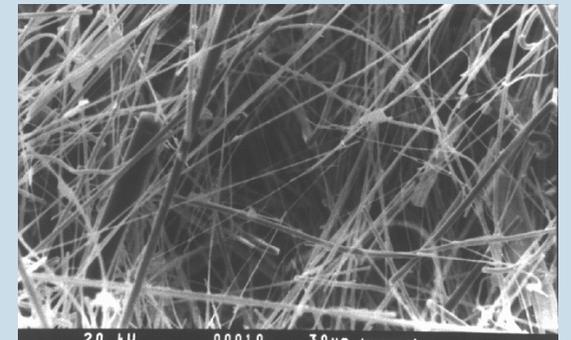


Proposed Amended Rule 1403 - Asbestos Emissions from Demolition/Renovation Activities



Public Workshop
September 4, 2019

South Coast AQMD Headquarters
Diamond Bar, CA



BACKGROUND

- EPA identified asbestos as a hazardous pollutant in 1971
 - ✓ Established regulations (NESHAP) to minimize asbestos exposure to the public and workers from demolition and renovation activities
- Rule 1403 originally adopted in 1989; last amended in 2007
 - ✓ More stringent than the Asbestos NESHAP



OBJECTIVE OF PAR 1403

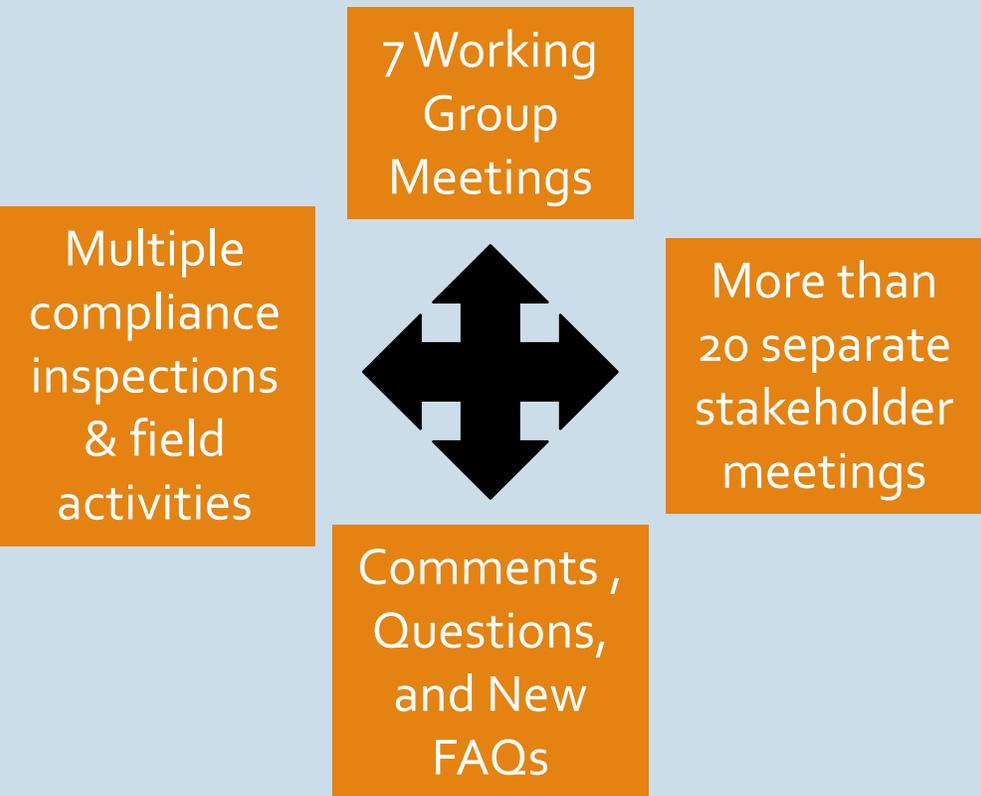
- Clarify existing rule requirements
- Align with Federal NESHAP requirements as necessary



PAR 1403 RULE DEVELOPMENT

➤ Summary

- ✓ Comprehensive public process
- ✓ 6 versions of proposed rule language



➤ Continued development beyond original Public Hearing date

- ✓ **Addressed** emergency situations involving threats to public health or safety
- ✓ **Revisions** to definitions that clarify what meets the requirement of an emergency
- ✓ **Incorporated** stakeholder input during rulemaking process

KEY ISSUES ADDRESSED

- Applicability – coverage of CACs
- Surveys – clarify requirement for on-site surveys
- Notification – electronic notification issues and solutions
- Sampling protocols – clarify requirements friable/nonfriable
- Analysis – clarify the method(s) for analyzing asbestos samples
- Emergencies – addressed delays & notification letters
- Imminent threat to public health or safety – call and go procedures

RULE LANGUAGE CLARIFICATIONS

Applicability

- CAC's are subject to rule requirements but only within the bounds of their responsibilities

Surveys

- Requires an on-site inspection of the project
- AHERA trained building inspectors may perform surveys for their employer

Notification – online WebApp

- Removed outdated written notification requirements
- Telephone provisions in the event system is down
- Two-day notification period for nonfriable ACM in remote locations

RULE LANGUAGE CLARIFICATIONS

Sampling

- Minimum sampling requirements for friable and nonfriable materials
- Separate provision for small areas when sampling nonfriable materials

Sample Analysis

- Minimum standard for the analysis of suspected ACM
- Address the analysis of composited samples

RULE LANGUAGE CLARIFICATIONS

Emergencies

- Emergency Renovation includes the discovery of unknown, damaged or disturbed ACM
- Certification of emergency declaration letter

Imminent threat to public health or safety

- Call and go procedures to provide an appropriate exemption when there is an emergency that results in an imminent threat to public health or safety

EXAMPLES OF IMMINENT THREAT

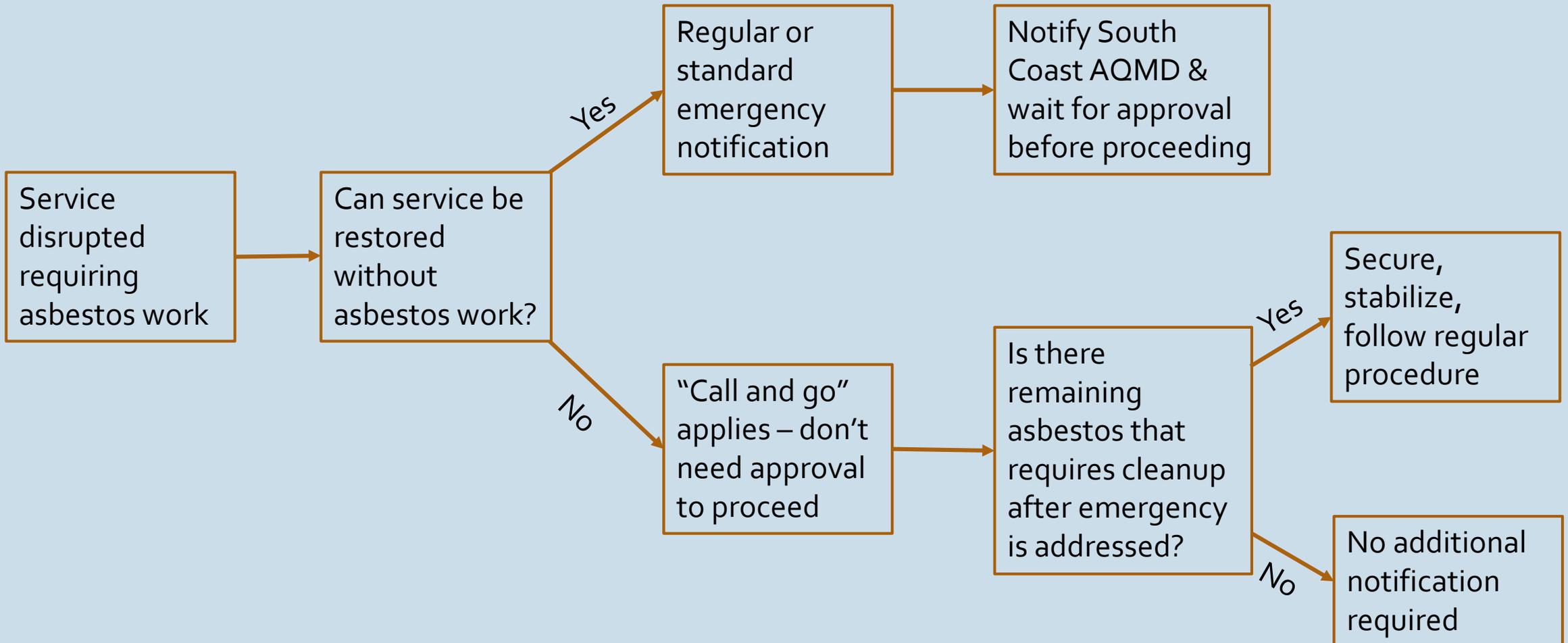
Likely imminent threat

- ❖ Disruption of utility services requiring asbestos work to restore
- ❖ Large hole in street from burst water main
- ❖ Imminent collapse of a structure

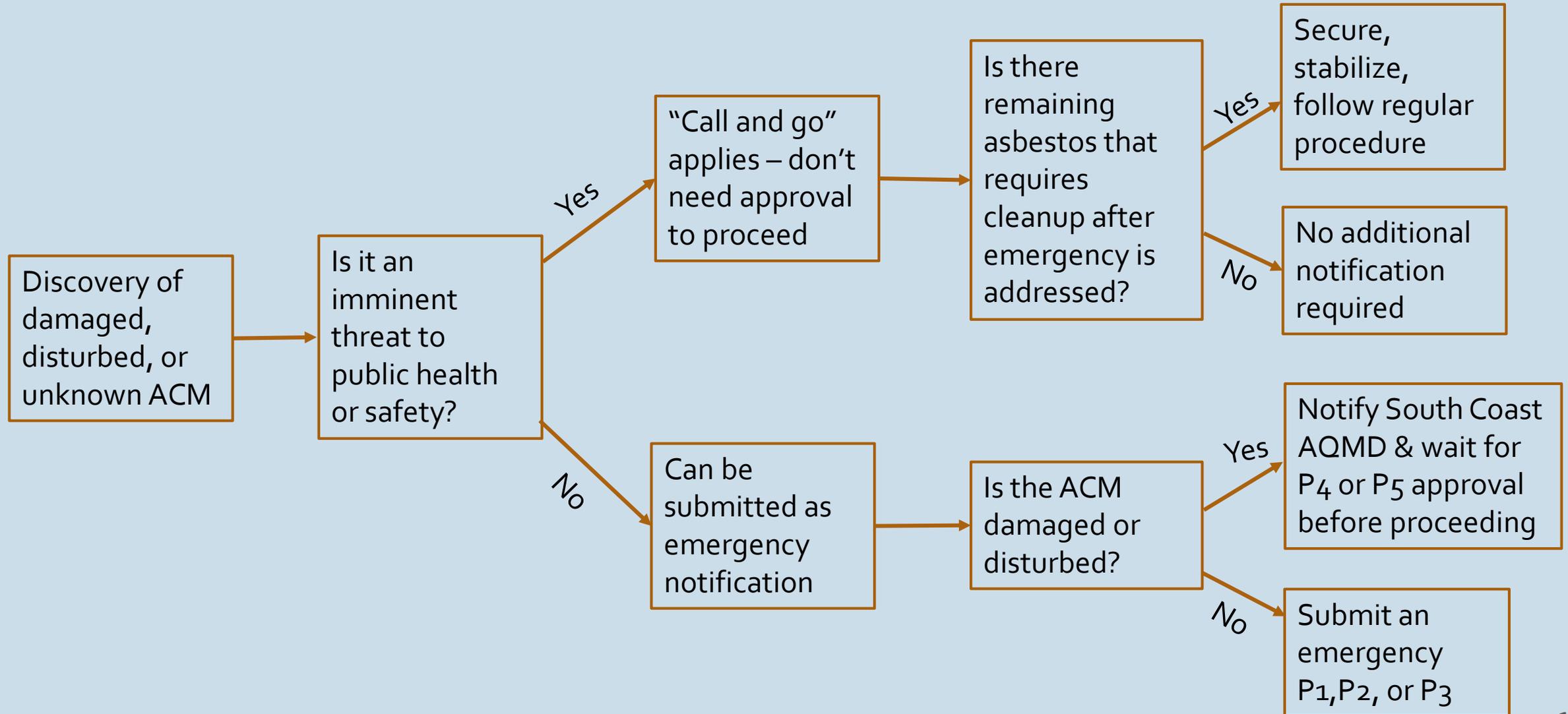
Likely not imminent threat

- ❖ Utility services disrupted but can be restored without asbestos work
- ❖ Small hole in a remote or private area
- ❖ Financial need

EXAMPLE – DISRUPTION OF UTILITIES



EXAMPLE – DAMAGED & DISTURBED ACM



UNDERGROUND PIPE

- Stakeholders raised many concerns regarding routine and emergency work on underground asbestos containing pipe
 - ✓ Existing rule language requires advanced notification and approval (P5) whenever there is damaged or disturbed ACM
 - ✓ Existing rule language does not allow the owner/operator to presume the presence & condition of ACM and begin the Notification period prior to excavation
 - ✓ Delays with review of P5's during non-South Coast AQMD staffing hours
 - ✓ Request for a P6 for underground AC pipe

UNDERGROUND PIPE

➤ Address stakeholder concerns

- ✓ Propose an expedited 2-day notification period for addressing underground pipe in remote locations
- ✓ Propose an amended definition for Emergency Renovation which includes the discovery of unknown, damaged or disturbed ACM
- ✓ Propose provision to allow for the presumption or assumption of ACM and begin the 14-day Notification prior to excavation
- ✓ Propose an exemption that provides for call and go procedures in the event there is an emergency that poses an imminent threat to public health or safety
- ✓ Work with South Coast AQMD staff to route all calls to the on-call Asbestos Supervisor 24/7 for expeditious review of P4's and P5's

RULE SCHEDULE

- LGSBA Committee.....September 13, 2019
- Stationary Source Committee.....September 20, 2019
- Set Hearing.....October 4, 2019
- **Public Hearing.....November 1, 2019**



COMMENTS

Please submit comments or questions within 14 days

Bradley McClung – Rule Development

Telephone: 909-396-2446

Email: bmcclung@aqmd.gov

Luke Eisenhardt – CEQA

Telephone: 909-396-2324

Email: leisenhardt@aqmd.gov