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Testimony for Toxic Mold Hearing.

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Senator Carl L. Marcellino and Senator Kemp Hannon, I am grateful for the invitation to participate in the Toxic Mold hearing jointly sponsored by the New York Senate Standing Committees on Environmental Conservation and Health. Unfortunately, I am unable to attend due to prior commitments that I could not reschedule. Instead, I submit the following as my written testimony.

Toxic mold is receiving a lot of coverage from the news media due to the potential health effects and multi-million dollar legal cases locally and across the country. The source of most of these cases is a water leak or intrusion problem. Not promptly addressing the water leak/intrusion provides the water needed to cause mold growth. Once the water leak/intrusion wets building materials (particularly building materials made of cellulose) mold can grow within 24-48 hours. Properly trained maintenance staff could attack the problem before the mold started to grow.

At present, there are many guidance documents from various agencies and organizations all recommending work practices and procedures. The Environmental Protection Agency and the New York City Department of Health have developed protocols and procedures for the remediation of toxic mold. The remediation industry recognizes these Agency's practices and procedures as standards to follow for handling toxic mold remediation. There is a need to make sure that individuals performing mold remediation are knowledgeable about the various guidance documents and which procedures are the best for their particular encounter with mold.

Many organizations, laboratories, and manufacturers have developed different guidance documents for performing sampling. For example, the American Conference of Governmental Industrial Hygienists have developed a manual which not only has remediation protocols, but also has procedures and practices of when to perform the various types of mold sampling. Most of these guidance documents include procedures for sampling, how to interpret the data, different types of sampling and the advantages and the disadvantages of each type of sampling. Individuals performing sampling must be able to understand the basic processes, procedures, and limitations. Documenting this understanding by licensing or certification would better protect the public.

The media attention to toxic mold has led to an influx of untrained consultants and contractors performing toxic mold sampling and remediation, respectively. Though many of the procedures and practices are similar to asbestos, lead, and other types of remediation, there are enough differences for a worker to make a mistake.

The development of certification courses for workers, contractors/supervisors, and consultants are necessary to make sure everyone is performing the services at an acceptable level of competence. This will ensure that a trained and knowledgeable workforce would be available to serve and advise the public regarding toxic mold. Making sure workers, contractors, and consultants have the proper training and knowledge is one of the lessons learned from asbestos, lead, and other safety and health issues of the past. At present the amount of information on toxic mold is still developing. Because we expect the development of this information to occur rapidly, individuals should also go for retraining on a regular basis. This would ensure the workforce would be aware of new developments regarding toxic molds and could further help advise and serve the public properly.

Because of these issues and our knowledge regarding past issues like asbestos, any potential legislation should address the issue of training and licensing of individuals performing mold remediation and investigation. This would protect the interests of all parties, especially the public. I strongly recommend that any legislation regarding toxic mold must address the issue of making sure there is a knowledgeable and trained workforce to advise and perform the mold remediation. The legislation should allow the New York Department of Health to set up rules and regulations to ensure that training providers include recommended procedures when establishing toxic mold courses. As the New York Department of Health

does presently for asbestos, it should establish course requirements, instructor qualifications, and classroom requirements for training providers wanting to instruct on toxic mold. The New York Department of Health could then issue licenses and/or certifications to individuals who have taken the training and possibly met minimum experience requirements.

As we learned in the past, to better protect the public, training of the workforce is necessary. This training would make sure that workers know how to protect themselves and the public from toxic mold. The training would help advise the public regarding toxic mold. The training would make sure toxic mold does not become the next asbestos.

Senators, thank you for allowing me to participate in this toxic mold hearing.