

Asbestos Fee Rule Chronology

Date	Action
2007-Nov	Subchapter 4 Fee Rules amended
2008-Jan	Fee rules fully implemented
2012-Oct	ACP reviews revenue / financial estimates
2014-Jun	ACP reviews revenue / financial estimates
2015-Aug	Stakeholders request rulemaking process be delayed for AAG implementation
2015-Sep	DEQ delays fee rule for AAG process
2016-Dec	AAG concludes. Three recommendations involving fee rules
2017-May	ACP reviews revenue / financial estimates
2017-Sep	ACP incorporate AAG recommendations
2019 Mar-May	DEQ delays fee rule for additional stakeholder outreach meetings
2019-Jun	ACP incorporates stakeholder comments
2020-Feb	Publication of rules with Sec. of State
2020-Apr	Asbestos Rule Informal Discussion
2020-June	Target final adoption notice

Stakeholder Outreach Summary

Asbestos Advisory Group

The 2015 Legislature passed House Bill 434 (HB 434) directing DEQ to convene an **Asbestos Advisory Group (AAG)** to advise the agency on matters relating to asbestos regulation. September 2015 to December 2016.

The proposed asbestos fee rules include the following AAG Recommendations:

1. **Recommendation #2:** Adding new definitions to allow for more administrative flexibility while not causing harm to health or the environment.
2. **Recommendation #7:** Proposing to keep the discount for multiple accreditations or accreditation renewals when requested in a single application.
3. **Recommendation #8:** Adopting a voluntary low-cost registration process for abatement contractors when they perform non-permitted asbestos projects, allowing them to proceed without delay if a non-regulated project becomes regulated. This recommendation provides an 'insurance policy' so work is not delayed if asbestos is discovered or non-friable asbestos becomes friable.

Stakeholder Outreach Meetings

In 2019, DEQ hosted several asbestos fee rulemaking stakeholder meetings in Missoula, Great Falls, and Billings to present information and receive feedback.

The proposed asbestos fee rules consider the following stakeholder comments:

1. Annual project permit holders would pay the same amount as an asbestos project permit holder based upon the amount of AUMs that are removed or disturbed.
2. Multiple adjacent homogenous layers within a building material are considered as one layer for the purpose of fee assessment.
3. A flat-fee structure so large projects will not have to pay an asbestos project cost more than 10-12% of the total project cost.