

**R307. Environmental Quality, Air Quality.**

**R307-801. Utah Asbestos Rule.**

**R307-801-1. Purpose and Authority.**

~~[Rule R307-801]~~ This rule establishes procedures and requirements for asbestos projects and training programs, procedures and requirements for the certification of persons and companies engaged in asbestos activities, and work practice standards for performing such activities. This rule is promulgated under the authority of Utah Code Annotated 19-2-104(1)(d), (3)(r)(i) through (III), (3)(s), (3)(t), and (6). Penalties are authorized by Utah Code Annotated 19-2-115. Fees are authorized by Utah Code Annotated 19-1-201(2)(i).

**R307-801-2. Applicability and General Provisions.**

(1) Applicability.

(a) The following persons are operators and are subject to the requirements of R307-801:

(i) Persons who contract for hire to conduct renovation of ~~[structures or]~~ facilities, or to conduct demolition of facilities, ~~[structures or facilities,]~~ except for residential outbuilding structures of less than 100 square feet;

(ii) Persons who conduct renovation or demolition in areas to which the general public has unrestrained access; or

(iii) Persons who conduct renovation or demolition in school buildings subject to AHERA or who conduct asbestos inspections in ~~[structures]~~ facilities subject to TSCA Title II.

(b) The following persons are subject to certification requirements:

(i) Persons required by TSCA Title II to be accredited as inspectors, management planners, project designers, supervisors, or workers;

(ii) Persons who work on an asbestos project as workers, supervisors, inspectors, project designers, or management planners; and

(iii) Companies that conduct asbestos projects or inspections, create project designs, or prepare management plans in ~~[structures or]~~ facilities.

(c) Homeowners performing renovation or demolition activities in or on their own residential structures without the assistance of hired contractors are not subject to the requirements of this rule. Condominium owners performing renovation or demolition activities in or on their own condominiums are subject to the requirements of the asbestos NESHAP and the requirements of this rule.

(2) General Provisions.

~~[2]~~a) All persons who are required by R307-801 to obtain an approval, certification, determination or notification from the executive secretary must obtain it in writing.

~~[3]~~b) Persons wishing to deviate from the certification, notification, work practice, or other requirements of R307-801 may do so only after requesting and obtaining the written approval of the executive secretary.

**R307-801-3. Definitions.**

The following definitions apply to R307-801:

"Adequately Wet" means sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing material, then that material ~~[has]~~ is not ~~[been—]~~adequately wet~~[ted]~~. However, the absence of visible emissions is not sufficient evidence of being adequately wet.

"Amended Water" means a mixture of water and a chemical wetting agent that provides control of asbestos fiber release.

"AHERA" means the federal Asbestos Hazard Emergency Response Act of 1986 and the Environmental Protection Agency implementing regulations, 40 CFR Part 763, Subpart E - Asbestos-Containing Materials in Schools.

"Asbestos" means the asbestiform varieties of serpentine (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite (amosite), anthophyllite, and actinolite-tremolite.

"Asbestos Containing Material (ACM)" means any material containing more than ~~[one percent—]~~1%~~[+]~~ asbestos by the method specified in Appendix A, Subpart F, 40 CFR Part 763 Section 1, Polarized Light Microscopy (PLM), or, if the asbestos content is less than 10%, the asbestos concentration must be determined by point counting using PLM procedure.

"Asbestos-Containing Waste Material (ACWM)" means any waste that contains asbestos. This term includes filters from control devices, friable asbestos-containing waste material, and bags or similar packaging contaminated with asbestos. As applied to demolition and renovations, this term includes materials contaminated with asbestos including disposable equipment and clothing.

"Asbestos Inspection" means any activity undertaken to determine the presence or location, or to assess the condition, of asbestos-containing material or suspected asbestos-containing material, whether by visual or physical examination, or by taking samples of the material. This term includes re-inspections of the type described in AHERA, 40 CFR 763.85(b), of known or assumed asbestos-containing material which has been previously identified.

The term does not include the following:

(a) Periodic surveillance of the type described in AHERA, 40 CFR 763.92(b), solely for the purpose of recording or reporting a change in the condition of known or assumed asbestos-containing material;

(b) Inspections performed by employees or agents of federal, state, or local government solely for the purpose of determining compliance with applicable statutes or regulations; or

(c) Visual inspections of the type described in AHERA, 40 CFR 763.90(i), solely for the purpose of determining completion of response actions.

"Asbestos Inspection Report" means a written report as specified in R307-801-10(6) describing an asbestos inspection performed by a certified asbestos inspector.

"Asbestos NESHAP" means the National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 61, Subpart M, the National Emission Standard for Asbestos.

"Asbestos Project" means any activity involving the removal,

renovation, repair, demolition, salvage, disposal, cleanup, or other disturbance of regulated asbestos-containing material greater than small scale short duration (SSSD).

"Asbestos Removal" means the stripping of friable [~~asbestos-containing material~~]ACM from [~~surfaces or~~]facility components [~~of a structure~~]or taking out structural components that contain or are covered with friable ACM from a [~~structure~~]facility.

~~["Asbestos Survey Report" means a written report as specified in R307 801 10(6) describing an asbestos inspection performed by a certified asbestos inspector.~~

~~"Asbestos Waste" means any waste that contains asbestos. This term includes filters from control devices, friable asbestos-containing waste material, and bags or other similar packaging contaminated with asbestos. As applied to demolition and renovations, this term includes materials contaminated with asbestos including disposable equipment and clothing.]~~

"Category I Nonfriable Asbestos-Containing Material" means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1% asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy.

"Category II Nonfriable Asbestos-Containing Material" means any material, excluding Category I nonfriable ACM, containing more than 1% asbestos as determined using the methods specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

"Containerized" means sealed in a leak-tight and durable container.

"Crawl Space" means a confined space with limited access typically found below ground or the first level of a building that contains piping with preformed regulated asbestos-containing material (RACM) pipe insulation and the available space is less than six feet high or is less than three feet wide.

"Debris" means asbestos-containing material that has been dislodged and has fallen from its original substrate and position or which has fallen while remaining attached to substrate sections or fragments, and is friable or regulated in its current condition.

"Demolition" means the wrecking, salvage, or removal of any load-supporting structural member of a [~~structure~~]facility together with any related handling operations, or the intentional burning of any [~~structure~~]facility. This includes the moving of an entire building, but excludes the moving of facilities with attached axles, such as motor homes, mobile homes or offices, or portable equipment.

"Disturb" means to disrupt the matrix of ACM or [~~regulated asbestos-containing material~~]RACM, crumble or pulverize ACM or [~~regulated asbestos-containing material~~]RACM, or generate visible debris from ACM or [~~regulated asbestos-containing material~~]RACM.

~~["Division" means the Division of Air Quality.]~~

"Emergency Renovation Operation" means any asbestos project which was not planned and results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public

health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden as determined by the Division of Air Quality. This term includes operations necessitated by non-routine failure of equipment~~[-and]~~, natural disasters, fire or flooding, but does not include situations caused by the lack of planning.

"Encapsulant" means a permanent coating applied to the surface of friable ACM for the purpose of preventing the release of asbestos fibers. The encapsulant creates a membrane over the surface (bridging encapsulant) or penetrates the material and binds its components together (penetrating encapsulant).

"Facility" means any institutional, commercial, public, industrial, or residential structure, installation, or building, including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential co-operative; any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to the Asbestos NESHAP is not excluded, regardless of its current use or function.~~[-Public building and commercial building have the same meanings as they do in TSCA Title II.]~~

"Facility Component" means any part of a facility, including equipment.

"Friable Asbestos-Containing Material (Friable ACM)" means any asbestos-containing material that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.

"~~[Glove]~~Glove bag" means an impervious plastic bag-like enclosure, not more than ~~[a-]~~60 x 60 inches, affixed around an asbestos-containing material, with glove-like appendages through which material and tools may be handled.

~~["HEPA Filtration" means the high efficiency particulate air filtration found in respirators and vacuum systems capable of filtering particles greater than 0.3 micron in diameter with 99.97% efficiency, designed for use in asbestos contaminated environments.]~~

"Government Official" means an engineer or health officer employed by a jurisdiction that has a responsibility for public safety and or health.

"High-Efficiency Particulate Air (HEPA)" refers to a filtration system capable of trapping and retaining at least 99.97% of all monodispersed particles 0.3 micron in diameter.

"Inaccessible" means in a physically restricted or obstructed area or covered in such a way that detection or removal is prevented or severely hampered.

"Inspector" means a person who is certified according to R307-801-6, conducts asbestos inspections, and oversees the preparation of asbestos inspection reports.

"Management Plan" means a document that meets the requirements of AHERA for management plans for asbestos in schools.

"Management Planner" means a person who ~~[prepares]~~ is

certified according to R307-801-6 and oversees the preparation of management plans for [a-]school buildings subject to AHERA.

"Model Accreditation Plan (MAP)" means 40 CFR Part 763, Subpart E, Appendix C, Asbestos Model Accreditation Plan.

"Nonfriable Asbestos-Containing Material" means any material containing more than 1% as determined using the methods specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

~~["NESHAP" means the National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 61, Subpart M, the National Emission Standard for Asbestos.]~~

"NESHAP Amount" means combined amounts in a project that total:

(a) 260 linear feet (80 meters) of pipe covered with RACM;  
(b) 160 square feet (15 square meters) of RACM used to cover or coat any duct, boiler, tank, reactor, turbine, equipment, ~~[structure,]~~ structural member, or ~~[structural]~~ facility component;  
or

(c) 35 cubic feet (one cubic meter) of RACM removed from structural members or facility components where the length and area could not be measured previously.

"NESHAP-Sized Asbestos Project" means any asbestos project that involves at least a NESHAP amount of ACM.

"Open Top Catch Bag" means either an asbestos waste bag or six mil polyethylene sheeting which is sealed at both ends and used by certified workers to collect preformed RACM pipe insulation in either a crawl space or pipe chase in a manner not to disturb the matrix of the asbestos-containing material.

"Phased Project" means either an asbestos project or demolition project that contains multiple start and stop dates corresponding to separate operations or areas where the entire asbestos project or demolition project cannot or will not be performed continuously.

"Pipe Chase" means a confined space with limited access that contains piping with preformed RACM pipe insulation and the available space is less than six feet high or is less than three feet wide.

"Preformed RACM Pipe Insulation" means prefabricated asbestos-containing thermal system insulation on pipes formed in sections that can be removed without disturbing the matrix of the asbestos-containing material.

"Project Designer" means a person who is certified according to R307-801-6 and prepares a design for an asbestos project in school buildings subject to AHERA or prepares an asbestos clean-up plan in a public or commercial facility where an asbestos disturbance greater than SSSD has occurred.

"Regulated Asbestos-Containing Material (RACM)" means friable ACM, Category I nonfriable ACM that has become friable, Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations.

"Renovation" means the alteration in any way of one or more [~~structural~~] facility components, excluding demolition.

"Small-Scale, Short-Duration (SSSD) Asbestos Project" means an asbestos project that removes or disturbs less than [3] three square feet or [3] three linear feet of RACM in a facility [~~or structure~~].

"Strip" means to take off ACM from any part of a [~~structure or structural~~] facility or facility component.

[~~"Structural Component" means any pipe, duct, boiler, tank, reactor, turbine, or furnace at or in a structure, or any structural member of the structure.~~]

"Structural Member" means any load-supporting member of a [~~structure~~] facility, such as beams and load-supporting walls or any non[-]load-supporting member, such as ceilings and non[-]load-supporting walls.

[~~"Structure" means, for the purposes of R307-801, any institutional, commercial, residential, or industrial building, equipment, building component, installation, or other construction.~~]

"Supervisor" means a person who is certified according to R307-801-6 and is responsible for ensuring work is conducted in accordance with the regulations and best work practices for asbestos projects.

"Suspect or Suspected Asbestos-Containing Material" means all building materials except building material made solely of glass, fiberglass, wood, metal, or rubber.

"TSCA" means the Toxic Substances Control Act.

"TSCA Accreditation" means successful completion of training as an inspector, management planner, project designer, contractor-supervisor, or worker, as specified in the TSCA Title II.

"TSCA Title II" means 15 U.S.C. 2601 et seq., Toxic Substances Control Act, Subchapter II - Asbestos Hazard Emergency Response.

"Unrestrained Access" means without fences, closed doors, personnel, or any other method intended to restrict public entry.

"Waste Generator" means any owner or operator of an asbestos project covered by R307-801 whose act or process produces [~~asbestos waste~~] ACWM.

"Worker" means a person who is certified according to R307-801-6 and performs asbestos projects.

"Working Day" means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

#### **R307-801-4. Adoption and Incorporation of 40 CFR 763 Subpart E.**

(1) The provisions of 40 CFR 763 Subpart E, including appendices effective as of the date referenced in R307-101-3 are hereby adopted and incorporated by reference.

(2) Implementation of the provisions of 40 CFR Part 763, Subpart E, except for the Model Accreditation Plan, shall be limited to those provisions for which the EPA has waived its requirements in accordance with 40 CFR Subpart 763.98, Waiver; delegation to State, as published at 52 FR 41826, (October 30, 1987).

**R307-801-5. Company Certification[s].**

(1) All persons must have an ~~[Asbestos Company Certification]~~asbestos company certification before contracting for hire to conduct asbestos inspections, create management plans, create project designs, ~~[monitor]~~or conduct asbestos projects~~[, or to remove or otherwise disturb more than the SSSD amount of asbestos]~~.

(2) To obtain ~~[Utah Asbestos Company Certification]~~an asbestos company certification, all persons shall submit a properly completed application for certification on a form provided by the executive secretary and pay the appropriate fee.

(3) Unless revoked or suspended, a company certification shall remain in effect until the ~~[end of]~~expiration date provided by the ~~[calendar year in which it was issued]~~executive secretary.

**R307-801-6. Individual Certification.**

(1) All persons must have an asbestos individual certification before conducting asbestos inspections, creating management plans, creating project designs, or conducting asbestos projects.

(2) To obtain certification as a worker, supervisor, inspector, project designer, or management planner, each person shall~~[-first]~~:

(a) Provide personal identifying information;

(b) Pay the appropriate fee;

(c) Fill out the appropriate form or forms provided by the executive secretary;

(d) Provide certificates of initial and current training that demonstrate accreditation in the ~~[corresponding]~~appropriate discipline. ~~[Any of the following TSCA accreditation courses is] Certificates from courses approved by the executive secretary, courses approved in a state that has an accreditation program that meets the TSCA Title II Appendix C Model Accreditation Plan (MAP), or courses that are approved by EPA under TSCA Title II are acceptable unless the executive secretary has determined that the course does not meet the requirements of TSCA accreditation training required by R307-801~~~~[- courses approved by the executive secretary, approved in a state that has a Contractor Accreditation Program that meets the TSCA Title II Appendix C Model Plan, or approved by EPA under TSCA Title II]~~.

~~[-(2)]~~(e) Complete a new initial training course as required by the AHERA MAP if there is a period of more than two years from the previous initial or refresher training certificate expiration date.

(3) Duration and Renewal of Certification.

(a) Unless revoked or suspended, a certification shall remain in effect until the expiration date of the current certificate of TSCA accreditation for the specific discipline.

(b) To renew certification, the individual shall~~[-first]~~:

(i) Submit a properly completed application for renewal on a form provided by the executive secretary;~~[-and]~~

(ii) Submit a current certificate of TSCA accreditation for initial or refresher training in the appropriate discipline~~[-];~~and

(iii) Pay the appropriate fee.

**R307-801-7. Denial and Cause for Suspension and Revocation of Company and Individual Certifications.**

(1) An application for certification may be denied if the individual, applicant company, or any principle officer of the applicant company has a documented history of noncompliance with the requirements, procedures, or standards established by R307-801, R307-214-1, which incorporates [~~40 CFR Part 61, Subpart M,~~] the [~~National Emission Standard for Asbestos~~] Asbestos NESHAP, AHERA, or with the requirements of any other entity regulating asbestos activities and training programs.

(2) The executive secretary may revoke or suspend any certification based upon documented violations of any requirement of R307-801, AHERA, or [~~40 CFR Part 61, Subpart M~~] the Asbestos NESHAP, including but not limited to:

(a) Falsification of or knowing omission in any written submittal required by those regulations;

(b) Permitting the duplication or use of a certificate or TSCA accreditation for the purpose of preparing a falsified written submittal; or

(c) Repeated work practice violations.

**R307-801-8. Approval of Training Courses.**

(1) To obtain approval of a training course, the course provider shall [~~first~~] provide a written application to the executive secretary that includes:

(a) [~~Name~~] The name, address, telephone number, and institutional affiliation of the person sponsoring the course;

(b) The course curriculum;

(c) A letter that clearly indicates how the course meets the Model Accreditation Plan (MAP) and R307-801 requirements for length of training in hours [~~or days~~], amount and type of hands-on training, examinations, including length, format, example of examination or questions, and passing scores, and topics covered in the course;

(d) A copy of all course materials, including student manuals, instructor notebooks, handouts, etc.;

(e) [~~Names~~] The names and qualifications of all course instructors, including all academic credentials and field experience in asbestos [~~abatement, and~~] projects;

(f) A [D] description and an example of numbered certificates issued to students who attend the course and pass the examination. [~~-~~] The certificate shall include a unique certificate number[7]; the name of the student[—and]; the name of the course completed[7]; the dates of the course and the examination[7]; an expiration date one year from the date the student completed the course and examination[7]; the name, address, and telephone number of the training provider that issued the certificate[7]; and a statement that the person receiving the certificate has completed the requisite training for TSCA accreditation[7];

(g) A written commitment from the training provider to teach the submitted training courses in Utah on a regular basis; and

(h) Payment of the appropriate fee.

(2) To maintain approval of a training course, the course provider shall:

(a) Provide training that meets the requirements of R307-801 and the MAP;

(b) Provide the executive secretary with the names, [~~social security numbers or~~] government-issued picture identification card number, and certificate numbers of all persons successfully completing the course within 30 working days of successful completion;

(c) Keep the records specified for training providers in the MAP for three years;

(d) Permit the executive secretary or authorized representative to attend, evaluate and monitor any training course without receiving advance notice from the executive secretary and without charge to the executive secretary; and

(e) Notify the executive secretary of any new course instructor [~~±~~] ten working days prior to the day the new instructor presents or teaches any course for TSCA Accreditation purposes. The notification shall include:

(i) [Name] The name and qualifications of each course instructor[s], including all academic credentials and field experience in asbestos [~~abatement~~] projects; and

(ii) A list of the courses or specific topics that will be taught by the instructor.

(3) All course providers that provide an AHERA training course or refresher course in the state of Utah shall:

(a) Notify the executive secretary of the location, date, and time of the course at least ten working days before the first day of the course;

(b) Update the notification as soon as possible, and no later than the original course date[~~7~~] if the course is rescheduled or [~~cancelled~~] cancelled before the course is held; and

(c) Allow the executive secretary or authorized representative to conduct an audit of any course provided to determine whether the course provider meets the requirements of the MAP and of R307-801.

#### **R307-801-9. Renovation and Demolition: Requirement to Inspect.**

(1) Except as described in R307-801-9(2) and 9(3) [~~below~~], the operator shall ensure that the [~~structure or~~] facility to be demolished or renovated is thoroughly inspected for [~~ACM~~] asbestos-containing material by an inspector certified under the provisions of R307-801-6. An asbestos [~~survey~~] inspection report shall be generated according to the provisions of R307-801-10. The operator shall make the asbestos [~~survey~~] inspection report available on site to all persons who have access to the site for the duration of the renovation or demolition activities, and to the executive secretary or authorized representative upon request.

(2) Owners of non-condominium residential structures of four units or less not subject to the Asbestos NESHAP are not required to perform asbestos inspections. Condominium owners performing renovation or demolition activities in or on their own condominiums are subject to the requirements of the Asbestos NESHAP and the inspection requirements of R307-801-9 except as

described in R307-801-9(3). Contractors for hire are subject to the inspection requirements of R307-801-9 except as described in R307-801-9(3).

(3) If the [structure]facility has been ordered to be demolished because it is found by a local jurisdiction to be structurally unsound and in danger of imminent collapse, the operator may demolish the [structure]facility without having the [structure or]facility inspected for asbestos. If no asbestos inspection is conducted, the operator shall: [~~ensure that all resulting demolition debris is disposed of as asbestos waste, according to R307-801-15. If the demolition debris cannot be containerized, the operator shall obtain approval for an alternative procedure from the executive secretary.~~]

(a) Ensure that all resulting demolition debris is disposed of as asbestos-containing waste material (ACWM), according to R307-801-15, and if the asbestos contaminated demolition debris cannot be properly containerized, the operator shall obtain approval for an alternate work practice from the executive secretary prior to disposing of the ACWM; or

(b) Have the ACWM segregated from non-ACWM debris under the direction of an inspector certified according to R307-801-6 and asbestos company certified according to R307-801-5

(4) Nonporous debris may be cleaned and encapsulated for disposal as non-ACWM by certified workers and supervisors according to R307-801-6 and asbestos companies certified according to R307-801-5.

(5) Asbestos inspections older than three years must be reviewed and updated, as necessary, by an inspector certified according to R307-801-6 and a company certified according to R307-801-5.

#### **R307-801-10. Renovation and Demolition: Asbestos Inspection Procedures.**

Asbestos inspectors shall use the following procedures when conducting an asbestos inspection of facilities to be demolished or renovated[~~-~~]:

(1) Determine the scope of demolition or renovation activities by determining which parts of the facility will be affected by demolition or renovation activities and how the facility will be demolished or renovated, e.g. conventional demolition methods, fire training, etc.

(2) Inspect the affected facility or part of the facility where the demolition or renovation operation will occur.

(3) Identify all accessible suspect asbestos-containing material (ACM) [~~building materials~~] in the affected facility or part of the facility where the demolition or renovation operation will occur.

(4) Follow the sampling protocol in 40 CFR 763.86 (Asbestos-Containing Materials in Schools) or a sampling method approved by the executive secretary[~~-~~] to demonstrate that suspect ACM does not contain asbestos.

(5) Assume that unsampled suspect ACM contains asbestos and is ACM; and

(6) Complete an asbestos [~~survey~~]inspection report

containing all of the following information in a format approved by the executive secretary:

(a) A ~~[brief]~~ description of the affected area and a description of the scope of activities as described in R307-801-10(1);

(b) A list of all suspect ~~[materials]~~ ACM identified in the affected area. For each suspect material provide the following information:

(i) The amount of ~~[material]~~ suspect ACM in linear feet, square feet, or cubic ~~[yards]~~ feet;

(ii) A clear description of the distribution of the ~~[material]~~ suspect ACM in the affected area;

(iii) A statement of whether the material was assumed to contain asbestos, sampled and ~~[shown]~~ demonstrated to contain asbestos, or sampled and demonstrated to not contain asbestos; and

(iv) A determination of whether the material is regulated asbestos-containing material (RACM), category I nonfriable ACM, or category II nonfriable ACM that ~~[or]~~ may or will become friable [RACM] when subjected to the proposed renovation or demolition activities.

(c) A list of all asbestos bulk samples collected from suspect ~~[materials]~~ ACM in the affected area ~~[- For each sample provide]~~, including the following information for each sample:

(i) Which suspect ~~[material, in the above list,]~~ ACM the sample represents;

(ii) A clear description of ~~[the original]~~ each sample location ~~[- of the sample]~~;

(iii) The types of analyses performed on the sample; and

(iv) The amounts of each type of asbestos in the sample as indicated by the analytical results.

(d) A list of potential locations of suspect ~~[materials]~~ ACM that were not accessible to inspection that may be part of the affected area ~~[-]~~; and

(e) A list of all the asbestos inspectors' names, company names, and certification numbers.

(7) Floor plans or architectural drawings and similar representations may be used to aid in conveying the location of suspect ~~[materials]~~ ACM or samples ~~[-]~~; but if so, they must be [appended] included in or attached to the asbestos [survey] inspection report.

(8) Analysis of samples shall be performed by persons or laboratories with proficiency demonstrated by current successful participation in a nationally recognized testing program such as the National Voluntary Laboratory Accreditation Program (NVLAP), the National Institute for Standards and Technology (NIST), the round robin for bulk samples administered by the American Industrial Hygiene Association (AIHA), or an equivalent nationally-recognized round robin testing program.

#### **R307-801-11. Renovation and Demolition: Notification and Asbestos Removal Requirements.**

(1) Demolitions.

(a) If the amount of regulated asbestos-containing material (RACM) in the ~~[structure]~~ facility is less than the small scale

short duration (SSSD) amount, the operator shall submit a demolition notification form [of demolition] at least ten[10] working days before the start of demolition[, and remove the RACM before commencing demolition].

(b) If the amount of RACM in the [structure] facility is greater than or equal to the SSSD amount but less than the NESHAP amount, the operator shall submit [an asbestos] a demolition notification form at least ten[10] working days before the start of demolition and a less than NESHAP asbestos notification form at least one working day before commencing removal, and shall remove the RACM according to the work practice provisions of R307-801-14 and according to the certification requirements of R307-801-5 and 6 before demolition proceeds.

(c) If the amount of RACM in the [structure] facility is greater than or equal to the NESHAP amount, the operator shall submit an asbestos notification form at least ten[10] working days before the asbestos removal begins[. Demolition], and demolition shall not proceed until after all RACM has been removed from the [structure] facility.

(d) If any [structure] facility is to be demolished by intentional burning, the operator, in addition to the notification specified in R307-801-11(1) (a), (b), or (c), shall ensure that all ACM, including [non friable] category I nonfriable asbestos-containing material (ACM), category II nonfriable ACM and RACM[7] is removed from the [structure] facility before burning.

(e) If the [structure] facility has been ordered to be demolished because it is found by a local jurisdiction to be structurally unsound and in danger of imminent collapse, the operator shall submit a notification of demolition, with a copy of the order signed by the appropriate government official, as soon as possible, but no later than the next working day after demolition begins.

(2) Renovations.

(a) If the amount of RACM that would be disturbed or rendered inaccessible by renovation activities is less than the SSSD amount, [the operator shall remove the RACM before commencing the] then no additional requirements are necessary prior to renovation.

(b) If the amount of RACM that would be disturbed or rendered inaccessible by renovation activities is greater than or equal to the SSSD amount, but [smaller] less than the NESHAP amount, then the operator shall: [submit an asbestos notification at least one working day before asbestos removal begins, unless the removal was properly included in an annual asbestos notification submitted pursuant to (d) below, and shall remove RACM according to general work practices of R307-801 before performing renovation activities.]

(i) Submit an asbestos notification form at least one working day before asbestos removal begins as described in R307-801-12, unless the removal was properly included in an annual asbestos notification form submitted pursuant to R307-801-11(2)(e);

(ii) Remove RACM according to asbestos work practices of R307-801-14, the certification requirements of R307-801-5 and 6,

and the disposal requirements of R307-801-15 before performing general building renovation activities.

~~(c) If the amount of RACM that would be disturbed or rendered inaccessible by renovation activities is greater than or equal to the NESHAP amount, then the operator shall: [~~submit an asbestos notification as described below, and shall ensure that RACM that would be disturbed by renovation activities and non-friable ACM that may be rendered friable or regulated by renovation activities is removed according to the work practice and disposal requirements of R307-801. The operator shall not commence renovation activities until the asbestos removal process is completed.~~]~~

(i) Submit an asbestos notification form at least ten working days before asbestos removal begins as described in R307-801-12;

(ii) Remove RACM according to the asbestos work practices of R307-801-14, the certification requirements of R307-801-5 and 6, and the disposal requirements of R307-801-15 before performing general building renovation activities.

~~[(i)](d) If the renovation is an emergency renovation operation, then the notification shall be submitted as soon as possible before [~~and~~], but no later than the next working day after asbestos removal begins. [~~the next business day after asbestos removal begins.~~]~~

~~(ii) If the renovation is not an emergency renovation operation, then the notification shall be submitted at least ten working days before asbestos removal begins.]~~

~~[(d)](e) The operator shall submit an annual notification according to the requirements of 40 CFR 61.145(a)(4)(iii) no later than ten [~~10~~] working days before the first day of January of the year during which the work is to be performed in the following circumstances:~~

(i) The asbestos projects are unplanned operation and maintenance activities;

(ii) The asbestos projects are less than NESHAP-sized; and

(iii) The total amount of asbestos to be disturbed in a single facility during these asbestos projects is expected to exceed the NESHAP amount in a calendar year.

(3) For notification purposes, renovation or demolition projects shall be no longer than one year in duration.

### **R307-801-12. Renovation and Demolition: Notification Procedures and Contents.**

(1) All notifications required by R307-801 shall be submitted in writing on the appropriate form provided by the executive secretary and shall be postmarked or received by the Division [~~by the date specified~~] of Air Quality in accordance with R307-801-11, or shall be submitted using the Division of Air Quality electronic notification system [~~by the date specified.~~] and received by the Division of Air Quality in accordance with R307-801-11. The type of notification and whether the notification is original or revised shall be indicated.

(2) If the notification is an original notification of demolition, an original asbestos notification for a NESHAP-sized

asbestos project, or an original annual notification, the written notice shall be sent with an original signature by U.S. Postal Service, commercial delivery service, or hand delivery, or with an electronic signature if submitted using the Division of Air Quality electronic notification system. If the U.S. Postal Service is used, the submission date is the postmark date. If other service or hand delivery is used, the submission date is the date that the document is received at the Division of Air Quality. If the Division of Air Quality electronic notification system is used, the submission date is the date that the notification is received by the Division.

(3) An original asbestos notification for a less than NESHAP-sized asbestos project or any revised notification may be submitted by any of the methods in R307-801-12(2), or by facsimile, by the date specified in R307-801-11. The sender shall ensure that the fax is legible.

(4) All original notifications shall contain the following information:

(a) The name, address, and telephone number of the owner of the ~~[structure,]~~facility and of any contractor working on the project;

(b) Whether the operation is a demolition or a renovation project;

(c) A description of the ~~[structure]~~facility that includes the size in square feet or square meters, the number of floors, the age, and the present and prior uses of the ~~[structure]~~facility;

~~(d) The names and certification numbers of the inspectors and companies [procedures, including analytical methods, used to inspect for the presence of ACM];~~

~~(e) The procedures, including analytical methods, used to inspect for the presence of asbestos-containing material (ACM);~~

~~(f)~~ (f) The location and address, including building number or name and floor or room number, street address, city, county, state, and zip code of ~~[the structure]~~each facility being demolished or renovated;

~~(g)~~ (g) A description of procedures for handling the discovery of unexpected ACM, ~~[or]~~category I ~~[or]~~nonfriable ACM, or category II nonfriable ACM that has become friable or regulated;

~~(h)~~ (h) A description of planned demolition or renovation work, including the demolition and renovation techniques to be used and a description of the affected ~~[structural]~~facility components ~~[or structural members]; and~~

~~(i)~~ (i) If the project has phases, then provide the location and address of all facilities to be demolished or renovated and the date and times of each phase.

(5) In addition to the information in R307-801-12(4) ~~[above]~~, an original demolition notification shall contain the following information:

(a) An estimate of the amount of category I non~~[ ]~~friable ACM, category II nonfriable ACM, and non~~[ ]~~regulated ACM that will not become regulated as a result of demolition activities and the amount that will remain in the building during demolition;

(b) The start~~ing~~ and ~~ending~~stop dates of demolition activities; and

(c) If the ~~structure~~facility will be demolished under an order of a state or local government agency, the name, title, and authority of the government ~~representative~~official ordering the demolition, the date the order was issued, and the date the demolition was ordered to commence. A copy of the order shall be attached to the notification.

~~(6) [In addition to the information in (4) and (5) above, an original asbestos notification or an annual notification shall contain the following information:~~

~~\_\_\_\_\_ (a) An estimate of the approximate amount of ACM to be stripped, including which units of measure were used;~~

~~\_\_\_\_\_ (b) The scheduled starting and completion dates of asbestos removal work in a renovation or demolition;~~

~~\_\_\_\_\_ (c) The beginning and ending dates for preparation and asbestos removal, and of renovation activities if applicable;]~~In addition to the information required in R307-801-12(4) and (5), an original demolition notification shall include:

(a) The start and stop dates for the entire project; and

(b) The start and stop dates for each phase of the project, if applicable.

(7) In addition to the information required in R307-801-12(4), (5) and (6), an original asbestos abatement notification shall include:

(a) An estimate of the amount of ACM to be stripped, including which units of measure were used;

(b) The start and stop dates for asbestos abatement preparation;

(c) The times of day for every day that asbestos abatement activities will be conducted;

(d) If an emergency renovation operation will be performed, then the notification shall include the date and hour the emergency occurred, a description of the event and an explanation of how the event has caused unsafe conditions or would cause equipment damage or unreasonable financial burden;

(e) A description of work practices and engineering controls to be used to prevent emissions of asbestos at the demolition or renovation work site;

(f) The name and location of the waste disposal site where the ~~asbestos waste~~ACWM will be ~~deposited~~disposed, including the name and telephone number of the waste disposal site contact;

(g) The name, address, contact person, and telephone number of the waste transporters; and

(h) The name, contact person, and telephone number of the ~~person receiving the ]~~waste generator~~[shipment record as required by 40 CFR 61.150(d)(1)].~~

(8[7]) In addition to the information in R307-801-12(4) and (5), an original asbestos annual notification form shall contain the following information:

\_\_\_\_\_ (a) An estimate of the approximate amount of ACM to be stripped, including which units of measure were used;

\_\_\_\_\_ (b) The start and stop dates of asbestos removal work covered by the annual notification;

(c) A description of work practices and engineering controls to be used to prevent emissions of asbestos at the renovation work site;

(d) The name and location of the waste disposal site where the asbestos-containing waste material (ACWM) will be disposed, including the name and telephone number of the waste disposal site contact;

(e) The name, address, contact person, and telephone number of the waste transporters; and

(f) The name, contact person, and telephone number of the waste generator.

(9[8]) A revised notification shall contain the following information:

(a) The name, address, and telephone number of the owner of the ~~[structure]~~facility, and any demolition or asbestos abatement contractor working on the project;

(b) Whether the operation is a demolition or a renovation project;

(c) The date that the original notification was submitted;

(d) The applicable original start and stop dates for asbestos removal, renovation, or demolition;

(e) ~~[Revised]~~The revised start and stop dates and working hours, if applicable, for asbestos removal or demolition activities, for the entire project or for any phase of the project;

(f) ~~[Changes]~~The changes in the amount of asbestos to be removed~~[7]~~ during the project if the asbestos removal amount increases or decreases by more than 20%~~[if applicable]~~; and

(g) ~~[All]~~Any other changes.

(10) If the asbestos removal amount is increased in the revised notification, then the appropriate fee shall be paid to the Division of Air Quality.

(11) If any project phase or an entire NESHAP-sized asbestos project that requires a notification under R307-801-12(4) ~~[above or a]~~ or if any phase or an entire demolition project that requires a notification under R307-801-12(4) ~~[above]~~ will commence on a date or work times other than the date and work times submitted in the original written notification, the executive secretary shall be notified of the new start~~[ing]~~ date and work times by the following deadlines~~[-]~~.

(a) If the new start~~[ing]~~ date ~~[is-]~~and work times are later than the original start~~[ing]~~ date~~[-]~~ and work times, then notice by telephone, fax, or electronic means shall be given as soon as possible ~~[before the original starting date-]~~and a revised notice shall be submitted in accordance with R307-801-12(~~[7]~~8) as soon as possible before, but no later than, the original start~~[ing]~~ date.

(b) If the new start~~[ing]~~ date is earlier than the original start~~[ing]~~ date, submit a written notice in accordance with R307-801-12(~~[7]~~8) at least ten working days before beginning the project.

(c) In no event shall an asbestos project covered by ~~[this subsection]~~R307-801-12 begin on a date other than the new start~~[ing]~~ date submitted in the revised written notice.

**R307-801-13. Renovation and Demolition: Requirements for Certified Workers.**

(1) A supervisor who has been certified under R307-801-6 shall be on site during asbestos project setup, asbestos removal, stripping, cleaning and dismantling of the project, and other handling of uncontainerized regulated asbestos-containing material (RACM).

(2) All persons handling greater than the small scale short duration [SSSD] amount of uncontainerized RACM shall be workers or supervisors certified under R307-801-6.

**R307-801-14. Renovation and Demolition: Asbestos Work Practices.**

(1) Persons performing any asbestos project shall follow the work practices in this subsection. Where the work practices in R307-801-14(1) and (2) are required, wrap and cut, open top catch bags, glove bags, and mini-enclosures may be used in combination with those work practices.

(a) Adequately wet regulated asbestos-containing material (RACM) with amended water before exposing or disturbing it, except when temperatures are continuously below freezing (32 degrees F.), and when all requirements in 40 CFR 61.145(c)(7) are met.

(b) Install barriers and post warning signs to prevent access to the work area. Warning signs shall conform to the specifications of 29 CFR 1926.1101(k)(7).

(c) Keep RACM adequately wet until it is containerized and disposed of in accordance with R307-801-15.

(d) Ensure that RACM that is stripped or removed is promptly containerized.

(e) Prevent visible particulate matter and uncontainerized asbestos-containing debris and waste originating in the asbestos work area from being released outside of the negative pressure enclosure or designated work area.

(f) Filter all waste water to [~~5~~] five microns before discharging it to a sanitary sewer.

(g) Decontaminate the outside of all persons, equipment and waste bags so that no visible residue is observed before [they leave] leaving the work area.

(h) Apply encapsulant to RACM that is exposed but not removed during stripping.

(i) Clean the work area, drop cloths, and other interior surfaces of the enclosure using a high-efficiency particulate air (HEPA) vacuum and wet cleaning techniques until there is no visible residue before dismantling barriers.

(j) After cleaning and before dismantling enclosure barriers, mist [~~the space and~~] all surfaces inside of the enclosure with a penetrating encapsulant designed for that purpose.

(k) Handle and dispose of friable asbestos-containing material (ACM) [~~or~~] and RACM according to the disposal provisions of R307-801-15.

(2) All operators of NESHAP-sized asbestos projects shall install a negative pressure enclosure using the following work practices.

(a) All openings to the work area shall be covered with at least one layer of [~~6~~] six mil or thicker polyethylene sheeting

sealed with duct tape or an equivalent barrier to air flow.

(b) If RACM debris is present in the proposed work area prior to the start of a NESHAP-sized asbestos project, the site shall be prepared by removing the debris using the work practice requirements of R307-801-14 and disposal requirements of R307-801-15. If the total amount of loose visible RACM debris throughout the entire work area is less than the SSSD amount, then site preparation may begin after notification and before the end of the ten working day waiting period.

(c) ~~All~~ A decontamination unit constructed to the specifications of R307-801-14(2)(h) shall be attached to the containment prior to disturbing RACM or commencing an asbestos project, and all persons shall enter and leave the negative pressure enclosure or work area only through the decontamination unit.

(d) All persons subject to R307-801 shall shower before entering the clean-room of the decontamination unit when exiting the enclosure.

(e) No materials may be removed from the enclosure or brought into the enclosure through any opening other than a waste load-out or a decontamination unit.

(f) The negative pressure enclosure of the work area shall be constructed with the following specifications:

(i) Apply at least two layers of ~~[6]six~~ mil or thicker polyethylene sheeting or its equivalent to the floor extending at least one foot up every wall and seal in place with duct tape or its equivalent;

(ii) Apply at least ~~[2]two~~ layers of ~~[4]four~~ mil or thicker polyethylene sheeting or its equivalent to the walls without locating seams in wall or floor corners;

(iii) Seal all seams with duct tape or its equivalent; ~~and~~

(iv) Maintain the integrity of all enclosure barriers ~~[-]~~; and

(v) Where a wall or floor will be removed as part of the asbestos project, polyethylene sheeting need not be applied to that facility component or structural member.

(g) View ports shall be installed in the enclosure or barriers where feasible ~~[- View]~~, and view ports shall be:

(i) At least one foot ~~[tall and one foot wide]~~ square;

(ii) Made of clear material that is impermeable to the passage of air, such as an acrylic sheet;

(iii) Positioned so as to maximize the view of the inside of the enclosure from a position outside the enclosure; and

(iv) Accessible to a person outside of the enclosure.

(h) A decontamination unit shall be constructed according to the following specifications:

(i) The unit shall be attached to the enclosure or work area;

(ii) The decontamination unit shall consist of at least ~~[3]three~~ chambers ~~[as specified by]~~ and meet all regulatory requirements of 29 CFR 1926.1101(j)(1);

(iii) The clean room, which is the chamber that opens to the outside, shall be no less than ~~[3]three~~ feet wide by ~~[3]three~~ feet long by six feet high, when possible;

(iv) The shower room, which is the chamber between the clean and dirty rooms, shall have hot and cold or warm running water and be no less than three feet wide by three feet long by six feet high, when possible; [dirty room, which is the chamber that opens to the negative pressure enclosure or the designated work area, shall be no less than 3 feet wide by 3 feet long,]

(v) The dirty room, which is the chamber that opens to the negative pressure enclosure or the designated work area, shall be no less than three feet wide by three feet long by six feet high, when possible;

(vi) The dirty room shall be provided with an accessible waste bag at any time that asbestos work is being ~~done~~ performed.

(i) A separate waste load-out following the specifications below may be attached to the enclosure for removal of decontaminated waste containers and decontaminated or wrapped tools from the enclosure.

(i) The waste load-out shall consist of at least one chamber constructed of ~~[6]~~ six mil or thicker polyethylene walls and ~~[6]~~ six mil or thicker polyethylene flaps or the equivalent on the outside and inside entrances;

(ii) The waste load-out chamber shall be at least ~~[3]~~ three feet long, ~~[3]~~ three feet high, and ~~[3]~~ three feet wide; and

(iii) The waste load-out supplies shall be sufficient to decontaminate bags, and ~~may~~ shall include a water supply with a filtered drain, clean rags, disposable rags or wipes, and clean bags.

(j) Negative air pressure and flow shall be established and maintained within the enclosure by:

(i) Maintaining at least four air changes per hour in the enclosure;

(ii) Routing the exhaust from HEPA filtered ventilation units to the outside of the ~~[structure]~~ facility whenever possible;

(iii) Maintaining a minimum of 0.02 column inches of water pressure differential relative to outside pressure; and

(iv) Maintaining a monitoring device to measure the negative pressure in the enclosure.

(3) In lieu of two layers of polyethylene on the walls and the floors as required by R307-801-(2)(f)(i) and (ii), the following work practices and controls may be used only under the circumstances described below:

(a) ~~[If an-]When a pipe insulation removal asbestos project is conducted [in a crawl space or pipe chase and the available space is less than 6 feet high or is less than 3 feet wide, then]~~ the following may be used:

(i) Drop cloths extending a distance at least ~~[-6 feet]~~ equivalent to the height of the RACM around all RACM to be removed, or extended to a wall and attached with duct tape or equivalent; ~~[-and]~~

(ii) Either ~~[glovebags, wrap and cut, or-]~~ the ~~[open top catch]~~ glove bag ~~[method must be used. The open top catch bag method]~~ or wrap and cut methods may be used ~~[-only if the material to be removed is pre formed RACM pipe insulation.]; and~~

(iii) RACM shall be adequately wet before wrapping.

(b) ~~[Scattered ACM. If]~~ When the RACM is scattered ACM and

is found in small patches, such as isolated pipe fittings, the following procedures may be used[-]:

(i) [~~Glove~~Glove]bags, mini-enclosures as described in R307-801-14(5), or wrap and cut methods with drop cloths large enough to capture all RACM fragments that fall from the work area may be used.

(ii) If all asbestos disturbance is limited to the inside of negative pressure [~~glove~~glove]bags or a mini-enclosure, then non-glove bag or non-mini enclosure building openings need not be sealed and negative pressure need not be maintained in the space outside of the [~~glove~~glove]bags or mini-enclosure during the asbestos removal operation.

(iii) A remote decontamination unit may be used as described in R307-801-14(5)(d) only if an attached decontamination unit is not [~~feasible~~]possible.

(c) When a preformed RACM pipe insulation removal asbestos project in a crawl space or pipe chase is conducted, the following may be used:

(i) Drop cloths extending a distance at least six feet around all preformed RACM pipe insulation to be removed or extended to a wall and attached with duct tape or equivalent or

(ii) The open top catch bag method.

(4) During outdoor asbestos projects, the work practices of R307-801-14 shall be followed[-] with the following modifications:

(a) Negative pressure need not be maintained if there is not an enclosure;

(b) Six mil polyethylene drop cloth, or equivalent[-~~drop cloth~~], large enough to capture all RACM fragments that fall from the work area shall be used; and

(c) A remote decontamination unit as described in R307-801-14(5)(d) may be used.

(5) Special work practices.

(a) If the wrap and cut method is used:

(i) The facility component shall be cut at least [~~6~~]six inches from any RACM on that component;

(ii) If asbestos will be removed from the facility component to [~~accommodate~~]accommodate cutting, the asbestos removal shall be [~~done~~]performed using a single glove bag for each cut, and no RACM shall be disturbed outside of a glove bag;

(iii) The wrapping shall be leak[-]tight and shall consist of two layers of [~~6~~]six mil polyethylene sheeting, each individually sealed with duct tape, and all RACM between the cuts shall be sealed inside wrap; and

(iv) The wrapping shall remain intact and leak-tight throughout the removal and disposal process.

(b) If the open top catch bag method is used:

(i) The material to be removed can only be preformed RACM pipe insulation and it must be located in a crawl space or a pipe chase;

(ii) Asbestos waste bags that are leak[-]tight and strong enough to hold contents securely shall be used;

(iii) The bag shall be placed underneath the stripping operation to minimize ACM falling onto the drop cloth;

[~~(iii)~~](iv) All material stripped from the facility

component shall be placed in the bag;

([±]v) One worker shall hold the bag and another worker shall strip the ACM into the bag; and

(vi) A drop cloth [large enough to capture] extending a distance at least six feet around all preformed RACM [originating in the work area] pipe insulation to be removed, or extended to a wall and attached with duct tape or equivalent shall be used.

(c) If glove bags are used, they shall be under negative pressure, and the procedures required by 29 CFR 1926.1101(g)(5) shall be followed.

(d) A remote decontamination unit may be used under the conditions set forth in R307-801-14(3)(b) or (4), or when approved by the executive secretary. The remote decontamination unit [and procedures] shall meet all construction standards in R307-801-2(h) and shall include:

(i) Outerwear shall be HEPA vacuumed or removed, and additional clean protective outerwear shall be put on;

(ii) Either polyethylene sheeting shall be placed on the path to the decontamination unit and the path shall be blocked or taped off to prevent public access, or workers shall be conveyed to the remote decontamination unit in a vehicle that has been lined with two layers of [6]six mil or thicker [polyethelene]polyethylene sheeting or its equivalent; and

(iii) The polyethylene path or vehicle liner shall be removed at the end of the project, and disposed of as [~~asbestos waste~~]ACWM.

(e) Mini-enclosures, when used under approved conditions, shall conform to the requirements of 29 CFR 1926.1101(g)(5)(vi).

(6) For asbestos-containing mastic removal projects using mechanical means to loosen or remove mastic from the floor, in lieu of two layers of polyethylene sheeting on the walls, splash guards of six mil or thicker polyethylene sheeting shall be placed from the floor level a minimum of three feet up the walls.

(7) Persons who improperly disturb more than an SSSD amount of asbestos-containing material and contaminate an area with friable asbestos shall:

(a) Have the emergency clean-up portion of the project, including any portions not contained within a facility or in common use areas that cannot be isolated, performed as soon as possible by a company or companies, supervisor(s), and worker(s) certified according to R307-801-5 and 6.

(b) Have an asbestos clean-up plan designed by a Utah certified asbestos project designer for the nonemergency portion of the project and have the asbestos clean-up plan submitted to the Division of Air Quality for approval. An asbestos clean-up plan is not required when the disturbance results from a natural disaster, fire or flooding.

(c) Submit the project notification form required by R307-801-11 and 12 to the executive secretary for acceptance no later than the next working day after the disturbance occurs or is discovered.

(d) Notify the executive secretary of project completion by telephone, fax, or electronic means by the day of completion and before leaving the site.

~~[R307-801-15. Disposal and Handling of Asbestos Waste.~~

- ~~(1) Containerize asbestos waste while adequately wet.~~  
~~(2) Asbestos waste containers shall be leak tight and strong enough to hold contents securely.~~  
~~(3) Containers shall be labeled with the waste generator's name, address, and phone number, and the contractor's name and address, before they are removed from the work area.~~  
~~(4) Containerized RACM shall be disposed of at a landfill which complies with 40 CFR 61.150.~~

~~(5) The waste shipment record shall include a list of items and the amount of asbestos waste being shipped. The waste generator originates and signs this document.] R307-801-15. Disposal and Handling of Asbestos Waste.~~

(1) Owners and operators subject to this rule shall containerize asbestos-containing waste material (ACWM) while adequately wet.

(2) ACWM containers shall be leak-tight and strong enough to hold contents securely.

(3) Containers shall be labeled with the waste generator's name, address, and telephone number, and the contractor's name and address, before they are removed from the work area.

(4) Containerized regulated asbestos-containing material (RACM) shall be disposed of at a landfill which complies with 40 CFR 61.150.

(5) The waste shipment record shall include a list of items and the amount of ACWM being shipped. The waste generator originates and signs this document.

(6) Owners and operators of facilities where an asbestos project has been performed shall report in writing to the executive secretary if a copy of the waste shipment record, signed by the owner or operator of the designated waste disposal site, is not received by the waste generator within 45 working days of the date the waste was accepted by the initial transporter. Include in the report the following information:

(i) A copy of the waste shipment record for which a confirmation of delivery was not received; and

(ii) A cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.

**R307-801-16. Records.**

(1) Certified asbestos companies shall maintain records of all asbestos projects that they perform and shall make these records available to the executive secretary or authorized representative upon request. The records shall be retained for at least five years. Maintained records shall include the following:

(a) Names and [~~state~~]certification numbers of the asbestos workers and supervisors who performed the asbestos project;

(b) Location and description of the asbestos project and amount of [~~Friable~~]friable asbestos-containing material (ACM) removed;

(c) Start[ing] and [~~completion~~]stop dates of the asbestos project;

(d) Summary of the procedures used to comply with applicable requirements including copies of all notifications; ~~and~~

(e) Waste shipment records maintained in accordance with 40 CFR Part 61, Subpart M ~~[, NESHAP.]~~; and

(f) Asbestos ~~[surveys]~~ inspection reports associated with the asbestos project.

(2) All other persons subject to the inspection requirements of R307-801-9 shall maintain copies of asbestos ~~[survey]~~ inspection reports for at least one year after renovation or demolition activities have ceased, and shall make these reports available to the executive secretary or authorized representative upon request.

**KEY: air pollution, asbestos, asbestos hazard emergency response, schools**

**Date of Enactment or Last Substantive Amendment: ~~[February 8, 2008]~~ 2012**

**Notice of Continuation: February 8, 2008**

**Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(d); 19-2-104(3)(r) through (t); 40 CFR Part 61, Subpart M; 40 CFR Part 763, Subpart E**