



State of Utah

GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

Department of  
Environmental Quality

Alan Matheson  
*Executive Director*

DIVISION OF AIR QUALITY  
Bryce C. Bird  
*Director*

DAQ-060-15

**MEMORANDUM**

**TO:** Air Quality Board

**THROUGH:** Bryce C. Bird, Executive Secretary

**FROM:** Robert Ford, Air Toxics Lead-Based Paint, and Asbestos Section Manager

**DATE:** September 23, 2015

**SUBJECT:** PROPOSE FOR PUBLIC COMMENT: Amend R307-801. Utah Asbestos Rule.

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On March 25, 2015, Governor Gary Herbert signed Utah House Bill 229, Air Quality Modifications, into law. House Bill 229 revised the statutory definition of asbestos and modified what suspect asbestos-containing materials need to be inspected for in residential structures of four units or less built on or after January 1, 1981. These modifications are found in Utah Code Annotated 19-2-102 and 19-2-104.

The proposed rule amends R307-801, Utah Asbestos Rule, so that it reflects changes to and is made consistent with Utah Air Conservation Act modifications. The proposed rule also includes modifications recommended by staff and the regulated community to help the Division better administer the Utah Asbestos Program.

Staff Recommendation: Staff recommends that the Board propose R307-801 for public comment.

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

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

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

4 This rule establishes procedures and requirements for  
5 asbestos abatement or renovation projects and training programs,  
6 procedures and requirements for the certification of persons and  
7 companies engaged in asbestos abatement or renovation projects,  
8 and work practice standards for performing such projects. This  
9 rule is promulgated under the authority of Utah Code Annotated 19-  
10 2-104(1)(d), (3)(~~[a]~~)(~~[i]~~ through (~~[iii]~~), (3)(~~[b]~~)(iv)(A), (B),  
11 and (C), (3)(~~[b]~~(v), [and](6)(a), and (6)(b). Penalties are  
12 authorized by Utah Code Annotated 19-2-115. Fees are authorized by  
13 Utah Code Annotated 19-1-201(2)(i).

14  
15 **R307-801-2. Applicability and General Provisions.**

16 (1) Applicability.

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

19 (i) Persons who contract for hire to conduct asbestos  
20 abatement, renovation, or demolition projects in regulated  
21 facilities;

22 (ii) Persons who conduct asbestos abatement, renovation, or  
23 demolition projects in areas where the general public has  
24 unrestrained access; ~~[or]~~

25 (iii) Persons who conduct asbestos abatement, renovation, or  
26 demolition projects in school buildings subject to AHERA or who  
27 conduct asbestos inspections in facilities subject to TSCA Title  
28 II~~[.]; or~~

29 (iv) Persons who perform regulated work activities or  
30 renovation projects in single or multifamily residential  
31 structures where they do not live or intend to live immediately  
32 after the regulated work activity or renovation project is  
33 complete.

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

36 (i) Persons required by TSCA Title II or R307-801 to be  
37 accredited as inspectors, management planners, project designers,  
38 renovators, asbestos abatement supervisors, or asbestos abatement  
39 workers;

40 (ii) Persons who work on asbestos abatement projects as  
41 asbestos abatement workers, asbestos abatement supervisors,  
42 inspectors, project designers, or management planners; ~~[and]~~

43 (iii) Persons who perform regulated work activities or  
44 renovation projects in single or multifamily residential  
45 structures where they do not live or intend to live immediately

1 after the regulated work activity or project is complete; or

2 (i~~ii~~v) Companies that conduct asbestos abatement projects,  
3 renovation projects, inspections, create project designs, or  
4 prepare management plans in regulated facilities.

5 (c) Homeowners or condominium owners performing renovation  
6 or demolition activities in or on their own residential facilities  
7 where they live, that are otherwise not subject to the Asbestos  
8 NESHAP, are not subject to the requirements of this rule, however,  
9 a condominium complex of more than four units is subject to this  
10 rule and may also be subject to the Asbestos NESHAP [~~and R307-~~  
11 801]regulation.

12 (d) Contractors for hire performing renovation or demolition  
13 activities are required to follow the inspection provisions of  
14 R307-801-9 and R307-801-10 and the notification provisions of  
15 R307-801-11 and R307-801-12.

16 (2) General Provisions.

17 (a) All persons who are required by R307-801 to obtain an  
18 approval, certification, determination, or notification from the  
19 director [~~must~~]shall obtain it in writing.

20 (b) Persons wishing to deviate from the certification,  
21 notification, work practices, or other requirements of R307-801  
22 may do so only after requesting and obtaining the written approval  
23 of the director.

### 24 25 **R307-801-3. Definitions.**

26 The following definitions apply to R307-801:

27 "Adequately Wet" means to sufficiently mix or penetrate with  
28 liquid to prevent the release of particulates. If visible  
29 emissions are observed coming from asbestos-containing material,  
30 then that material is not adequately wet. However, the absence of  
31 visible emissions is not sufficient evidence of being adequately  
32 wet.

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

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

39 "AHERA Facility" means any structure subject to the federal  
40 AHERA requirements.

41 "Asbestos" means the asbestiform varieties of serpentine  
42 (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite  
43 (amosite), anthophyllite, [~~and~~] actinolite-tremolite, and Libby  
44 amphibole.

45 "Asbestos Abatement Project" means any activity involving the

1 removal, repair, demolition, salvage, disposal, cleanup, or other  
2 disturbance of regulated asbestos-containing material greater than  
3 the small scale short duration (SSSD) amount of asbestos-  
4 containing material.

5 "Asbestos Abatement Supervisor" means a person who is  
6 certified according to R307-801-6 and is responsible for ensuring  
7 work is conducted in accordance with the regulations and best work  
8 practices for asbestos abatement or renovation projects.

9 "Asbestos Abatement Worker" means a person who is certified  
10 according to R307-801-6 and performs asbestos abatement or  
11 renovation projects.

12 "Asbestos-Containing Material (ACM)" means any material  
13 containing more than 1% asbestos by the method specified in 40 CFR  
14 Part 763, Subpart E, Appendix E, Section 1, Polarized Light  
15 Microscopy (PLM), or, if the asbestos content is greater than a  
16 trace amount of asbestos, but less than 10% asbestos, the asbestos  
17 concentration shall be determined by point counting using PLM or  
18 any other method acceptable to the director.

19 "Asbestos-Containing Waste Material (ACWM)" means any waste  
20 generated from regulated asbestos-containing material (RACM) that  
21 contains any amount of asbestos and is generated by a source  
22 subject to the provisions of R307-801. This term includes filters  
23 from control devices, friable asbestos-containing waste material,  
24 and bags or other similar packaging contaminated with asbestos. As  
25 applied to demolition and renovation projects, this term also  
26 includes regulated asbestos-containing material waste and  
27 materials contaminated with asbestos including disposable  
28 equipment and clothing.

29 "Asbestos Inspection" means any activity undertaken to  
30 identify the presence and location, or to assess the condition, of  
31 asbestos-containing material or suspected asbestos-containing  
32 material, by visual or physical examination, or by collecting  
33 samples of the material. This term includes re-inspections of the  
34 type described in AHERA, 40 CFR 763.85(b), of known or assumed  
35 asbestos-containing material which has been previously identified.  
36 The term does not include the following:

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

41 (b) Inspections performed by employees or agents of federal,  
42 state, or local government solely for the purpose of regulatory  
43 oversight and/or determining compliance with applicable statutes  
44 or regulations; or

45 (c) Visual inspections of the type described in AHERA, 40

1 CFR 763.90(i), solely for the purpose of determining completion of  
2 response actions.

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

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

9 "Asbestos Removal" means the stripping of friable ACM from  
10 regulated facility components or the removal of structural  
11 components that contain or are covered with friable ACM from a  
12 regulated facility.

13 "Category I Non-Friable Asbestos-Containing Material" means  
14 asbestos-containing packings, gaskets, resilient floor coverings,  
15 or asphalt roofing products containing more than 1% asbestos as  
16 determined by using the method specified in 40 CFR Part 763,  
17 Subpart E, Appendix E, Section 1, Polarized Light Microscopy  
18 (PLM).

19 "Category II Non-Friable Asbestos-Containing Material" means  
20 any material, excluding Category I non-friable ACM, containing  
21 more than 1% asbestos as determined by using the methods specified  
22 in 40 CFR Part 763, Subpart E, Appendix E, Section 1, Polarized  
23 Light Microscopy (PLM) that, when dry, cannot be crumbled,  
24 pulverized, or reduced to powder by hand pressure.

25 "Condominium" means a building or complex of buildings in  
26 which units of property are owned by individuals and common parts  
27 of the property, such as the grounds, common areas, and building  
28 structure, are owned jointly by the condominium unit owners.

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

31 "Debris" means friable or regulated asbestos-containing  
32 material that has been dislodged and has fallen from its original  
33 substrate and position or which has fallen while remaining  
34 attached to substrate sections or fragments.

35 "Demolition Project" means the wrecking, salvage, or removal  
36 of any load-supporting structural member of a regulated facility  
37 together with any related handling operations, or the intentional  
38 burning of any regulated facility. This includes the moving of an  
39 entire building, but excludes the moving of structures, vehicles,  
40 or equipment with permanently attached axles, such as trailers,  
41 motor homes, and mobile homes that are specifically designed to be  
42 moved.

43 "Director" means the Director of the Utah Division of Air  
44 Quality.

45 "Disturb" means to disrupt the matrix, crumble, pulverize, or

1 generate visible debris from ACM or RACM.

2 "Emergency Abatement or Renovation Project" means any  
3 asbestos abatement or renovation project which was not planned and  
4 results from a sudden, unexpected event that, if not immediately  
5 attended to, presents a safety or public health hazard, is  
6 necessary to protect equipment from damage, or is necessary to  
7 avoid imposing an unreasonable financial burden as determined by  
8 the director. This term includes operations necessitated by non-  
9 routine failure of equipment, natural disasters, fire, or  
10 flooding, but does not include situations caused by the lack of  
11 planning.

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

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

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

24 "General Building Remodeling Activities" means the alteration  
25 in any way of one or more regulated structure components,  
26 excluding asbestos abatement, renovation, and demolition projects.

27 "Government Official" means an engineer, building official,  
28 or health officer employed by a governmental jurisdiction that has  
29 a responsibility for public safety or health in the jurisdiction  
30 where the structure is located.

31 "High-Efficiency Particulate Air (HEPA)" means a filtration  
32 system capable of trapping and retaining at least 99.97% of all  
33 mono-dispersed particles 0.3 micron in diameter.

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

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

40 "Libby Amphibole" means loose-fill vermiculite type  
41 insulation material originating in Libby, Montana, or elsewhere,  
42 used in regulated facilities subject to this rule and has greater  
43 than 1% asbestiform varieties of serpentine (chrysotile),  
44 riebeckite (crocidolite), cummingtonite-grunerite (amosite),  
45 anthophyllite, and actinolite-tremolite, as defined earlier in

1 this section, and winchite, richterite, tremolite, magnesio-  
2 rieberite, magnesio-arfvedsonite, and edenite using United States  
3 Environmental Protection Agency Method EPA/600/R93/116 or other  
4 method as approved by the director.

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

8 "Management Planner" means a person who is certified  
9 according to R307-801-6 and oversees the preparation of management  
10 plans for school buildings subject to AHERA.

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

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

15 (a) 260 linear feet (80 linear meters) of pipe covered with  
16 RACM;

17 (b) 160 square feet (15 square meters) of RACM used to cover  
18 or coat any duct, boiler, tank, reactor, turbine, equipment,  
19 structural member, or regulated facility component; or

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

23 "NESHAP Facility" means any institutional, commercial,  
24 public, industrial, or residential structure, installation, or  
25 building, (including any structure, installation, or building  
26 containing condominiums or individual dwelling units operated as a  
27 residential co-operative, but excluding residential buildings  
28 having four or fewer dwelling units); any ship; and any active or  
29 inactive waste disposal site. For purposes of this definition, any  
30 building, structure, or installation that contains a loft used as  
31 a dwelling is not considered a residential structure,  
32 installation, or building. Any structure, installation, or  
33 building that was previously subject to the Asbestos NESHAP is not  
34 excluded, regardless of its current use or function.

35 "NESHAP-Sized Project" means any project that involves at  
36 least the NESHAP amount of ACM.

37 "Non-Friable Asbestos-Containing Material" means any material  
38 containing more than 1% asbestos, as determined using the methods  
39 specified in 40 CFR Part 763, Subpart E, Appendix E, Section 1,  
40 Polarized Light Microscopy (PLM), that, when dry, cannot be  
41 crumbled, pulverized, or reduced to powder by hand pressure.

42 "Open Top Catch Bag" means either an asbestos waste bag or  
43 six mil polyethylene sheeting which is sealed at both ends and  
44 used by certified asbestos abatement workers, in a manner not to  
45 disturb the matrix of the asbestos-containing material, to collect

1 preformed RACM pipe insulation in either a crawl space or pipe  
2 chase less than six feet high or less than three feet wide.

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

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

12 "Project Designer" means a person who is certified according  
13 to R307-801-6 and prepares a design for an asbestos abatement  
14 project in school buildings subject to AHERA or prepares an  
15 asbestos clean-up plan in a regulated facility where an asbestos  
16 disturbance greater than the SSSD amount has occurred.

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

25 "Regulated Facilities" means residential facilities, AHERA  
26 facilities, or NESHAP facilities where:

27 (a) A sample has been identified and analyzed to contain, or  
28 is assumed under R307-801-10(5) to contain, greater than 1%  
29 asbestos; and

30 (b) The material from where the sample was collected will be  
31 disturbed and rendered friable during the abatement, demolition,  
32 or renovation activities.

33 "Regulated Facility Component" means any part of a regulated  
34 facility including equipment.

35 "Renovation Project" means any activity involving the  
36 removal, repair, salvage, disposal, cleanup, or other disturbance  
37 of greater than the SSSD amount of RACM, but less than the NESHAP  
38 amount of RACM, and the intent of the project is not asbestos  
39 abatement or demolition. Renovation Projects can be performed in  
40 NESHAP or residential facilities, but cannot be performed in AHERA  
41 facilities.

42 "Renovator" means a person who is certified according to  
43 R307-801-6 and is responsible for ensuring work that is conducted  
44 on a renovation project is performed in accordance with the  
45 regulatory requirements and best work practices for a greater than

1 the SSSD amount of RACM, but less than the NESHAP amount of RACM,  
2 where the intent of the project is to perform a renovation project  
3 and not to perform an asbestos abatement or demolition project.  
4 Renovation projects can be performed in NESHAP or residential  
5 facilities but cannot be performed in AHERA facilities.

6 "Residential Facility" means a building used primarily for  
7 residential purposes, has four or fewer units,~~and~~ is otherwise  
8 not subject to the Asbestos NESHAP, and is not a residential  
9 outbuilding structure of less than 100 square feet.

10 "Small-Scale, Short-Duration (SSSD)" means a project that  
11 removes or disturbs less than three square feet or three linear  
12 feet of RACM in a regulated facility.

13 "Sprayed-on or Painted-on Ceiling Treatment" means a  
14 surfacing material or treatment that has been applied to the  
15 ceiling regardless of application method. The application of paint  
16 that has no added materials is not considered a ceiling treatment.

17 "Strip" means to take off ACM from any part of a regulated  
18 facility or a regulated facility component.

19 "Structural Member" means any load-supporting member of a  
20 regulated facility, such as beams and load-supporting walls or any  
21 non-load supporting member, such as ceilings and non-load  
22 supporting walls.

23 "Suspect or Suspected Asbestos-Containing Material" means all  
24 building materials that have the potential to contain asbestos,  
25 except building materials made entirely of glass, fiberglass,  
26 wood, metal, or rubber.

27 "Training Hour" means at least 50 minutes of actual learning,  
28 including, but not limited to, time devoted to lecture, learning  
29 activities, small group activities, demonstrations, evaluations,  
30 and hands-on experience.

31 "TSCA" means the Toxic Substances Control Act.

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

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

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

40 "Waste Generator" means any owner or operator of an asbestos  
41 abatement or renovation project covered by R307-801 whose act or  
42 process produces ACWM.

43 "Working Day" means weekdays, Monday through Friday,  
44 including holidays.

45

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

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

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

10  
11 **R307-801-5. Company Certification.**

12 (1) All persons shall operate under:

13 (a) An asbestos company certification before contracting for  
14 hire, at a regulated facility, to conduct asbestos inspections,  
15 create management plans, create project designs, or conduct  
16 asbestos abatement projects, or

17 (b) Either an asbestos renovation company certification or  
18 asbestos company certification before contracting for hire to  
19 conduct asbestos abatement or renovation projects at a regulated  
20 facility.

21 (2) To obtain an asbestos company certification or an  
22 asbestos  
23 renovation company certification, all persons shall submit a  
24 properly completed application for certification on a form  
25 provided by the director and pay the appropriate fee[~~renovation~~  
26 ~~company certification fee shall be \$200.00 per year~~].

27 (3) Unless revoked or suspended, an asbestos company  
28 certification or an asbestos renovation company certification  
29 shall remain in effect until the expiration date provided by the  
30 director.

31  
32 **R307-801-6. Individual Certification.**

33 (1) All persons shall have an individual  
34 certification[~~before contracting for hire, at a regulated~~  
35 ~~facility,~~] to conduct asbestos inspections, create management  
36 plans, create project designs, conduct asbestos renovation  
37 projects, or conduct asbestos abatement projects at a regulated  
38 facility.

39 (2) To obtain certification as an asbestos abatement worker,  
40 asbestos abatement supervisor, inspector, project designer,  
41 renovator, or management planner, each person shall:

42 (a) Provide personal identifying information;

43 (b) Pay the appropriate fee[~~renovator certification fee~~  
44 ~~shall be \$100.00 per year~~];

45 (c) Complete the appropriate form or forms provided by the

1 director;

2 (d) Provide certificates of initial and current refresher  
3 training, if applicable, that demonstrates accreditation in the  
4 appropriate discipline. Certificates from courses approved by the  
5 director, courses approved in a state that has an accreditation  
6 program that meets the TSCA Title II Appendix C Model  
7 Accreditation Plan (MAP), or courses that are approved by EPA  
8 under TSCA Title II are acceptable unless the director has  
9 determined that the course does not meet the requirements of TSCA  
10 accreditation training required by R307-801; and

11 (e) Complete a new initial training course as required by  
12 the AHERA MAP, or for the renovator certification, R307-801, if  
13 there is a period of more than one year from the previous initial  
14 or refresher training certificate expiration date.

15 (3) Duration and Renewal of Certification.

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

19 (b) To renew certification, the individual shall:

20 (i) Submit a properly completed application for renewal on a  
21 form provided by the director;

22 (ii) Submit a current certificate of TSCA accreditation, or  
23 for the renovator certification, a training certificate from a  
24 renovator course accredited by the director, for initial or  
25 refresher training in the appropriate discipline; and

26 (iii) Pay the appropriate fee[~~renovator recertification fee~~  
27 ~~shall be \$100.00 per year~~].

28  
29 **R307-801-7. Denial and Cause for Suspension and Revocation of**  
30 **Company and Individual Certifications.**

31 (1) An application for certification may be denied if the  
32 individual, applicant company, or any principal officer of the  
33 applicant company has a documented history of non-compliance with  
34 the requirements, procedures, or standards established by R307-  
35 801, R307-214-1, which incorporates the Asbestos NESHAP, AHERA, or  
36 with the requirements of any other entity regulating asbestos  
37 activities and training programs.

38 (2) The director may revoke or suspend any certification  
39 based upon documented violations of any requirement of R307-801,  
40 AHERA, or the Asbestos NESHAP, including but not limited to:

41 (a) Falsifying or knowingly omitting information in any  
42 written submittal required by those regulations;

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

1 (c) Repeated work practice violations.

2  
3 **R307-801-8. Approval of Training Courses.**

4 (1) To obtain approval of a training course, the course  
5 provider shall provide a written application to the director that  
6 includes:

7 (a) The name, address, telephone number, and institutional  
8 affiliation of the person sponsoring the course;

9 (b) The course curriculum;

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

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

17 (e) The names and qualifications of all course instructors,  
18 including all academic credentials and field experience in  
19 asbestos abatement projects, inspections, project designs,  
20 management planning, or renovation projects;

21 (f) An example of numbered certificates issued to students  
22 who attend the course and pass the examination. The certificate  
23 shall include a unique certificate number; the name of the  
24 student; the name of the course completed; the dates of the course  
25 and the examination; an expiration date one year from the date the  
26 student completed the course and examination, or for the purposes  
27 of the renovator course, a progressive lengthening of the  
28 refresher training schedule of one year after the initial  
29 training, three years after the first refresher training, and five  
30 years after the second refresher training and all subsequent  
31 refresher training courses; the name, address, and telephone  
32 number of the training provider that issued the certificate; and a  
33 statement that the person receiving the certificate has completed  
34 the requisite training for TSCA or director accreditation;

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

37 (h) Payment of the appropriate fee.

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

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

42 (b) Provide the director with the names, government-issued  
43 picture identification card number, and certificate numbers of all  
44 persons successfully completing the course within 30 working days  
45 of successful completion;

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

3 (d) Permit the director or authorized representative to  
4 attend, evaluate, and monitor any training course without  
5 receiving advance notice from the director and without charge to  
6 the director; and

7 (e) Notify the director of any new course instructor ten  
8 working days prior to the day the new instructor presents or  
9 teaches any course for Renovator or TSCA Accreditation purposes.  
10 The training notification form shall include:

11 (i) The name and qualifications of each course instructor,  
12 including appropriate academic credentials and field experience in  
13 asbestos abatement projects, inspections, management plans,  
14 project designs, or renovations; and

15 (ii) A list of the course(s) or specific topics that will be  
16 taught by the instructor.

17 (f) Submit the initial or refresher course materials  
18 required by R307-801-8(1) to the director for course re-  
19 accreditation in a time period not to exceed four years.

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

22 (a) Notify the director of the location, date, and time of  
23 the course at least ten working days before the first day of the  
24 course;

25 (b) Update the training notification form as soon as  
26 possible before, but no later than one day before the original  
27 course date if the course is rescheduled or canceled before the  
28 course is held; and

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

32 (4) Renovator Certification Course. The renovator  
33 certification course shall be a minimum of eight training hours,  
34 with a minimum of two hours devoted to hands-on training  
35 activities, and shall include an examination of at least 25  
36 questions that the student ~~must~~ shall pass with a 70% or greater  
37 proficiency rate. Instruction in the topics described in R307-801-  
38 8(4)(c), (d), and (e) shall be included in the hands-on portion of  
39 the course. The minimum curriculum requirements for the renovator  
40 certification course shall adequately address the following  
41 topics:

42 (a) The physical characteristics of asbestos and asbestos-  
43 containing materials, including identification of asbestos,  
44 aerodynamic characteristics, typical uses, physical appearance, a  
45 review of hazard assessment considerations, and a summary of

1 renovation project control options;

2 (b) Potential health effects related to asbestos exposure,  
3 including the nature of asbestos-related diseases, routes of  
4 exposure, dose-response relationships and the lack of a safe  
5 exposure level, synergism between cigarette smoking and asbestos  
6 exposure, and latency period for diseases;

7 (c) Personal protective equipment, including selection of  
8 respirator and personal protective clothing, and handling of non-  
9 disposable clothing;

10 (d) State-of-the-art work practices, including proper work  
11 practices for renovation projects, including descriptions of  
12 proper construction and maintenance of barriers and  
13 decontamination enclosure systems, positioning of warning signs,  
14 lock-out of electrical and ventilation systems, proper working  
15 techniques for minimizing fiber release, use of wet methods, use  
16 of negative pressure exhaust ventilation equipment, use of HEPA  
17 vacuums, and proper clean-up and disposal procedures and state-of-  
18 the-art work practices for removal, encapsulation, enclosure, and  
19 repair of ACM, emergency procedures for unplanned releases,  
20 potential exposure situations, transport and disposal procedures,  
21 and recommended and prohibited work practices. New renovation  
22 project techniques and methodologies may be discussed;

23 (e) Personal hygiene, including entry and exit procedures  
24 for the work area, methods of decontamination, avoidance of  
25 eating, drinking, smoking, and chewing (gum or tobacco) in the  
26 work area, and methods to limit exposures to family members;

27 (f) Medical monitoring, including OSHA requirements for  
28 physical examinations, including a pulmonary function test, chest  
29 x-rays, and a medical history for each employee;

30 (g) Relevant federal and state regulatory requirements,  
31 procedures, and standards, including:

32 (i) OSHA standards for permissible exposure to airborne  
33 concentrations of asbestos fibers and respiratory protection (29  
34 CFR 1910.134);

35 (ii) OSHA Asbestos Construction Standard (29 CFR 1926.1101);  
36 and

37 (iii) UAC R307-801 Utah Asbestos Rule.

38 (h) Recordkeeping and notification requirements for  
39 renovation projects including records and project notification[~~s~~]  
40 forms required by state regulations and records recommended for  
41 legal and insurance purposes;

42 (i) Supervisory techniques for renovation projects,  
43 including supervisory practices to enforce and reinforce the  
44 required work practices and discourage unsafe work practices; and

45 (j) Course review, including a review of key aspects of the

1 training course.

2 (5) Renovator Recertification Course. The renovator  
3 recertification course shall be a minimum of four hours, shall  
4 adequately address changes in the federal regulations, state  
5 administrative rules, state-of-the-art developments, appropriate  
6 work practices, employee personal protective equipment,  
7 recordkeeping, and notification requirements for renovation  
8 projects, and shall include a course review.

9

10 **R307-801-9. Asbestos Abatement, Renovation, and Demolition**  
11 **Projects: Requirement to Inspect.**

12 (1) Applicability. Contractors are required to have an  
13 asbestos inspection performed by a Utah certified asbestos  
14 inspector working for a Utah certified asbestos company. The  
15 asbestos inspection report shall be on-site and available when  
16 regulated work activities are being performed. Owners of  
17 residential structures including condominium owners of four units  
18 or less, not otherwise subject to the Asbestos NESHAP, are not  
19 required to perform asbestos inspections. Owners of a condominium  
20 complex of more than four units are subject to R307-801, may also  
21 be subject to the Asbestos NESHAP [~~and R307-801 and may be~~], but  
22 are required to perform asbestos inspections.

23 [~~Contractors for hire are subject to the inspection requirements~~  
24 ~~of R307-801-9.~~]

25 (2) Except as described in R307-801-9(1) and 9(3), the owner  
26 and operator shall ensure that the regulated facility to be  
27 demolished, abated, or renovated is thoroughly inspected for  
28 asbestos-containing material by an inspector certified under the  
29 provisions of R307-801-6. An asbestos inspection report shall be  
30 generated according to the provisions of R307-801-10 and completed  
31 prior to the start of the asbestos abatement, renovation, or  
32 demolition project if materials required to be identified in R307-  
33 801-10(3) will be disturbed during that project. The operator  
34 shall make the asbestos inspection report available on-site to all  
35 persons who have access to the site for the duration of the  
36 renovation, abatement, or demolition project, and to the director  
37 or authorized representative upon request.

38 (3) If the regulated facility has been ordered to be  
39 demolished because it is found by a government official to be  
40 structurally unsound and in danger of imminent collapse or a  
41 public health hazard, the operator may demolish the regulated  
42 facility without having the regulated facility inspected for  
43 asbestos. If no asbestos inspection is conducted, the operator  
44 shall:

45 (a) Ensure that all resulting demolition project debris is

1 disposed of as asbestos-containing waste material (ACWM)[7]  
2 according to R307-801-1[5. ~~If the asbestos contaminated~~  
3 ~~demolition project debris cannot be properly containerized, the~~  
4 ~~operator shall:~~

5 ~~(i) Obtain approval for an alternative work practice from~~  
6 ~~the director prior to disposing of the ACWM]4~~  
7 ; or

8 ([ii]b) reduce the amount of ACWM by [S]segregat[el]ing the  
9 ACWM from non-ACWM debris under the direction of an asbestos  
10 inspector certified according to R307-801-6 working for a company  
11 certified according to R307-801-5[-

12 ~~(b)]and [C]clean and encapsulate non-porous debris as non-~~  
13 ACWM by asbestos abatement supervisors or asbestos abatement  
14 workers who are certified according to R307-801-6 and working for  
15 a company certified according to R307-801-5.

16 (4) If an [A]asbestos inspection[s] report older than three  
17 years will be used for a regulated asbestos renovation, abatement,  
18 or demolition activity, the asbestos inspection report shall be  
19 reviewed and updated, as necessary, by an inspector who is  
20 certified according to R307-801-6 and working for a company  
21 certified according to R307-801-5. The report does not need to be  
22 reviewed until a time that it will be used for regulatory purposes  
23 such as an abatement, renovation, or demolition activity. If the  
24 inspection report is still accurate, then the inspector shall  
25 provide [a letter of review, or some other form of  
26 documentation,]written documentation stating that the inspection  
27 report is still accurate. If the inspection report is not  
28 accurate, then the inspector shall provide written documentation,  
29 including new sample results, if necessary, such that the  
30 inspection report meets all requirements of R307-801.

31  
32 **R307-801-10. Asbestos Abatement, Renovation, and Demolition**  
33 **Projects: Asbestos Inspection Procedures.**

34 Asbestos inspectors shall use the following procedures when  
35 conducting an asbestos inspection of facilities to be abated,  
36 demolished, or renovated:

37 (1) Determine the scope of the abatement, demolition, or  
38 renovation project by identifying which parts and how the facility  
39 will be abated, demolished, or renovated (e.g. conventional  
40 demolition methods, fire training, etc.).

41 (2) Inspect the affected facility or part of the facility  
42 where the abatement, demolition, or renovation project will occur.

43 (3) Identify all accessible suspect asbestos-containing  
44 material (ACM) in the affected facility or part of the facility  
45 where

1 the abatement, demolition, or renovation project will occur.  
2 Residential facilities built on or after January 1, 1981, are only  
3 required to identify all accessible sprayed-on [~~acoustical~~] or  
4 painted-on ceiling [material] treatment that contained or may  
5 contain asbestos fiber, asbestos cement siding or roofing  
6 materials, resilient flooring products including vinyl  
7 [~~floor~~] asbestos tile, sheet vinyl products, resilient flooring  
8 backing material, whether attached or unattached, and mastic,  
9 thermal-system insulation or tape on a duct or furnace, or  
10 vermiculite type insulation materials in the affected facility or  
11 part of the facility where the abatement, demolition, or  
12 renovation project will occur.

13 (4) Follow the sampling protocol in 40 CFR 763.86 (Asbestos-  
14 Containing Materials in Schools) or a sampling method approved by  
15 the director to demonstrate that suspect ACM required to be  
16 identified by R307-801-10(3) does not contain asbestos.

17 (5) Asbestos samples are not required to be collected and  
18 analyzed if the certified inspector assumes that all unsampled  
19 suspect ACM required to be identified by R307-801-10(3) contains  
20 asbestos and is ACM; and

21 (6) Complete an asbestos inspection report containing all of  
22 the following information in a format approved by the director:

23 (a) A description of the affected area and a description of  
24 the scope of activities as described in R307-801-10(1);

25 (b) A list of all suspect ACM required to be identified by  
26 R307-801-10(3) in the affected area. Include a description of the  
27 suspect ACM sufficient to be able to identify the material. For  
28 each suspect material required to be identified by R307-801-10(3),  
29 provide the following information:

30 (i) The amount of suspect ACM required to be identified by  
31 R307-801-10(3) in linear feet, square feet, or cubic feet;

32 (ii) A clear description of the distribution of the suspect  
33 ACM required to be identified by R307-801-10(3) in the affected  
34 area;

35 (iii) A statement of whether the material was assumed to  
36 contain asbestos, sampled and demonstrated to contain asbestos, or  
37 sampled and demonstrated to not contain asbestos; and

38 (iv) A written determination or table of whether the  
39 material is regulated asbestos-containing material (RACM),  
40 Category I non-friable ACM, [~~or~~] Category II non-friable ACM that  
41 may or will become friable when subjected to the proposed  
42 abatement, renovation, or demolition project activities, or other  
43 suspect ACM that has either not been tested and assumed to contain  
44 asbestos, or has been tested by an accredited asbestos laboratory  
45 and found not to contain asbestos greater than 1%.

1 (c) A list of all asbestos bulk samples required to be  
2 identified from suspect ACM by R307-801-10(3) in the affected  
3 area, including the following information for each sample:

4 (i) Which suspect ACM required to be identified by R307-801-  
5 10(3) the sample represents;

6 (ii) A clear description of each sample location;

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

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

10 (d) A list of potential locations of suspect ACM required to  
11 be identified by R307-801-10(3) that were not accessible to  
12 inspect and that may be part of the affected area; and

13 (e) A list of all the asbestos inspector names, company  
14 names, and certification numbers.

15 (7) Floor plans or architectural drawings and similar  
16 representations may be used to identify the location of suspect  
17 ACM or samples required to be identified by R307-801-10(3).

18 (8) Analysis of samples shall be performed by:

19 (a) Persons or laboratories accredited by a nationally  
20 recognized testing program such as the National Voluntary  
21 Laboratory Accreditation Program (NVLAP), or

22 (b) Persons or laboratories that have been rated overall  
23 proficient by demonstrating passing scores for at least two of the  
24 last three consecutive rounds out of the four annual rounds of the  
25 Bulk Asbestos Proficiency Analytical Testing program administered  
26 by the American Industrial Hygiene Association (AIHA) or an  
27 equivalent nationally-recognized interlaboratory comparison  
28 program.

29 [~~(9) Inspection reports of residential facilities shall be~~  
30 ~~submitted to the director.~~]

31  
32 **R307-801-11. Asbestos Abatement, Renovation, and Demolition**  
33 **Projects: Notification and Asbestos Removal Requirements.**

34 (1) Demolition Projects.

35 (a) [~~If the amount of regulated asbestos-containing material~~  
36 ~~(RACM) in the regulated facility is the small scale short duration~~  
37 ~~(SSSD) amount, t]The operator shall submit a properly completed  
38 demolition[project] notification form at least ten working days  
39 before the start of a demolition project along with payment of the  
40 appropriate fee. The operator cannot start the demolition project  
41 until all regulated asbestos-containing material (RACM) has been  
42 properly removed.~~

43 [~~(b) If the amount of RACM in the regulated facility is~~  
44 ~~greater than the SSSD amount but less than the NESHAP amount, the~~  
45 ~~operator shall submit a demolition project notification form at~~

1 ~~least ten working days before the start of the demolition project~~  
2 ~~and a less than NESHAP asbestos notification form at least one~~  
3 ~~working day before commencing removal, and shall remove the RACM~~  
4 ~~according to the work practice provisions of R307-801-14 and~~  
5 ~~according to the certification requirements of R307-801-5 and 6~~  
6 ~~before the demolition project proceeds.~~

7 ~~— (c) If the amount of RACM in the regulated facility is~~  
8 ~~greater than or equal to the NESHAP amount, the operator shall~~  
9 ~~submit an asbestos abatement project notification form at least~~  
10 ~~ten working days before the asbestos removal begins, and the~~  
11 ~~demolition project shall not proceed until after all RACM has been~~  
12 ~~removed from the regulated facility.]~~

13 ([a]b) If any regulated facility is to be demolished by  
14 intentional burning, the operator, in addition to the demolition  
15 notification form specified in R307-801-11(1)(a)[, (b), or (c)],  
16 shall ensure that all ACM, including Category I non-friable  
17 asbestos-containing material (ACM), Category II non-friable ACM,  
18 and RACM is removed from the regulated facility before burning.

19 ([e]c) If the regulated facility has been ordered to be  
20 demolished by a government official because it is found to be  
21 structurally unsound and in danger of imminent collapse or a  
22 public health hazard, the operator shall submit a demolition  
23 project notification form, with a copy of the order signed by the  
24 appropriate government official, as soon as possible before, but  
25 no later than, the next working day after the demolition project  
26 begins. ~~[An extension of up to five working days may be requested~~  
27 ~~by the sender for the government ordered demolition documentation~~  
28 ~~upon written request.]~~

29 (2) Asbestos Abatement and Renovation Projects.

30 (a) If the amount of RACM that would be disturbed or  
31 rendered inaccessible by the asbestos abatement or renovation  
32 project is the SSSD amount, then no additional requirements are  
33 necessary prior to general building remodeling activities.

34 (b) If the amount of RACM that would be disturbed or  
35 rendered inaccessible by the asbestos abatement or renovation  
36 project is greater than the SSSD amount, but less than the NESHAP  
37 amount, then the operator shall:

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

43 (ii) Remove RACM according to asbestos work practices of  
44 R307-801-1[4]3, the certification requirements of R307-801-5 and  
45 6, and the disposal requirements of R307-801-1[5]4 before

1 performing general building remodeling activities.

2 (c) If the amount of RACM that would be disturbed or  
3 rendered inaccessible by the asbestos abatement project is greater  
4 than or equal to the NESHAP amount, then the operator shall:

5 (i) Submit an asbestos abatement project notification form  
6 along with payment of the appropriate fee at least ten working  
7 days before asbestos removal begins as described in R307-801-12;

8 (ii) Remove RACM according to the asbestos work practices of  
9 R307-801-1[4]3, the certification requirements of R307-801-5 and  
10 6, and the disposal requirements of R307-801-1[5]4 before  
11 performing general building remodeling activities.

12 (d) If the asbestos abatement or renovation project is an  
13 emergency asbestos abatement or renovation project, then the  
14 notification form shall be submitted as soon as possible before,  
15 but no later than, the next working day after the emergency  
16 asbestos abatement or renovation project begins.

17 (e) The operator shall submit an annual asbestos  
18 notification form along with payment of the appropriate fee  
19 according to the requirements of 40 CFR 61.145(a)(4)(iii) no later  
20 than ten working days before the first day of January of the year  
21 during which the work is to be performed in the following  
22 circumstances:

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

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

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

30 (3) Owners and operators of general building remodeling  
31 activities are not required to submit an asbestos abatement  
32 project or renovation notification form to the director that do  
33 not disturb suspect asbestos containing materials, do not disturb  
34 building materials found to contain RACM by an inspector who is  
35 certified according to R307-801-6, or do not disturb materials  
36 that will become RACM as part of the general building remodeling  
37 activities.

38 (4) For notification purposes, asbestos abatement,  
39 renovation, or demolition projects shall be no longer than one  
40 year in duration.

41 (5) Revise the notification form, as necessary, when any  
42 information on the original notification or any subsequent  
43 notification forms changes.

44  
45 **R307-801-12. Asbestos Abatement, Renovation, and Demolition**

1 **Projects: Notification Procedures and Contents.**

2 (1) All notification forms required by R307-801-11 shall be  
3 submitted in writing on the appropriate form provided by the  
4 director and shall be postmarked or received by the director in  
5 accordance with R307-801-11, or shall be submitted using the  
6 Division of Air Quality electronic notification system and  
7 received by the director in accordance with R307-801-11. The type  
8 of notification and whether the notification is original or  
9 revised shall be indicated.

10 (2) If the notification is an original demolition project  
11 notification form, an original asbestos abatement project  
12 notification form for a NESHAP-sized asbestos abatement project,  
13 or an original asbestos annual notification form, the written  
14 notice shall be sent with an original signature by U.S. Postal  
15 Service, commercial delivery service, or hand delivery, or with an  
16 electronic signature if submitted using the Division of Air  
17 Quality electronic notification system. If the U.S. Postal Service  
18 is used, the submission date is the postmark date. If other  
19 service or hand delivery is used, the submission date is the date  
20 that the document is received ~~at~~by the director. If the Division  
21 of Air Quality electronic notification system is used, the  
22 submission date is the date that the notification is received by  
23 the director.

24 (3) An original asbestos notification form for a less than  
25 NESHAP-sized asbestos abatement or renovation project or any  
26 revised notification may be submitted by any of the methods in  
27 R307-801-12(2), or by facsimile, by the date specified in R307-  
28 801-11. The sender shall ensure that the fax is legible.

29 (4) All original notification forms shall contain the  
30 following information:

31 (a) The name, address, and telephone number of the owner of  
32 the regulated facility ~~[and of any contractor working on the~~  
33 ~~project]~~, the general contractor, the demolition contractor, and  
34 the asbestos renovation or abatement contractor, if applicable;

35 (b) Whether the operation is an asbestos abatement,  
36 demolition, or a renovation project;

37 (c) A description of the regulated facility that includes  
38 the total size of the structure or structures in square feet, [the  
39 ~~number of]~~including the square footage of all floors in a  
40 multilevel or multi-floor structure, the age, [and] the future,  
41 present, and prior uses of the [regulated] facility, including any  
42 additional regulated structures affected by the project;

43 (d) The names and certification numbers of the inspectors  
44 and companies;

45 (e) The procedures, including analytical methods, used to

1 inspect for the presence of asbestos-containing material (ACM);

2 (f) The location and address, including building number or  
3 name and floor or room number, street address, city, county,  
4 state, and zip code of each regulated facility being demolished or  
5 renovated;

6 (g) A description of procedures for handling the discovery  
7 of unexpected ACM, Category I non-friable ACM, or Category II non-  
8 friable ACM that has or will become friable or regulated;

9 (h) A description of planned asbestos abatement, demolition,  
10 or renovation project work, including the asbestos abatement,  
11 demolition, and renovation project techniques to be used and a  
12 description of the affected regulated facility components or  
13 structural members; and

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

17 (5) In addition to the information in R307-801-12(4), an  
18 original demolition project notification form shall contain the  
19 following information:

20 (a) An estimate of the amount of Category I non-friable ACM  
21 and non-regulated ACM that will remain in the building during the  
22 demolition project;

23 [~~(b) Disposal of Category I ACM that is left in place during  
24 demolition must comply with the waste shipment record and other  
25 requirements found in R307-801-15(4) and 29 CFR 1926.1101;~~]

26 ([e]b) The start and stop dates of the demolition project;  
27 ~~and~~

28 (c) The days that the demolition project will be conducted;  
29 and

30 (d) If the regulated facility will be demolished under an  
31 order of a government official, the name, title, government  
32 agency, and authority of the government official ordering the  
33 demolition project, the date the order was issued, and the date  
34 the demolition project was ordered to commence. A copy of the  
35 order shall be attached to the demolition project notification  
36 form.

37 (6) In addition to the information required in R307-801-  
38 12(4) and (5), an original demolition project notification form  
39 for phased demolition projects shall include:

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

42 (b) The start and stop dates for each phase of the project[~~-~~  
43 ~~if applicable~~].

44 (7) In addition to the information required in R307-801-  
45 12(4), (5), and (6), an original asbestos abatement project

1 notification form shall include:

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

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

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

8 (d) A description of work practices and engineering controls  
9 to be used to prevent emissions of asbestos at the demolition or  
10 asbestos abatement project work site;

11 (e) The name and location of the waste disposal site where  
12 the ACWM will be disposed, including the name and telephone number  
13 of the waste disposal site contact;

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

16 (g) The name, contact person, and telephone number of the  
17 waste generator.

18 (8) If an emergency asbestos abatement or renovation project  
19 will be performed, then the notification form shall include the  
20 date and hour the emergency occurred, a description of the event  
21 and an explanation of how the event has caused unsafe conditions  
22 or would cause equipment damage or unreasonable financial burden.

23 (9) In addition to the information in R307-801-12(4) and  
24 (5), an original asbestos abatement project annual notification  
25 form shall contain the following information:

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

28 (b) The start and stop dates of asbestos abatement project  
29 work covered by the annual notification, if known;

30 (c) A description of work practices and engineering controls  
31 to be used to prevent emissions of asbestos at the asbestos  
32 abatement project work site;

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

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

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

41 (10) A revised notification form shall contain the following  
42 information:

43 (a) The name, address, and telephone number of the owner of  
44 the regulated facility, and any demolition, renovation, or  
45 asbestos abatement project contractor or contractors working on

1 the project;

2 (b) Whether the operation is an asbestos abatement, a  
3 demolition, or a renovation project;

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

6 (d) The applicable original start and stop dates for the  
7 asbestos abatement, renovation, or demolition project;

8 (e) The revised start and stop dates and working hours, if  
9 applicable, for asbestos abatement, renovation, or demolition  
10 projects, for the entire project or for any phase of the project;

11 (f) The changes in the amount of asbestos to be removed  
12 during the project if the asbestos removal amount increases or  
13 decreases by more than 20%; ~~and~~

14 (g) If the previously reported area of the building or  
15 buildings to be demolished was inaccurate and needs to be changed,  
16 then the demolition notification form shall be revised to include  
17 the building area change and any additional fee shall be paid to  
18 the Utah Division of Air Quality; and

19 ([g]h) Any~~other~~ changes to the original or subsequently  
20 revised notification form or forms. Describe all changes made to  
21 the revised notification form in the comments section of that  
22 form.

23 (11) If the asbestos removal amount is increased in the  
24 revised notification form, then the appropriate fee shall be paid  
25 to the Utah Division of Air Quality.

26 (12) If any project phase or an entire NESHAP-sized asbestos  
27 abatement, renovation, or demolition project that requires a  
28 notification form under R307-801-12(4) will commence on a date or  
29 work times other than the date and work times submitted in the  
30 original or the most recently revised~~written~~ notification form,  
31 the director shall be notified of the new start date and work  
32 times by the following deadlines:

33 (a) If the new start date and work times are later than the  
34 original start date and work times, then notice by telephone, fax,  
35 or electronic means shall be given as soon as possible before the  
36 start date and a revised ~~notice~~notification form shall be  
37 submitted in accordance with R307-801-12(~~9~~10) as soon as  
38 possible before, but no later than, the original start date. If  
39 the written notification form is received by the director no later  
40 than the day before the original start date and work times, no  
41 notice by telephone is required.

42 (b) If the new start date is earlier than the original start  
43 date, submit a written notice in accordance with R307-801-  
44 12(~~9~~10) at least ten working days before beginning the project.

45 (c) In no event shall an asbestos abatement, renovation, or

1 demolition project covered by R307-801-12 begin on a date other  
2 than the new start date submitted in the revised written notice.

3  
4 ~~[R307-801-13. Asbestos Abatement Project: Requirements for  
5 Certified Asbestos Abatement Supervisors and Abatement Workers.~~

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

11 ~~—— (2) All persons handling greater than the small scale short  
12 duration amount of uncontainerized RACM shall be asbestos  
13 abatement workers or asbestos abatement supervisors certified  
14 under R307-801-6.]~~

15  
16 **R307-801-1[4]3. Asbestos Abatement and Renovation Project: Work  
17 Practices.**

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

23 (2) All persons handling any amount of uncontainerized RACM  
24 during a regulated project shall be certified as an asbestos  
25 abatement worker or an asbestos abatement supervisor certified  
26 under R307-801-6.

27 ([1]3) Persons performing an asbestos abatement or  
28 renovation project at a regulated facility shall follow the work  
29 practices in R307-801-1[4]3. Where the work practices in R307-801-  
30 1[4]3([1]3) and ([2]4) are required, wrap and cut, open top catch  
31 bags, glove bags, and mini-enclosures may be used in combination  
32 with those work practices.

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

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

40 (c) Keep RACM adequately wet until it is containerized and  
41 disposed of in accordance with R307-801-1[5]4.

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

44 (e) Prevent visible particulate matter and uncontainerized  
45 asbestos-containing debris and waste originating in the work area

1 from being released outside of the negative pressure enclosure or  
2 designated work area.

3 (f) Filter all waste water to five microns before  
4 discharging it to a sanitary sewer.

5 (g) Decontaminate the outside of all persons, equipment, and  
6 waste bags so that no visible residue is observed before leaving  
7 the work area.

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

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

14 (j) After cleaning and before dismantling enclosure  
15 barriers, mist all surfaces inside of the enclosure with a  
16 penetrating encapsulant designed for that purpose.

17 (k) Handle and dispose of friable asbestos-containing  
18 material (ACM) and RACM according to the disposal provisions of  
19 R307-801-1[5]4.

20 ([2]4) All operators of NESHAP-sized asbestos abatement  
21 projects shall install a negative pressure enclosure using the  
22 following work practices.

23 (a) All openings to the work area shall be covered with at  
24 least one layer of six mil or thicker polyethylene sheeting sealed  
25 with duct tape or an equivalent barrier to air flow.

26 (b) If RACM debris is present in the proposed work area  
27 prior to the start of a NESHAP-sized asbestos abatement project,  
28 the site shall be prepared by removing the debris using the work  
29 practice requirements of R307-801-1[4]3 and disposal requirements  
30 of R307-801-1[5]4. If the total amount of loose visible RACM  
31 debris throughout the entire work area is the SSSD amount, then  
32 site preparation may begin after the notification form has been  
33 submitted and before the end of the ten working day waiting  
34 period.

35 (c) A decontamination unit constructed to the specifications  
36 of R307-801-1[4]3([2]4)(h) shall be attached to the containment  
37 prior to disturbing RACM or commencing a NESHAP-sized asbestos  
38 abatement project, and all persons shall enter and leave the  
39 negative pressure enclosure or work area only through the  
40 decontamination unit except in a life threatening emergency  
41 situation.

42 (d) All persons subject to R307-801 shall shower before  
43 entering the clean-room of the decontamination unit when exiting  
44 the enclosure and shall follow all procedures required by 29 CFR  
45 1926.1101(j)(1)(ii).

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

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

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

10 (ii) Apply at least two layers of four mil or thicker  
11 polyethylene sheeting or its equivalent to the walls without  
12 locating seams in wall or floor corners;

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

14 (iv) Maintain the integrity of all enclosure barriers; and

15 (v) Where a wall or floor will be removed as part of the  
16 NESHAP-sized asbestos abatement project, polyethylene sheeting  
17 need not be applied to that regulated facility component or  
18 structural member.

19 (g) View ports shall be installed in the enclosure or  
20 barriers where feasible, and view ports shall be:

21 (i) At least one foot square;

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

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

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

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

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

31 (ii) The decontamination unit shall consist of at least  
32 three chambers and meet all regulatory requirements of 29 CFR  
33 1926.1101(j)(1)(i);

34 (iii) The clean room, which is the chamber that opens to the  
35 outside, shall be no less than three feet wide by three feet long  
36 by six feet high, when feasible;

37 (iv) The shower room, which is the chamber between the clean  
38 and dirty rooms, shall have hot and cold or warm running water and  
39 be no less than three feet wide by three feet long by six feet  
40 high, when feasible;

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

45 (vi) The dirty room shall be provided with an accessible

1 waste bag at any time that asbestos abatement project is being  
2 performed.

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

7 (i) The waste load-out shall consist of at least one chamber  
8 constructed of six mil or thicker polyethylene walls and six mil  
9 or thicker polyethylene flaps or the equivalent on the outside and  
10 inside entrances;

11 (ii) The waste load-out chamber shall be at least three feet  
12 long, three feet high, and three feet wide; and

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

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

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

21 (ii) Routing the exhaust from HEPA filtered ventilation  
22 units to the outside of the regulated facility whenever possible;

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

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

27 ([3]5) In lieu of two layers of polyethylene on the walls  
28 and the floors as required by R307-801-1[4]3([2]4)(f)(i) and (ii),  
29 the following work practices and controls may be used only under  
30 the circumstances described below:

31 (a) When a pipe insulation removal asbestos abatement  
32 project is conducted the following may be used:

33 (i) Drop cloths extending a distance at least equivalent to  
34 the height of the RACM around all RACM to be removed, or extended  
35 to a wall and attached with duct tape or equivalent;

36 (ii) Either the glove bag or wrap and cut methods may be  
37 used; and

38 (iii) RACM shall be adequately wet before wrapping.

39 (b) When the RACM is scattered ACM and is found in small  
40 patches, such as isolated pipe fittings, the following procedures  
41 may be used:

42 (i) Glove bags, mini-enclosures as described in R307-801-  
43 1[4]3([5]7)(c), or wrap and cut methods with drop cloths large  
44 enough to capture all RACM fragments that fall from the work area  
45 may be used.

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

7 (iii) A remote decontamination unit may be used as described  
8 in R307-801-1[4]3([5]7)(d) only if an attached decontamination  
9 unit is not feasible.

10 (c) When a preformed RACM pipe insulation asbestos abatement  
11 project in a crawl space or pipe chase less than six feet high or  
12 less than three feet wide is conducted, the following may be used:

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

16 (ii) The open top catch bag method.

17 ([4]6) During outdoor asbestos abatement projects, the work  
18 practices of R307-801-1[4]3 shall be followed with the following  
19 modifications:

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

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

25 (c) A remote decontamination unit as described in R307-801-  
26 1[4]3([5]7)(d) may be used.

27 ([5]7) Special work practices.

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

29 (i) The regulated facility component shall be cut at least  
30 six inches from any RACM on that component;

31 (ii) If asbestos will be removed from the regulated facility  
32 component to accommodate cutting, the asbestos removal shall be  
33 performed using a single glove bag for each cut, and no RACM shall  
34 be disturbed outside of a glove bag;

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

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

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

42 (i) The material to be removed can only be performed RACM  
43 pipe insulation, and it shall be located in a crawl space or a  
44 pipe chase less than six feet high or less than three feet wide;

45 (ii) Asbestos waste bags that are leak-tight and strong

1 enough to hold contents securely shall be used;

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

4 (iv) All material stripped from the regulated facility  
5 component shall be placed in the bag;

6 (v) One asbestos abatement worker shall hold the bag and  
7 another asbestos abatement worker shall strip the ACM into the  
8 bag; and

9 (vi) A drop cloth extending a distance at least six feet  
10 around all preformed RACM pipe insulation to be removed, or  
11 extended to a wall and attached with duct tape or equivalent shall  
12 be used.

13 (c) If glove bags are used, they shall be under negative  
14 pressure, and the procedures required by 29 CFR  
15 1926.1101(g)(5)(iii) shall be followed.

16 (d) A remote decontamination unit may be used under the  
17 conditions set forth in R307-801-1[4]3([3]5)(b), ~~[6]8~~ ([4]6), when  
18 there is an area insufficient to construct a connected  
19 decontamination unit, or when approved by the director. The remote  
20 decontamination unit shall meet all construction standards in  
21 R307-801-1[4]3([2]4)(h) and shall include:

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

24 (ii) Either polyethylene sheeting shall be placed on the  
25 path to the decontamination unit and the path shall be blocked or  
26 taped off to prevent public access, or asbestos abatement workers  
27 shall be conveyed to the remote decontamination unit in a vehicle  
28 that has been lined with two layers of six mil or thicker  
29 polyethylene sheeting or its equivalent; and

30 (iii) The polyethylene path or vehicle liner shall be  
31 removed at the end of the project, and disposed of as ACWM.

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

34 ([6]8) For asbestos-containing mastic removal projects using  
35 mechanical means, such as a power buffer, to loosen or remove  
36 mastic from the floor, in lieu of two layers of polyethylene  
37 sheeting on the walls, splash guards of six mil or thicker  
38 polyethylene sheeting shall be placed from the floor level a  
39 minimum of three feet up the walls.

40 ([7]9) Persons who improperly disturb more than the SSSD  
41 amount of asbestos-containing material and contaminate an area  
42 with friable asbestos shall:

43 (a) Have the emergency clean-up portion of the project,  
44 including any portions not contained within a regulated facility  
45 or in common use areas that cannot be isolated, performed as soon

1 as possible by a company or companies certified according to R307-  
2 801-5, and, asbestos abatement supervisor(s), and asbestos  
3 abatement worker(s) certified according to R307-801-6.

4 (b) Have an asbestos clean-up plan designed by a Utah  
5 certified asbestos project designer for the non-emergency portion  
6 of the project and have the asbestos clean-up plan submitted to  
7 the director for approval. An asbestos clean-up plan is not  
8 required when the disturbance results from a natural disaster,  
9 fire, or flooding.

10 (c) Submit the project notification form required by R307-  
11 801-11 and 12 to the director for acceptance no later than the  
12 next working day after the disturbance occurs or is discovered.  
13 For fee calculation purposes, the size of the emergency clean-up  
14 project is the area that has been contaminated or potentially  
15 contaminated by the disturbance and not the amount of asbestos-  
16 containing material disturbed.

17 (d) Notify the director of project completion by telephone,  
18 fax, or electronic means by the day of completion and before  
19 leaving the site.

20 (10) For asbestos abatement, renovation, or demolition  
21 projects that remove or otherwise disturb loose-fill vermiculite  
22 type insulation materials assumed to be regulated asbestos-  
23 containing material or found to contain greater than 1% regulated  
24 asbestiform fibers, then the material being removed is considered  
25 regulated asbestos-containing material and shall meet all the  
26 appropriate regulatory requirements of R307-801. Regulated  
27 vermiculite shall be removed to the maximum extent possible and  
28 the area where the regulated vermiculite was found shall be  
29 sprayed with a bridging or penetrating encapsulant to help  
30 minimize the amount of asbestiform fibers becoming airborne.

31  
32 **R307-801-1[5]4. Disposal and Handling of Asbestos Waste.**

33 (1) Owners and operators of regulated facilities shall  
34 containerize asbestos-containing waste material (ACWM) while  
35 adequately wet.

36 (2) ACWM containers shall be leak-tight and strong enough to  
37 hold contents securely and be labeled with an OSHA warning label  
38 found in 29 CFR 1926.1101(k)(8).

39 (3) Containers shall be labeled with the waste generator's  
40 and contractor's names, addresses, and telephone numbers~~[, and the~~  
41 ~~contractor's name and address,~~] before they are removed from the  
42 asbestos renovation or abatement work area.

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

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

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

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

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

16  
17 **R307-801-1[~~6~~]5. Records.**

18 (1) Certified asbestos abatement or renovation companies  
19 shall maintain records of all asbestos abatement or renovation  
20 projects that they perform at regulated facilities and shall make  
21 these records available to the director or authorized  
22 representative upon request. The records shall be retained for at  
23 least five years. Maintained records shall include the following:

24 (a) Names and certification numbers of the asbestos  
25 abatement workers, asbestos abatement supervisors, or renovators  
26 who performed the asbestos abatement or renovation project;

27 (b) Location and description of the asbestos abatement or  
28 renovation project and amount of friable asbestos-containing  
29 material (ACM) removed;

30 (c) Start and stop dates of the asbestos abatement or  
31 renovation project;

32 (d) Summary of the procedures used to comply with applicable  
33 requirements including copies of all notification forms;

34 (e) Waste shipment records maintained in accordance with 40  
35 CFR Part 61, Subpart M; and

36 (f) Asbestos inspection reports associated with the asbestos  
37 abatement or renovation project.

38 (2) All persons subject to the inspection requirements of  
39 R307-801-9 shall maintain copies of asbestos inspection reports  
40 for at least one year after asbestos abatement, renovation, or  
41 demolition projects have ceased, and shall make these reports  
42 available to the director or authorized representative upon  
43 request.

44  
45 **R307-801-1[~~7~~]6. Certified Renovator Work Practices.**

1 (1) Certified renovators are responsible for ensuring  
2 compliance with R307-801 at all renovation projects at regulated  
3 facilities to which they are assigned.

4 (2) Certified renovators working at regulated facilities  
5 shall:

6 (a) Perform all of the tasks described in R307-801-  
7 1[4]3([1]3) and shall either perform or direct workers who perform  
8 all tasks described in R307-801-1[4]3([1]3);

9 (b) Provide training to workers on the work practices  
10 required by R307-801-1[4]3([1]3) that will be used when performing  
11 renovation projects;

12 (c) Be physically present at the work site when all work  
13 activities required by R307-801-1[4]3([1]3)(b) are posted, while  
14 the work area containment required by R307-8[4]01-1[4]3([1]3)(b)  
15 is being established, and while the work area cleaning required by  
16 R307-801-1[4]3([1]3)(i) is performed;

17 (d) Be on-site and direct work being performed by other  
18 individuals to ensure that the work practices required by R307-  
19 801-1[4]3([1]3) are being followed, including maintaining the  
20 integrity of the containment barriers and ensuring that dust or  
21 debris does not spread beyond the work area;

22 (e) Have with them at the work site their current Utah  
23 Renovator certification card; and

24 (f) Prepare the records required by R307-801-1[6]5.

25  
26 **R307-801-1[8]7. Asbestos Information Distribution Requirements.**

27 (1) Utah Abatement/Renovation pamphlet. Utah asbestos  
28 abatement and renovation companies shall provide owners and  
29 occupants of [~~regulated facilities~~]single and multi-family  
30 residential structures with the Utah Abatement/Renovation Pamphlet  
31 "Asbestos Hazards During Abatement and Renovation Activities[-]"  
32 when those structures will be re-occupied after the regulated  
33 activities are completed.

34 (2) No more than 60 days before beginning an abatement or  
35 renovation project in a regulated facility, the company performing  
36 the abatement or renovation project shall:

37 (a) Provide the owner of the regulated facility with the  
38 pamphlet, and comply with one of the following:

39 (i) Obtain, from the owner, a written acknowledgment that  
40 the owner has received the pamphlet; or

41 (ii) Obtain a certificate of mailing at least seven working  
42 days prior to the abatement or renovation project; and

43 (b) If the owner does not occupy the regulated facility,  
44 provide an adult occupant of the regulated facility with the  
45 pamphlet, and comply with one of the following:

1 (i) Obtain, from the adult occupant, a written  
2 acknowledgment that the occupant has received the pamphlet, or  
3 certify in writing that a pamphlet has been delivered to the  
4 regulated facility and that the company performing the abatement  
5 or renovation project has been unsuccessful in obtaining a written  
6 acknowledgment from an adult occupant. Such certification shall  
7 include the address of the unit undergoing abatement or renovation  
8 [~~project~~activities, the date and method of delivery of the  
9 pamphlet, names of the persons delivering the pamphlet, reason for  
10 lack of acknowledgment (e.g., occupant refuses to sign, no adult  
11 occupant available), the signature of a representative of the  
12 company performing the abatement or renovation project, and the  
13 date of signature; or

14 (ii) Obtain a certificate of mailing at least seven working  
15 days prior to the abatement or renovation project.

16 (3) Abatement or renovation projects in common areas. No  
17 more than 60 working days before beginning abatement or renovation  
18 projects in common areas of a regulated facility, the company  
19 performing the abatement or renovation project shall:

20 (a) Provide the owner with the pamphlet and comply with one  
21 of the following:

22 (i) Obtain, from the owner, a written acknowledgment that  
23 the owner has received the pamphlet; or

24 (ii) Obtain a certificate of mailing at least seven working  
25 days prior to the abatement or renovation project;

26 (b) Comply with one of the following:

27 (i) Notify in writing, or ensure written notification of,  
28 each regulated facility and make the pamphlet available upon  
29 request prior to the start of abatement or renovation project.  
30 Such notification shall be accomplished by distributing written  
31 notice to each affected unit in the regulated facility. The notice  
32 shall describe the general nature and locations of the planned  
33 abatement or renovation project, the expected starting and ending  
34 dates, how the occupant can obtain the pamphlet and a copy of the  
35 required records at no cost to the occupants; or

36 (ii) Post informational signs describing the general nature  
37 and locations of the abatement or renovation project and the  
38 anticipated completion date while the abatement or renovation  
39 project is ongoing. These signs shall be posted in areas where  
40 they are likely to be seen by the occupants of all of the affected  
41 units in the regulated facility. The signs shall be accompanied by  
42 a posted copy of the pamphlet or information about how interested  
43 occupants can review a copy of the pamphlet or obtain a copy from  
44 the abatement or renovation company at no cost to occupants. The  
45 signs shall also include information about how interested

1 occupants can review a copy of the required records from the  
2 abatement or renovation company at no cost to the occupants;

3 (c) Prepare, sign, and date a statement describing the steps  
4 performed to notify all occupants of the regulated facility of the  
5 intended abatement or renovation project and to provide the  
6 pamphlet; and

7 (d) If the scope, locations, or expected starting and ending  
8 dates of the planned abatement or renovation project change after  
9 the initial notification, and the company provided written initial  
10 notification to each affected unit, the company performing the  
11 abatement or renovation project shall provide further written  
12 notification to the owners and occupants of the regulated facility  
13 of the revised information for the ongoing or planned activities.  
14 This subsequent notification shall be provided before the company  
15 performing the abatement or renovation project initiates work  
16 beyond that which was described in the original notice.

17 (4) Written acknowledgment. The written acknowledgments  
18 required by paragraphs R307-801-1[§]7(2)(a)(i), (2)(b)(i), and  
19 (3)(a)(i) shall:

20 (a) Include a statement recording the owner or occupant's  
21 name and acknowledging receipt of the pamphlet prior to the start  
22 of abatement or renovation project, or no later than the day after  
23 the start of an emergency abatement or renovation project, the  
24 address of the regulated facility undergoing an abatement or  
25 renovation project, the signature of the owner or occupant as  
26 applicable, and the date of signature;

27 (b) Be either a separate sheet or part of any written  
28 contract or service agreement for the abatement or renovation  
29 project; and

30 (c) Be written in the same language as the text of the  
31 contract or agreement for the abatement or renovation project or,  
32 in the case of a non-owner occupied regulated facility, in the  
33 same language as the lease or rental agreement or the pamphlet.

34  
35 **KEY: air pollution, asbestos, asbestos hazard emergency response,**  
36 **schools**

37 **Date of Enactment or Last Substantive Amendment: [~~October 1,~~**  
38 **20122015**

39 **Notice of Continuation: February 6, 2013**

40 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(d);**  
41 **19-2-104(3)(r) through (t); 40 CFR Part 61, Subpart M; 40 CFR Part**  
42 **763, Subpart E**