Proposed Amended Rule 1403 - Asbestos Emissions from Demolition/Renovation Activities

Working Group Meeting #7
July 25, 2019
PURPOSE OF TODAY’S MEETING

- **Review** PAR 1403 development and goals
  - Recap key issues addressed

- **Discuss** new language to address underground pipe issues

- **Next steps** - rule schedule
Purpose of rule amendment

- Clarify rule requirements
- Ensure NESHAP requirements are incorporated as appropriate

6 Working Group Meetings

- Conducted a comprehensive public process
- Provided 6 versions of rule language
- Developed extensive list of FAQs
PUBLIC HEARING SCHEDULED FOR FEBRUARY 2019 BOARD MEETING

- Received numerous letters from stakeholders regarding the treatment of underground pipe
  - Many of these issues involved confusion over existing rule requirements
- Delayed the rule to better understand and address the issue
RECAP OF KEY ISSUES ADDRESSED

- Applicability – coverage of CACs
- Notification – electronic notification issues
- Surveys – clarify need for on-site surveys
- Sampling protocols – clarify requirements friable/nonfriable
- Emergencies – notification letters & delays
- Underground pipe – requests for expedited procedures
APPLICABILITY AND NOTIFICATION

- **Applicability**
  - Clarified that CACs are subject to specific rule requirements within their purview

- **Notification**
  - Rule reflected outdated written notification requirements
  - Clarified that notification is now all electronic, with the ability to call in the event the Notification WebApp is unavailable
SURVEYS AND SAMPLING PROTOCOLS

- **Surveys**
  - Added language that a survey requires an on-site inspection

- **Sampling protocols and number of samples**
  - Current rule language points to an outdated CFR citation
    - Clarified that a minimum of 3 samples are required for nonfriable material
    - Provided specific guidelines for friable material
    - Allowed for a single sample for areas < 16 ft² of nonfriable material
EMERGENCY NOTIFICATIONS

- Initial issue – widespread fraud with emergency notification letters
  - Added provision requiring certification for emergency letters

- Heard concerns from stakeholders regarding **the time required for notification** during emergencies and the resulting risks
  - Current rule requires **notification & approval** from South Coast AQMD before proceeding
  - Draft rule includes **“notify and go” procedure** when there is an imminent threat to public health or safety
## EXAMPLES OF IMMINENT THREAT

<table>
<thead>
<tr>
<th>Likely imminent threat</th>
<th>Likely not imminent threat</th>
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<tbody>
<tr>
<td>- Disruption of utility services requiring asbestos work to restore</td>
<td>- Utility services disrupted but can be restored without asbestos work</td>
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<tr>
<td>- Large hole in street from burst water main</td>
<td>- Small hole in a remote or private area</td>
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<tr>
<td>- Imminent collapse of a structure</td>
<td>- Financial need</td>
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Stakeholders raised many concerns regarding routine and emergency work on underground asbestos containing pipe

- Clarified that existing rule language requires advanced notification and approval (P5) whenever there is damaged or disturbed ACM

- Allows owner/operator to begin notification period when presuming the presence of ACM instead of waiting for excavation of ACM

- Provided expedited 2-day notification period for addressing underground pipe in remote locations
ISSUE RAISED IN JANUARY

- Underground pipe stakeholders concerned that always needed to use P5 procedure in case the pipe turned out to be ACM or damaged ACM
  
  ✓ Revised definition for emergency renovation to include encountering “damaged, disturbed, or unknown ACM”
    • Allows utilities to use P3 procedure and in the event they discover damaged or unknown ACM can convert to P5 with expedited notification
  
  ✓ Provided exemption from additional notification requirements in the event of an imminent threat to public health or safety
    • If all ACM is removed as part of response, then no other notification required
Service disrupted requiring asbestos work

Can service be restored without asbestos work

Regular or “normal” emergency notification

Notify South Coast AQMD & wait for approval before proceeding

“Notify & go” applies – don’t need prior approval

Remaining asbestos cleanup required after emergency

Secure, stabilize, follow regular procedure

No additional notification required
Discovery of damaged, disturbed, or unknown ACM

- **Is it an imminent threat to public health or safety?**
  - **Yes**
    - “Notify & go” applies – don’t need prior approval
    - Remaining asbestos cleanup required after emergency
      - **Yes** Secure, stabilize, follow regular procedure
      - **No** No additional notification required
  - **No** Can be submitted as emergency notification
    - Damaged or Disturbed?
      - **Yes** Notify South Coast AQMD & wait for approval before proceeding
      - **No** Submit an emergency P1, P2, or P3
PUBLIC WORKSHOP

Stationary Source Committee

Set Hearing

Public Hearing

PUBLIC HEARING

DANGER

PELIGRO

ASBESTOS

ASBESTO

MAY CAUSE CANCER

CAUSA CANCER

CAUSES DAMAGE TO LUNGS

CAUSA DAÑO A LOS PULMONES

AUTHORIZED PERSONNEL ONLY

PERSONAL AUTORIZADO SOLAMENTE

WEAR RESPIRATORY PROTECTION

Y ROPA DE PROTECCIÓN

AND PROTECTIVE CLOTHING

EN ESTA ÁREA

IN THIS AREA
QUESTIONS?