

# Asbestos Advisory Group

## Draft Recommendations by Focus Group

Last Revised: May 26, 2016

**DRAFT**

### State & Federal Regulations

R1) DEQ should explain asbestos regulations (state & federal) to inform individuals why the regulations are important and to promote compliance assistance.

**HB434 Section 1. (2)(g) the relationship between federal and state authority over various issues related to asbestos control and methods to clarify conflicts.**

R2) DEQ should clarify and/or revise the definitions for 'Miscellaneous Materials' (including sampling of misc. materials); 'Thoroughly Inspect'; 'bridge'; 'Public and Commercial Building' and 'Facility' to allow for more administrative flexibility while not causing harm to health or the environment.

**HB434 Section 1. (2)(b) the appropriate types of projects and the size of structures subject to permitting.**

**HB434 Section 1. (2)(g) the relationship between federal and state authority over various issues related to asbestos control and methods to clarify conflicts.**

**HB434 Section 1. (2)(h) options to streamline the permitting process while still protecting public health and safety.**

R3) DEQ should require a standard form for **WHO?** to dispose of asbestos containing materials for screening waste streams at landfills.

**HB434 Section 1. (2) (i) any other issues related to asbestos regulation considered appropriate by the advisory group.**

### Permitting

R4) DEQ should require all accredited inspectors to post addresses of their inspections on DEQ's website for public access or notify DEQ by phone or other means.

**HB434 Section 1. (2)(c) the appropriate timeframe for asbestos project notification and issuance of permits.**

R5) DEQ should provide for online application for annual permit (allow pdf attachments) and allow credit card payments.

**HB434 Section 1. (2)(h) options to streamline the permitting process while still protecting public health and safety.**

R6) DEQ should explain why the specific regulatory thresholds are used (education and outreach) and to the maximum extent possible, reconcile discrepancies.

**HB434 Section 1. (2)(a) regulatory thresholds for permits and whether a tiered permitting system is appropriate.**

**HB434 Section 1. (2)(g) the relationship between federal and state authority over various issues related to asbestos control and methods to clarify conflicts.**

R7) DEQ should work with local governments or other entities to encourage the use of an asbestos inspection check box on local building permits or related actions such as a real estate transaction, etc.

**HB434 Section 1. (2)(i) any other issues related to asbestos regulation considered appropriate by the advisory group.**

## **Funding**

R8) DEQ should provide a fee discount for individuals with multiple asbestos certifications for the purpose of promoting professional conduct and customer service.

**HB434 Section 1. (2)(f) appropriate funding options.**

R9) DEQ should increase compliance rates such that revenues would increase through additional accreditation and permit fees.

**HB434 Section 1. (2)(f) appropriate funding options.**

R10) DEQ should adopt an application fee of \$50 for small scale projects as defined by HB 434 and \$100 for projects not otherwise defined as small that remove non-friable and non-regulated materials such as floor tile, pipe or roofing material projects.

**HB434 Section 1. (2)(b) the appropriate types of projects and the size of structures subject to permitting.**

**HB434 Section 1. (2)(d) whether a registration program is appropriate for small scale projects.**

## **Enforcement & Cleanup**

R11) DEQ should allocate more staff time toward identifying non-compliance and take the appropriate measures to achieve compliance.

**HB434 Section 1. (2)(e) the scope of the department's enforcement and cleanup authority.**

R12) DEQ should develop and distribute education / information materials for asbestos regulatory requirements to promote compliance. Make information available in both hardcopy and electronically.

**HB434 Section 1. (2)(i) any other issues related to asbestos regulation considered appropriate by the advisory group.**

**HB434 Section 1. (2)(g) the relationship between federal and state authority over various issues related to asbestos control and methods to clarify conflicts.**

R13) DEQ should revise its agency enforcement process to increase monetary fines both in terms of frequency and amount in order to increase program compliance.

**HB434 Section 1. (2)(e) the scope of the department's enforcement and cleanup authority.**

R14) DEQ should publish a list of non-compliant contractors.

**HB434 Section 1. (2)(e) the scope of the department's enforcement and cleanup authority.**

## **State & Federal Regulations**

- R1. DEQ should explain asbestos regulations (state & federal) to inform individuals why the regulations are important and to promote compliance assistance.
- R2. DEQ should clarify and/or revise the definitions for 'Miscellaneous Materials' (including sampling of misc. materials); 'Thoroughly Inspect'; 'bridge'; 'Public and Commercial Building' and 'Facility' to allow for more administrative flexibility while not causing harm to health or the environment.
- R3. DEQ should require a standard form for to dispose of asbestos containing materials for screening waste streams at landfills.

## **Permitting**

- R4. DEQ should require all accredited inspectors to post addresses of their inspections on DEQ's website for public access or notify DEQ by phone or other means.
- R5. DEQ should provide for online application for annual permit (allow pdf attachments) and allow credit card payments.
- R6. DEQ should explain why the specific regulatory thresholds are used (education and outreach) and to the maximum extent possible, reconcile discrepancies.
- R7. DEQ should work with local governments or other entities to encourage the use of an asbestos inspection check box on local building permits or related actions such as a real estate transaction, etc.

## **Funding**

- R8. DEQ should provide a fee discount for individuals with multiple asbestos certifications for the purpose of promoting professional conduct and customer service.
- R9. DEQ should increase compliance rates such that revenues would increase through additional accreditation and permit fees.
- R10. DEQ should adopt an application fee of \$50 for small scale projects as defined by HB 434 and \$100 for projects not otherwise defined as small that remove non-friable and non-regulated materials such as floor tile, pipe or roofing material projects.

## **Enforcement & Cleanup**

- R11. DEQ should allocate more staff time toward identifying non-compliance and take the appropriate measures to achieve compliance.
- R12. DEQ should develop and distribute education / information materials for asbestos regulatory requirements to promote compliance. Make information available in both hardcopy and electronically.
- R13. DEQ should revise its agency enforcement process to increase monetary fines both in terms of frequency and amount in order to increase program compliance.
- R14. DEQ should publish a list of non-compliant contractors.

HB434 Section 1. (2)	# of Times Referenced	Possible Recommendation #	Level of Effort	Focus Area Group
(a) regulatory thresholds for permits and whether a tiered permitting system is appropriate;	1	6	LOW	Permitting
(b) the appropriate types of projects and the size of structures subject to permitting;	2	2 10	UNKNOWN MEDIUM	State and Federal Regulations Funding
(c) the appropriate timeframe for asbestos project notification and issuance of permits;	1	4	MEDIUM	Permitting
(d) whether a registration program is appropriate for small scale projects;	1	10	MEDIUM	Funding
(e) the scope of the department's enforcement and cleanup authority;	3	11 13 14	LOW MEDIUM MEDIUM	Enforcement and Cleanup Enforcement and Cleanup Enforcement and Cleanup
(f) appropriate funding options;	2	8 9	LOW LOW	Funding Funding
(g) the relationship between federal and state authority over various issues related to asbestos control and methods to clarify conflicts;	4	1 2 12 6	LOW UNKNOWN LOW LOW	State and Federal Regulations State and Federal Regulations Enforcement and Cleanup Permitting
(h) options to streamline the permitting process while still protecting public health and safety;	2	2 5	UNKNOWN LOW	State and Federal Regulations Permitting
(i) any other issues related to asbestos regulation considered appropriate by the advisory group.	3	3 12 7	UNKNOWN LOW LOW	State and Federal Regulations Enforcement and Cleanup Permitting

# Potential Levels of Effort

