

Working Group Meeting #2
Proposed Amended Rule 1403 -
Asbestos Emissions from Demolition/Renovation Activities



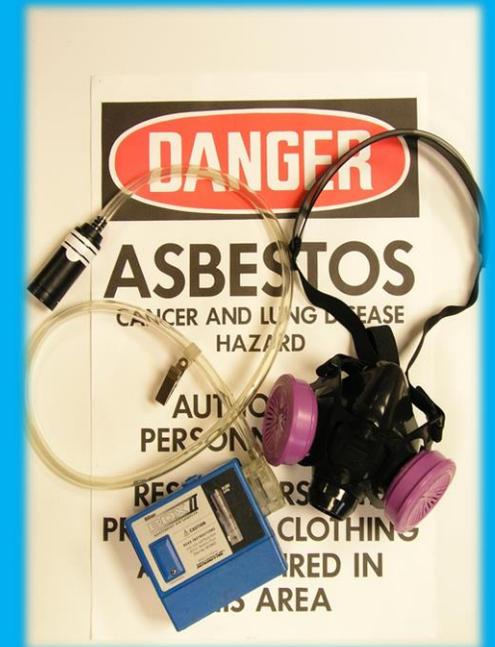
June 26, 2018
SCAQMD Headquarters

Diamond Bar, CA

SUMMARY/ACTIVITIES FOLLOWING WGM #1

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- Staff presented rule development goals and potential revisions on May 25, 2018
- Staff received and reviewed comments offered during meeting and subsequent e-mails
- Staff met with individual stakeholders and performed additional site visits
- **Staff will continue to field comments, meet with stakeholders, and perform site visits**



AGENDA

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- Discuss the central ideas from comments received during WGM #1 and on-going discussions with stakeholders
- Address other items SCAQMD raised during WGM #1
- Our schedule going forward
- Questions and answers



CENTRAL IDEAS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- **PLM**
- **Sampling requirements**
- **Composite Sampling**
- **Procedure 5 for underground transite pipe**
- **Surveys and asbestos consultants**
- **Emergency Notifications**
- **Notification Revision Fees**

PLM, <1%, & FURTHER TESTING

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- ***“PLM is the acceptable method to determine asbestos content per EPA.”***
“Why require point counting or other methods?”

- EPA control #C112 clarifies the NESHAP requirement to perform point counting to quantify asbestos below 10%

In summation:

...a sample in which no asbestos is detected by PLM does not have to be point counted, but a minimum of three slide mounts should be prepared

...if the analyst detects asbestos in the sample and estimates the amount by visual estimation to be less than 10%

- (1) elect to assume the amount to be greater than one percent and treat the material as ACM, or*
- (2) require verification of the amount by point counting.*

➤ **SCAQMD RESPONSE**

- EPA does not identify PLM as the standard for quantification of asbestos content- only detection
- Staff believes that a more stringent method must be used to quantify asbestos content
- Propose rule language similar to EPA’s clarification
- Require a minimum of 400-point count to quantify asbestos content

SAMPLING

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

➤ ***“One sample of a non-friable material, such as linoleum flooring, is sufficient to determine ACM.”***

“What grounds are we using to determine the number of samples that shall be obtained?”

“Can we consider a material based sampling protocol?”

➤ **SCAQMD RESPONSE**

- NESHAP does not outline how many samples shall be taken; just a building shall be ‘thoroughly inspected’ for the ‘presence of asbestos’
- Subpart E “AHERA” has the 3, 5, 7 minimum requirements for friable materials
- Rule 1403 applies to both friable and non-friable
- Staff does not believe that enough samples are obtained and may result in undetected ACM
- Staff does not believe a material-based sampling protocol is not logical for common materials (e.g. wallboard – 3 samples, flooring – 1, etc.)
- Propose rule language similar to AHERA that would apply to all ACM

COMPOSITE SAMPLING

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- “Composite sampling of wallboard, joint compound, and joint tape is allowable per EPA.”
- **SCAQMD RESPONSE**
 - Staff recognizes that composite sampling may produce an analysis of ACM <1%
 - SCAQMD believes this only applies to disposal and not to abatement
 - SCAQMD has the authority to be more stringent than the NESHAP to protect public health
 - Propose language that composite sampling will not be allowed

TRANSITE PIPE & P5's

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- “Why do we require Procedure 5 for underground pipes that are intact?”
“We need a specific procedure for transite pipe.”
- **SCAQMD RESPONSE**
 - Staff encounters a sizable portion of transite pipe that, when discovered accidentally and is disturbed, must be handled by a P5
 - Staff does not believe a specific procedure for transite pipe is reasonable
 - Propose rule language to address subterranean piping where the material is assumed to be ACM

SURVEYS & ASBESTOS CONSULTANTS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

➤ ***“Uploading surveys could be cumbersome – file sizes may be too large for system to handle.”***

“Why do you want the survey?”

“Why do you need the asbestos consultants information.”

➤ **SCAQMD RESPONSE**

- Staff will not propose the uploading of any surveys
- Staff believes that Rule 1403 applies asbestos consultants since they are referred to within the body of the rule (e.g. subdivision (a) and clause (d)(1)(A)(iv) and other references to surveying and surveys)
- Propose rule language to clarify applicability of the rule
- Propose rule language to specify the information required in the Notifications

EMERGENCY NOTIFICATIONS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- *“Emergency Notifications that are turned down, when accepted in the past.”*
- **SCAQMD RESPONSE**
 - Staff is not considering any changes with the handling of Emergency Notifications and refers you to the definitions for Emergency Demolition and Emergency Renovation as well as, clauses (d)(1)(B)(iii) & (iv)
 - Staff believes that there are many Emergency Notifications performed that do not fit the guidelines of our definitions
 - Propose rule language that requires disclaimer that the person signing the document is certifying under penalty of law

FEES FOR NOTIFICATION CHANGES

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- ***“Unreasonable to charge fees for Notification revisions (start date, end date, etc.)”***
- **SCAQMD RESPONSE**
 - Staff is currently not proposing any changes to fees
 - Propose rule language to define start and end dates

ADDRESSING OTHER CONCERNS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

➤ *Chain of Custody for samples in the Notifications*

- Staff gets incomplete COC's with lapses in custody and illegible identification

➤ **SCAQMD RESPONSE**

- Propose rule language specifying minimum requirements in a COC

➤ *Inadequate recordkeeping on-site*

- Staff encounters delays due to inadequate records during inspections

➤ **SCAQMD RESPONSE**

- Propose rule language clarifying what is required on-site

SCHEDULE

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- Working Group Meeting #1 May 25, 2018
- Working Group Meeting #2.....June 26, 2018
- Working Group Meeting #3 To be determined
- Public Workshop August 29, 2018
- SSC November 16, 2018
- Public Hearing December 7, 2018

COMMENTS & QUESTIONS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

**To submit questions or comments
Please contact:**

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