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
PAR 1403 RULE DEVELOPMENT

- 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

Comments & questions
RULE DELAYED TO CONSIDER ADDITIONAL ISSUES

- 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  - Rule reflected outdated written notification requirements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  - Current rule language points to an outdated CFR citation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
**EXAMPLE – DISRUPTION OF UTILITIES**

- **Service disrupted requiring asbestos work**
  - Can service be restored without asbestos work
    - Yes
      - Regular or “normal” emergency notification
      - Notify South Coast AQMD & wait for approval before proceeding
    - No
      - “Notify & go” applies – don’t need prior approval
      - Secure, stabilize, follow regular procedure
      - Remaining asbestos cleanup required after emergency
      - No additional notification required
Discovery of damaged, disturbed, or unknown ACM

Is it an imminent threat to public health or safety?

Yes

Can be submitted as emergency notification

No

“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

Notify South Coast AQMD & wait for approval before proceeding

Damaged or Disturbed?

Yes

Submit an emergency P1, P2, or P3

No
RULE SCHEDULE – PLANNED NEXT STEPS

- Public Workshop ................................................................. September 5, 2019
- Stationary Source Committee ............................................. September 20, 2019
- Set Hearing ........................................................................ October 4, 2019
- Public Hearing ...................................................................... November 1, 2019
DISCUSSION OF LATEST PAR 1403 RULE LANGUAGE

QUESTIONS?