

HB 1908 -- Asbestos Abatement

Sponsor: Ruzicka

This bill exempts certain businesses that regularly engage in asbestos abatement projects as part of normal operations at their places of business from specified asbestos-related state requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos. The exemption applies to state requirements for the certification of certain individuals for asbestos-related work, accreditation for asbestos-related training programs, registration as an asbestos abatement contractor, and notification to the Department of Natural Resources of certain-sized asbestos abatement projects.

To receive an exemption, a business must submit to the department director documentation of its asbestos-related employee training to meet the federal requirements and regulations and the type of asbestos abatement projects which constitute its normal operations. If the department determines that the entity does not meet the requirements and rules and regulations for the exemption, it must notify the entity of the exemption denial within 180 days. An entity may appeal the denial to the Air Conservation Commission within 30 days of the notice.

The exemption cannot apply to asbestos abatement contractors, to those persons who the commission by rule determines provide a service to the public in its place or places of business as the economic foundation of the facility, or to those persons subject to the requirements of the federal Asbestos Hazard Emergency Response Act of 1986.

A representative of the department must be permitted to attend, monitor, and evaluate any asbestos-related training program provided by an exempted person. The evaluation may be conducted without prior notice.

A one-time \$250 fee must be submitted with the application for exemption. An exempted person must submit to the department director changes in curricular or other significant revisions to its training program as they occur.

All applications for exemption that are received and approved by the department prior to August 28, 2012, must be considered valid, and the exempted person cannot be subject to the \$250 fee but must submit changes in curricula or other significant revisions to its training program to the department director as they occur.