



Quarterly ACP Hybrid Stakeholder Meeting

September 14, 2021 | 2:30 - 4pm via ZOOM and In-Person

Meeting Summary

Prepared by Rebecca Meyers

Attendees

Denise Brunett, Staff
John Benoit, Staff
Rick Thompson, Staff
Chad Anderson, Enforcement
Jenny Chambers
Representative Ken
Holmlund
Kevin Stone
Bill Kraemer

Michael Kelly
Bryan Alkire
Marc Ingraham
Bruce Kirby
Chris Casas
Laura Hart
Paige Moore
Scott Vosen
Roger Herman

Michael Thomas
Mathew Tooke
Mark Oliver
Jacqueline Shaver
Bruce Ingraham
Amanda Allen, Staff
Cassie Mann, Staff
Rebecca Meyers,
Consultant/Facilitator

Agenda Items

Welcome and Introductions – *Rebecca Meyers*

June 15 Meeting Review – *Rebecca Meyers*

- Click [HERE](#) to review minutes

AAG Recommendations and Updates – *Rebecca Meyers*

- Rebecca provided an overview of the document
- Document is fluid and will be updated as recommendations are completed, or progress is made
- How are you working with the Dept. of Labor and Industry?
 - Staff responded that DLI has an online platform that allows for applications. ACP receives notification and follows up with an email.
 - Staff tracks outreach, contact, bids, etc.
- Attendee would like to see close working relationships to ensure quality services and strong communication.
- Need enforcement to ensure compliance
- DEQ has an opportunity to provide some education and awareness related to asbestos across the state moving forward.
- Denise Brunett covered some specific details within recommendations.
- DEQ is working on expanding partnerships and working relationships with MACo, the Contractors Association, the Home Builder's Association, and the League of Cities and Towns.

Enforcement Review Follow Up – *Chad Anderson, Enforcement Program*

Chad provided follow up to questions from June 14 related to enforcement complaint statistics:

- Chad provided a 2 year look-back at all asbestos complaints, how they were managed and the type of violation, if any
- Chad provided an overview of how Enforcement determines an appropriate penalty, considering previous citations, impact, etc. This is typically done in person.
- There are six ENF FTE allocated for inspections. Most folks are in Helena with one in Missoula and likely to hire one in Billings.
- Additional staff are out across Montana conducting inspections as well.
- Working to ensure there is cross training and consistency as new hires come on
- Attendee expressed frustration about lack of landfill inspections.
 - Denise asked for continued feedback on ideas or opportunities to improve the program, violations, and how the department can implement policies/rules.
- **Stakeholders agree that prioritizing compliance overall is number one interest. This should include landfills as well as other areas.**
- Increasing FTE's or increasing general fund requests is a legislative task.
- Potential opportunity for this group is to work towards legislative requests based on needs/resources/training etc. to increase and enhance compliance across the state
- Increase compliance with non-accredited community, mostly remodeling contractors

Field Work Update – Cassie Mann

- Have visited 250 sites so far
- Prioritizing sites that have not yet been visited
- Visits include city and county offices
- Cross program inspections take place as well
- Site visits ongoing and designed to focus on non-accredited community
- Visits include sites under or intended for renovation

Fiscal Responsibility – John Benoit

DEQ Asbestos Control Program- 2020 Fee change impact review as of 9.13.21 – Denise Brunett (*Data confirmed by DEQ Budget Analyst)

The fee rule implemented in 2020 generated an additional \$113,000 (estimated \$207,000 during rule proposal) for ACP to further its commitment to stakeholders and to pursue recommendations put forth by the Asbestos Advisory Group.

- The period July 01, 2020, to June 30, 2021, saw a 20 percent decrease in project permits and demolitions over the previous one-year period.
- The period July 01, 2020, to June 30, 2021, accreditation rates through reciprocity remain unchanged, while the instate accreditations dropped by 15 percent.
- The sources of this increased revenue stream consisted of:
 - A \$25K increase from Annual Permits, (estimated \$26K)
 - A \$38K from project permitting (estimated \$42K),
 - A \$21K from accreditations (estimated \$33K),
 - A \$10K from Training Providers (estimated \$10K), and
 - A \$19K from demolition notifications (estimated \$20K)

Without the 15-20 percent decrease in permitting and accreditations (likely due to Covid issues), the projections would have been on track. Funds allocated in the following ways:

- EPA funds decreased from \$84K to \$64K (2020 to 2021).

- ACP secured a third Environmental Science Specialist in October of 2020 to perform compliance assistance, outreach, field work. Expenditure to 6-30-21 (ACP portion of personnel costs alone): \$55K
- ACP has initiated steps to secure another Environmental Science Specialist. Reserve cash in fund for this purpose: \$51K
- ACP fulfilled its commitment to the Asbestos Advisory Group and revised, printed, and is distributing brochures. Expenditure to 6-30-21 \$1,000
- Field activity has increased and so have the costs associated with this venture. Expenditure to 6-30-21: \$1,700
- Implementation of new permitting capabilities due to the rule change were anticipated, as well as a move from Montana Interactive to SITSD. Expenditure to date \$15,500.

Compliance Assistance Update – *John Benoit*

January 1-Sept 1 total statistics for program:

- 281 cold calls and emails based on public notices, bid notices, etc.
- Worked with water projects on 23 potential contaminant checks
- 34 desk audits performed
- 100 emails out to the department of labor applicants
- 31 complaints filed with Enforcement, 6 requiring violation letters
- More than 250 site visits
- 502 accreditations conducted
- 267 permits issued
- Staff made nearly 1,500 calls

Online Training Extension – *Cassie Mann*

- Online training will be extended through December 31, 2021

ACP Software Update – *Amanda Allen*

- Implemented a fix to the permitting system
- On accreditation side, the link for cards is not working right now but will be fixed as soon as possible. Copies of PDF cards are being sent to provided Email

Other - Future Topics, Feedback - *Rebecca Meyers*

- Compliance and Enforcement will be prioritized for the next meeting.
- Landfills and enforcement concerns will be addressed.

Next Steps

- Please bring ideas related to what is required to enhance and increase compliance.
- Amanda will follow up on the locked pdf to allow for more user access.

Tentative Next Meeting:

December 14, 2021

Details of meeting time and location to be determined.