

ENVIRONMENTAL QUALITY

CHAPTER 74

NOISE, ASBESTOS CONTROL, METHAMPHETAMINE CLEANUP

Subchapter 4

Fees

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Subchapter 4

Fees

17.74.401 PERMIT FEES (REPEALED) (History: 75-2-503, MCA; IMP, 75-2-503, 75-2-504, MCA; NEW, 1989 MAR p. 2234, Eff. 1/1/90; AMD, 1993 MAR p. 549, Eff. 4/16/93; TRANS, from DHES, 1996 MAR p. 433; AMD, 2002 MAR p. 3599, Eff. 12/27/02; AMD, 2003 MAR p. 2624, Eff. 11/27/03; AMD, 2007 MAR p. 1933, Eff. 11/22/07; REP, 2020 MAR p. 1325, Eff. 6/30/20.)

17.74.402 ACCREDITATION AND ACCREDITATION RENEWAL FEES (REPEALED) (History: 75-2-503, MCA; IMP, 75-2-503, MCA; NEW, 1989 MAR p. 2234, Eff. 1/1/90; AMD, 1993 MAR p. 549, Eff. 4/16/93; AMD, 1995 MAR p. 1579, Eff. 8/11/95; TRANS, from DHES, 1996 MAR p. 433; AMD, 2003 MAR p. 2624, Eff. 11/27/03; AMD, 2007 MAR p. 1933, Eff. 11/22/07; REP, 2020 MAR p. 1325, Eff. 6/30/20.)

17.74.403 COURSE APPROVAL FEES (REPEALED) (History: 75-2-503, MCA; IMP, 75-2-503, MCA; NEW, 1989 MAR p. 2234, Eff. 1/1/90; TRANS, from DHES, 1996 MAR p. 433; AMD, 2003 MAR p. 2624, Eff. 11/27/03; AMD, 2007 MAR p. 1933, Eff. 11/22/07; REP, 2020 MAR p. 1325, Eff. 6/30/20.)

17.74.404 COURSE AUDIT FEES (REPEALED) (History: 75-2-503, MCA; IMP, 75-2-503, MCA; NEW, 1989 MAR p. 2234, Eff. 1/1/90; AMD, 1993 MAR p. 549, Eff. 4/16/93; TRANS, from DHES, 1996 MAR p. 433; AMD, 2003 MAR p. 2624, Eff. 11/27/03; AMD, 2007 MAR p. 1933, Eff. 11/22/07; REP, 2020 MAR p. 1325, Eff. 6/30/20.)

17.74.405 PENALTY (REPEALED) (History: 75-2-503, MCA; IMP, 75-2-503, 75-2-514, MCA; NEW, 1989 MAR p. 2234, Eff. 1/1/90; AMD, 1993 MAR p. 549, Eff. 4/16/93; AMD, 1995 MAR p. 1579, Eff. 8/11/95; TRANS, from DHES, 1996 MAR p. 433; REP, 2003 MAR p. 2624, Eff. 11/27/03.)

17.74.406 PERMIT AND OTHER PROJECT FEES (1) The applicable fee, provided in (2) Table 1 and (3) Table 2, shall be submitted to the department with submittal of an asbestos project permit application, an annual asbestos project permit application, or a demolition notice.

(2) Table 1 - Permit Fees:

Permit Fee	Amount of Permit Fee
Asbestos project permit	Fees are calculated by AUMs using Table 2
Annual asbestos project permit, authorizes the removal or disturbance of up to 25,000 AUMs during the annual project permit period	\$4,000
Annual asbestos project permit revision authorizes cumulative removal or disturbance that exceeds 25,000 AUMs	\$700 plus AUM fees in Table 2 for regulated asbestos-containing material that exceeds 25,000 AUMs
Demolition notice	\$100
Demolition revisions	\$100
Project permit revision	\$100 plus the additional AUM fees (If there is a change in the AUM range, a person would pay the difference between the two ranges in Table 2)
Emergency renovation notification (ARM 17.74.352)	\$300 plus AUM fees in Table 2
Submission of alternate work practice request (ARM 17.74.353)	\$100
Voluntary registration for a non-regulated asbestos abatement project (as in (4))	\$100 plus AUM fees in Table 2 if the project becomes regulated and exceeds 100 AUMs
Ordered demolition	\$300
Transportation and disposal permit	\$100

(3) Table 2 - AUM Fees:

AUM Range	AUM Fee Amount
up to 100	\$100
101 to 300	\$150
301 to 500	\$200
501 to 750	\$300
751 to 1,500	\$600
1,501 to 3,000	\$1,000
3,001 to 5,000	\$2,000
5,001 to 10,000	\$3,000
10,001 to 25,000	\$4,000
25,001 to 50,000	\$6,000
50,001 to 100,000	\$8,000
100,001 or more	\$16,000

(4) Abatement contractors may voluntarily register a non-regulated asbestos project on a department-approved form upon payment of the \$100 voluntary registration fee in Table 1 at (2). If non-regulated materials are rendered regulated because of a voluntarily registered project, the abatement contractor shall notify the department and submit the appropriate fee for any disturbed regulated asbestos-containing material in accordance with Table 2 in (3).

(5) The total fee may not exceed \$16,000 per asbestos project permit or annual asbestos project permit.

(6) For fee assessment, layered homogenous materials may be treated as one layer if a department-accredited asbestos inspector determines and documents the layered homogenous character of the material during an inspection conducted in accordance with ARM 17.74.354. (History: 75-2-503, MCA; IMP, 75-2-503, 75-2-504, MCA; NEW, 2020 MAR p. 1325, Eff. 7/1/20.)

17.74.407 ACCREDITATION AND ACCREDITATION RENEWAL FEES

(1) A person seeking accreditation or renewal of accreditation in an asbestos-related occupation shall pay a fee to the department. The fees for accreditation or renewal of accreditation are:

- (a) asbestos project worker.....\$200
- (b) asbestos project contractor/supervisor\$200
- (c) asbestos inspector.....\$200
- (d) asbestos management planner\$200
- (e) asbestos project designer.....\$200
- (f) out-of-state reciprocity\$250

(2) For accreditation based on completion of an initial training course that has been approved by another state having accreditation requirements at least as stringent as Montana's, a person shall pay the out-of-state reciprocity accreditation fee in (1)(f).

(3) A person seeking accreditation or renewal of accreditation in more than one asbestos-related occupation, on the same renewal application, shall pay a fee of \$385. This discount is not available for accreditation based on out-of-state reciprocity. (History: 75-2-503, MCA; IMP, 75-2-503, MCA; NEW, 2020 MAR p. 1325, Eff. 7/1/20.)

17.74.408 COURSE APPROVAL AND RENEWAL FEES

(1) After July 1, 2020, a person shall pay to the department \$2,000 per course for approval of an initial training course for accreditation in an asbestos-related occupation, pursuant to ARM 17.74.362, or for approval of a refresher course for renewal of accreditation in an asbestos-related occupation, pursuant to ARM 17.74.363.

(2) A person shall pay a renewal fee of \$300 per course to the department when the person has received department approval of an initial training course for accreditation in an asbestos-related occupation on or before July 1, 2020 that the person intends to continue to provide after July 1, 2020. The initial course renewal fee is due two years from the training course approval date.

(3) A person shall pay a refresher course renewal fee of \$200 per course to the department when the person has received department approval of a refresher course for accreditation in an asbestos-related occupation on or before July 1, 2020 that the person intends to continue to provide after July 1, 2020. The refresher course renewal fee is due two years from the refresher course approval date. (History: 75-2-503, MCA; IMP, 75-2-503, MCA; NEW, 2020 MAR p. 1325, Eff. 7/1/20.)

17.74.409 REFUNDS (1) The department shall not refund any fee except as provided in this rule. The department shall review all applicable information in evaluating refund requests.

(2) The department may refund fees unnecessarily paid by an applicant receiving an incorrect permit or accreditation due to an error by the department.

(3) The director, or the director's designee, may authorize a refund of fees due to extenuating circumstances causing the permit or accreditation holder to be unable to use the accreditation or permit because of:

(a) declaration of war or police action; or

(b) catastrophic or major natural disaster or man-made event that requires assistance from a state or federal emergency management agency.

(4) The department may request documentation from a permit or accreditation holder seeking a refund under this rule. (History: 75-2-503, MCA; IMP, 75-2-503, MCA; NEW, 2020 MAR p. 1325, Eff. 7/1/20.)

