

SUMMARY OF MARCH 2021 ASBESTOS CONTROL PROGRAM STAKEHOLDER DISCUSSION

OVERVIEW: On March 9, 2021, the Department of Environmental Quality's Asbestos Control Program (ACP) held a Stakeholder Discussion via Zoom.

SUMMARY:

Update from Training Provider meeting:

Preceding the Stakeholder there was a meeting of the Training Provider Workgroup. ACP staff provided an update. Plans are moving forward to host both online and in-person refresher training opportunities. Currently 230 individuals from out-of-state hold accreditations and online refresher training will provide easy access for those accreditees. The planning is ongoing for how to manage the technology for online training, and how to ensure visual confirmation of participants. There are plans to note on training certificates that refresher training was done online. Requests have been made to extend the March 31, deadline. ACP committed to inform Trainers by COB March 10.

ACP Field Work:

ACP staff provided an update on 2021 field work. Staff has been working in the field as well as performing outreach with counties. 36 site visits have been performed. ACP has reinstated post site visit email notifications.

Question was asked about DEQ authority to visit and inspect non-permitted sites. ACP staff responded that there is authority to inspect non-permitted sites.

Question was asked about whether DEQ has considered combining enforcement and inspection authority within one program. APC staff responded that while there have not been active conversations about that, DEQ has an internal workgroup that works to discuss how the agency can best accomplish agency responsibilities related to asbestos.

Question was asked whether ACP staff had found issues with non-compliance, and what kind of issues they found. APC staff responded that most cases of non-compliance involve non-performance of asbestos inspection or failure to submit for a permit.

Question was asked about who is responsible for inspections at non-permitted sites. ACP staff responded that the Enforcement Division has a lead role in violations at these sites but receive assistance from ACP. When ACP sees issues with a non-permitted site, they generate a complaint that goes to Enforcement. ACP will invite

representatives from Enforcement to the next Stakeholder Discussion so that they can answer questions related to their work. Multiple questions were asked regarding Enforcements field activity that are best addressed by their staff. There are details in DEQ's Performance Partnership Agreement with US EPA that cover ACPs inspection of various contractor types (major or minor). 8 of the 36 inspections performed to date in 2021 were at permitted sites.

Single structure permitting- not as an installation:

There is a new fee schedule and rules for permitting effective July 2020. Installations with multiple structures can be permitted with either an annual permit covering all structures or permitted individually for each structure. Demolition notifications are not included in an Annual Permit and are to be notified individually.

Question was asked about the waiting period for Annual Permits. ACP staff responded that the waiting period is 45 days but will make efforts to process quicker. At no time will less than ten days be provided.

Question was asked whether Annual Permits can be applied for at any time. ACP staff responded that Annual Permits can be applied for at any time but always expire December 31st of the year in which they are issued.

Question was asked whether Annual Permits were limited in AUMs that can be removed. ACP staff responded that yes, Permits are limited to AUMs, if you go over then you need to have the permit revised and pay for additional AUMs.

ACP was asked to send out information on these changes via ListServ.

Laminated Accreditation Cards:

ACP has been asked about providing laminated accreditation cards. Currently ACP is sending PDFs in lieu of printed cards and may continue to do so as a cost saving measure. ACP has researched the equipment for producing laminated cards and determined that it would not be cost effective.

Landfills:

Question was asked about the regulation of asbestos in landfills. ACP staff responded that DEQ's Solid Waste Bureau holds that responsibility.

AAG Recommendation progress:

Updates on the AAG Recommendation progress are available on DEQ's website at: <http://deq.mt.gov/Public/asbestos/advisorygroup>

Lincoln County Asbestos Resource Program:

Virginia Kocieda of the Lincoln County Asbestos Resource Program provided some information on their work. The program has an MOU with DEQ. The program has two inspectors and additionally works to help contractors and communicates to the

community. The goal of the program is to implement strategies to reduce exposure to amphibole asbestos.