

Asbestos Advisory Group
Draft Recommendations by HB434 Directives
Last Revised: July 15, 2016
DRAFT

OLD

R1. DEQ should explain asbestos regulations (state & federal) to inform individuals why the regulations are important and to promote compliance assistance. [[State & Federal Regulations](#)]

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

R12. DEQ should develop and distribute education / information materials for asbestos regulatory requirements to promote compliance. Make information available in both hardcopy and electronically. [[Enforcement & and Cleanup](#)]

NEW

R1. DEQ should conduct additional education and outreach activities to explain state and federal asbestos regulations and to promote compliance assistance.

[[State & Federal Regulations](#)]

- 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.
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OLD

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. [[State & Federal Regulations](#)]

NEW

R2. DEQ should revise state regulatory definitions to allow for more administrative flexibility while not causing harm to health or the environment. . [[State & Federal Regulations](#)]

- 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.

OLD

R3. DEQ should require a standard form to dispose of asbestos containing materials for screening waste streams at landfills. . [[State & Federal Regulations](#)]

NEW

R3. DEQ should encourage landfills to use a standard form or method, when applicable, for customers to describe their load as non-asbestos prior to disposal. [[State & Federal Regulations](#)]

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

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. [[Permitting](#)]

NEW

R4. DEQ should require all accredited asbestos inspectors to post on its website any abatement, renovation and demolition projects by the facility work site address, inspection date, inspector ID #, and whether asbestos was detected or not. [[Enforcement & Cleanup](#)]

- HB434 Section 1. (2)(b) the appropriate types of projects and the size of structures subject to permitting;
- HB434 Section 1. (2)(c) the appropriate timeframe for asbestos project notification and issuance of permits.

OLD

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

NEW

R5. DEQ should provide an online service to apply for annual permits. [[Permitting](#)]

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

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. [[Permitting](#)]

NEW

R6. DEQ should work with stakeholders to encourage an asbestos inspection check- box system for any agency that issues building or related permit actions.

[[Permitting](#)]

- HB434 Section 1. (2)(d) whether a registration program is appropriate for small scale projects.
- HB434 Section 1. (2)(i) any other issues related to asbestos regulation considered appropriate by the advisory group.

OLD

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

NEW

R7. DEQ should continue to provide a fee discount for individuals who simultaneously apply for multiple asbestos accreditations. [[Funding](#)]

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

OLD

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. [[Permitting](#)]

NEW

R8. DEQ should adopt a voluntary low-cost notification system for non-permitted asbestos projects that authorizes projects to proceed without delay if friable asbestos is discovered. [[Permitting](#)]

- HB434 Section 1. (2)(b) the appropriate types of projects and the size of structures subject to permitting.
 - HB434 Section 1. (2)(c) the appropriate timeframe for asbestos project notification and issuance of permits.
 - HB434 Section 1. (2)(d) whether a registration program is appropriate for small scale projects.
 - HB434 Section 1. (2)(f) appropriate funding options.
 - HB434 Section 1. (2)(h) options to streamline the permitting process while still protecting public health and safety.
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OLD

R9. DEQ should increase compliance rates such that revenues would increase through additional accreditation and permit fees. [[Funding](#)]

R11. DEQ should allocate more staff time toward identifying non-compliance and take the appropriate measures to achieve compliance. [[Enforcement & Cleanup](#)]

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. [[Enforcement & Cleanup](#)]

R14. DEQ should publish a list of non-compliant contractors. [[Enforcement & Cleanup](#)]

NEW

R9. DEQ should increase compliance by allocating more staff time toward identifying non-compliance and taking the appropriate enforcement actions.

[[Enforcement & Cleanup](#)]

- 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. [Enforcement & Cleanup]
- 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	Recommendation #	Level of Effort	Focus Area Group
(a) regulatory thresholds for permits and whether a tiered permitting system is appropriate;	1	R1	Low	R1 - State and Federal Regulations
(b) the appropriate types of projects and the size of structures subject to permitting;	3	R2 R4 R8	Medium Medium Medium	R2 - State and Federal Regulations R4 - Permitting R8 - Permitting (Funding)
(c) the appropriate timeframe for asbestos project notification and issuance of permits;	2	R4 R8	Medium Medium	R4 – Enforcement & Cleanup R8 - Permitting
(d) whether a registration program is appropriate for small scale projects;	2	R4 R8	Medium Medium	R4 – Enforcement & Cleanup R8 - Permitting
(e) the scope of the department's enforcement and cleanup authority;	1	R9	Medium	R9 - Enforcement & Cleanup
(f) appropriate funding options;	2	R7 R8	Low Medium	R7 - Funding R8 - Permitting
(g) the relationship between federal and state authority over various issues related to asbestos control and methods to clarify conflicts;	2	R1 R2	Low Medium	R1 - State and Federal Regulations R2 - State and Federal Regulations
(h) options to streamline the permitting process while still protecting public health and safety;	3	R2 R5 R8	Medium Medium Medium	R2 - State and Federal Regulations R5 - Permitting R8 - Permitting
(i) any other issues related to asbestos regulation considered appropriate by the advisory group.	3	R3 R6 R7	Low Medium Low	R3 - State and Federal Regulations R6 - Permitting R7 - Funding

Potential Levels of Effort

