

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Division

Emission Standard for Asbestos (Demo/Reno)
(LAC 33:III.5151) (AQ330)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.5151 (AQ330).

LAC 33:III.Chapter 5151 regulates each owner or operator of a demolition or renovation activity, including the removal of regulated asbestos-containing material or the renovation or demolition of asbestos-containing materials. The regulation provides for notification and accreditation requirements. This action is required to delete unnecessary language, clarify some language in the regulations and make necessary changes in order to help implement the programs. The basis and rationale for this rule revision is to clarify language adopted from federal regulations to ensure that the regulated community understands the requirements to protect public health when disturbing asbestos-containing materials. This rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

This rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

This rule has no known impact on poverty as described in R.S. 49:973.

A public hearing will be held on May 29, 2013, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Deidra Johnson at the address given below or at (225) 219-3985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ330. Such comments must be received no later than June 5, 2013, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-4068 or by e-mail to deidra.johnson@la.gov. Copies of these proposed regulations can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ330. These proposed regulations are available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

These proposed regulations are available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823

Proposed: April 20, 2013

AQ 330

Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Herman Robinson, CPM
Executive Counsel

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program

Subchapter M. Asbestos

§5151. Emission Standard for Asbestos

A. Applicability. The provisions of this Subchapter are applicable to those sources specified in Subsections C-O of this Section.

B. Definitions. Terms used in this Section are defined in LAC 33:III.111 of these regulations with the exception of those terms specifically defined in LAC 33:III.5103 or below, as follows.

Accessible—asbestos-containing material that is subject to disturbance by facility occupants, custodial or maintenance personnel in the course of their normal activities. *Accessible* also refers to asbestos-containing material that is available for examination and sampling purposes prior to a demolition or renovation.

Adequately Wet—sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing materials, then that material has not been adequately wetted. However, the absence of visible emissions is not sufficient evidence of being *adequately wet*. Once contained, water droplets formed inside disposal containers will be sufficient evidence of being *adequately wet*. Lack of water droplets means it is not *adequately wet*.

Asbestos—the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite (amosite), anthophyllite, and actinolite-tremolite.

Asbestos-Containing Material (ACM)—any material or product that contains more than 1 percent asbestos.

Asbestos-Contaminated Debris (ACD)—demolition or renovation debris that contains regulated asbestos-containing material as defined in this Subsection, or asbestos containing transite.

Asbestos-Contaminated Debris Activity (ACDA)—the handling and/or disposal of asbestos-contaminated debris as RACM.

Asbestos-Containing Waste Material (ACWM)—mill tailings or any waste that contains commercial or previously commercial asbestos and is generated by a source subject to the provisions of this Subchapter. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing material waste and materials contaminated with asbestos, including ACD, and disposable equipment and clothing.

Category I Nonfriable ~~Asbestos-Containing Material~~ (ACM)—asbestos-containing packings, gaskets, resilient floor covering, mastic, and asphalt roofing products containing more than 1 percent asbestos as determined by using the method specified in Appendix A, Subpart F, 40 CFR, Part 763, Section 1, Polarized Light Microscopy that when dry cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Demolition—the permanent wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.

Enclosure—an airtight, impermeable, ~~permanent~~ barrier around ~~ACBM~~ ACM to prevent the release of asbestos fibers into the ambient air.

Facility—any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing

condominiums or individual dwelling units operated as a residential cooperative, ~~but excluding~~ and residential buildings having greater than four or fewer dwelling units); any ship; and any active or inactive waste disposal, or ACD site. Residential buildings that have four or fewer dwelling units are exempt from the provisions of this Subchapter, except those residential structures that are intentionally demolished or renovated as part of a commercial or public project, such as urban renewal or highway right-of-way projects and those that are intentionally burned. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this Subchapter is not excluded, regardless of its current use or function.

Facility Component—any part of a facility, including equipment, that is under the control of an owner or operator.

Fiber Release Episode—any uncontrolled or unintentional disturbance of ACM.

Friable Asbestos Material—any material containing more than 1 percent asbestos as determined by using the method specified in Appendix ~~A~~E, Subpart ~~F~~E, 40 CFR, Part 763, Section 1, Polarized Light Microscopy that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. If the asbestos content is less than 10 percent as determined by a method other than point counting by polarized light microscopy (PLM), ~~verify the asbestos content~~ can be verified by point counting using PLM, ~~or an equivalent EPA approved estimation technique,~~ or assume the amount to be greater than 1 percent and treat the material as ~~asbestos-containing material~~ ACM.

Glove Bag—a sealed compartment with attached inner gloves used for the handling of ~~ACM asbestos-containing materials~~. Properly installed and used, *glove bags* provide a small work area enclosure typically used for small-scale asbestos stripping operations.

a. – c. ...

d. Any deviation from single use of a *glove bag* requires prior written approval of the administrative authority. Additional information on *glove bag* installation,

equipment and supplies, and work practices can be obtained from the Occupational Safety and Health Administration's (OSHA's) final rule on occupational exposure to asbestos (29 CFR 1926.581101, Appendix G).

Inspection or Inspect—an examination of a facility or facility component to determine the presence or location, or to assess the condition of friable or nonfriable asbestos material, or suspected asbestos material, whether by visual or physical examination, or by collecting samples of such material. This term includes reinspections of assumed asbestos material and friable and nonfriable asbestos material which has been previously identified. The term does not include the following:

- a. periodic surveillance of the type described in LAC 33:III.2721.B solely for the purpose of recording or reporting a change in the condition of known or assumed asbestos material;
- b. inspections performed by employees or agents of federal, state, or local government solely for the purpose of determining compliance with applicable statutes or regulations; or
- c. visual inspections of the type described in LAC 33:III.2717.H solely for the purpose of determining completion of response actions.

Installation—any building or structure or any group of buildings or structures at a single demolition or renovation site that are part of planned projects that are under the control of the same owner or operator (or owner or operator under common control).

Negative Declaration—a notification of a demolition of a building stating that a facility contains no RACM.

~~*Nonscheduled Operation*—a renovation operation necessitated by the routine failure of equipment, which is expected to occur within a given period based on past operation experience, but for which an exact date cannot be predicted.any individual asbestos renovation and/or demolition operation necessitated solely by the need for the repair or maintenance of facility components, and involves a total of less than 1 cubic yard of RACM per operation. An operation cannot be artificially sub-divided into several smaller operations for the purpose of meeting the less than 1 cubic yard requirement to be considered a nonscheduled operation. Annual notification is required for such an operation as described in Clause F.1.d.i of this Section. Diaphragm cell renewal is considered a nonscheduled operation.~~

~~*Operations and Maintenance (O and M)*—a program of work practices to maintain friable asbestos material in good condition, ensure cleanup of asbestos fibers previously released, and prevent further release by minimizing and controlling the disturbance or damage of friable asbestos material.Repealed.~~

~~*Owner or Operator of a Demolition or Renovation or ACD Activity*—any person who owns, leases, operates, controls, or supervises the facility being demolished or renovated, or an ACDA or any person who owns, leases, operates, controls, or supervises the demolition or renovation operation, ~~or both,~~ or an ACDA.~~

~~*Recognized Disposal Site*—a waste disposal site which has been approved or permitted by the Department of Environmental Quality. Repealed.~~

~~*Recognized Asbestos Landfill (RAL)*—a waste disposal site authorized by DEQ to accept RACM, or an out-of-state waste disposal site authorized by that state's authority to accept RACM, and recognized by DEQ, Office of Environmental Services after receipt of an Asbestos Landfill Recognition Form (AAC-7).~~

~~*Regulated Asbestos-Containing Material (RACM)*—~~

- a. friable asbestos material;

b. Category I and II nonfriable ACM that has become friable;

~~e. Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading; or~~

~~d.~~ Category I and II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, grinded, sanded, cut, abraded, or reduced to powder by the forces that have acted or are expected to act on the material in the course of demolition or renovation operations ~~regulated by this Subchapter;~~ or

d. resilient floor covering or the mastic used to attach it to the floor surface that is scraped, sanded, abraded, bead blasted, cut, ground, crumbled, pulverized, or reduced to powder by any means, either hand or mechanical equipment. This definition does not include resilient floor covering removed by using dry ice, heat, wet methods, and chemicals where the tiles or sheeting are removed intact (minor tears or minor breakage is acceptable where, for all intents and purposes, the flooring is considered whole).

Remove—to take out RACM or facility components that contain or are covered with RACM ~~from any facility.~~

Renovation—altering a facility or one or more facility components in any way, including the washing, stripping, or removal of RACM from a facility component ~~that is to be returned or remain in place.~~ Operations in which load-supporting structural members are wrecked or taken out are demolitions.

Response Action—a method, including removal, encapsulation, enclosure, repair, and operations and maintenance activities, that protects human health and the environment from ~~friable asbestos material~~ RACM.

Small-Scale, Short-Duration (SSSD) Activities ~~tasks that involve less than or equal to 3 square feet or 3 linear feet of asbestos material.~~ Repealed

State Building—~~a building owned or leased by the state of Louisiana.~~ Repealed

Urban Renewal—demolitions or renovations of blighted or condemned properties authorized or conducted by government entities (city, parish, or state) as part of commercial or public projects.

Waste Shipment Record—the shipping document, ~~(Asbestos D~~disposal ~~V~~erification ~~F~~orm, (ADVF), required to be originated and signed by the waste generator or the owner or operator of a demolition or renovation activity, used to track and substantiate the disposition of asbestos-containing waste material to a RAL.

Wet Methods—for resilient floor coverings, wetting sufficiently to cause the coverings to break loose or lift from the substrate in whole pieces.

Work Area Controls—work practices and engineering procedures that shall be used when removing RACM, as outlined in OSHA 29 CFR 1926.1101.g.

C. – E.8. ...

F. Emission Standard for Demolition, ~~and~~ Renovation, Asbestos-Contaminated Debris Activities, Response Actions and Major Fiber Release Episodes

1. Applicability. To determine which requirements of Paragraphs F.1, 2 and 3 of this Section apply to the owner or operator of a response action, ACDA, demolition, or renovation activity and prior to the commencement of the ~~demolition or renovation activity~~, the owner/operator shall either assume that RACM, as defined in Subsection B of this Section, is present or an accredited inspector shall thoroughly inspect the affected facility or part of the facility where the ~~demolition or renovation operation~~ activity will occur for the presence of asbestos, including Category I and Category II nonfriable ACM. All homogeneous areas that potentially contain asbestos shall either be assumed to be RACM or samples shall be collected and submitted for analysis. The requirements of Paragraphs F.2 and 3 of this Section apply to

each owner or operator of a demolition or renovation activity, response actions, and ACDA as defined in Subsection B of this Section, including the removal of RACM as follows.

a. In a facility being demolished, all the requirements of ~~¶~~Subparagraphs F.2.a, b, d, and f, Clauses F.2.c.i and v, and Paragraph F.3 of this Section apply, except when the facility is being demolished under an order by a state or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse as provided in Subparagraph F.1.c of this Section, if ~~the combined the amount of RACM is: present.~~

i. at least 60 linear feet on pipes;

ii. at least 64 square feet on other facility components; or

iii. at least 27 cubic feet of facility components where the length of area could not be measured previously.

b. In a facility being demolished, only the notification requirements of Subparagraphs F.2.a and b and Clauses F.2.c.ii and iv, d.i-vii, ix, xiv and xvii of this Section apply, if ~~RACM is present as Category I in good condition, or if~~ the combined amount of RACM is not present:

i. less than 60 linear feet on pipes;

ii. less than 64 square feet on other facility components; or

iii. less than 27 cubic feet of facility components where the length of area could not be measured previously.

c. If the facility is being demolished under an order of a state or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse only the requirements of Subparagraphs F.2.a and b, Clause F.2.c.iii, Subparagraph F.2.d (except Clause F.2.d.viii), Subparagraphs F.2.f, and Paragraph F.3 (except Subparagraph F.3.a)-d-i of this Section apply.

d. If a facility is demolished prior to an inspection or notification, then all debris at the site is categorized as *asbestos-contaminated debris (ACD)*, as defined in

Subsection B of this Section unless the owner/operator affirmatively demonstrates there is no RACM in the debris. The owner/operator shall follow the procedures and requirements as provided in Subparagraphs F.2.a, b, d, and f and Clauses F.2.c.i and v of this Section, and shall handle and dispose of the debris in accordance with Paragraph F.3 and Subsection J of this Section.

~~de.~~ In a facility being renovated, including a response action and any individual nonscheduled renovation operation, all the requirements of Paragraphs F.2 and 3 of this Section apply if:

i. the combined amount of RACM is to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is, and:

(a). at least 60 linear feet on pipes;

(b). at least 64 square feet on other facility components;

or

(c). at least 27 cubic feet of facility components where the length of area could not be measured previously.

ii. To determine whether Subparagraph Subclause F.1.de.i.(a), (b), or (c) of this Section applies to planned renovation operations involving individual nonscheduled operations, ~~of less than one cubic yard~~ by predicting the combined additive amount of RACM to be removed, ~~or~~ stripped, dislodged, cut, drilled, or similarly disturbed during a calendar year of January 1 through December 31 based on past operating experience;

iii. To determine whether Subparagraph Subclause F.1.de.i.(a), (b), or (c) of this Section applies to emergency renovation operations, including those associated with major fiber release episodes and response actions, of an estimated the combined amount of RACM to be removed, ~~or~~ stripped, dislodged, cut, drilled, or similarly disturbed as a result of the sudden, unexpected event that necessitated the renovation.

ef. Owners or operators of demolition and renovation operations are exempt from the requirements of LAC 33:III.5105.A, 5109.E, 5111.A and 5113.A.

g. Residential structures including those with four and fewer dwelling units that are demolished or renovated as part of a commercial or public project, such as urban renewal or highway right-of-way projects, are considered installations and are subject to the provisions of this Subchapter.

fh. An individual or company person contracted to perform a demolition, ~~or renovation activity~~, or response action which disturbs RACM or conducts ACDA ~~must~~ shall be recognized by the Louisiana State Licensing Board for Contractors to perform asbestos abatement, and shall ~~meet~~ comply with the requirements of Paragraphs F.2 and 3 of this Section ~~for each demolition or renovation activity~~, and shall only use persons who are trained and accredited in accordance with Subsection P of this Section to conduct asbestos activities in facilities regulated by this Section. The supplying of regulated personnel on an hourly, monthly, or other time basis to another company is considered contracting (i.e., abatement workers, supervisors, air monitoring, or project monitoring personnel).

gi. If the activities are ~~an emergency demolition/renovation operations~~, all the requirements of Subparagraphs F.2.a, b, d, e, ~~and f and g~~, and Paragraph F.3 of this Section apply.

j. When *resilient floor covering*, as defined in Subsection B of this Section, is removed by using dry ice, heat, wet methods, and chemicals where the tiles or sheeting are removed intact (minor tears or minor breakage is acceptable where, for all intents and purposes, the flooring is considered whole), Subparagraphs F.2.a and b, and Clauses F.2.c.vi, d.i-vii, ix, and xvi of this Section apply;

k. Paragraphs F.2 and 3 (except Subparagraph F.3.a of this Section) apply to any ACDA.

l. An asbestos renovation or demolition project, or ACDA shall not begin until an ADVF is issued by the department, except in the case of an emergency.

2. Notification Requirements. Each owner or operator of a demolition, ~~or renovation~~, response action or ACD activity to which this Subsection applies shall:

a. provide the Office of Environmental Services with typed notice of intention to demolish, ~~or renovate~~, conduct a response action, or an ACDA using by completing

the latest version of ~~Form AAC-2, Notification of Demolition and Renovation and Asbestos-Contaminated Debris Activity Form, AAC-2, and fees, if applicable.~~ This form is available from the Office of Environmental Services or through the department's website. Delivery of the notice by U.S. Postal Service, commercial delivery service, ~~or hand delivery,~~ or email is acceptable. The use of a prior version of the AAC-2 Form is acceptable unless the department has previously provided the owner or operator with notice of or a copy of the current version, or the owner or operator is aware of the latest version;

i. After review of the notification, if the application is incomplete, inaccurate, or the fee is not submitted, a response shall be faxed or emailed to the company indicating the application is incomplete, and processing will be discontinued until all applicable information is completed and submitted to DEQ.

ii. Any unauthorized renovation, demolition, or ACDA project, including those not processed due to incompleteness or inaccurate information on Form AAC-2 is a violation of this Section.

b. ~~Update by highlighting or circling revisions on notice (AAC-2), a revised Form AAC-2, as necessary, including (i.e., when the amount of asbestos affected changes by at least plus or minus 20 percent) and indicate revised total amount of the entire project in cubic yards), or if there is a change in transporter, contractor, or designated landfill;~~

c. ~~Postmark or deliver the notice as follows:~~

i. ~~at least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge, or similarly disturb asbestos material), if the operation activity is a demolition or renovation of a facility where RACM is present as described in Subparagraphs F.1.a and d-e (except Clauses F.1.d.iii [nonscheduled operations] and ivi [emergency operations]) of this Section. If the operation is as described in Subparagraph F.1.b of this Section, notification is required 10 working days before demolition begins;~~

ii. ~~at least 10 working days before the end of the calendar year preceding the year for which notice is being given for renovations described in Clause F.1.d.i of this Section;~~

ii. at least five working days before demolition begins, if a facility is being demolished where no RACM is present or where Category I Nonfriable ACM in good condition is present as described in Subparagraph F.1.b of this Section;

iii. as early as possible before, but not later than the following working day, if the operation is a demolition ordered when the facility is being demolished under an order issued by a state or local government agency because the facility is structurally unsound and in danger of imminent collapse, according to Subparagraph F.1.c of this Section, or if the operation is an emergency renovation described in Clause F.1.d.iv of this Section;

iv. at least 10 working days before the end of the calendar year preceding the year for which notice is being given for renovations described in Clause F.1.e.iii of this Section;

iv. for activity covered by Subsection F asbestos stripping or removal work in a demolition or renovation operation, described in Subparagraphs F.1.a and d (except Clauses F.1.d.iii and iv) of this Section, and for a demolition described in Subparagraph F.1.b of this Section, that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the DEQ regional office responsible for inspecting the project site as follows:

(a). when activity covered by Subsection F the asbestos stripping or removal operation or demolition operation covered by this Subsection will begin after the date contained in the notice (AAC-2 Form):

(i). notify the DEQ regional office responsible for inspecting the project site of the new start date by fax or email ~~telephone~~ as soon as possible before the original start date; and

(ii). provide the Office of Environmental Services with a written notice of the new start date as soon as possible before, and no later than, the original start date. Delivery of the updated notice by U.S. Postal Service, commercial delivery service, fax, email, or hand delivery is acceptable;

(b). when the activity covered by asbestos stripping or removal operation or demolition operation covered by this Subsection F will begin on a date

earlier than the original start date, submit a revised notification with the new start date. The revised notice shall meet the requirements of Subparagraph F.2.c-;and

~~(i). provide the Office of Environmental Services with a written notice of the new start date at least 10 working days before asbestos stripping or removal work begins;~~

~~(ii). for demolitions covered by Subparagraph F.1.b of this Section, provide the Office of Environmental Services written notice of a new start date at least 10 working days before commencement of demolition. Delivery of the updated notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable;~~

(c). In no event shall an operation covered by this Subsection begin on a date other than the date contained in the written notice (AAC-2) of the new start date.

v. Notify the DEQ regional office by fax or email three days prior to the start of the removal of resilient floor covering, as defined in Subsection B of this Section, by using dry ice, heat, wet methods, and chemicals where the tiles or sheeting are removed intact as provided in Subparagraph F.1.j.

d. ~~include the following~~In the notice include:

i. an indication of whether the notice is the original ~~notification, additional, emergency, or a revised notification (including canceled), or nonscheduled maintenance operation (annual) notification, the number of ADVFs requested, and/or note if the structure is being demolished under an order of a state or local government agency;~~

ii. name, address, ~~and~~ telephone number, and email address of a contact person of both the facility owner and operator and the asbestos removal contractor owner or operator, ~~and~~ with the current DEQ identification number assigned by the administrative authority;

iii. type of operation: demolition, ~~or~~ renovation, response action, or ACDA;

iv. a description of the facility or affected part of the facility including the size (~~square meters,~~ square feet and number of floors), age, and present and prior use of the facility;

v. the procedure, including analytical methods, employed to detect the presence of RACM and Category I and Category II nonfriable ACM, or check the “Known or Assumed” box if assumed to be asbestos and no analytical data is provided;

vi. estimate of the approximate amount of RACM to be removed from the facility in terms of length of pipe in ~~linear meters~~ (linear feet), surface area in ~~square meters~~ (square feet) on other facility components, or volume in ~~cubic meters~~ (cubic feet) if off the facility components. Also, estimate the approximate amount of Category I and Category II nonfriable ACM in the affected part of the facility that will not be removed before the demolition. In the case of asbestos-contaminated debris pile(s), estimate the approximate total volume of the debris to be disposed. Total volume of all RACM and ACD shall be documented in cubic yards;

vii. location and street address (including building number or name and floor or room number, if appropriate), city, parish, and state, of the facility being demolished, ~~or renovated,~~ or for ACDA;

viii. scheduled starting and completion dates of asbestos removal work (or any other activity, such as site preparation that would break up, dislodge, or similarly disturb asbestos material) in a demolition, ~~or renovation,~~ or ACDA; planned renovation operations involving individual nonscheduled operations shall ~~only~~ include the beginning and ending dates of the annual report period as described in Clause F.1.~~e.iii~~ of this Section;

ix. scheduled starting and completion dates of demolition, ~~or renovation,~~ response action, or ACDA;

x. description of planned demolition, ~~or renovation work,~~ response action, or ACDA to be performed and method(s) to be employed, including demolition or renovation techniques to be used and description of affected facility components;

xi. description of work practices and engineering controls to be used to comply with the requirements of this Section, including asbestos removal and waste handling emission control procedures;

xii. name, telephone number, mailing address, and physical location of the ~~waste disposal site~~ RAL where the asbestos-containing waste material will be deposited;

xiii. a signed certification that personnel performing the demolition or renovation activity, response action, or ACDA are trained and accredited as required by Subparagraph F.3.h of this Section when RACM is present. ~~This requirement shall be effective upon promulgation of this regulation;~~

xiv. for demolitions where no RACM is present, a signed certification stating that no known RACM is present;

~~xiv~~xv. for facilities described in Subparagraph F.1.c of this Section demolished under an order of a state or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse, the name, title, and authority of the state or local government representative who has ordered the demolition, the date that the order was issued, and the date on which the demolition was ordered to begin. A copy of the order shall be attached to the notification;

xvi. ~~for emergency renovations described in Clause F.1.d.ii of this Section, including emergency renovation operations of an estimated amount of RACM to be removed or stripped as a result of a sudden, unexpected event that necessitated the renovation,~~ the date and hour that the emergency occurred, a description of the sudden, unexpected event, and an explanation of how the event caused an unsafe condition, or would cause equipment damage or an unreasonable financial burden;

xvii. description of procedures to be followed in the event that unexpected RACM is found or Category II nonfriable ACM becomes RACM~~crumbled, pulverized, or reduced to powder;~~

xviii. name, mailing address, and telephone number, and DEQ identification number of the solid waste transporter(s) carrying the waste to the RAL and offsite/temporary storage area; and

~~xviii~~xix. current ADVF (~~Asbestos Disposal Verification Form~~) numbers if they have been issued for the project;

e. ~~the AAC 2 Form must be used to report information required in Subparagraph F.2.d of this Section;~~

ef. for emergencies during normal working hours (8:00a.m. - 4:30p.m.), provide prompt fax or email notification of emergencies in the manner provided in LAC 33:1.3923 immediately, to the Office of Environmental Services and DEQ regional office

responsible for inspecting the project site. After normal working hours, provide notification by fax, email, or voice mail to the Office of Environmental Services and DEQ regional office responsible for inspecting the project site but in no case later than one within 24 hours after learning of the incident which will induce that required emergency demolition or renovation operations:

i. the emergency notification by phone shall include the following:

- (a). the reason for the emergency;
- (b). steps taken to minimize hazards to workers and the public; and
- (c). estimated quantities of friable and nonfriable ACM asbestos-containing materials to be handled;

ii. within five working days after the emergency notification is made ~~by phone~~, a ~~typed~~ written notification together with required fees as specified in Subparagraphs F.2.a and d ~~and e~~ of this Section shall be submitted to the Office of Environmental Services in order to obtain an ADVF;

~~fg.~~ use the following procedures in order that the department can trace disposal of ~~asbestos-containing waste material~~ ACWM:

i. each properly completed and submitted demolition, or renovation, or ACDA notification received by the department that is associated with a project that generates asbestos-containing waste material shall result in issuance of a confirmation letter ~~an ADVF~~ with a specific ADVF project number to the owner or operator ~~accompanied by an Asbestos Disposal Verification Form (ADVF) with a specific facility code;~~ The ADVF, or a copy, shall be kept at the facility, except as provided in Subparagraph F.1.1 of this Section, and available for inspection by the department during demolition, renovation, and ACDA. Alterations of the ADVF shall invalidate the ADVF.

ii. the owner or operator of a ~~demolition, or renovation,~~ activity or ACDA shall complete and sign their portion of the valid ADVF, including the quantity shipped in cubic yards, the date the project is scheduled to be completed (or has been completed as applicable), printed name, signed and dated certification, and relinquish the valid ADVF ~~to~~ the waste transporter prior to the off-site shipment;

iii. the waste transporter shall transport the asbestos-containing waste material with the ADVF to a RAL disposal site and complete name, dates received and delivered, sign the transporter portion, and then relinquish the ADVF to the RAL disposal site owner or operator at the time the asbestos waste is delivered for burial;

iv. upon receipt from the transporter, the RAL owner or operator shall verify the ADVF, enter the date received, indicate the quantity received in cubic yards, print and sign the disposal facility portion of the ADVF, the completed ADVF from the transporter shall be verified and signed by the disposal site owner or operator and mailed the original ADVF to the Office of Environmental Services within 30 working days. A copy of the valid ADVF is ~~to be~~ returned to the waste generator;

v. the ADVF shall expire 90 days from the date of issue. ADVFs for nonscheduled operations shall expire on December 31 of the year for which they are issued;

vi. the ADVF ~~must~~ shall be completed in its entirety by the applicable person as indicated in the particular section of the form. Information entered onto the form and must be legible;

vii. acceptance of an invalid ADVF by a contractor, waste transporter, or disposal site owner or operator is a violation of this Subchapter-; and

viii. all ADVFs that are not used shall be returned by the owner or operator to the Office of Environmental Services within 30 working days after expiration.

3. Procedures for Asbestos Emission Control. Each owner or operator of a demolition, ~~or renovation, response action, or ACDA activity~~ to whom this Section applies, according to Paragraph F.1 of this Section, shall maintain the ADVF on-site, except for the provisions in Subparagraph F.1.1 of this Section and comply with the following procedures.

a. ...

i. it is Category I nonfriable ACM that is not in poor condition and ~~is not friable~~ has a low probability that it will become RACM;

ii. ...

iii. it was not accessible for testing and was, therefore, not discovered until after demolition began and, as a result of the demolition, the material cannot be safely removed. If not removed for safety reasons, the exposed RACM and any ~~asbestos-~~

~~contaminated debris~~ ACD shall ~~must~~ be treated as ~~asbestos-containing waste material~~ ACWM and adequately wet at all times until disposed of; ~~or~~ and

(a). the RACM and any ACD shall be adequately wet, and contained in leak-tight, clear transparent wrapping; and

(b). the leak-tight, clear transparent wrapping shall be sealed and labeled according to Clause J.1.a.iv of this Section during all loading and unloading operations, transportation, and during storage.

iv. it is Category II nonfriable ACM and the probability is low that the materials will become RACM ~~rumbled, pulverized, or reduced to powder during demolition.~~

b. – b.ii. ...

c. When RACM is removed during a response action or stripped from a facility component while it remains in place in the facility, adequately wet the RACM prior to and during the response action or the stripping operation. The *work area controls* as defined in Subsection B of this Section shall be ~~controlled~~ employed to prevent the release of ~~asbestos-containing material~~ ACM to the outside air, and the controlled work area shall, when feasible, be visible to inspectors outside the work area (i.e., transparent window which is easily accessible).

i. In renovation operations, wetting is not required only if:

c.i.(a). – d.(ii). ...

e. For large facility components such as reactor vessels, large tanks, and steam generators, but not beams (which ~~must~~ shall be handled in accordance with Subparagraphs F.3.b, c, and d of this Section), the RACM is not required to be stripped if the following requirements are met:

i. the component is removed, transported, stored, disposed of, or reused without disturbing or damaging the RACM;

ii. the component is encased in a leak-tight, clear, transparent wrapping; and

iii. the leak-tight, clear, transparent wrapping is labeled according to Clause ~~I.4.a.iii~~ J.1.a.iv of this Section during all loading and unloading operations, transportation, and during storage.

f. - f.iii. ...

iv. RACM contained in leak-tight, clear, transparent wrapping that has been removed in accordance with Subclause F.3.c.i.(a) of this Section need not be wetted provided written authorization from the administrative authority is maintained on site during this exception to the wetting requirements.

g. ...

i. The owner or operator need not comply with Clause F.3.b.i of this Section and the wetting provisions of Subparagraph F.3.c of this Section, provided written authorization from the administrative authority is maintained on-site during this exception to the wetting requirements.

ii. – iii. ...

h. No response action shall be conducted at a facility regulated by this Section unless at least one asbestos abatement contractor/supervisor is physically present. All asbestos abatement workers who are performing response actions ~~other than SSSD activities,~~ shall be supervised by an asbestos contractor/supervisor. Evidence of the required training shall be made available for inspection by the administrative authority at the demolition or renovation site. Evidence of required training shall include, but not be limited to, the appropriate training certificates, DEQ issued identification card or accreditation certificates. For contracted abatement personnel, evidence of accreditation shall be made available for inspection by the administrative authority at the demolition, ~~or renovation,~~ response action, or ACDA site.

i. ...

j. If a facility or residential structure is demolished by intentional burning, including activities related to the training of fire personnel, testing firefighting materials, or equipment, all RACM including Category I and Category II nonfriable ACM ~~must~~shall be removed in accordance with this Section before burning.

k. There shall be no discharge of asbestos contaminated liquids from the demolition, ~~or renovation,~~ response action, or ACDA which are contaminated with asbestos material if it is reasonably anticipated that such asbestos may become airborne.

l. Prior to completion of a renovation, or demolition activity, ACDA, or response action involving RACM, the work area (described area where the renovation, ~~or demolition, response action, or ACDA activity~~ occurs) shall be cleaned by:

i. - ii. ...

m. Within 24 hours after the demolition, ~~or renovation,~~ response action, or ACDA activity has ended and the work area has been cleaned in accordance with Subparagraph F.3.1 of this Section, ~~verbally notify by fax or email~~ the ~~Department of Environmental Quality~~ (DEQ) regional office responsible for inspecting the project site of the conclusion of the cleanup. Only after the DEQ has been notified of project completion will the abatement activity be complete.

n. After completion of a demolition activity, where no load-supporting structural member of a facility is left, no asbestos-containing floor covering shall remain on surfaces where the material has the potential to become RACM.

G. – I.6. ...

J. Standard for Waste Disposal for Manufacturing, Fabricating, Demolition, Renovation, Major Fiber Release Episodes, ACDA, Response Actions, and Spraying Operations. Each owner or operator of any source covered under the provisions of Subsection E, F, or G of this Section shall comply with the following provisions.

1. Avoid crushing the ACWM and ~~D~~ discharge no visible emissions to the outside air during collection, processing (including incineration), packaging, or transporting or deposition of any asbestos-containing waste material generated by the source, and use one of the emission control and waste treatment methods specified in Subparagraphs J.1.a-d of this Section.

a. – a.ii. ...

iii. after wetting, seal all asbestos-containing waste material in leak-tight, clear, transparent containers (i.e., bags) while wet; or, for materials that will not fit into containers without additional breaking, put materials into leak-tight, clear, transparent wrapping, ensuring that the ACWM is securely wrapped and sealed. If utilizing plastic drums to contain ACM, the transparent wrapping requirement is not necessary. If drums are used to store bagged material, the bags must be transparent;

iv. label the containers or wrapped materials specified in this Subsection using warning labels specified by Occupational Safety and Health Standards of the Department of Labor, Occupational Safety and Health Administration (OSHA) under ~~29 CFR 1910.1001(j)(2) or 1926.58(k)(2)(iii)~~ the OSHA asbestos construction standard, 29 CFR 1926.1101. The labels shall be printed in letters of sufficient size and contrast so as to be readily visible and legible;

v. ...

vi. store all wrapped and contained asbestos-containing waste material in a labeled, secured area away from the public, where it will not be subject to disturbance or tampering until it can be transported to a waste disposal site recognized by the department. For the purposes of this Subchapter, ACWM shall be disposed of in appropriate solid waste facilities as follows.

(a). RACM shall be disposed of in an industrial or municipal solid waste landfill (Type I or Type II), or a hazardous waste landfill permitted by the department to accept RACM.

(b). Category II nonfriable ACM shall be disposed of in an industrial or municipal solid waste landfill (Type I or Type II) permitted by the department to accept Category II nonfriable ACM.

(c). Category I nonfriable ACM may be disposed of in a construction/debris landfill (Type III) permitted by the department to accept ACM.

[Note: Although landfills are permitted to accept asbestos wastes, a landfill should be contacted prior to transport to the solid waste facility to verify that the ACWM will be accepted and whether the facility has other requirements prior to disposal at that location.]

b. – b.ii. ...

c. For facilities demolished where the RACM is not removed prior to demolition according to Clauses F.3.a.i, ii, iii, and iv of this Section or for facilities demolished according to Subparagraph F.3+1.c or d of this Section, avoid crushing the ACM and adequately wet asbestos-containing waste material at all times prior to, during, and after demolition and keep wet during handling, storage, and loading for transport to a disposal site. Asbestos-containing waste materials covered by this Subparagraph do not have to shall be sealed in leak-tight containers or leak-tight, clear transparent wrapping but then may be transported and disposed of in bulk at a Type I or Type II landfill permitted by the department to accept RACM.

d. Use an alternative emission control and waste treatment method that has received prior written approval by the ~~EPA Administrator~~ administrative authority according to the procedure described in Subparagraph I.3.b of this Section.

e. As applied to demolition and renovation, the requirements of Paragraph J.1 of this Section do not apply to Category I and Category II nonfriable ACM waste

that did not become ~~crumbled, pulverized, or reduced to powder~~RACM prior to or during the course of removal, storage, transportation, and disposal.

2. All asbestos-containing waste material shall be deposited as soon as is practical by the waste generator at:

- a. ...
- b. an ~~EPA~~ approved site that converts RACM and ~~asbestos-containing waste material~~ACWM into nonasbestos (asbestos-free) material according to the provisions of Subsection L of this Section;
- c. the requirements of Paragraph J.2 of this Section do not apply to Category I nonfriable ACM that is not RACM.

3. Mark vehicles used to transport ~~asbestos-containing waste material~~ACWM during the storage, loading, and unloading of waste so that the signs are visible. The markings ~~must~~shall conform to the requirements ~~of~~in Clauses I.4.a.i, ii, and iii of this Section.

4. For all ~~asbestos-containing waste material~~ACWM transported off the facility site:

- a. the owner, operator, and transporter shall maintain waste shipment records, using an ADVF Form, and include the following information:
 - i. the name of the waste generator, DEQ identification number, physical address, and telephone number of the waste generator and project location of the demolition, renovation, major fiber release episode, response action, or ACDA;
 - ii. the name and address of the administrative authority responsible for administering the asbestos Louisiana Emission Standards for Hazardous Air Pollutants (NLESHAP) program;
 - iii. the name, address, and telephone number of the contractor;
 - iv. the name of the transporter and the DEQ identification number;
 - v. the date the waste was transported from the project site location;
 - iii.vi. the approximate quantity of the ACWM shipped, in cubic meters (cubic yards);

~~iv.vii.~~ the name and telephone number of the disposal facility-site
owner or operator;

~~v.~~ ~~the name and physical site location of the disposal site;~~

~~vi.~~ ~~the date transported;~~

~~vii.~~ ~~the name, address, and telephone number of the~~
~~transporter(s); and~~

viii. a certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations;

J.4.b. – K.2.c. ...

3. the owner or operator may use an alternate control method that has received prior approval by the administrative authority~~EPA Administrator~~ rather than comply with the requirements of Paragraph K.1 or 2 of this Section;

4. – 5.b. ...

c. the site is subject to LAC 33:III.Chapter 51.Subchapter M~~and the certification provisions in LAC 33:III.2799.Appendix A—Agent Accreditation Plan.~~

L. – M.3. ...

4. for sources subject to Subsections I and J of this Section:

a. ...

b. the average volume of asbestos-containing waste material disposed of, measured in ~~m³/day~~ (yd³/day);

M.4.c. – N.2.c. ...

3. At the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos-containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall:

a. be covered with at least ~~15 centimeters (ca. 6 inches)~~ of compacted nonasbestos-containing waste material; or

b. ...

4. Rather than meet the no visible emission requirement of Paragraph N.1 of this Section, use an alternative emissions control method that has received prior written approval

by the ~~EPA Administrator~~ administrative authority according to the procedures of Subparagraph I.3.b of this Section.

5. For all asbestos-containing waste material received, the owner or operator of the active waste disposal site shall:

a. maintain waste shipment records using the ADVF Form and including the following information:

a.i. – ii. ...

iii. the quantity of asbestos-containing waste material in ~~cubic meters~~ (cubic yards);

iv. the presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the administrative authority ~~identified in the waste shipment record (ADVF)~~, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the ~~waste shipment record (ADVF)~~ along with the report; and

v. the date of the receipt ~~buried~~;

b. – d. ...

6. Maintain, until closure, records of the location, depth and area, and quantity in ~~cubic meters~~ (cubic yards) of ~~asbestos-containing waste material~~ ACWM within the disposal site on a map or diagram of the disposal area.

N.7. – O.4.c. ...

P. Training and Accreditation Requirements

1. Asbestos Discipline

a. Worker. A person ~~must~~ shall be trained as a worker in accordance with LAC 33:III.2799. Appendix A—Agent Accreditation Plan, Paragraph ~~AB~~.5 to perform response actions, maintenance activities that disturb RACM, renovations, demolitions, and ACDA ~~any of the following activities~~ in a facility or site regulated by this Section:

i. ~~a response action other than an SSSD activity;~~

ii. ~~a maintenance activity other than an SSSD activity that disturbs RACM; or~~

iii. ~~a response action for a major fiber release episode.~~

b. Contractor/Supervisor. A person ~~must~~shall be trained as a contractor/supervisor in accordance with LAC 33:III.2799.Appendix A—Agent Accreditation Plan, Paragraph ~~AB.4~~ to supervise response actions, maintenance activities that disturb RACM, renovations, demolitions, and ACDA ~~any of the following activities~~ in a facility or site regulated by this Section:

- ~~i. a response action other than an SSSD activity;~~
- ~~ii. a maintenance activity other than an SSSD activity that disturbs RACM; or~~
- ~~iii. a response action for a major fiber release episode.~~

c. Inspector. A person ~~must~~shall be trained as an inspector in accordance with LAC 33:III.2799.Appendix A—Agent Accreditation Plan, Paragraph ~~AB.1~~ and accredited in order to inspect for asbestos materials in facilities regulated by this Section.

~~d. Project Designer. A person must be trained as a project designer in accordance with LAC 33:III.2799.Appendix A—Agent Accreditation Plan, Paragraph A.3 and accredited in order to design any of the following activities in a facility regulated by this Section:~~

- ~~i. a response action other than a SSSD activity;~~
- ~~ii. a maintenance activity other than an SSSD activity that disturbs RACM; or~~
- ~~iii. a response action for a major fiber release episode.~~

ed. Air Monitor Personnel. A person ~~must~~shall be trained as an asbestos contractor/supervisor in accordance with LAC 33:III.2799.Appendix A—Agent Accreditation Plan, Paragraph ~~AB.4~~ and ~~accredited~~ to conduct air monitoring for an asbestos abatement project or related activity in facilities regulated by this Section.

~~2. Response Actions~~

~~a. Response actions including removal, encapsulation, enclosure, or repair, other than small scale, short duration activities in state buildings and schools shall be designed and conducted by persons accredited to design and conduct response actions.~~

~~b. When response actions are performed by contracted personnel, those persons shall be accredited.~~

2. Contracted Personnel

a. When RACM is disturbed in any manner, including removal, encapsulation, enclosure, maintenance, or repairs by contracted personnel, those persons shall be accredited by DEQ in accordance with LAC 33:III.2799.Appendix A – Agent Accreditation Plan in one of the applicable disciplines: worker, contractor/supervisor, inspector, and air monitor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1204 (December 1991), repealed and repromulgated LR 18:1121 (October 1992), amended LR 20:1277 (November 1994), LR 24:27 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2462 (November 2000), LR 30:1673 (August 2004), amended by the Office of Environmental Assessment, LR 30:2022 (September 2004), LR 31:1570 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2449 (October 2005), LR 33:2095 (October 2007), LR 34:1893 (September 2008), amended by the Office of the Secretary, Legal Division, LR 39:**.

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

LOG #: AQ330

Person Preparing Statement: Chris Mayeux, chris.mayeux@la.gov, Dept.: Environmental Quality, Office: Environmental Services, Phone: 225-219-0789, Return Address: P.O. Box 4313, Baton Rouge, LA 70821-4313, Rule Title: Emission Standard for Asbestos (LAC 33:III.5151), Date Rule Takes Effect: Upon Promulgation

SUMMARY (Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no implementation costs or savings to state or local government units as a result of the proposed rule. The rule is being amended to clarify reporting and disposal requirements for asbestos projects and to more clearly define when floor tiles are regulated. The rule also incorporates Environmental Protection Agency rulings related to asbestos projects over the past several years so that the regulated community knows what is required to be in compliance. The amendments also removed redundant language related to schools and state buildings and training requirements..

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There are no costs and/or economic benefits to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no effect on competition and employment related to this rule change.

Signature of Agency Head or Designee Officer or Designee

Herman Robinson, CPM, Executive Counsel Typed Name and Title of Agency Head or Designee

Date of Signature

Legislative Fiscal

Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The rule is being amended to clarify reporting and disposal requirements for asbestos projects and to more clearly define when floor tiles are regulated. The rule also incorporates EPA rulings related to asbestos projects over the past several years so that the regulated community knows what is required to be in compliance. The amendments also removed redundant language related to schools and state buildings and training requirements that is stated in Chapter 27.

- B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The action is not required by federal regulation. The amendments will clarify requirements for the regulated community and have been instituted at the request of stakeholders to more clearly define and outline what the requirements are when conducting asbestos projects which will ensure protection of the public and the workers who perform asbestos project activities.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session
 - (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The rule revisions will not result in an increase in the expenditure of funds.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

- (a) ___ Yes. If yes, attach documentation.
 - (b) ___ No. If no, provide justification as to why this rule change should be published at this time.

This is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY12-13	FY13-14	FY14-15
PERSONAL SERVICES			
OPERATING EXPENSES			
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
TOTAL	-0-	-0-	-0-
MAJOR REPAIR & CONSTR			
POSITIONS (#)	-0-	-0-	-0-

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

This is not applicable.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY12-13	FY13-14	FY14-15
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
DEDICATED			
FEDERAL FUNDS			
OTHER (Specify)			
TOTAL	-0-	-0-	-0-

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

There are currently sufficient funds to implement the proposed rule.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There will be no impact on governmental units from this rule revision.

2. Indicate the sources of funding of the local governmental unit which will be affected by these costs or savings.

This is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY12-13	FY13-14	FY14-15
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
RESTRICTED FUNDS*			
FEDERAL FUNDS			
LOCAL FUNDS			
TOTAL	-0-	-0-	-0-

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

The revised rule will not impact revenues since the regulated community is presently adhering to the current rule.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

This is not applicable.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

This is not applicable.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

There will be no impact on competition and employment in the public and private sectors related to this rule revision.