

**WASTE MANAGEMENT AND REMEDIATION  
DIVISION  
WASTE & UNDERGROUND STORAGE TANK  
MANAGEMENT BUREAU  
HAZARDOUS MATERIALS  
SECTION**



***ASBESTOS CONTROL PROGRAM***

***CALENDAR YEAR 2020  
BUSINESS PLAN***

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## **A. Mission**

The Department of Environmental Quality's (DEQ) mission is to protect, sustain, and improve a clean and healthy environment to benefit present and future generations.

The Asbestos Control Program's (ACP) mission is to protect human health and the environment from exposure to asbestos. The program achieves this mission through regulating the Montana asbestos industry and upholding state and federal regulations for which it has authority.

## **B. Vision**

ACP is committed to building and maintaining customer satisfaction, trust, and integrity by providing education, training, compliance assistance, and timely application processing. ACP aims to uphold state and federal regulations for which it has authority while regulating the Montana asbestos industry. ACP strives to continually improve productivity, provide timely turnaround without sacrificing quality, and searching for ways to improve each day.

ACP's vision is to provide compliance assistance to all owners of public, commercial, and industrial buildings in Montana to assure all structures are properly inspected for asbestos prior to renovation or demolition.

It is the vision of the program that all asbestos containing waste materials are properly accounted for and disposed of. The vision includes a program that works together with contractors, consultants, industry trade groups, worker protection agencies, building code offices, landfill operators, sanitarians, and citizens so that all have a greater understanding of the Montana Asbestos Control Act (ACA), the Administrative Rules of Montana (ARM), the Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP), and Model Accreditation Plan (MAP).

## **C. Succession Planning**

The program's main tools for promoting continuity or succession planning are the development of Asbestos Control Compendiums and position desk manuals.

## **D. Tasks and Duties**

### **Core Tasks and Duties shared by program staff**

- Review and issue asbestos project permits, emergency asbestos projects, annual permits, transport and disposal permits, demolition notifications, and ordered demolitions
- Review and issue revisions to asbestos project permits, annual permits, transport and disposal, and demolition notifications
- Review and issue asbestos accreditations
- Review and approve asbestos courses
- Review and approve course instructors
- Conduct site presence as described in the PPA

## Achieving core Tasks and Duties

- Review and issue asbestos project permits, emergency asbestos projects, annual permits, transport and disposal permits, demolition notifications, and ordered demolitions.
  - These tasks will be undertaken by Amanda, John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
    - The anticipated result from completion of this task will be for ACP to uphold its delegated responsibilities under EPA's Asbestos NESHAP authorization, meet the program's benchmarks identified within the EPA Performance Partnership Agreement (PPA) and efficiently serve the regulated community.
- Review and issue revisions to asbestos project permits, annual permits, transport and disposal, and demolition notifications
  - These tasks will be undertaken by Amanda, John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
    - The anticipated result from completion of this task will be to meet the program's duties for permitting and notification identified in the PPA and serve the regulated community.
- Review and issue asbestos accreditations
  - This task will be undertaken primarily by Amanda, the mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
    - The anticipated result from completion of this task is to meet the program's obligations to accredit workers in asbestos occupations and serve the regulated community.
- Review and approve asbestos courses
  - This task will be undertaken by John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
    - This task will ensure high quality courses, compliant with the Model Accreditation Plan, that meet ACP obligations under EPA Delegation.
- Review and approve asbestos course instructors

- This task will be undertaken by John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
  - This task will ensure high quality instructors who show academic and field experience in the asbestos industry suitable to educate the regulated community.
- Conduct physical site presence as described in the PPA.
  - This task will be undertaken by John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
    - The anticipated result from completion of this task will be to meet the program's duties for permitting and notification identified in the PPA and serve the regulated community.

## **E. Goals**

### **Specific Goals for CY2020**

- Program will review 5% of asbestos inspection reports associated with permitted projects or equivalent asbestos related activities.
- Provide compliance assistance with uninspected projects, unnotified renovation or demolition projects. Report non-compliant projects to ENFD for documentation of activities and possible enforcement actions.
- Provide compliance assistance from the office when opportunity presents itself i.e. local and state news, project postings and project bids for renovation or demolition activities.
- Increase asbestos awareness and outreach with the Building Code and Building Permit Departments within Montana.
- Promulgate new asbestos fee rules.
- Continue development of new technical rules.
- Provide program employees with continuing education and training opportunities to fulfill their performance growth objectives.
- Onboard new Environmental Science Specialist.
- Onboard new Section Supervisor.
- Continue development of a master desk top manual, focus on core tasks and duties.

- Integrate staff into the Tier II program and develop staff knowledge as available.

## **F. Action Plan (How the goals are going to be achieved)**

Steps to achieve completion of established goals are outlined in this action plan. See Table 1 for a summary core tasks and duties, Table 2 of the one-year goals, with midpoint follow up and Table 3 for a summary of four-year goals.

- Program will review 5% of asbestos inspection reports associated with permitted projects or an equivalent number of reports subject to the ACA.
  - This task will be undertaken by John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
    - The task will result in high quality asbestos inspection reports or surveys that will assist the regulated community in making proper asbestos permitting and management decisions.
- Provide compliance assistance to uninspected projects and unnotified renovation or demolition projects while adhering to ACP's *Asbestos Program Site Visits; Permitted Sites & Compliance Assistance Policy*. Report non-compliant projects to ENFD for documentation of activities and possible enforcement actions.
  - Goal will be undertaken by John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking. This goal should be conducted secondarily to permitted site visits.
    - The goal will result in on-site evaluations of unnotified projects and demolitions for compliance with ACA, ARM, and NESHAP.
- Provide compliance assistance from the office when opportunity presents itself i.e. local and state news, project postings and project bids for renovation or demolition activities.
  - Goal will be undertaken by John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
    - The task will result in higher compliance rates with asbestos inspection, notification, permitting, and disposal requirements and will reduced exposure to asbestos by humans and the environment.
- Increase asbestos awareness and outreach with the Building Code and Building Permit Departments in Montana.

- Goal will be undertaken by John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
  - Work with DLI to re-establish notification of building permit applicants of the need for an asbestos inspection prior to renovations or demolitions. Refine selection criteria to provide targeted information regarding renovation, demolition, and residential exemption.
    - Continuous tracking and follow-up with projects of concern and random spot checks of projects noted from DLI.
    - Spot check projects noted on Building Eye (Missoula)
  - The task will improve relationships with state, county, and city building code departments resulting in higher compliance rates for asbestos inspections, notifications, permitting and disposal, ultimately reducing exposure to asbestos by humans and the environment.
- Promulgate new asbestos fee rules.
  - The result of this goal will be fee and technical amendments that implement recommendations of the Asbestos Advisory Group and generate fees sufficient to make the program solvent.
- Coordinate with MI and CEDARS to implement changes with new fee rule.
  - This goal will be undertaken by Amanda and the Section Supervisor. Will align the data base, align applications, and format new fees into a viable system. The mid-point date is June 30, 2020; the target completion date is December 31, 2020.
- Update Training Provider course review process.
  - This task will be undertaken by John, Greg, and incoming personnel. This will result in a stream line system that captures regulatory considerations. The mid-point date is June 30, 2020; the target completion date is December 31, 2020.
- Consolidate and update Training Provider client files.
  - This task will be undertaken by John, Greg, and incoming personnel. This will result in workable filing system the program can rely on. The mid-point date is June 30, 2020; the target completion date is December 31, 2020.
- Update Instructor approval process.
  - This task will be undertaken by John, Greg, and incoming personnel. This will result in a stream line system that captures regulatory considerations.

The mid-point date is June 30, 2020; the target completion date is December 31, 2020.

- Consolidate and update Instructor approval files.
  - This task will be undertaken by John, Greg, and incoming personnel. This will result in a workable filing system the program can rely on. The mid-point date is June 30, 2020; the target completion date is December 31, 2020.
- Continued development of new technical rules.
  - Incorporate AAG regulatory recommendations that can best be achieved through rule.
    - This goal will be undertaken by Amanda, John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
  - Program will consolidate current draft technical rules into one working document.
    - This goal will be undertaken by John, Greg, and incoming personnel. This will result in a workable technical rule document for future implementation. The mid-point date is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
- Onboard new Environmental Science Specialist.
  - This goal will be undertaken by the program.
    - This goal will result in a technically proficient employee, knowledgeable of DEQ policies, practices, and expectations.
- Onboard new Section Supervisor with the Asbestos Control Act.
  - This goal will be undertaken by the program.
    - This goal will result in a baseline knowledge of regulatory standards under the Asbestos Control Act, and will foster mutual respect within the section.
- Provide program employees with continuing education and training opportunities to fulfill their performance growth project objectives.
  - This task will be undertaken by Amanda, John, Greg, incoming personnel, and Section Supervisor. The mid-point date is June 30, 2020; the target completion date is December 31, 2020 for data tracking.



- The result of this task will be increased understanding of the program, section, bureau, and division, and ultimately more fulfilled employees.
- Continue development of a master desk top manual that focuses on core tasks and duties.
  - This goal will be undertaken by Amanda, John, Greg, and incoming personnel. The mid-point is June 30, 2020; the target completion date is December 31, 2020 for data tracking.
    - This goal will result in consistency in process and continuity for succession planning purposes.
- Integrate staff into the Tier II program and develop staff knowledge as available.
  - This task will be undertaken by Amanda, John, Greg, and Section Supervisor. The mid-point date is June 30, 2020; the target completion date is December 31, 2020.
    - The result of this task will be added capacity to the Tier II Program and provide compliance assistance to facilities that must submit a Tier II report to E-Plan.

## **G. Successes and Lessons Learned**

### **CY 2019 Successes:**

- Monthly asbestos discussions continued to be held with internal Department Asbestos Work Group (DAWG) and external stakeholders to discuss asbestos topics, questions, and concerns.
- ACP continued participation in the quarterly EPA Region VIII asbestos roundtable discussions.
- Staff provided the regulated community with several clarifications.
- ACP worked with ENF to finalize Enforcement Response Guide as recommended by the Asbestos Advisory Group.
- ACP and rule writing staff prepared fee rule revisions while incorporating AAG recommendations for a fee discount for individuals who simultaneously apply for multiple asbestos accreditations and a low-cost registration process for abatement contractors when they perform non-permitted asbestos projects.
- Increased internal and external agency communications to regain regulatory compliance in Lincoln county.

### **CY 2019 Lessons Learned:**

- The program learned to keep perspective and focus to maintain high productivity even as the employee performance evaluation system and program leadership changed.

## H. The Connection between the Business Plan and the Professional Growth Program

- The Section Supervisor will work with each staff member to establish performance goals which are commiserate with the Business Plan and Professional Growth Program.

## I. CY20 Core Tasks and Duties, One-Year, and Four-Year Goals

**Table 1. CY2020 Core tasks and duties with mid-year follow-up**

Action Items	Midpoint Date	Midpoint progress*	Target Completion Date	End Date	Personnel
Review and issue asbestos project permits, emergency asbestos projects, annual permits, transport and disposal permits, demolition notifications, and ordered demolitions.	6/30/20	_228_ permits and notifications processed	12/31/20	__ permits and notifications processed	Amanda, John, Greg and incoming personnel.
Review and issue revisions to asbestos project permits, annual permits, transport and disposal, and demolition notifications.	6/30/20	_45_ revisions processed	12/31/20	__ revisions processed	Amanda, John, Greg and incoming personnel.
Review and issue asbestos accreditations.	6/30/20	433 __ accreditations issued	12/31/20	__ accreditations issued	Amanda, John, Greg and incoming personnel.
Review and approve asbestos courses.	6/30/20	_4_ courses approved	12/31/20	__ courses approved	John, Greg and incoming personnel.
Review and approve course instructors.	6/30/20	_2_ instructors approved	12/31/20	__ instructors approved	John, Greg and incoming personnel.
Conduct site presence as described in the PPA.	6/30/20	_7_ site visits conducted	12/31/20	__ site visits conducted	John, Greg and incoming personnel.

**Table 2. CY2020 One-year Goals with mid-year follow-up**

Action Items	Midpoint Date	Midpoint progress*	Target Completion Date	End Date	Personnel
Program will review 5% asbestos inspection reports associated with permitted projects or equivalent asbestos related activities.	6/30/20	29 inspection report reviews conducted	12/31/20		Amanda, John, Greg and incoming personnel.
Provide compliance assistance with uninspected projects, unnotified remediation or demolition projects. Report non-compliant projects to ENFD for documentation of activities and possible enforcement actions.	6/30/20	120 CA outreach efforts, 5 complaints to ENF including 1 formal ENF request	12/31/20		Amanda, John, Greg and incoming personnel.

Provide compliance assistance from the office when opportunity presents itself i.e. local and state news, project postings and project bids for renovation or demolition activities.	6/30/20	See above	12/31/20		Amanda, John, Greg and incoming personnel.
Increase asbestos awareness and outreach with the Building Code and Building Permit Departments within Montana.	6/30/20	In Progress-meeting in September	12/31/20		John, Greg and incoming personnel.
Promulgate new asbestos fee rules.	6/30/20	Online 07/01/2020	12/31/20		Amanda, John, Greg and incoming personnel.
Develop new technical rules.	6/30/20	Staged in draft form	12/31/20		Amanda, John, Greg and incoming personnel.
Provide program employees with continuing education and training opportunities to fulfill their performance growth objectives.	6/30/20	As available	12/31/20		Amanda, John, Greg, incoming personnel, and Section Supervisor.
Recruit new Environmental Science Specialist.	6/30/20	Waiting to make sure budget projections are accurate	12/31/20		Section Supervisor.
Onboard new Section Supervisor.	6/30/20	Onboarded	12/31/20		Amanda, John, Greg and incoming personnel.
Develop a master desk top manual, that captures all activities conducted in the office.	6/30/20	In process	12/31/20		Amanda, John, Greg and incoming personnel.
Integrate staff into the Tier II program and develop staff knowledge as available.	6/30/20	Limited effort pending staffing augmentation	12/31/20		John, Greg, incoming personnel, and Section Supervisor.

**Table 3. CY20 Four-Year Goals**

GOAL	Personnel	Comments
Increase asbestos inspection and permitting compliance rate	AA, JB, GK, and ET	Ongoing; implementation of the DLI project critical to this goal.
Continue and increase dialog with stakeholders, and in DAWG, ARD, and EPA conference calls	AA, JB, GK	Ongoing
Develop a “most common violations” checklist for inspection reports, accreditation and permit applications	AA, JB, and GK	Not started
Break down silos and barriers (solid waste, hazardous waste, and remediation portion of WMRD)	AA, JB, GK, and ET	Ongoing