

State- Federal Regulations

Possible Member Interest: Worker Protection, Trade Associations, Env. Advocacy Groups, School Organizations, City-CO Public Works & Permitting, State & Federal Public Works, Waste & Materials Management, Citizen at Large

Possible Topics:

- Combine statute, rules and NESHAP into one compliance assistance document It needs to be understood NESHAP are Federal regulations, the ACP is the NESHAP authority in MT and as such the ACP can enact stricter rules. Example; 10 sq. ft. as opposed to 160 sq. ft.
- Compile an updated work practices manual (including OSHA rules, project design, etc.), similar to one included in the 2006 rules The work practices was thrown out (as I understand it) due to the argument the ACP was attempting to regulate OSHA requirements. Again MT can make rules using ideas/guidelines from other agencies.
- Definitions of facilities, i.e. bridge, water tower, swimming pool, AC pipe & other infrastructure. Clear definitions need to be developed and made known to stakeholders.
- Regulate vermiculite as an asbestos containing material Not originally defined as an asbestos-containing material, however is commonly thought of when people hear the word asbestos. Not all vermiculite contains asbestiform fibers; however, common sampling methodology and lab analysis are considered inadequate when asbestiform fibers are found.
- Cities and Counties Building permits consistently require asbestos inspection The “checkbox” on permits is the simple solution. However, inspector name and license number would allow great tracking and accountability.

- MOU with OSHA to share information regarding site inspections
Agencies/Acronyms (EPA, ACP, OSHA, DOT, etc.) typically do not share information. This is a huge disconnect/loophole. It is similar to FBI, CIA, HSA, local law enforcement not sharing information.
- State-Federal asbestos program equivalency and stringency
- Dispute resolution process
- Discuss relationship between inspection, sampling, and analysis
Inspectors often vary greatly in their sampling protocols, inspection thoroughness, and understanding of lab analysis. Many labs are unaware of differences in State regulations.
- Others?

Establish rules and protocols for landfills allowing them to, in a not overly burdensome, way to determine if they are receiving asbestos-containing materials in their waste stream. Example: Documentation on construction materials.