sampling is performed, it *should not* be the first step in conducting the IEHA.
- Sampling should be performed if there is a concern that contaminants identified during the IEHA

*What happens after completing the IEHA?*

- The consultant certifies that the child care center does not pose an environmental health risk to the building occupants.
- Certification and information on the assessment, must be submitted to the DHSS for review and approval.

**The DHSS has issued the following guidance:**

Document 1:

[Standards for Indoor Environment Certification and for Licensure of Indoor Environmental Consultants](#)

Proposed New Rules: N.J.A.C. 8:50, Licensure for Indoor Environmental Consulting Firm

Document 2:

[Child Care Centers: Interim Guidance for Conducting Indoor Environmental Health Assessments.](#)

This document was developed to help guide child care center owners/operators through the process of hiring a qualified consultant, having an IEHA of their child care center conducted and having that assessment reviewed by the DHSS.

Document 3:

[Child Care Centers - Indoor Environmental Health Assessment "Checklist for Environmental Consultants".](#)

This document outlines minimum information which must be submitted to the DHSS for review. When conducting the IEHA, the checklist must be referenced to ensure that the procedures being used for the IEHA will provide all the information to be evaluated by the DHSS.

**Please note that this is a guidance document prepared by Integrated Analytical Laboratories, LLC for informational purposes only. To fully understand all the requisites for Licensure of Indoor Environmental Consultants, document N.J.A.C 8:50 must be referenced (Document 1).**

If you have any questions pertaining to the change of this guidance document or the emergency amendment, please feel free to contact IAL's Air Laboratory at (973) 361-4252 x273.

Thank you for your continued use of IAL's services!!