

From: D. Eason [deason@mt.gov]
Sent: Wednesday, May 18, 2011 5:02 PM
To: Eason, D
Subject: Attention Asbestos Community

Below are two FYIs being shared with you from program discussions this week.

1. Regarding refreshers for instructors of asbestos classes.

Q: *“As an instructor, will my teaching of a 40 hour initial class constitute a refresher for me?”*

A: **No.** *The information taught in a refresher course is different than the information taught in an initial class. For this reason it is important for an instructor to be involved in the discussions associated with a refresher class. Refresher classes include field experienced individuals with field related questions and concerns. These classes should also include discussion of changes in the MT rules and current information from the Asbestos Control Program.*

Note: An instructor has two options for a refresher course:

- 1. Attend a discipline specific refresher course taught by another instructor.*
- 2. Teach a discipline specific refresher course to a class including a minimum of three additional students.*

2. Regarding Regulated portions of a facility.

The asbestos NESHAP clearly applies to roofing materials, exterior surfaces and to all components associated with a facility (40 CFR Subpart M appendix A). Montana Code Annotated

§ 75-2-502(3) gives the Program authority for the permitting of asbestos projects “in a facility.” It has come to our attention that ACP should be regulating all projects that are covered by the NESHAP. Please begin to consider exterior projects, when applicable, as potential projects, and subject to the same requirements that have been applied to interior projects in the past.

This is a significant change in how the ACP interprets its authority. The ACP is now requiring permits for exterior projects. ACP will initially emphasize compliance assistance regarding this change as it informs the regulated community of the scope of this interpretation. During this transitional period, ACP will only institute enforcement actions if and when an operator refuses to correct violations when given notice by the ACP.