

Operations Division Occupational Health and Safety

Field Visit Report

Page 1 of 6

OHS Case ID: **04645TCXS993** Visit Date: **2024-MAR-04** Field Visit Type: **INITIAL**

Field Visit no: **04645TFGZ052** Notice ID:

Workplace Identification: **MARY HOPKINS ELEMENTARY SCHOOL
211 MILL STREET NORTH, WATERDOWN, ON, CANADA L0R 2H0**

Telephone: **(905) 689-4851** JHSC Status: **Active** Work Force #: **62** Completed %:

Persons Contacted: **SEE DETAILED NARRATIVE**
Visit Purpose: **CONDUCT INVESTIGATION UNDER THE OCCUPATIONAL HEALTH AND SAFETY ACT**
Visit Location: **ROOM # 309; ROOM # 407; ROOM # 311; ROOM # 219; ROOM # 002/LITTLE GYM**
Visit Summary: **NO ORDERS ISSUED**

Detailed Narrative:

The Ministry of Labour, Immigration, Training and Skills Development (MLTSD) attended this workplace today to conduct a field visit to investigate several anonymous complaints in the workplace reported to the MLTSD Health and Safety Contact centre. The Inspector was accompanied by MLTSD Occupational Hygiene Consultant, Ursula Drewniak.

The complainants' alleged concerns are as follows:

- Workers are exposed to asbestos, lead (lead paint), and mould due to construction occurring at the workplace.
- The construction company is refusing to provide the asbestos report to the workers, and the employer is stating that a new report exists and does not show asbestos or mould.
- Mapping of the location of asbestos does not match according to the construction workers.
- Classrooms have broken walls and insulation, appearing to contain black mould.
- Air quality testing done by the employer was inaccurate.
- Concerns regarding clean up efforts after asbestos removal.
- Lack of personal protective equipment (PPE) being worn by construction workers.
- Physical areas named in complaints include: Room 215, junior rooms adjacent to gymnasium in the north side of the school.

Summary of the Internal Responsibility System (IRS):

The MLTSD has a primary responsibility to ensure that workplaces comply with Ontario's Occupational Health and Safety Act (OHSA or Act) and its regulations. This means ensuring that a strong internal responsibility system (IRS) is in place. A strong IRS can lead to a culture of health and safety. Strong leadership by senior executives and other managers sets the tone and establishes a corporate culture that nurtures the IRS. A health and safety culture requires all workplace parties to pay constant, appropriate attention to workplace health and safety.

Recipient	Inspector Data	Worker Representative
Name <u>W Bloom</u>	Chelsea Henry O.H.S.A. & B.O.S.T.A. INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St W, 13th Fl., Hamilton, ON, L8P 4Y7 MOLHSHamiltonWest@ontario.ca Tel: (289) 925-3958 Fax: (905) 577-1324	Name <u>Michelle Konior</u>
Title <u>Principal</u>		Title <u>CHSC Rep.</u>
Signature _____	Signature 	Signature 

Operations Division Occupational Health and Safety

Field Visit Report

Page 2 of 6

OHS Case ID: **04645TCXS993**
Field Visit no: **04645TFGZ052** Visit Date: **2024-MAR-04** Field Visit Type: **INITIAL**
Workplace Identification: **MARY HOPKINS ELEMENTARY SCHOOL** Notice ID:
211 MILL STREET NORTH, WATERDOWN, ON, CANADA L0R 2H0

Persons Contacted:

Michelle Konior, HWETL VP/HWDSB Central JHSC Certified Worker Representative; Scott Tye, Gen-Pro Project Manager; Dan Couburn, Gen-Pro Site Supervisor; Luc Seguin, Gen-Pro Project Manager; Amie Myszkowski, HWDSB Manager, Capital Projects; Matthew Kwan, HWDSB Manager, Occupational Health & Safety; Matthew Gibbs, HWDSB Occupational Health and Safety Officer; Bob Avery, HWDSB Manager of Facilities Operations; Gavin Oakes, MTE Consultants Manager, Indoor Environments.

Inspector Comments:

The employer representative provided documents named in this report and 10 photos via email to this Inspector on February 23, 2024, and was reviewed by the MLITSD personnel prior to this field visit.

- Discussed the details of the complaint with the workplace parties contacted.
- The employer representative reported that air quality testing was not completed at the workplace by the employer.
- Remaining concerns from the complaint are address in the MLITSD's Occupational Hygiene Consultant/s comments below.

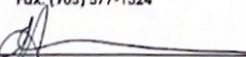

HYGIENE COMMENTS - Ursula Drewniak, MLITSD Occupational Hygienist (e-mail: ursula.drewniak@ontario.ca)

The Ministry of Labour, Immigration, Training, and Skills Development (MLITSD) hygienist visited this workplace to investigate concerns with regards to the recent renovation and presence of asbestos, lead and mould at this school.

The renovation includes an upgrade of the Heating, Ventilation and Air Conditioning (HVAC) system, specifically installation of new Unit Ventilators, Roof Top Units as well as new ceiling grids and tiles.

The following documents were provided to the MLITSD prior to this visit:

- Mary Hopkins Elementary School HVAC and Ceiling Replacement Designated Substance Audit Report prepared by MTE Consultants Inc (MTE File No.: 53042-100), dated March 17, 2023, revised: February 11, 2024 (75 pages).
- Report on Lead Sampling - Surface Dust in Room 311 prepared by MTE Consultants Inc (MTE File No.: 53042-100), dated February 23, 2024 (17 pages).

Recipient	Inspector Data	Worker Representative
Name <u>UBloom</u>	Chelsea Henry O.H.S.A. & B.O.S.T.A. INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St W, 13th Fl., Hamilton, ON, L8P 4Y7 MOLHSHamiltonWest@ontario.ca Tel: (289) 925-3958 Fax: (905) 577-1324	Name <u>Michelle Konior</u>
Title <u>Principal</u>		Title <u>CJHSC Rep</u>
Signature _____	Signature 	Signature 

Operations Division Occupational Health and Safety

Field Visit Report

Page 3 of 6

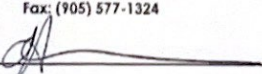

OHS Case ID: **04645TCXS993**
 Field Visit no: **04645TFGZ052** Visit Date: **2024-MAR-04** Field Visit Type: **INITIAL**
 Workplace Identification: **MARY HOPKINS ELEMENTARY SCHOOL** Notice ID:
211 MILL STREET NORTH, WATERDOWN, ON, CANADA L0R 2H0

1. The designated substance report specifies presence of asbestos-containing materials (ACM) and lead-based and lead containing paints throughout the school. The report states that no water damaged, or mould growth impacted building materials were observed during the inspection.

- The following ACMs have been identified in the report:
- Friable pipe fitting insulation throughout the Basement with the exemption of mechanical crawl space 005, 005, 006 and boiler room 120, 120A, 120C, 120D.
 - Friable aircell insulation on piping throughout the Basement (excluding mechanical crawl space 005, 005, 006 and boiler room 120, 120A, 120C, 120D) and 3rd Floor.
 - Non-friable 12"x12" beige with orange streak vinyl floor tiles in Room 218 and 215.
 - Non-friable board gasket/mastic throughout interior classrooms behind chalkboards.
 - Potentially concealed asbestos:
 - in various wall finishes and components behind the non-asbestos plaster
 - in boiler refractory gaskets
 - in jacketing and electrical wiring through the building
 - in door core insulation in basement mechanical room
 - in vermiculate insulation inside the cinder block

- Lead was specified to present in the following paints:
- White paint (lead-based; contains lead at 1.48%) on the concrete foundation on the exterior of the building.
 - Brown paint (lead-based; contains lead at 1.38%) on exterior windows and doors.
 - Beige paint (lead-containing paint; contains lead at 0.1%) on walls throughout interior of the building.
 - Grey paint (lead-containing paint; contains lead at 0.11%) on walls throughout the classrooms.
 - White paint (lead-containing paint; contains lead at 0.157%) on walls in learning commons.
 - Grey paint (lead-containing paint; contains lead at 0.27%) on floors and stairs in the basement.
 - White paint (lead-containing paint; contains lead at 0.14%) on walls in the bathroom and staffroom in the basement.

2. The report on surface lead sampling includes results of wipe sampling to determine potential lead contamination in surface dust within Room 311 following the installation of a Unit Ventilator and cutting through the wall covered with lead-containing paint. Results of sampling indicated lead levels ranging from 0.4 µg/ft² - 3.5 µg/ft² on the surfaces sampled in Room 311, which was below the threshold of 40 µg/ft² recommended by the EACC (Environment Abatement Council of Canada's) Lead Guideline for Construction, Renovation, Maintenance or Repair. There are no legislated standards within Ontario for lead in settled dust.

Recipient	Inspector Data	Worker Representative
Name <u>WBloom</u> Title <u>Principal</u> Signature _____	Chelsea Henry O.H.S.A. & B.O.S.T.A. INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St W, 13th Flr., Hamilton, ON, L8P 4Y7 MOLHSHamiltonWest@ontario.ca Tel: (289) 925-3958 Fax: (905) 577-1324 Signature 	Name <u>Michelle Kontor</u> Title <u>CJHSC Rep-</u> Signature 

Operations Division Occupational Health and Safety

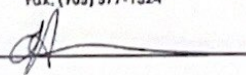

Field Visit Report

Page 4 of 6

OHS Case ID: **04645TCXS993**
Field Visit no: **04645TFGZ052** Visit Date: **2024-MAR-04** Field Visit Type: **INITIAL**
Workplace Identification: **MARY HOPKINS ELEMENTARY SCHOOL** Notice ID:
211 MILL STREET NORTH, WATERDOWN, ON, CANADA L0R 2H0

RE: Asbestos in the project areas

- Reportedly, the installation of the Unit Ventilators requires removals of sections of the chalkboards in some classroom, leading to disturbance of the asbestos-containing mastic packs used to fasten the boards to the walls. Mastic is classified as non-friable material, which does not release fibers easily. The MTE hygiene consultant and the general contractor present at time of this visit, stated that the removal of the boards was conducted using manual tools, following Type 1 procedures specified in the Ontario Regulation for Asbestos on Construction Projects and in Buildings and Repair Operations (O. Reg. 278/05). It was also indicated that all renovation work is conducted after operational hours.
- Non-friable materials generally have little potential to release airborne fibres, even when damaged by mechanical breakage. Risk of exposure to asbestos fibers if any, would exist only for workers conducting removals or repairs on this type of materials. Risk of exposure of other workers to asbestos fibers potentially released from non-friable asbestos-containing mastic disturbed during the renovation, is very low, practically non-existing, assuming that Type 1 asbestos procedures were followed. The O. Reg. 278/05 does not mandate the use of the respiratory protection by workers performing Type 1 procedures.
- The workplace parties stated that the asbestos-containing vinyl floor tiles identified in Room 215 and 218 have not been disturbed and if any removal would be necessary, Type 1 procedures would be followed. Vinyl tiles are classified as non friable material.
- It was further stated that asbestos-containing thermal mechanical insulation has been removed from the boiler room and the crawl space. The removal followed Type 2 Glove Bag procedures specified in the O. Reg. 278/05. The work areas were inspected by the MTE hygiene consultant and report summarizing finding was provided to the board. Reportedly, no deficiencies were identified; the personal protective equipment was adequate and included 1/2 face elastomeric respirators with P100 filters, tool, equipment and the preparation of the work area were reportedly as per the regulatory requirements. The qualifications of the contractors performing the asbestos removal were also verified by the consultant.
- The workplace parties stated that sections of the non-asbestos ceiling in the Gym were cut out in order to verify presence of potential asbestos-containing materials above it. Reportedly, none was found.
- The O. Reg. 278/05 does not require production of a report by contractors following Type 1 or 2 asbestos removal. The regulation requires regular inspection of the glove bags used in Type 2 removals, Type 3 work areas, and clearance air sampling following Type 3 removal, which would trigger the production of a report

Recipient	Inspector Data	Worker Representative
Name <u>WBloom</u>	Chelsea Henry O.H.S.A. & B.O.S.T.A. INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St W, 13th Fl., Hamilton, ON, L8P 4Y7 MOLHSHamiltonWest@ontario.ca Tel: (289) 925-3958 Fax: (905) 577-1324	Name <u>Michelle Konior</u>
Title <u>Principal</u>		Title <u>CJHSC Rep.</u>
Signature _____	Signature 	Signature 

Operations Occupational
Division Health and Safety

Field Visit Report

OHS Case ID: **04645TCXS993**
Field Visit no: **04645TFGZ052** Visit Date: **2024-MAR-04** Field Visit Type: **INITIAL**
Workplace Identification: **MARY HOPKINS ELEMENTARY SCHOOL** Notice ID:
211 MILL STREET NORTH, WATERDOWN, ON, CANADA L0R 2H0

usually by a consultant conducting inspections and sampling.

9. The update of the asbestos record for this school was discussed. The workplace parties stated that the record (asbestos book) has been recently updated in February 2024. Further updates will be conducted upon completion of the renovation project.

RE: Lead-based and lead-containing paints in the renovation areas.

10. The installation of Unit Ventilators requires cutting through walls covered with lead-containing paint. Reportedly, prior to the cut, the lead-containing paint is removed /chipped out from the wall. It was stated that the subcontractor performing removal of lead-containing paints follow Type 2a procedures specified in the EACC Lead Guideline for Construction, Renovation, Maintenance or Repair, which are similar to procedures specified in the MLTSD Guideline to Lead on Construction Projects.

11. The Type 2a removal of lead-containing coatings is conducted by scraping or sanding using nonpowered handheld tools. The work area must be protected with drop sheets which would contain the dust and paint chips generated during removal. Workers conducting the lead removal must use half-mask particulate respirator with N-, R- or P-series filter, and 95, 99 or 100% efficiency. Dust and waste should be cleaned up and removed by vacuuming with a HEPA filter equipped vacuum.

12. The workplace parties presented photographs of the lead work areas in different classrooms at the time of the visit. The work areas appeared to be lined with orange poly, and small enclosures are assembled to minimize spread of dust. A vacuum visible on one of the photographs has sticker indicating HEPA filtration system. Reportedly, all vacuums used at this project are equipped with the HEPA filtration systems. It was stated that the PPE used by workers chipping the paint from the walls includes ½ face respirators with P100 filters.

13. The results of lead wipe testing conducted in Room 311 appeared to confirm the adequacy of cleaning after removal of lead-containing paints from the wall in this room.

RE: Mould in the project areas

14. Reportedly, upon removal of drywall, a dark discoloration was discovered on the exposed fiberglass insulation inside the external walls in Room 219 and 215. The MTE hygiene consultant stated that no water damage was noted on studs or in the vicinity of the stained fiberglass, and the stains did not appear to be

Recipient	Inspector Data	Worker Representative
Name: <u>W Bloom</u>	Chelsea Henry O.H.S.A. & B.O.S.T.A. INSPECTOR PROVINCIAL OFFENCES OFFICER	Name: <u>Michelle Konior</u>
Title: <u>Principal</u>	119 King St W, 13th Fl., Hamilton, ON, L8P 4Y7 MOLHSHamiltonWest@ontario.ca Tel: (289) 925-3958 Fax: (905) 577-1324	Title: <u>CJHSC Rep</u>
Signature: _____	Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>

Operations Division Occupational Health and Safety

Field Visit Report

Page 6 of 6

OHS Case ID: **04645TCXS993**
Field Visit no: **04645TFGZ052** Visit Date: **2024-MAR-04** Field Visit Type: **INITIAL**
Workplace Identification: **MARY HOPKINS ELEMENTARY SCHOOL** Notice ID:
211 MILL STREET NORTH, WATERDOWN, ON, CANADA L0R 2H0

mouldy. The photographs presented to the MLTSD personnel at the time of this visit, confirmed his conclusions. Room 215 was inspected and the MLTSD personnel requested the workplace parties contacted cut open the blue poly covering the subject section of the wall for observation. No sign of water damage was noted on the visible studs. The general contractors secured the open areas after the observation.

15. Fiberglass is not prone to mould growth since it does not provide sufficient nutrient to support the growth. In order to support mould colonization, the insulation would need sufficient moisture content e.g., if it remains wet and stays in contact with water for a prolonged time. In such cases signs of water damage would be clearly visible.

16. The workplace parties stated that a policy regarding mould contamination is developed, signs of water damage are expected to be readily reported and sources of water infiltrations are rectified. If mould contamination is discovered, it is remediated following mould remediation guidelines.


No contraventions noted at the time of this visit. No orders issued.

REPRISALS PROHIBITED:

The employer is reminded, as a normal part of complaint investigation, that REPRISALS BY EMPLOYER PROHIBITED under Section 50 of the Act.50. (1) No employer or person acting on behalf of an employer shall, (a) dismiss or threaten to dismiss a worker;(b) discipline or suspend or threaten to discipline or suspend a worker; (c) impose any penalty upon a worker; or(d) intimidate or coerce a worker, because the worker has acted in compliance with this Act or the regulations or an order made thereunder, has sought the enforcement of this Act or the regulations or has given evidence in a proceeding in respect of the enforcement of this Act or the regulations or in an inquest under the Coroners Act. R.S.O. 1990, c. O.1, s. 50 (1).

The Ministry of Labour, Immigration, Training, and Skills Development's Health and Safety Contact Centre can be reached at 877-202-0008 and should be used to report a WORK REFUSAL, CRITICAL INJURY, FATALITY or other reportable incident in accordance with the Occupational Health and Safety Act.

The Employer shall post a copy of this report in the workplace in a conspicuous location where it will come to the attention of the workers.

Recipient	Inspector Data	Worker Representative
Name <u>W Bloom</u>	Chelsea Henry O.H.S.A. & B.O.S.T.A. INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St W, 13th Fl., Hamilton, ON, L8P 4Y7 MOLHSHamiltonWest@ontario.ca Tel: (289) 925-3958 Fax: (905) 577-1324	Name <u>Michelle Konior</u>
Title <u>Principal</u>		Title <u>CJHSC Rep</u>
Signature _____	Signature 	Signature 