

# Asbestos 2017 Rulemaking Advisory Committee

## Agenda, Revised

### Asbestos 2017 Rulemaking Meeting No. 1

Thursday, Sept. 28, 2017

Oregon OSHA Training Center, Durham Plaza  
16760 SW Upper Boones Ferry Rd., Suite 200  
Tigard, OR 97224

Call in: 888-278-0296, Participant code: 8040259

**Sept. 20, 2017 – Revision changes the order of the discussions 1, 2, and 3. The revised edition is below.**

Time	Topic
9:30	Welcome, logistics, agenda review
9:40	Introductions
10:00	Overview of rulemaking
10:10	Discussion <ol style="list-style-type: none"><li>1. Section 340-248-0270. Requirements for asbestos surveys and survey reports.</li><li>2. Section 340-248-0250. Survey requirements for residential renovations See information below titled: <b>Discussion primer</b></li></ol>
11:45	Break - lunch will not be provided*
12:45	Public comment opportunity
1:15	Discussion <ol style="list-style-type: none"><li>3. Sections 340-248-0280 and 340-248-0290. Nonfriable asbestos disposal requirements See information below titled: <b>Discussion primer</b></li></ol>
2:15	Advisory Committee input of asbestos rule changes - Opportunity for the advisory committee members to identify rule changes not addressed in this meeting.
3:00	Wrap up discussion, roundtable remarks - Two minutes each for summary comments
3:55	Next steps
4:00	Adjourn

\*Bridgeport Village is next to the Oregon OSHA Training Center and has a Whole Foods Market and other places to eat. It's about an eight (8) minute walk from the Oregon OSHA building.



State of Oregon  
Department of  
Environmental  
Quality

#### Air Quality

700 NE Multnomah St.,  
Suite 600  
Portland, OR 97232  
Phone: 503-229-5696  
800-452-4011  
Fax: 503-229-6762  
Contact: Michele  
Martin  
[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

*DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.*

# Discussion primer

## Asbestos 2017 rulemaking

Rulemaking Advisory Committee Meeting No. 1  
September 8, 2017

The Oregon Department of Environmental Quality reviewed asbestos rules in Oregon Administrative Rule 340 Division 248 under the authority of Oregon Revised Statute 468A.700-.760. This review provides stakeholders and DEQ with an opportunity to evaluate and clarify regulations and standards for asbestos-related activities, where a potential for exposure to asbestos fibers exists.

DEQ will discuss the following draft rule changes, among others, described below at the Advisory Committee meeting on Sept., 28, 2017. The information in this document correlates with the meeting agenda.

### Agenda item #1: Requirements for asbestos surveys and survey reports

- Relates to rule section 340-248-0270 Asbestos Abatement Work Practices and Procedures
- Rule change concept adds new rule language
- Review DEQ Informational Paper: Asbestos Surveys and Survey Report Requirements

In 2015, a rulemaking advisory committee for Senate Bill 705 brought up challenges that disposal facilities have in identifying asbestos contaminated construction and demolition debris. To address this issue, a concept was provided at the meeting for DEQ to establish requirements for asbestos surveys and asbestos survey reports. The requirements would align with the level of due diligence that is commonly implemented by accredited asbestos inspectors and has the potential to provide consistency in surveys and survey reports used to identify asbestos in project materials.

DEQ looked at other state rules and common survey practices to develop conceptual draft rule language. DEQ provided this draft language because the concept would add new rule language to the work practices and procedures. The draft language in the DEQ paper will be discussed at the Sept. 28, 2017 Asbestos Rulemaking Advisory Committee meeting.

For discussion:

- a. What are the impacts of this draft rule concept and language on the regulated community, small business ( $\leq 50$  employees) or large businesses, local governments, or the public?
- b. What other group(s) could be impacted by this draft rule concept?
- c. What are the fiscal impacts on the regulated community including homeowners, small or large businesses, local governments, the public, or other groups?
- d. What are the environmental risks or consequences of this draft rule concept?
- e. What changes would you make to the draft rule language?

### Agenda item #2: Survey requirements for residential renovations

- Relates to rule section 340-248-0250(2)(c) Asbestos Abatement Project Exemptions
- Review DEQ Informational Paper: Survey Exemption for Residential Renovations

Current Oregon rules require an asbestos survey prior to commercial demolitions and renovations, and for residential demolitions of buildings constructed prior to Jan. 1, 2004. Residential renovation construction projects are currently exempt from the asbestos survey requirement. A draft rule change would be to remove the survey exemption for residential renovations to identify asbestos-containing material before a project starts. Identification of

suspect asbestos-containing material will reduce the impacts of asbestos fibers that may be released into the home from impacting, disturbing, or improperly removing potential asbestos-containing materials.

For discussion:

- a. What are the impacts of this draft rule change on the regulated community, small business ( $\leq 50$  employees) or large businesses, local governments, or the public?
- b. What other group(s) could be impacted by this draft rule change?
- c. What are the fiscal impacts on the regulated community including homeowners, small or large businesses, local governments, the public, or other groups?
- d. What are the environmental risks or consequences of this rule change?

### **Agenda item #3: Nonfriable asbestos disposal requirements**

- Relates to rule sections 340-248-0280 and 340-248-0290 Asbestos Disposal Requirements
- Review DEQ Informational Paper: Nonfriable Asbestos Disposal Requirements

The concept of this draft rule change is to reduce the potential for nonfriable asbestos-containing material and asbestos-containing waste material that can become friable when handled, transported, or disposed of at disposal transfer stations, material recovery facilities, and landfills permitted or not permitted to accept the asbestos material by adding nonfriable to friable asbestos disposal requirements, as appropriate. This draft concept also supports the integration of DEQ's air quality asbestos rules with DEQ's solid waste permitting rules and Disposal Site Operations Plans, which may include Special Waste Management Plans that are designed to protect worker health and the public from exposure airborne asbestos-containing materials.

For discussion:

- a. What are the impacts of this draft rule change on the regulated community, small business ( $\leq 50$  employees) or large businesses, local governments, or the public?
- b. What other group(s) could be impacted by this draft rule change?
- c. What are the fiscal impacts on the regulated community including homeowners, small or large businesses, local governments, the public, or other groups?
- d. What are the environmental risks or consequences of this rule change?

For questions about accessibility or to request an accommodation, please call 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696. Requests should be made at least 48 hours prior to the event. Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).