State of Utah
SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-085-25

UTAH AIR QUALITY BOARD MEETING
TENTATIVE AGENDA

Wednesday, December 3, 2025 - 1:30 p.m.
195 North 1950 West, Room 1015
Salt Lake City, Utah 84116

Board members may be participating electronically. Interested persons can participate telephonically by dialing 1-475-299-8810 using access code: 449-801-632#, or via the Internet at meeting link: meet.google.com/dpm-oqgm-nzk

I. Call-to-Order and Roll Call.

II. Date of the Next Air Quality Board Meeting: January 7, 2026

III. Approval of the Minutes for the November 5, 2025, Board Meeting.

IV. Five-Year Review: R307-104. Conflict of Interest. Presented by Jazmine Lopez.

V. Propose for Final Adoption: Amend R307-801. Utah Asbestos Rule. Presented by Lauren Richardson.

VI. Informational Items.
- A. Air Toxics. Presented by Leonard Wright.
- B. Compliance. Presented by Harold Burge, Rik Ombach, and Chad Gilgen.
- C. Monitoring. Presented by Lucas Bohne.
- D. Other Items to be Brought Before the Board.
- E. Board Meeting Follow-up Items.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact LeAnn Johnson, Office of Human Resources at (385) 226-4881, TDD (801) 536-4284 or by email at leannjohnson@utah.gov.

ITEM 4

State of Utah

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DAQ-083-25

M E M O R A N D U M

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Jazmine Lopez, Rules Coordinator

DATE: November 17, 2025

SUBJECT: FIVE-YEAR REVIEW: R307-104. Conflict of Interest.

Utah Code Title 63G-3-305 requires each agency to review and justify each of its rules within five years of a rule's original effective date or within five years of the filing of the last five-year review. This review process is not a time to revise or amend the rules, but only to verify that the rule is still necessary and allowed under state and federal statute. As part of this process, we are required to identify any comments received during and since the last five-year review of each rule. This process is not the time to revisit those comments or to respond to them. There have not been any comments received on rule R307-104.

The division has completed the five-year review of rule R307-104, Conflict of Interest. The result of the five-year review is found in the attached Five-Year Notice of Review and Statement of Continuation form.

Recommendation: Staff recommend that the Board continue rule R307-104, Conflict of Interest, by approving the attached Five-Year Notice of Review and Statement of Continuation form to be filed with the Office of Administrative Rules.

State of Utah
Administrative Rule Analysis
Revised May 2025

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule number:	**R307-104**	**Filing ID: OFFICE USE ONLY**
Effective date:	**OFFICE USE ONLY**	

Agency Information

1. Title catchline:	Environmental Quality, Air Quality	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	**Phone:**	**Email:**
Jazmine Lopez	801-536-4050	jazminelopez@utah.gov
Becky Close	801-536-4013	bclose@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R307-104. Conflict of Interest.	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 19-2-104	Section 19-2-104 allows for the Air Quality Board to make rules.
42 U.S.C. 7428(a)(2)	This rule satisfies 42 U.S.C. 7428(a)(2) which states that any potential conflicts of interest by members of a state board, body, or head of an executive agency be adequately disclosed.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last 5-year review of this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
This rule must be continued to meet the conflict of interest requirement of 42 U.S.C. 7428(a)(2) to keep the state in compliance.	

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. The office may return incomplete forms to the agency, possibly delaying publication in the *Utah State Bulletin*.			
Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	**Date:**	11/17/2025
Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.			

R307. Environmental Quality, Air Quality.
R307-104. Conflict of Interest.
R307-104-1. Authority.

This rule establishes procedures that are necessary for promulgating federally approvable air quality standards as permitted by subsection 19-2-104(1)(b).

R307-104-2. Purpose.

R307-104 satisfies the conflict of interest requirement of 42 U.S.C. 7428 (a)(2).

R307-104-3. Disclosure of conflict of interest.

(1) This rule applies to any member of the board or body which approves permits or enforcement orders, the head of the Utah Division of Air Quality with similar powers, and the head of the Utah Department of Environmental Quality with similar powers.

(2) Every individual listed in R307-104-3(1) who is an officer, director, agent, employee, or the owner of a substantial interest in any business entity which is subject to the regulation of the agency by which the individual listed in R307-104-3(1) is employed, shall disclose any position held and the precise nature and value of the interest upon first becoming a public officer or public employee listed in R307-104-3(1), and again whenever his or her position in the business entity changes significantly or if the value of his or her interest in the entity is significantly increased.

(3) The disclosure required under R307-104-3(2) shall be made in a sworn statement filed with:

(a) the state attorney general in the case of the head of the Utah Division of Air Quality and the head of the Utah Department of Environmental Quality; and

(b) the state attorney general and the head of the agency with which the member of the board or body is affiliated in the case of a member of the board of body.

(4) This rule does not apply to instances where the total value of the interest does not exceed $2,000, and life insurance policies and annuities shall not be considered in determining the value of any such interest.

(5) Disclosures made under R307-104-3 are public information and shall be available for examination by the public.

KEY: conflict of interest, Clean Air Act
Date of Enactment or Last Substantive Amendment: March 3, 2016
Notice of Continuation: February 3, 2021
Authorizing, and Implemented or Interpreted Law: 19-1-201; 19-2-104

ITEM 5

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-084-25

M E M O R A N D U M

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

THROUGH: Jazmine Lopez, Rules Coordinator

FROM: Leonard Wright, ATLAS Section Manager

DATE: November 19, 2025

SUBJECT: PROPOSE FOR FINAL ADOPTION: Amend R307-801. Utah Asbestos Rule.

The Utah Division of Air Quality is proposing amendments to rule R307-801. The Utah Asbestos Rule establishes procedures and requirements for demolition, asbestos abatement or renovation projects and training programs, procedures, and requirements for the certification of persons and companies engaged in asbestos abatement or renovation projects, and work practice standards for performing such projects. This rule impacts stakeholders, including general contractors, demolition contractors, certified asbestos companies and training providers, building owners, health departments, and landfills, among others.

The proposed changes aim to reduce regulatory burdens while protecting human health and the environment. The key change is an amendment to the asbestos inspection requirements for new residential facilities with four or fewer units. Under the new proposal, homes with four or fewer units built on or after January 1, 1992, would no longer require an asbestos inspection before renovation or demolition (hereby referred to as the post-1991 exemption).

The proposed amendments were prompted by stakeholders requesting a review of the existing rule. A detailed review and analysis performed by division staff found a lower likelihood of these homes containing asbestos because the use of asbestos in most building materials was phased out during the 1980s and early 1990s. An explanation of the detailed review and analysis performed by division staff was provided during the September 15, 2025, Board meeting.

The post-1991 exemption does not apply to facilities subject to the Environmental Protection Agency (EPA) asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP), which includes commercial buildings, industrial buildings, public buildings, and residential buildings with more than four units.

The post-1991 exemption will only exempt residential buildings with four or fewer units from the requirement to have an asbestos inspection prior to renovation or demolition. This rule amendment will not exempt these structures from the requirement to submit a demolition notification form prior to demolition. This requirement is to ensure adherence to other division rules such as fugitive dust requirements, and to perform continued monitoring of the demolition of newer homes in the event that newer asbestos-containing materials are identified over time.

The proposed rule text, as well as a fact sheet went out for Advanced Notice of Proposed Rulemaking and feedback was accepted from July 18, 2025, to August 6, 2025. The division received four comments. Most of the comments expressed confusion about the existing and proposed definition of "regulated facilities." One of the stakeholders from the Utah Petroleum Association proposed two possible clarifications to the “regulated facilities” definition. After careful review, the division adopted the wording for the definition that was proposed by the stakeholder.

One commenter highlighted a potential conflict between the new rule and an existing statute, 19-2-104(6). The commenter believed that the proposed post-1991 exemption conflicted with the current statute that requires testing for specific building materials, such as sprayed on ceilings, certain flooring products, and insulation, regardless of the building's age. To summarize, the statute states that “the board may not require testing for asbestos or related materials on a residential property with four or fewer units, unless the property's construction was completed before January 1, 1981”; or the testing is for the five specific materials listed in A through E. This language implies that *the board may not require more than* the statute’s limits. This rule amendment will require less than the statute’s requirements. Therefore, division staff do not see a conflict with the statute. The commenter contacted the division again on September 30, 2025, with the same concern. On October 1, 2025, division director Bryce Bird responded to the email and explained that there was no conflict with the statute.

At the September 15, 2025, meeting, the Board proposed the amendments to rule R307-801 for a 30-day public comment period from October 1, 2025, to October 31, 2025. During this time, the division received no comments. No public hearing was requested by the associated due date.

Recommendation: Staff recommends the Board approve the amendments to rule R307-801, Utah Asbestos Rule, for final adoption.

R307. Environmental Quality, Air Quality.

R307-801. Utah Asbestos Rule.

R307-801-1. Purpose and Authority.

This rule establishes procedures and requirements for asbestos abatement or renovation projects and training programs, procedures and requirements for the certification of persons and companies engaged in asbestos abatement or renovation projects, and work practice standards for performing [~~such~~]asbestos abatement or renovation projects. This rule is promulgated under the authority of Subsections 19-2-104(1)(d), (3)(a)(iii), (3)(b)(iv)(A), (B), and (C), (3)(b)(v), (6)(a), and (6)(b). Penalties are authorized by Section 19-2-115. Fees are authorized by [~~Utah Code~~]Subsection 19-1-201(6)(i).

R307-801-2. Applicability and General Provisions.

(1) Applicability.

(a) The following persons are operators and are subject to the requirements of Rule R307-801:

(i) Persons who contract for hire to conduct asbestos abatement, renovation, or demolition projects in regulated facilities;

(ii) Persons who conduct asbestos abatement, renovation, or demolition projects in areas where the general public has unrestrained access;

(iii) Persons who conduct asbestos abatement, renovation, or demolition projects in school buildings subject to AHERA or who conduct asbestos inspections in facilities subject to TSCA Title II; or

(iv) Persons who perform regulated work activities or renovation projects in single or multifamily residential structures where they do not live or intend to live immediately after the regulated work activity or renovation project is complete.

(b) The following persons are subject to certification requirements:

(i) Persons required by TSCA Title II or Rule R307-801 to be accredited as inspectors, management planners, project designers, renovators, asbestos abatement supervisors, or asbestos abatement workers;

(ii) Persons who work on asbestos abatement projects as asbestos abatement workers, asbestos abatement supervisors, inspectors, project designers, or management planners;

(iii) Persons who perform regulated work activities or renovation projects in single or multifamily residential structures where they do not live or intend to live immediately after the regulated work activity or project is complete; or

(iv) Companies that conduct asbestos abatement projects, renovation projects, inspections, create project designs, or prepare management plans in regulated facilities.

(c) Homeowners or condominium owners performing renovation or demolition activities in or on their own residential facilities where they live, that are otherwise not subject to the Asbestos NESHAP, are not subject to the requirements of this rule, however, a condominium complex of more than four units is subject to this rule and may also be subject to the Asbestos NESHAP regulation.

(d) Contractors for hire performing renovation or demolition activities [~~are required to~~]shall follow the inspection [~~provisions~~]requirements of Sections R307-801-9 and R307-801-10 and the notification [~~provisions~~]requirements of Sections R307-801-11 and R307-801-12.

(2) General Provisions.

(a) All persons who are required by Rule R307-801 to obtain an approval, certification, determination, or notification from the director shall obtain it in writing.

(b) Persons wishing to deviate from the certification, notification, work practices, or other requirements of Rule R307-801 may do so only after requesting and obtaining the written approval of the director.

R307-801-3. Definitions.

The following definitions apply to Rule R307-801:

"Adequately Wet" means to sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing material, then that material is not adequately wet. However, the absence of visible emissions is not sufficient evidence of being adequately wet.

"Amended Water" means a mixture of water and a chemical wetting agent that provides control of asbestos fiber release.

"AHERA" means the federal Asbestos Hazard Emergency Response Act of 1986 and the Environmental Protection Agency implementing regulations, 40 CFR Part 763, Subpart E - Asbestos-Containing Materials in Schools.

"AHERA Facility" means any structure subject to the federal AHERA requirements.

"Asbestos" means the asbestiform varieties of serpentine (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite (amosite), anthophyllite, actinolite-tremolite, and Libby amphibole.

"Asbestos Abatement Project" means any activity involving the removal, repair, demolition, salvage, disposal, cleanup, or other disturbance of regulated asbestos-containing material greater than the small-scale, short-duration (SSSD) amount of asbestos-containing material.

"Asbestos Abatement Supervisor" means a person who is certified according to Section R307-801-6 and is responsible for ensuring work is conducted in accordance with the regulations and best work practices for asbestos abatement or renovation projects.

"Asbestos Abatement Worker" means a person who is certified according to Section R307-801-6 and performs asbestos abatement or renovation projects.

"Asbestos-Containing Material (ACM)" means any material containing more than 1% asbestos by the method specified in 40 CFR Part 763, Subpart E, Appendix E, Section 1, Polarized Light Microscopy (PLM), or, if the asbestos content is greater than a trace amount of asbestos, but less than 10% asbestos, the asbestos concentration shall be determined by point counting using PLM or any other method acceptable to the director.

"Asbestos-Containing Waste Material (ACWM)" means any waste generated from regulated asbestos-containing material (RACM) that contains any amount of asbestos and is generated by a source subject to [~~the provisions of~~]Rule R307-801. This term includes filters from control devices, friable asbestos-containing waste material, and bags or other similar packaging contaminated with asbestos. As applied to demolition and renovation projects, this term also includes regulated asbestos-containing material waste and materials contaminated with asbestos including disposable equipment and clothing.

"Asbestos Inspection" means any activity undertaken to identify the presence and location, or to assess the condition, of asbestos-containing material or suspected asbestos-containing material, by visual or physical examination, or by collecting samples of the material. This term includes re-inspections of the type described in AHERA, 40 CFR 763.85(b), of known or assumed asbestos-containing material which has been previously identified. The term does not include the following:

(a) Periodic surveillance of the type described in AHERA, 40 CFR 763.92(b), solely for [~~the purpose of~~]recording or reporting a change in the condition of known or assumed asbestos-containing material;

(b) Inspections performed by employees or agents of federal, state, or local government solely for [~~the purpose of~~]regulatory oversight [~~and/~~]or determining compliance with applicable statutes or regulations; or

(c) Visual inspections of the type described in AHERA, 40 CFR 763.90(i), solely for [~~the purpose of~~]determining completion of response actions.

"Asbestos Inspection Report" means a written report as specified in Subsection R307-801-10(6) describing an asbestos inspection performed by a certified asbestos inspector.

"Asbestos NESHAP" means the National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos.

"Asbestos Removal" means the stripping of friable ACM from regulated facility components or the removal of structural components that contain or are covered with friable ACM from a regulated facility.

"Category I Non-Friable Asbestos-Containing Material" means asbestos-containing packings, gaskets, resilient floor coverings, or asphalt roofing products containing more than 1% asbestos as determined by using the method specified in 40 CFR Part 763, Subpart E, Appendix E, Section 1, Polarized Light Microscopy (PLM).

"Category II Non-Friable Asbestos-Containing Material" means any material, excluding Category I non-friable ACM, containing more than 1% asbestos as determined by using the methods specified in 40

CFR Part 763, Subpart E, Appendix E, Section 1, Polarized Light Microscopy (PLM) that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

"Condominium" means a building or complex of buildings in which units of property are owned by individuals and common parts of the property, [~~such as~~]including the grounds, common areas, and building structure, are owned jointly by the condominium unit owners.

"Containerized" means sealed in a leak-tight and durable container.

"Debris" means friable or regulated asbestos-containing material that has been dislodged and has fallen from its original substrate and position or which has fallen while remaining attached to substrate sections or fragments.

"Demolition Project" means the wrecking, salvage, or removal of any load-supporting structural member of a regulated facility together with any related handling operations, or the intentional burning of any regulated facility. This includes the moving of an entire building, but excludes the moving of structures, vehicles, or equipment with permanently attached axles, [~~such as~~]including trailers, motor homes, and mobile homes that are specifically designed to be moved.

"Director" means the Director of the Utah Division of Air Quality.

"Disturb" means to disrupt the matrix, crumble, pulverize, or generate visible debris from ACM or RACM.

"Emergency Abatement or Renovation Project" means any asbestos abatement or renovation project which was not planned and results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden as determined by the director. This term includes operations [~~necessitated~~]required by non-routine failure of equipment, natural disasters, fire, or flooding, but does not include situations caused by the lack of planning.

"Encapsulant" means a permanent coating applied to the surface of friable ACM for [~~the purpose of~~]preventing the release of asbestos fibers. The encapsulant creates a membrane over the surface (bridging encapsulant) or penetrates the material and binds its components together (penetrating encapsulant).

"Friable Asbestos-Containing Material" means any asbestos-containing material that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.

"Glove bag" means an impervious plastic bag-like enclosure, not to exceed 60 x 60 inches, affixed around an asbestos-containing material, with glove-like appendages through which material and tools may be handled.

"General Building Remodeling Activities" means the alteration in any way of one or more regulated structure components, excluding asbestos abatement, renovation, and demolition projects.

"Government Official" means an engineer, building official, or health officer employed by a governmental jurisdiction that has a responsibility for public safety or health in the jurisdiction where the structure is located.

"High-Efficiency Particulate Air (HEPA)" means a filtration system capable of trapping and retaining at least 99.97% of all mono-dispersed particles 0.3 micron in diameter.

"Inaccessible" means in a physically restricted or obstructed area, or covered in [~~such~~]a way that detection or removal is prevented or severely hampered.

"Inspector" means a person who is certified according to Section R307-801-6, conducts asbestos inspections, or oversees the preparation of asbestos inspection reports.

"Libby Amphibole" means loose-fill vermiculite type insulation material originating in Libby, Montana, or elsewhere, used in regulated facilities subject to this rule and has greater than 1% asbestiform varieties of serpentine (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite (amosite), anthophyllite, and actinolite-tremolite, as defined earlier in this section, and winchite, richterite, tremolite, magnesio-riebikite, magnesio-arfvedsonite, and edenite using United States Environmental Protection Agency Method EPA/600/R93/116 or other method as approved by the director.

"Management Plan" means a document that meets the requirements of AHERA for management plans for asbestos in schools.

"Management Planner" means a person who is certified according to Section R307-801-6 and oversees the preparation of management plans for school buildings subject to AHERA.

"Model Accreditation Plan (MAP)" means 40 CFR Part 763, Subpart E, Appendix C, Asbestos Model Accreditation Plan.

"NESHAP Amount" means combined amounts in a project that total:

(a) 260 linear feet (80 linear meters) of pipe covered with RACM;

(b) 160 square feet (15 square meters) of RACM used to cover or coat any duct, boiler, tank, reactor, turbine, equipment, structural member, or regulated facility component; or

(c) 35 cubic feet (one cubic meter) of RACM removed from regulated facility structural members or components where the length and area could not be measured previously.

"NESHAP Facility" means 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 co-operative, but excluding residential buildings having four or fewer dwelling units[~~)~~]; any ship; and any active or inactive waste disposal site. 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 the Asbestos NESHAP is not excluded, regardless of its current use or function. Any structure, installation, or building that will be subject to the Asbestos NESHAP is not excluded, regardless of its current use or function.

"NESHAP-Sized Project" means any project that involves at least the NESHAP amount of ACM.

"Non-Friable Asbestos-Containing Material" means any material containing more than 1% asbestos, as determined using the methods specified in 40 CFR Part 763, Subpart E, Appendix E, Section 1, Polarized Light Microscopy (PLM), that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

"Open Top Catch Bag" means either an asbestos waste bag or six mil polyethylene sheeting which is sealed at both ends and used by certified asbestos abatement workers, in a manner not to disturb the matrix of the asbestos-containing material, to collect preformed RACM pipe insulation in either a crawl space or pipe chase less than six feet high or less than three feet wide.

"Phased Project" means either an asbestos abatement, renovation, or demolition project that contains multiple start and stop dates corresponding to separate operations or areas where the entire asbestos abatement, renovation, or demolition project cannot or will not be performed continuously.

"Preformed RACM Pipe Insulation" means prefabricated asbestos-containing thermal system insulation on pipes formed in sections that can be removed without disturbing the matrix of the asbestos-containing material.

"Project Designer" means a person who is certified according to Section R307-801-6 and prepares a design for an asbestos abatement project in school buildings subject to AHERA or prepares an asbestos clean-up plan in a regulated facility where an asbestos disturbance greater than the SSSD amount has occurred.

"Regulated Asbestos-Containing Material (RACM)" means friable ACM, Category I non-friable ACM that has become friable, Category I non-friable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or Category II non-friable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation project operations.

"Regulated Facilities" means residential facilities, AHERA facilities, or NESHAP facilities where[~~:~~] demolition, renovation, or general remodeling activities will occur, including facilities where:

(a) A sample has been identified and analyzed to contain, or is assumed under Subsection R307-801-10(5) to contain, greater than 1% asbestos and the material from where the sample was collected will be disturbed and rendered friable; [~~and~~]or

(b) [~~The material from where the sample was collected will be disturbed and rendered friable during the abatement, demolition, or renovation activities~~]No asbestos-containing materials have been identified.

"Regulated Facility Component" means any part of a regulated facility including equipment.

"Renovation Project" means any activity involving the removal, repair, salvage, disposal, cleanup, or other disturbance of greater than the SSSD amount of RACM, but less than the NESHAP amount of RACM, and the intent of the project is not asbestos abatement or demolition. Renovation

Projects [~~can~~]may be performed in NESHAP or residential facilities, but cannot be performed in AHERA facilities.

"Renovator" means a person who is certified according to Section R307-801-6 and is responsible for ensuring work that is conducted on a renovation project is performed in accordance with the regulatory requirements and best work practices for a greater than the SSSD amount of RACM, but less than the NESHAP amount of RACM, where the intent of the project is to perform a renovation project and not to perform an asbestos abatement or demolition project. Renovation projects [~~can~~]may be performed in NESHAP or residential facilities but cannot be performed in AHERA facilities.

"Residential Facility" means a building used primarily for residential purposes, has four or fewer units, is otherwise not subject to the Asbestos NESHAP, and is not a residential outbuilding structure of less than 100 square feet.

"Small-Scale, Short-Duration (SSSD)" means a project that removes or disturbs less than three square feet or three linear feet of RACM in a regulated facility.

"Sprayed-on or Painted-on Ceiling Treatment" means a surfacing material or treatment that has been applied to the ceiling regardless of application method. The application of paint that has no added materials is not considered a ceiling treatment.

"Strip" means to take off ACM from any part of a regulated facility or a regulated facility component.

"Structural Member" means any load-supporting member of a regulated facility, [~~such as~~]including beams and load-supporting walls or any non-load-~~-~~supporting member, [~~such as~~]including ceilings and non-load-~~-~~supporting walls.

"Suspect or Suspected Asbestos-Containing Material" means all building materials that have the potential to contain asbestos, except building materials made entirely of glass, fiberglass, wood, metal, or rubber.

"Training Hour" means at least 50 minutes of [~~actual~~]learning, including[~~, but not limited to,~~] time devoted to lecture, learning activities, small group activities, demonstrations, evaluations, and hands-on experience.

"TSCA" means the Toxic Substances Control Act.

"TSCA Accreditation" means successful completion of training as an inspector, management planner, project designer, contractor-supervisor, or worker, as specified in the TSCA Title II.

"TSCA Title II" means 15 U.S.C. 2601 et seq., Toxic Substances Control Act, Subchapter II - Asbestos Hazard Emergency Response.

"Unrestrained Access" means without fences, closed doors, personnel, or any other method intended to restrict public entry.

"Waste Generator" means any owner or operator of an asbestos abatement or renovation project covered by Rule R307-801 whose act or process produces ACWM.

"Working Day" means weekdays, Monday through Friday, including holidays.

R307-801-4. Adoption and Incorporation of 40 CFR 763 Subpart E.

(1) [~~The provisions of~~]40 CFR 763 Subpart E, including appendices, effective as of the date referenced in Section R307-101-3, are [~~hereby adopted and~~]incorporated by reference.

(2) Implementation of [~~the provisions of~~]40 CFR Part 763, Subpart E, except for the Model Accreditation Plan, shall be limited to those provisions for which the EPA has waived its requirements in accordance with 40 CFR 763.98, Waiver; delegation to State, as published at 52 FR 41826, (October 30, 1987).

R307-801-5. Company Certification.

(1) All persons shall operate under:

(a) An asbestos company certification before contracting for hire, at a regulated facility, to conduct asbestos inspections, create management plans, create project designs, or conduct asbestos abatement projects[~~,~~]; or

(b) Either an asbestos renovation company certification or asbestos company certification before contracting for hire to conduct asbestos abatement or renovation projects at a regulated facility.

(2) To obtain an asbestos company certification or an asbestos renovation company certification, all persons shall submit a properly completed application for certification on a form provided by the director and pay the appropriate fee.

(3) Unless revoked or suspended, an asbestos company certification or an asbestos renovation company certification shall remain in effect until the expiration date provided by the director.

R307-801-6. Individual Certification.

(1) All persons shall have an individual certification to conduct asbestos inspections, create management plans, create project designs, conduct asbestos renovation projects, or conduct asbestos abatement projects at a regulated facility.

(2) To obtain certification as an asbestos abatement worker, asbestos abatement supervisor, inspector, project designer, renovator, or management planner, each person shall:

(a) Provide personal identifying information;

(b) Pay the appropriate fee;

(c) [~~Complete~~]Fill out the appropriate form or forms provided by the director;

(d) Provide certificates of initial and current refresher training, if applicable, that demonstrates accreditation in the appropriate discipline. Certificates from courses approved by the director, courses approved in a state that has an accreditation program that meets the TSCA Title II Appendix C Model Accreditation Plan (MAP), or courses that are approved by EPA under TSCA Title II are acceptable unless the director has determined that the course does not meet the requirements of TSCA accreditation training required by Rule R307-801; and

(e) Complete a new initial training course as required by the AHERA MAP, or for the renovator certification, Rule R307-801, if there is a period of more than one year from the previous initial or refresher training certificate expiration date.

(3) Duration and Renewal of Certification.

(a) Unless revoked or suspended, a certification shall remain in effect until the expiration date of the current certificate of TSCA accreditation for the specific discipline.

(b) To renew certification, the individual shall:

(i) Submit a properly completed application for renewal on a form provided by the director;

(ii) Submit a current certificate of TSCA accreditation, or for the renovator certification, a training certificate from a renovator course accredited by the director, for initial or refresher training in the appropriate discipline; and

(iii) Pay the appropriate fee.

R307-801-7. Denial and Cause for Suspension and Revocation of Company and Individual Certifications.

(1) An application for certification may be denied if the individual, applicant company, or any principal officer of the applicant company has a documented history of non-compliance with the requirements, procedures, or standards established by Rule R307-801, Section R307-214-1, which incorporates the Asbestos NESHAP, AHERA, or with the requirements of any other entity regulating asbestos activities and training programs.

(2) The director may revoke or suspend any certification based upon documented violations of any requirement of Rule R307-801, AHERA, or the Asbestos NESHAP, including[~~, but not limited to~~]:

(a) Falsifying or knowingly omitting information in any written submittal required by those regulations;

(b) Permitting the duplication or use of a certificate of TSCA accreditation for [~~the purpose of~~]preparing a falsified written submittal; or

(c) Repeated work practice violations.

R307-801-8. Approval of Training Courses.

(1) To obtain approval of a training course, the course provider shall provide a written application to the director that includes:

(a) The name, address, telephone number, and institutional affiliation of the person sponsoring the course;

(b) The course curriculum;

(c) A letter that clearly [~~indicates~~]shows how the course meets the Model Accreditation Plan (MAP) and Rule R307-801 requirements for length of training in hours, amount and type of hands-on training, examinations, [~~(~~]including length, format, example of examination or questions, and passing scores[~~)~~], and topics covered in the course;

(d) A copy of all course materials, including student manuals, instructor notebooks, and handouts[~~, etc.~~];

(e) The names and qualifications of all course instructors, including all academic credentials and field experience in asbestos abatement projects, inspections, project designs, management planning, or renovation projects;

(f) An example of numbered certificates issued to students who attend the course and pass the examination. The certificate shall include a unique certificate number; the name of the student; the name of the course completed; the dates of the course and the examination; an expiration date one year from the date the student completed the course and examination, or for the purposes of the renovator course, a progressive lengthening of the refresher training schedule of one year after the initial training, three years after the first refresher training, and five years after the second refresher training and all subsequent refresher training courses; the name, address, and telephone number of the training provider that issued the certificate; and a statement that the person receiving the certificate has completed the requisite training for TSCA or director accreditation;

(g) A written commitment from the training provider to teach the submitted training course[~~(~~]s[~~)~~] in Utah on a regular basis; and

(h) Payment of the appropriate fee.

(2) To maintain approval of a training course, the course provider shall:

(a) Provide training that meets the requirements of Rule R307-801 and the MAP;

(b) Provide the director with the names, government-issued picture identification card number, and certificate numbers of all persons successfully completing the course within 30 working days of successful completion;

(c) Keep the records specified for training providers in the MAP for three years;

(d) Permit the director or authorized representative to attend, evaluate, and monitor any training course without receiving advance notice from the director and without charge to the director; and

(e) Notify the director of any new course instructor ten working days [~~prior to~~]before the day the new instructor presents or teaches any course for Renovator or TSCA Accreditation purposes. The training notification form shall include:

(i) The name and qualifications of each course instructor, including appropriate academic credentials and field experience in asbestos abatement projects, inspections, management plans, project designs, or renovations; and

(ii) A list of the course[~~(~~]s[~~)~~] or specific topics that will be taught by the instructor.

(f) Submit the initial or refresher course materials required by Subsection R307-801-8(1) to the director for course re-accreditation in a time period not to exceed four years.

(3) All course providers that provide an AHERA or Renovator training course or refresher course in [~~the state of~~]Utah shall:

(a) Notify the director of the location, date, and time of the course at least ten working days before the first day of the course;

(b) Update the training notification form as soon as possible before, but no later than one day before the original course date if the course is rescheduled or canceled before the course is held; and

(c) Allow the director or authorized representative to conduct an audit of any course provided to determine whether the course provider meets the requirements of the MAP and of Rule R307-801.

(4) Renovator Certification Course. The renovator certification course shall be [~~a minimum of~~]at least eight training hours, with [~~a minimum of~~]at least two hours devoted to hands-on training activities, and shall include an examination of at least 25 questions that the student shall pass with a 70% or greater proficiency rate. Instruction in the topics described in Subsections R307-801-8(4)(c), (d), and (e) shall be

included in the hands-on portion of the course. The [~~minimum~~]curriculum requirements for the renovator certification course shall adequately address the following topics:

(a) The physical characteristics of asbestos and asbestos-containing materials, including identification of asbestos, aerodynamic characteristics, typical uses, physical appearance, a review of hazard assessment considerations, and a summary of renovation project control options;

(b) Potential health effects related to asbestos exposure, including the nature of asbestos-related diseases, routes of exposure, dose-response relationships and the lack of a safe exposure level, synergism between cigarette smoking and asbestos exposure, and latency period for diseases;

(c) Personal protective equipment, including selection of respirator and personal protective clothing, and handling of non-disposable clothing;

(d) State-of-the-art work practices, including proper work practices for renovation projects, including descriptions of proper construction and maintenance of barriers and decontamination enclosure systems, positioning of warning signs, lock-out of electrical and ventilation systems, proper working techniques for minimizing fiber release, use of wet methods, use of negative pressure exhaust ventilation equipment, use of HEPA vacuums, and proper clean-up and disposal procedures and state-of-the-art work practices for removal, encapsulation, enclosure, and repair of ACM, emergency procedures for unplanned releases, potential exposure situations, transport and disposal procedures, and recommended and prohibited work practices. New renovation project techniques and methodologies may be discussed;

(e) Personal hygiene, including entry and exit procedures for the work area, methods of decontamination, avoidance of eating, drinking, smoking, and chewing [~~(~~]gum or tobacco[~~)~~] in the work area, and methods to limit exposures to family members;

(f) Medical monitoring, including OSHA requirements for physical examinations, including a pulmonary function test, chest x-rays, and a medical history for each employee;

(g) Relevant federal and state regulatory requirements, procedures, and standards, including:

(i) OSHA standards for permissible exposure to airborne concentrations of asbestos fibers and respiratory protection (29 CFR 1910.134);

(ii) OSHA Asbestos Construction Standard (29 CFR 1926.1101); and

(iii) [~~UAC~~]Rule R307-801 Utah Asbestos Rule.

(h) Recordkeeping and notification requirements for renovation projects including records and project notification forms required by state regulations and records recommended for legal and insurance purposes;

(i) Supervisory techniques for renovation projects, including supervisory practices to enforce and reinforce the required work practices and discourage unsafe work practices; and

(j) Course review, including a review of key aspects of the training course.

(5) Renovator Recertification Course. The renovator recertification course shall be [~~a minimum of~~]at least four hours, shall adequately address changes in the federal regulations, state administrative rules, state-of-the-art developments, appropriate work practices, employee personal protective equipment, recordkeeping, and notification requirements for renovation projects, and shall include a course review.

R307-801-9. Asbestos Abatement, Renovation, and Demolition Projects: Requirement to Inspect.

(1) Applicability. Contractors [~~are required to~~]shall have an asbestos inspection performed by a Utah certified asbestos inspector working for a Utah certified asbestos company. The asbestos inspection report shall be on-site and available when regulated work activities are being performed. Owners of residential structures including condominium owners of four units or less, not otherwise subject to the Asbestos NESHAP, are [~~not required to~~]exempted from the requirement to obtain [~~perform~~]asbestos inspections. Owners of a condominium complex of more than four units are subject to Rule R307-801, may also be subject to the Asbestos NESHAP, but are required to perform asbestos inspections. Residential facilities with four or fewer units that are not otherwise subject to the Asbestos NESHAP, built on or after January 1, 1992, do not need to be inspected for asbestos before renovation or demolition.

(2) Except as described in Subsections R307-801-9(1) and [~~9~~](3), the owner and operator shall ensure that the regulated facility to be demolished, abated, or renovated is thoroughly inspected for asbestos-containing material by an inspector certified under [~~the provisions of~~]Section R307-801-6. An asbestos inspection report shall be generated according to [~~the provisions of~~]Section R307-801-10 and

completed [~~prior to~~]before the start of the asbestos abatement, renovation, or demolition project if materials required to be identified in Subsection R307-801-10(3) will be disturbed during that project. The operator shall make the asbestos inspection report available on-site to all persons who have access to the site [~~for the duration of~~]during the renovation, abatement, or demolition project, and to the director or authorized representative upon request.

(3) If the regulated facility has been ordered to be demolished because it is found by a government official to be structurally unsound and in danger of imminent collapse or a public health hazard, the operator may demolish the regulated facility without having the regulated facility inspected for asbestos. If no asbestos inspection is conducted, the operator shall:

(a) Ensure that all resulting demolition project debris is disposed of as asbestos-containing waste material (ACWM) according to Section R307-801-14; or

(b) reduce the amount of ACWM by segregating the ACWM from non-ACWM debris under the direction of an asbestos inspector certified according to Section R307-801-6 working for a company certified according to Section R307-801-5 and clean and encapsulate non-porous debris as non-ACWM by asbestos abatement supervisors or asbestos abatement workers who are certified according to Section R307-801-6 and working for a company certified according to Section R307-801-5.

(4) If an asbestos inspection report older than three years will be used for a regulated asbestos renovation, abatement, or demolition activity, the asbestos inspection report shall be reviewed and updated, as necessary, by an inspector who is certified according to Section R307-801-6 and working for a company certified according to Section R307-801-5. The report does not need to be reviewed until a time that it will be used for regulatory purposes, namely,[~~such as~~] an abatement, renovation, or demolition activity. If the inspection report is still accurate, then the inspector shall provide written documentation stating that the inspection report is still accurate. If the inspection report is not accurate, then the inspector shall provide written documentation, including new sample results, if necessary, [~~such~~]so that the inspection report meets all requirements of Rule R307-801.

R307-801-10. Asbestos Abatement, Renovation, and Demolition Projects: Asbestos Inspection Procedures.

Asbestos inspectors shall use the following procedures when conducting an asbestos inspection of facilities to be abated, demolished, or renovated:

(1) Determine the scope of the abatement, demolition, or renovation project by identifying which parts and how the facility will be abated, demolished, or renovated[~~(e.g. conventional demolition methods, fire training, etc.)~~].

(2) Inspect the affected facility or part of the facility where the abatement, demolition, or renovation project will occur.

(3) Identify all accessible suspect asbestos-containing material (ACM) in the affected facility or part of the facility where the abatement, demolition, or renovation project will occur. Residential facilities built on or after January 1, 1981, are only required to identify all accessible sprayed-on or painted-on ceiling treatment that contained or may contain asbestos fiber, asbestos cement siding or roofing materials, resilient flooring products including vinyl asbestos tile, sheet vinyl products, resilient flooring backing material, whether attached or unattached, and mastic, thermal[-] system insulation or tape on a duct or furnace, or vermiculite type insulation materials in the affected facility or part of the facility where the abatement, demolition, or renovation project will occur.

(4) Follow the sampling protocol in 40 CFR 763.86 (Asbestos-Containing Materials in Schools) or a sampling method approved by the director to demonstrate that suspect ACM required to be identified by Subsection R307-801-10(3) does not contain asbestos.

(5) Asbestos samples are not required to be collected and analyzed if the certified inspector assumes that all unsampled suspect ACM required to be identified by Subsection R307-801-10(3) contains asbestos and is ACM; and

(6) Complete an asbestos inspection report containing all [~~of~~]the following information in a format approved by the director:

(a) A description of the affected area and a description of the scope of activities as described in Subsection R307-801-10(1);

(b) A list of all suspect ACM required to be identified by Subsection R307-801-10(3) in the affected area. Include a description of the suspect ACM sufficient to be able to identify the material. For each suspect material required to be identified by Subsection R307-801-10(3), provide the following information:

(i) The amount of suspect ACM required to be identified by Subsection R307-801-10(3) in linear feet, square feet, or cubic feet;

(ii) A clear description of the distribution of the suspect ACM required to be identified by Subsection R307-801-10(3) in the affected area;

(iii) A statement of whether the material was assumed to contain asbestos, sampled and demonstrated to contain asbestos, or sampled and demonstrated to not contain asbestos; and

(iv) A written determination or table of whether the material is regulated asbestos-containing material (RACM), Category I non-friable ACM, Category II non-friable ACM that may or will become friable when subjected to the proposed abatement, renovation, or demolition project activities, or other suspect ACM that has either not been tested and assumed to contain asbestos, or has been tested by an accredited asbestos laboratory and found not to contain asbestos greater than 1%.

(c) A list of all asbestos bulk samples required to be identified from suspect ACM by Subsection R307-801-10(3) in the affected area, including the following information for each sample:

(i) Which suspect ACM required to be identified by Subsection R307-801-10(3) the sample represents;

(ii) A clear description of each sample location;

(iii) The types of analyses performed on the sample;

(iv) The amounts of each type of asbestos in the sample as [~~indicated~~]shown by the analytical results.

(d) A list of potential locations of suspect ACM required to be identified by Subsection R307-801-10(3) that were not accessible to inspect and that may be part of the affected area; and

(e) A list of all the asbestos inspector names, company names, and certification numbers.

(7) Floor plans or architectural drawings and similar representations may be used to identify the location of suspect ACM or samples required to be identified by Subsection R307-801-10(3).

(8) Analysis of samples shall be performed by:

(a) Persons or laboratories accredited by a nationally recognized testing program, for example[~~such as~~] the National Voluntary Laboratory Accreditation Program (NVLAP)[~~,~~]; or

(b) Persons or laboratories that have been rated overall proficient by demonstrating passing scores for at least two of the last three consecutive rounds out of the four annual rounds of the Bulk Asbestos Proficiency Analytical Testing program administered by the American Industrial Hygiene Association (AIHA) or an equivalent nationally-recognized interlaboratory comparison program.

R307-801-11. Asbestos Abatement, Renovation, and Demolition Projects: Notification and Asbestos Removal Requirements.

(1) Demolition Projects.

(a) The operator shall submit a properly completed demolition notification form at least ten working days before the start of a demolition project along with payment of the appropriate fee. The operator cannot start the demolition project until all regulated asbestos-containing material (RACM) has been properly removed.

(b) If any regulated facility is to be demolished by intentional burning, the operator, in addition to the demolition notification form specified in Subsection R307-801-11(1)(a), shall ensure that all ACM, including Category I non-friable asbestos-containing material (ACM), Category II non-friable ACM, and RACM is removed from the regulated facility before burning.

(c) If the regulated facility has been ordered to be demolished by a government official because it is found to be structurally unsound and in danger of imminent collapse or a public health hazard, the operator shall submit a demolition project notification form, with a copy of the order signed by the appropriate government official, as soon as possible before, but no later than, the next working day after the demolition project begins.

(2) Asbestos Abatement and Renovation Projects.

(a) If the amount of RACM that would be disturbed or rendered inaccessible by the asbestos abatement or renovation project is the SSSD amount, then no additional requirements are necessary [~~prior to~~]before general building remodeling activities occur.

(b) If the amount of RACM that would be disturbed or rendered inaccessible by the asbestos abatement or renovation project is greater than the SSSD amount, but less than the NESHAP amount, then the operator shall:

(i) Submit an asbestos abatement project notification form at least one working day before asbestos removal begins as described in Section R307-801-12, unless the removal was properly included in an annual asbestos notification form submitted pursuant to Subsection R307-801-11(2)(e);

(ii) Remove RACM according to asbestos work practices of Section R307-801-13, the certification requirements of Sections R307-801-5 and R307-801-6, and the disposal requirements of Section R307-801-14 before performing general building remodeling activities.

(c) If the amount of RACM that would be disturbed or rendered inaccessible by the asbestos abatement project is greater than or equal to the NESHAP amount, then the operator shall:

(i) Submit an asbestos abatement project notification form along with payment of the appropriate fee at least ten working days before asbestos removal begins as described in Section R307-801-12;

(ii) Remove RACM according to the asbestos work practices of Section R307-801-13, the certification requirements of Sections R307-801-5 and R307-801-6, and the disposal requirements of Section R307-801-14 before performing general building remodeling activities.

(d) If the asbestos abatement or renovation project is an emergency asbestos abatement or renovation project, then the notification form shall be submitted as soon as possible before, but no later than, the next working day after the emergency asbestos abatement or renovation project begins.

(e) The operator shall submit an annual asbestos notification form along with payment of the appropriate fee according to the requirements of 40 CFR 61.145(a)(4)(iii) no later than ten working days before the first day of January of the year during which the work is to be performed in the following circumstances:

(i) The asbestos abatement projects are unplanned operation and maintenance activities;

(ii) The asbestos abatement projects are less than NESHAP-sized; and

(iii) The total amount of asbestos to be disturbed in a single NESHAP facility during these asbestos abatement projects is expected to exceed the NESHAP amount in a calendar year.

(3) Owners and operators of general building remodeling activities are not required to submit an asbestos abatement project or renovation notification form to the director that do not disturb suspect asbestos-containing materials, do not disturb building materials found to contain RACM by an inspector who is certified according to Section R307-801-6, or do not disturb materials that will become RACM as part of the general building remodeling activities.

(4) For notification purposes, asbestos abatement, renovation, or demolition projects shall be no longer than one year in duration.

(5) Revise the notification form, as necessary, when any information on the original notification or any subsequent notification forms changes.

R307-801-12. Asbestos Abatement, Renovation, and Demolition Projects: Notification Procedures and Contents.

(1) All notification forms required by Section R307-801-11 shall be submitted in writing on the appropriate form provided by the director and shall be postmarked or received by the director in accordance with Section R307-801-11, or shall be submitted using the Division of Air Quality electronic notification system and received by the director in accordance with Section R307-801-11. The type of notification and whether the notification is original or revised shall be [~~indicated~~]stated.

(2) If the notification is an original demolition project notification form, an original asbestos abatement project notification form for a NESHAP-sized asbestos abatement project, or an original asbestos annual notification form, the written notice shall be sent with an original signature by U.S. Postal Service, commercial delivery service, or hand delivery, or with an electronic signature if submitted using the Division of Air Quality electronic notification system. If the U.S. Postal Service is used, the submission date is the postmark date. If other service or hand delivery is used, the submission date is the

date that the document is received by the director. If the Division of Air Quality electronic notification system is used, the submission date is the date that the notification is received by the director.

(3) An original asbestos notification form for a less than NESHAP-sized asbestos abatement or renovation project or any revised notification may be submitted by any of the methods in Subsection R307-801-12(2), or by facsimile, by the date specified in Section R307-801-11. The sender shall ensure that the fax is legible.

(4) All original notification forms shall contain the following information:

(a) The name, address, and telephone number of the owner of the regulated facility, the general contractor, the demolition contractor, and the asbestos renovation or abatement contractor, if applicable;

(b) Whether the operation is an asbestos abatement, demolition, or a renovation project;

(c) A description of the regulated facility that includes the total size of the structure or structures in square feet, including the square footage of all floors in a multilevel or multi-floor structure, the age, the future, present, and [~~prior~~]earlier uses of the facility, including any additional regulated structures affected by the project;

(d) The names and certification numbers of the inspectors and companies;

(e) The procedures, including analytical methods, used to inspect for the presence of asbestos-containing material (ACM);

(f) The location and address, including building number or name and floor or room number, street address, city, county, state, and zip code of each regulated facility being demolished or renovated;

(g) A description of procedures for handling the discovery of unexpected ACM, Category I non-friable ACM, or Category II non-friable ACM that has or will become friable or regulated;

(h) A description of planned asbestos abatement, demolition, or renovation project work, including the asbestos abatement, demolition, and renovation project techniques to be used and a description of the affected regulated facility components or structural members; and

(i) If the project has phases, then provide the date and times of each phase and the location and address of all regulated facilities to be abated, demolished, or renovated.

(5) In addition to the information in Subsection R307-801-12(4), an original demolition project notification form shall contain the following information:

(a) An estimate of the amount of Category I non-friable ACM and non-regulated ACM that will remain in the building during the demolition project;

(b) The start and stop dates of the demolition project;

(c) The days that the demolition project will be conducted; and

(d) If the regulated facility will be demolished under an order of a government official, the name, title, government agency, and authority of the government official ordering the demolition project, the date the order was issued, and the date the demolition project was ordered to [~~commence~~]begin. A copy of the order shall be attached to the demolition project notification form.

(6) In addition to the information required in Subsections R307-801-12(4) and (5), an original demolition project notification form for phased demolition projects shall include:

(a) The start and stop dates for the entire phased project; and

(b) The start and stop dates for each phase of the project.

(7) In addition to the information required in Subsections R307-801-12(4), (5), and (6), an original asbestos abatement project notification form shall include:

(a) An estimate of the amount of ACM to be stripped, including which units of measure were used;

(b) The start and stop dates for asbestos abatement project preparation;

(c) The times of day for [~~every~~]each day that asbestos abatement project will be conducted;

(d) A description of work practices and engineering controls to be used to prevent emissions of asbestos at the demolition or asbestos abatement project work site;

(e) The name and location of the waste disposal site where the ACWM will be disposed, including the name and telephone number of the waste disposal site contact;

(f) The name, address, contact person, and telephone number of the waste transporters; and

(g) The name, contact person, and telephone number of the waste generator.

(8) If an emergency asbestos abatement or renovation project will be performed, then the notification form shall include the date and hour the emergency occurred, a description of the event and an explanation of how the event has caused unsafe conditions or would cause equipment damage or unreasonable financial burden.

(9) In addition to the information in Subsections R307-801-12(4) and (5), an original asbestos abatement project annual notification form shall contain the following information:

(a) An estimate of the approximate amount of ACM to be stripped, including which units of measure were used, if known;

(b) The start and stop dates of asbestos abatement project work covered by the annual notification, if known;

(c) A description of work practices and engineering controls to be used to prevent emissions of asbestos at the asbestos abatement project work site;

(d) The name and location of the waste disposal site where the asbestos-containing waste material (ACWM) will be disposed, including the name and telephone number of the waste disposal site contact;

(e) The name, address, contact person, and telephone number of the waste transporters; and

(f) The name, contact person, and telephone number of the waste generator.

(10) A revised notification form shall contain the following information:

(a) The name, address, and telephone number of the owner of the regulated facility, and any demolition, renovation, or asbestos abatement project contractor or contractors working on the project;

(b) Whether the operation is an asbestos abatement, a demolition, or a renovation project;

(c) The date that the original notification form was submitted;

(d) The applicable original start and stop dates for the asbestos abatement, renovation, or demolition project;

(e) The revised start and stop dates and working hours, if applicable, for asbestos abatement, renovation, or demolition projects, for the entire project or for any phase of the project;

(f) The changes in the amount of asbestos to be removed during the project if the asbestos removal amount increases or decreases by more than 20%;

(g) If the previously reported area of the building or buildings to be demolished was inaccurate and needs to be changed, then the demolition notification form shall be revised to include the building area change and any additional fee shall be paid to the Utah Division of Air Quality; and

(h) Any changes to the original or subsequently revised notification form or forms. Describe all changes made to the revised notification form in the comments section of that form.

(11) If the asbestos removal amount is increased in the revised notification form, then the appropriate fee shall be paid to the Utah Division of Air Quality.

(12) If any project phase or an entire NESHAP-sized asbestos abatement, renovation, or demolition project that requires a notification form under Subsection R307-801-12(4) will [~~commence~~]begin on a date or work times other than the date and work times submitted in the original or the most recently revised notification form, the director shall be notified of the new start date and work times by the following deadlines:

(a) If the new start date and work times are later than the original start date and work times, then notice by telephone, fax, or electronic means shall be given as soon as possible before the start date and a revised notification form shall be submitted in accordance with Subsection R307-801-12(10) as soon as possible before, but no later than, the original start date. If the written notification form is received by the director no later than the day before the original start date and work times, no notice by telephone is required.

(b) If the new start date is earlier than the original start date, submit a written notice in accordance with Subsection R307-801-12(10) at least ten working days before beginning the project.

(c) In no event shall an asbestos abatement, renovation, or demolition project covered by Section R307-801-12 begin on a date other than the new start date submitted in the revised written notice.

R307-801-13. Asbestos Abatement and Renovation Project: Work Practices.

(1) An asbestos abatement supervisor who has been certified under Section R307-801-6 shall be on-site during asbestos abatement project setup, asbestos removal, stripping, cleaning and dismantling of the project, and other handling of uncontainerized regulated asbestos-containing material (RACM).

(2) All persons handling any amount of uncontainerized RACM during a regulated project shall be certified as an asbestos abatement worker or an asbestos abatement supervisor certified under Section R307-801-6.

(3) Persons performing an asbestos abatement or renovation project at a regulated facility shall follow the work practices in Section R307-801-13. Where the work practices in Subsections R307-801-13(3) and (4) are required, wrap and cut, open top catch bags, glove bags, and mini-enclosures may be used in combination with those work practices.

(a) Adequately wet regulated asbestos-containing material (RACM) with amended water before exposing or disturbing it, except when temperatures are continuously below freezing (32 degrees F.), and when all requirements in 40 CFR 61.145(c)(7) are met.

(b) Install barriers and post warning signs to prevent access to the work area. Warning signs shall conform to the specifications of 29 CFR 1926.1101(k)(7).

(c) Keep RACM adequately wet until it is containerized and disposed of in accordance with Section R307-801-14.

(d) Ensure that RACM that is stripped or removed is promptly containerized.

(e) Prevent visible particulate matter and uncontainerized asbestos-containing debris and waste originating in the work area from being released outside of the negative pressure enclosure or designated work area.

(f) Filter all waste water to five microns before discharging it to a sanitary sewer.

(g) Decontaminate the outside of all persons, equipment, and waste bags so that no visible residue is observed before leaving the work area.

(h) Apply encapsulant to RACM that is exposed but not removed during stripping.

(i) Clean the work area, drop cloths, and other interior surfaces of the enclosure using a high-efficiency particulate air (HEPA) vacuum and wet cleaning techniques until there is no visible residue before dismantling barriers.

(j) After cleaning and before dismantling enclosure barriers, mist all surfaces inside of the enclosure with a penetrating encapsulant designed for that purpose.

(k) Handle and dispose of friable asbestos-containing material (ACM) and RACM according to the disposal [~~provisions~~]requirements of Section R307-801-14.

(4) All operators of NESHAP-sized asbestos abatement projects shall install a negative pressure enclosure using the following work practices.

(a) All openings to the work area shall be covered with at least one layer of six mil or thicker polyethylene sheeting sealed with duct tape or an equivalent barrier to air flow.

(b) If RACM debris is present in the proposed work area [~~prior to~~]before the start of a NESHAP-sized asbestos abatement project, the site shall be prepared by removing the debris using the work practice requirements of Section R307-801-13 and disposal requirements of Section R307-801-14. If the total amount of loose visible RACM debris throughout the entire work area is the SSSD amount, then site preparation may begin after the notification form has been submitted and before the end of the ten working day waiting period.

(c) A decontamination unit constructed to the specifications of Subsection R307-801-13(4)(h) shall be attached to the containment [~~prior to~~]before disturbing RACM or commencing a NESHAP-sized asbestos abatement project, and all persons shall enter and leave the negative pressure enclosure or work area only through the decontamination unit except in a life threatening emergency situation.

(d) All persons subject to Rule R307-801 shall shower before entering the clean-room of the decontamination unit when exiting the enclosure and shall follow all procedures required by 29 CFR 1926.1101(j)(1)(ii).

(e) No materials may be removed from the enclosure or brought into the enclosure through any opening other than a waste load-out or a decontamination unit.

(f) The negative pressure enclosure of the work area shall be constructed with the following specifications:

(i) Apply at least two layers of six mil or thicker polyethylene sheeting or its equivalent to the floor extending at least one foot up [~~every~~]each wall and seal in place with duct tape or its equivalent;

(ii) Apply at least two layers of four mil or thicker polyethylene sheeting or its equivalent to the walls without locating seams in wall or floor corners;

(iii) Seal all seams with duct tape or its equivalent;

(iv) Maintain the integrity of all enclosure barriers; and

(v) Where a wall or floor will be removed as part of the NESHAP-sized asbestos abatement project, polyethylene sheeting need not be applied to that regulated facility component or structural member.

(g) View ports shall be installed in the enclosure or barriers where feasible, and view ports shall be:

(i) At least one foot square;

(ii) Made of clear material that is impermeable to the passage of air, for example,[~~such as~~] an acrylic sheet;

(iii) Positioned so as to maximize the view of the inside of the enclosure from a position outside the enclosure; and

(iv) Accessible to a person outside of the enclosure.

(h) A decontamination unit shall be constructed according to the following specifications:

(i) The unit shall be attached to the enclosure or work area;

(ii) The decontamination unit shall consist of at least three chambers and meet all regulatory requirements of 29 CFR 1926.1101(j)(1)(i);

(iii) The clean room, which is the chamber that opens to the outside, shall be no less than three feet wide by three feet long by six feet high, when feasible;

(iv) The shower room, which is the chamber between the clean and dirty rooms, shall have hot and cold or warm running water and be no less than three feet wide by three feet long by six feet high, when feasible;

(v) The dirty room, which is the chamber that opens to the negative pressure enclosure or the designated work area, shall be no less than three feet wide by three feet long by six feet high, when feasible;

(vi) The dirty room shall be provided with an accessible waste bag at any time that asbestos abatement project is being performed.

(i) A separate waste load-out following the specifications in Subsections R307-801-13(4)(i)(i) through (iii)[~~below~~] may be attached to the enclosure for removal of decontaminated waste containers and decontaminated or wrapped tools from the enclosure.

(i) The waste load-out shall consist of at least one chamber constructed of six mil or thicker polyethylene walls and six mil or thicker polyethylene flaps or the equivalent on the outside and inside entrances;

(ii) The waste load-out chamber shall be at least three feet long, three feet high, and three feet wide; and

(iii) The waste load-out supplies shall be sufficient to decontaminate bags, and shall include a water supply with a filtered drain, clean rags, disposable rags or wipes, and clean bags.

(j) Negative air pressure and flow shall be established and maintained within the enclosure by:

(i) Maintaining at least four air changes per hour in the enclosure;

(ii) Routing the exhaust from HEPA filtered ventilation units to the outside of the regulated facility when[~~ever~~] possible;

(iii) Maintaining [~~a minimum of~~]at least 0.02 column inches of water pressure differential relative to outside pressure; and

(iv) Maintaining a monitoring device to measure the negative pressure in the enclosure.

(5) In lieu of two layers of polyethylene on the walls and the floors as required by Subsections R307-801-13(4)(f)(i) and (ii), the following work practices and controls may be used only under the circumstances described in Subsections R307-801-13(5)(a) through (c)[~~below~~]:

(a) When a pipe insulation removal asbestos abatement project is conducted the following may be used:

(i) Drop cloths extending a distance at least equivalent to the height of the RACM around all RACM to be removed, or extended to a wall and attached with duct tape or equivalent;

(ii) Either the glove bag or wrap and cut methods may be used; and

(iii) RACM shall be adequately wet before wrapping.

(b) When the RACM is scattered ACM and is found in small patches, for example,[~~such as~~] isolated pipe fittings, the following procedures may be used:

(i) Glove bags, mini-enclosures as described in Subsection R307-801-13(7)(c), or wrap and cut methods with drop cloths large enough to capture all RACM fragments that fall from the work area may be used.

(ii) If all asbestos disturbance is limited to the inside of negative pressure glove bags or a mini-enclosure, then non-glove bag or non-mini-enclosure building openings need not be sealed and negative pressure need not be maintained in the space outside of the glove bags or mini-enclosure during the asbestos removal operation.

(iii) A remote decontamination unit may be used as described in Subsection R307-801-13(7)(d) only if an attached decontamination unit is not feasible.

(c) When a preformed RACM pipe insulation asbestos abatement project in a crawl space or pipe chase less than six feet high or less than three feet wide is conducted, the following may be used:

(i) Drop cloths extending a distance at least six feet around all preformed RACM pipe insulation to be removed or extended to a wall and attached with duct tape or equivalent; or

(ii) The open top catch bag method.

(6) During outdoor asbestos abatement projects, the work practices of Section R307-801-13 shall be followed with the following modifications:

(a) Negative pressure need not be maintained if there is not an enclosure;

(b) Six mil polyethylene drop cloth, or equivalent, large enough to capture all RACM fragments that fall from the work area shall be used; and

(c) A remote decontamination unit as described in Subsection R307-801-13(7)(d) may be used.

(7) Special work practices.

(a) If the wrap and cut method is used:

(i) The regulated facility component shall be cut at least six inches from any RACM on that component;

(ii) If asbestos will be removed from the regulated facility component to accommodate cutting, the asbestos removal shall be performed using a single glove bag for each cut, and no RACM shall be disturbed outside of a glove bag;

(iii) The wrapping shall be leak-tight and shall consist of two layers of six mil polyethylene sheeting, each individually sealed with duct tape, and all RACM between the cuts shall be sealed inside wrap; and

(iv) The wrapping shall remain intact and leak-tight throughout the removal and disposal process.

(b) If the open top catch bag method is used:

(i) The material to be removed can only be preformed RACM pipe insulation, and it shall be located in a crawl space or a pipe chase less than six feet high or less than three feet wide;

(ii) Asbestos waste bags that are leak-tight and strong enough to hold contents securely shall be used;

(iii) The bag shall be placed underneath the stripping operation to minimize ACM falling onto the drop cloth;

(iv) All material stripped from the regulated facility component shall be placed in the bag;

(v) One asbestos abatement worker shall hold the bag and another asbestos abatement worker shall strip the ACM into the bag; and

(vi) A drop cloth extending a distance at least six feet around all preformed RACM pipe insulation to be removed, or extended to a wall and attached with duct tape or equivalent shall be used.

(c) If glove bags are used, they shall be under negative pressure, and the procedures required by 29 CFR 1926.1101(g)(5)(iii) shall be followed.

(d) A remote decontamination unit may be used under the conditions set forth in Subsections R307-801-13(5)(b) and (6), when there is an area insufficient to construct a connected decontamination unit, or when approved by the director. The remote decontamination unit shall meet all construction standards in Subsection R307-801-13(4)(h) and shall include:

(i) Outerwear shall be HEPA vacuumed or removed, and additional clean protective outerwear shall be put on;

(ii) Either polyethylene sheeting shall be placed on the path to the decontamination unit and the path shall be blocked or taped off to prevent public access, or asbestos abatement workers shall be conveyed to the remote decontamination unit in a vehicle that has been lined with two layers of six mil or thicker polyethylene sheeting or its equivalent; and

(iii) The polyethylene path or vehicle liner shall be removed at the end of the project, and disposed of as ACWM.

(e) Mini-enclosures, when used under approved conditions, shall conform to the requirements of 29 CFR 1926.1101(g)(5)(vi).

(8) For asbestos-containing mastic removal projects using mechanical means, for example,[~~such as~~] a power buffer, to loosen or remove mastic from the floor, in lieu of two layers of polyethylene sheeting on the walls, splash guards of six mil or thicker polyethylene sheeting shall be placed from the floor level [~~a minimum of~~]at least three feet up the walls.

(9) Persons who improperly disturb more than the SSSD amount of asbestos-containing material and contaminate an area with friable asbestos shall:

(a) Have the emergency clean-up portion of the project, including any portions not contained within a regulated facility or in common use areas that cannot be isolated, performed as soon as possible by a company or companies certified according to Section R307-801-5, and, asbestos abatement supervisor[~~(~~]s[~~)~~], and asbestos abatement worker[~~(~~]s[~~)~~] certified according to Section R307-801-6.

(b) Have an asbestos clean-up plan designed by a Utah certified asbestos project designer for the non-emergency portion of the project and have the asbestos clean-up plan submitted to the director for approval. An asbestos clean-up plan is not required when the disturbance results from a natural disaster, fire, or flooding.

(c) Submit the project notification form required by Sections R307-801-11 and R307-801-12 to the director for acceptance no later than the next working day after the disturbance occurs or is discovered. For fee calculation purposes, the size of the emergency clean-up project is the area that has been contaminated or potentially contaminated by the disturbance and not the amount of asbestos-containing material disturbed.

(d) Notify the director of project completion by telephone, fax, or electronic means by the day of completion and before leaving the site.

(10) For asbestos abatement, renovation, or demolition projects that remove or otherwise disturb loose-fill vermiculite type insulation materials assumed to be regulated asbestos-containing material or found to contain greater than 1% regulated asbestiform fibers, then the material being removed is considered regulated asbestos-containing material and shall meet all the appropriate regulatory requirements of Rule R307-801.

(a) Regulated vermiculite shall be removed to the maximum extent possible, or by following a work practice that has been established by the director, or by an alternative work practice as approved by the director.

R307-801-14. Disposal and Handling of Asbestos Waste.

(1) Owners and operators of regulated facilities shall containerize asbestos-containing waste material (ACWM) while adequately wet.

(2) ACWM containers shall be leak-tight and strong enough to hold contents securely and be labeled with an OSHA warning label found in 29 CFR 1926.1101(k)(8).

(3) Containers shall be labeled with the waste generator's and contractor's names, addresses, and telephone numbers before they are removed from the asbestos renovation or abatement work area.

(4) Containerized regulated asbestos-containing material (RACM) shall be disposed of at a landfill which complies with 40 CFR 61.150.

(5) The waste shipment record shall include a list of items and the amount of ACWM being shipped. The waste generator originates and signs this document.

(6) Owners and operators of regulated facilities where an asbestos abatement or renovation project has been performed shall report in writing to the director if a copy of the waste shipment record, signed by the owner or operator of the designated waste disposal site, is not received by the waste generator within 45 working days from the date the waste was accepted by the initial transporter. Include in the report the following information:

(a) A copy of the waste shipment record for which a confirmation of delivery was not received; and

(b) A cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.

R307-801-15. Records.

(1) Certified asbestos abatement or renovation companies shall maintain records of all asbestos abatement or renovation projects that they perform at regulated facilities and shall make these records available to the director or authorized representative upon request. The records shall be [~~retained~~]kept for at least five years. Maintained records shall include the following:

(a) Names and certification numbers of the asbestos abatement workers, asbestos abatement supervisors, or renovators who performed the asbestos abatement or renovation project;

(b) Location and description of the asbestos abatement or renovation project and amount of friable asbestos-containing material (ACM) removed;

(c) Start and stop dates of the asbestos abatement or renovation project;

(d) Summary of the procedures used to comply with applicable requirements including copies of all notification forms;

(e) Waste shipment records maintained in accordance with 40 CFR Part 61, Subpart M; and

(f) Asbestos inspection reports associated with the asbestos abatement or renovation project.

(2) All persons subject to the inspection requirements of Section R307-801-9 shall maintain copies of asbestos inspection reports for at least one year after asbestos abatement, renovation, or demolition projects have [~~ceased~~]stopped, and shall make these reports available to the director or authorized representative upon request.

R307-801-16. Certified Renovator Work Practices.

(1) Certified renovators are responsible for ensuring compliance with Rule R307-801 at all renovation projects at regulated facilities to which they are assigned.

(2) Certified renovators working at regulated facilities shall:

(a) Perform all [~~of~~]the tasks described in Subsection R307-801-13(3) and shall either perform or direct workers who perform all tasks described in Subsection R307-801-13(3);

(b) Provide training to workers on the work practices required by Subsection R307-801-13(3) that will be used when performing renovation projects;

(c) Be physically present at the work site when all work activities required by Subsection R307-801-13(3)(b) are posted, while the work area containment required by Subsection R307-801-13(3)(b) is being established, and while the work area cleaning required by Subsection R307-801-13(3)(i) is performed;

(d) Be on-site and direct work being performed by other individuals to ensure that the work practices required by Subsection R307-801-13(3) are being followed, including maintaining the integrity of the containment barriers and ensuring that dust or debris does not spread beyond the work area;

(e) Have with them at the work site their current Utah Renovator certification card; and

(f) Prepare the records required by Section R307-801-15.

R307-801-17. Asbestos Information Distribution Requirements.

(1) Utah Abatement/Renovation pamphlet. Utah asbestos abatement and renovation companies shall provide owners and occupants of single and multi[-]family residential structures with the Utah

Abatement/Renovation Pamphlet "Asbestos Hazards During Abatement and Renovation Activities" when those structures will be re-occupied after the regulated activities are completed.

(2) No more than 60 days before beginning an abatement or renovation project in a regulated facility, the company performing the abatement or renovation project shall:

(a) Provide the owner of the regulated facility with the pamphlet, and comply with one of the following:

(i) Obtain, from the owner, a written acknowledgment that the owner has received the pamphlet; or

(ii) Obtain a certificate of mailing at least seven working days [~~prior to~~]before the abatement or renovation project; and

(b) If the owner does not occupy the regulated facility, provide an adult occupant of the regulated facility with the pamphlet, and comply with one of the following:

(i) Obtain, from the adult occupant, a written acknowledgment that the occupant has received the pamphlet, or certify in writing that a pamphlet has been delivered to the regulated facility and that the company performing the abatement or renovation project has been unsuccessful in obtaining a written acknowledgment from an adult occupant. [~~Such c~~]Certification shall include the address of the unit undergoing abatement or renovation activities, the date and method of delivery of the pamphlet, names of the persons delivering the pamphlet, reason for lack of acknowledgment, for example, occupant refuses to sign or no adult occupant available[~~(e.g., occupant refuses to sign, no adult occupant available)~~], the signature of a representative of the company performing the abatement or renovation project, and the date of signature; or

(ii) Obtain a certificate of mailing at least seven working days [~~prior to~~]before the abatement or renovation project.

(3) Abatement or renovation projects in common areas. No more than 60 working days before beginning abatement or renovation projects in common areas of a regulated facility, the company performing the abatement or renovation project shall:

(a) Provide the owner with the pamphlet and comply with one of the following:

(i) Obtain, from the owner, a written acknowledgment that the owner has received the pamphlet; or

(ii) Obtain a certificate of mailing at least seven working days [~~prior to~~]before the abatement or renovation project;

(b) Comply with one of the following:

(i) Notify in writing, or ensure written notification of, each regulated facility and make the pamphlet available upon request [~~prior to~~]before the start of abatement or renovation project. [~~Such n~~]Notification shall be accomplished by distributing written notice to each affected unit in the regulated facility. The notice shall describe the general nature and locations of the planned abatement or renovation project, the expected starting and ending dates, how the occupant can obtain the pamphlet and a copy of the required records at no cost to the occupants; or

(ii) Post informational signs describing the general nature and locations of the abatement or renovation project and the anticipated completion date while the abatement or renovation project is ongoing. These signs shall be posted in areas where they are likely to be seen by the occupants of all [~~of~~]the affected units in the regulated facility. The signs shall be accompanied by a posted copy of the pamphlet or information about how interested occupants can review a copy of the pamphlet or obtain a copy from the abatement or renovation company at no cost to occupants. The signs shall also include information about how interested occupants can review a copy of the required records from the abatement or renovation company at no cost to the occupants;

(c) Prepare, sign, and date a statement describing the steps performed to notify all occupants of the regulated facility of the intended abatement or renovation project and to provide the pamphlet; and

(d) If the scope, locations, or expected starting and ending dates of the planned abatement or renovation project change after the initial notification, and the company provided written initial notification to each affected unit, the company performing the abatement or renovation project shall provide further written notification to the owners and occupants of the regulated facility of the revised information for the ongoing or planned activities. This subsequent notification shall be provided before

the company performing the abatement or renovation project initiates work beyond that which was described in the original notice.

(4) Written acknowledgment. The written acknowledgments required by [~~paragraphs~~]Subsections R307-801-17(2)(a)(i), (2)(b)(i), and (3)(a)(i) shall:

(a) Include a statement recording the owner or occupant's name and acknowledging receipt of the pamphlet [~~prior to~~]before the start of abatement or renovation project, or no later than the day after the start of an emergency abatement or renovation project, the address of the regulated facility undergoing an abatement or renovation project, the signature of the owner or occupant as applicable, and the date of signature;

(b) Be either a separate sheet or part of any written contract or service agreement for the abatement or renovation project; and

(c) Be written in the [~~same~~]language as the text of the contract or agreement for the abatement or renovation project or, in the case of a non-owner occupied regulated facility, in the [~~same~~]language as the lease or rental agreement or the pamphlet.

KEY: air pollution, asbestos, asbestos hazard emergency response, schools
Date of Last Change: 2025[~~September 3, 2020~~]
Notice of Continuation: February 1, 2023
Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(d); 19-2-104(3)(r) through (t); 40 CFR Part 61, Subpart M; 40 CFR Part 763, Subpart E

ITEM 6

Air Toxics

State of Utah
SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQA-823-25

M E M O R A N D U M

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: November 5, 2025

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – October 2025

Asbestos Demolition/Renovation NESHAP Inspections	11
Asbestos AHERA Inspections	0
Asbestos State Rules Only Inspections	6
Asbestos Notification Forms Accepted	211
Asbestos Telephone Calls	375
Asbestos Individuals Certifications Approved	81
Asbestos Company Certifications	10
Asbestos Alternate Work Practices Approved	11
Lead-Based Paint (LBP) Inspections	5
LBP Notification Forms Approved	5
LBP Telephone Calls	53
LBP Letters Prepared and Mailed	9
LBP Courses Reviewed/Approved	0
LBP Course Audits	0
LBP Individual Certifications Approved	27
LBP Firm Certifications	12

Notices of Violation Sent	0
Compliance Advisories Sent	5
Warning Letters Sent	10
Settlement Agreements Finalized	0

Compliance

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQC-1143-25

M E M O R A N D U M

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: November 7, 2025

SUBJECT: Compliance Activities – October 2025

ACTIVITIES:

Activity	Monthly Total
Inspections	43
On-Site Stack Test & CEM Audits	3
Stack Test & RATA Report Reviews	25
Emission Report Reviews	14
Temporary Relocation Request Reviews	4
Fugitive Dust Control Plan Reviews	129
Soil Remediation Report Reviews	0
Open Burn Permits Issued	843
Miscellaneous Inspections[1]	16
Complaints Received	34
Wood Burning Complaints Received	0
Breakdown Reports Received	0
Compliance Actions Resulting from a Breakdown	0
VOC Inspections (Gas station vapor recovery)	0
Warning Letters Issued	4
Notices of Violation Issued	2
Compliance Advisories Issued	15
No Further Action Letters Issued	0
Settlement Agreements Reached	4
Penalties Assessed	$186,407

Miscellaneous inspections include, e.g., surveillance, complaint, on-site training, dust patrol, smoke patrol, open burning, etc.

SETTLEMENT AGREEMENTS:

Party	Amount
Big West Oil	$180,000
Advance Storage Products	$3,440
Staker Parson dba Hales Sand and Gravel – Centerfield Hot Mix Asphalt Plant	$2,160
JWright Companies	$807

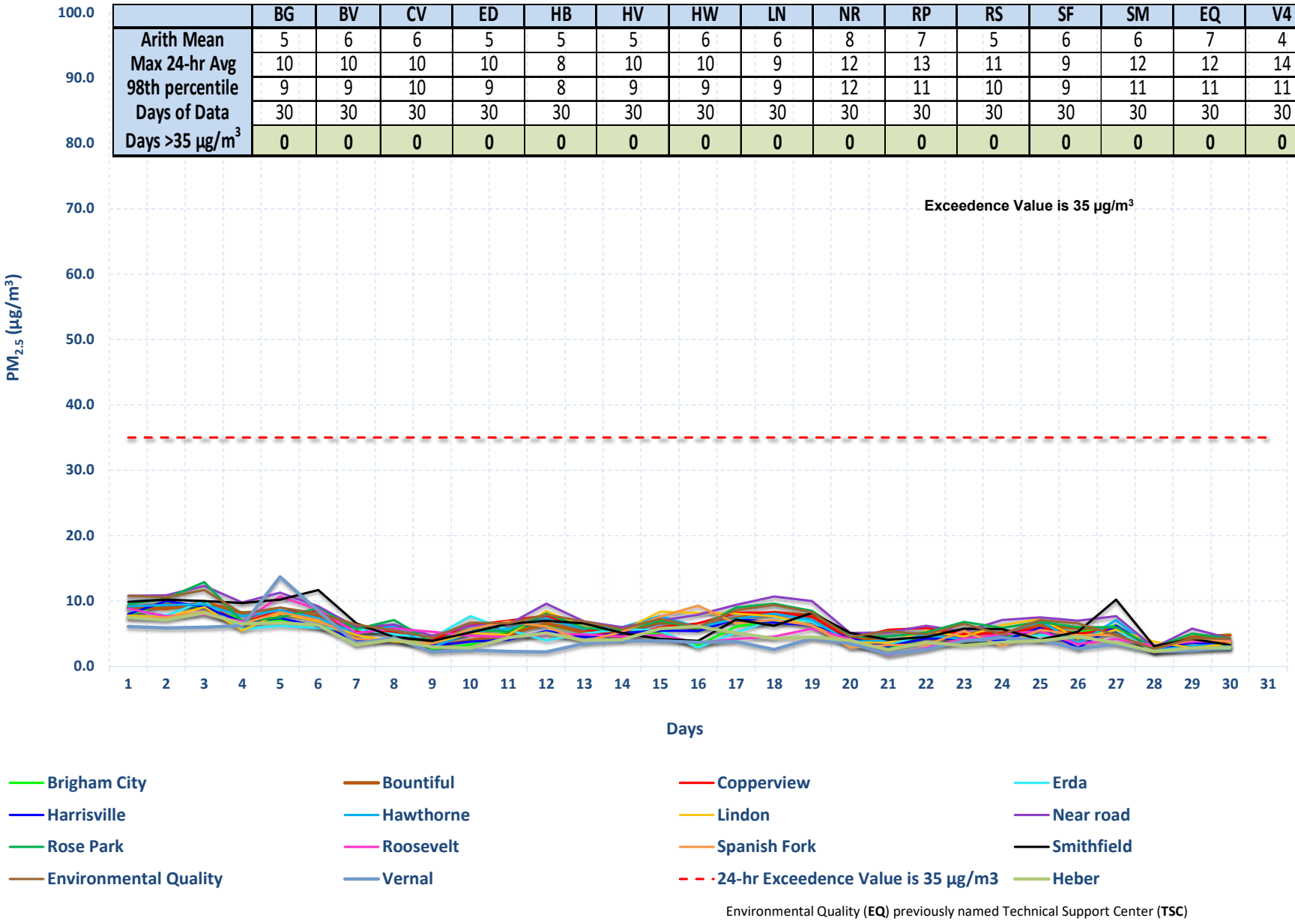
UNRESOLVED NOTICES OF VIOLATION:

Party	Date Issued
Citation Oil and Gas (in administrative litigation)	01/15/2020
Uinta Wax Operating (formerly CH4 Finley)	07/24/2020
Finley Resources	09/15/2022
Holcim	12/19/2023
Holcim	03/27/2024
Holcim	08/02/2024
CKC Operations, LLC	02/18/2025
Parowan Rock Products	05/15/2025
Bedrock Sand & Gravel	05/21/2025
Utah Iron, LLC	08/22/2025
Ash Grove Cement	10/30/2025
Ash Grove Cement	10/30/2025

Air Monitoring

Utah 24-Hr $PM_{2.5}$ Data September 2025

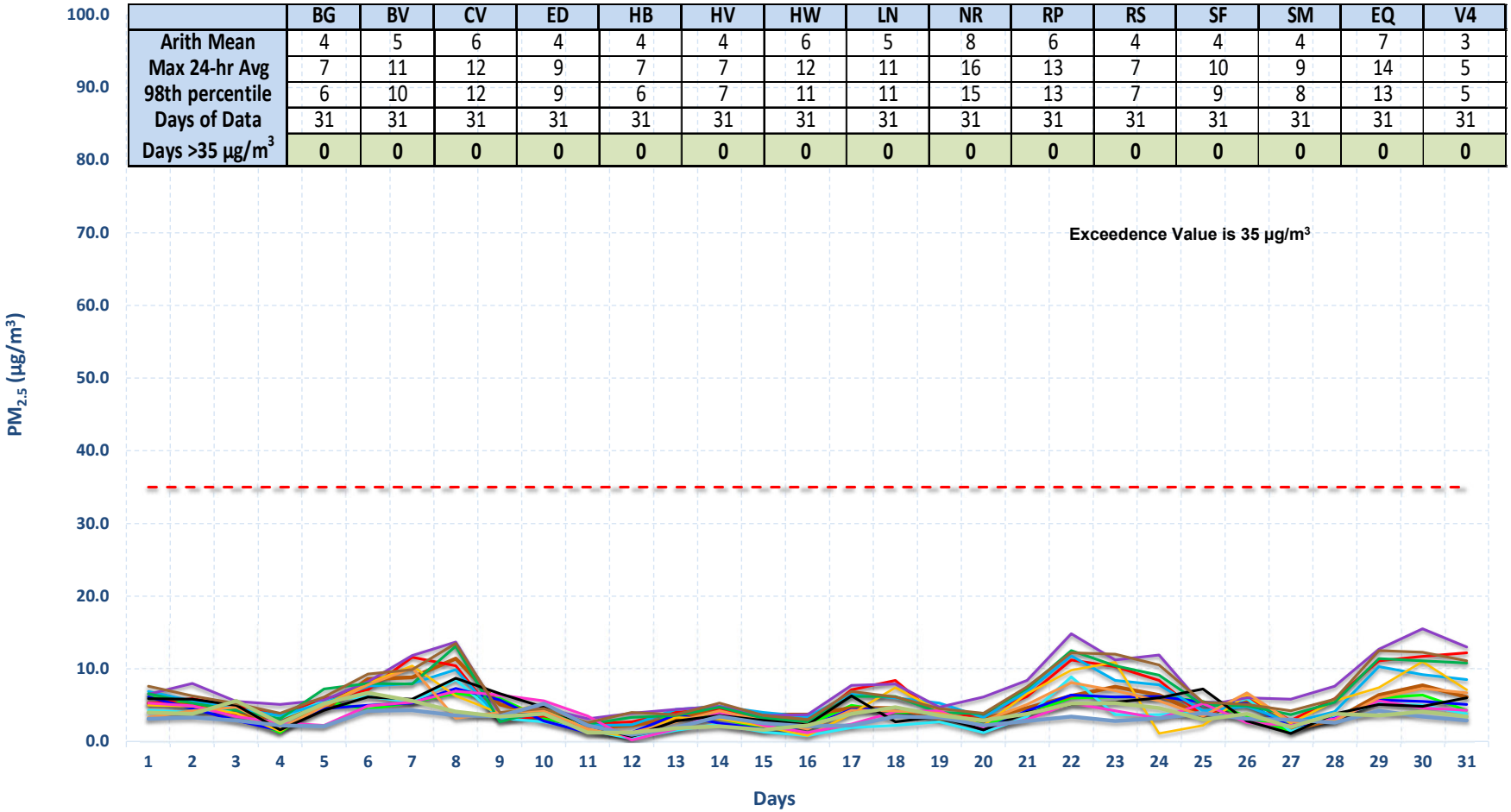
	BG	BV	CV	ED	HB	HV	HW	LN	NR	RP	RS	SF	SM	EQ	V4
Arith Mean	5	6	6	5	5	5	6	6	8	7	5	6	6	7	4
Max 24-hr Avg	10	10	10	10	8	10	10	9	12	13	11	9	12	12	14
98th percentile	9	9	10	9	8	9	9	9	12	11	10	9	11	11	11
Days of Data	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30
Days >35 µg/m^3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-Hr $PM_{2.5}$ Data October 2025

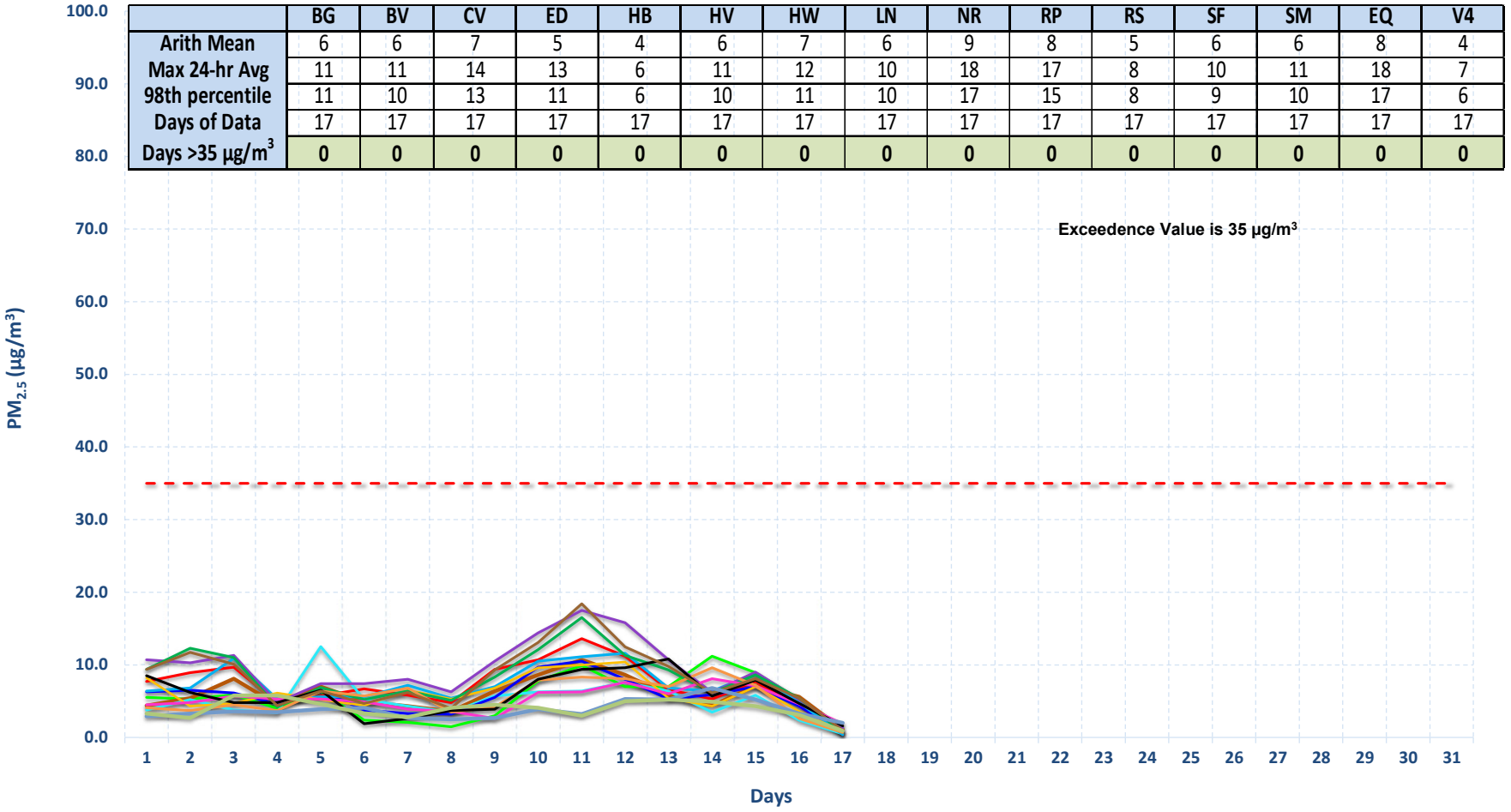
	BG	BV	CV	ED	HB	HV	HW	LN	NR	RP	RS	SF	SM	EQ	V4
Arith Mean	4	5	6	4	4	4	6	5	8	6	4	4	4	7	3
Max 24-hr Avg	7	11	12	9	7	7	12	11	16	13	7	10	9	14	5
98th percentile	6	10	12	9	6	7	11	11	15	13	7	9	8	13	5
Days of Data	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31
Days >35 µg/m^3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-Hr $PM_{2.5}$ Data November 2025

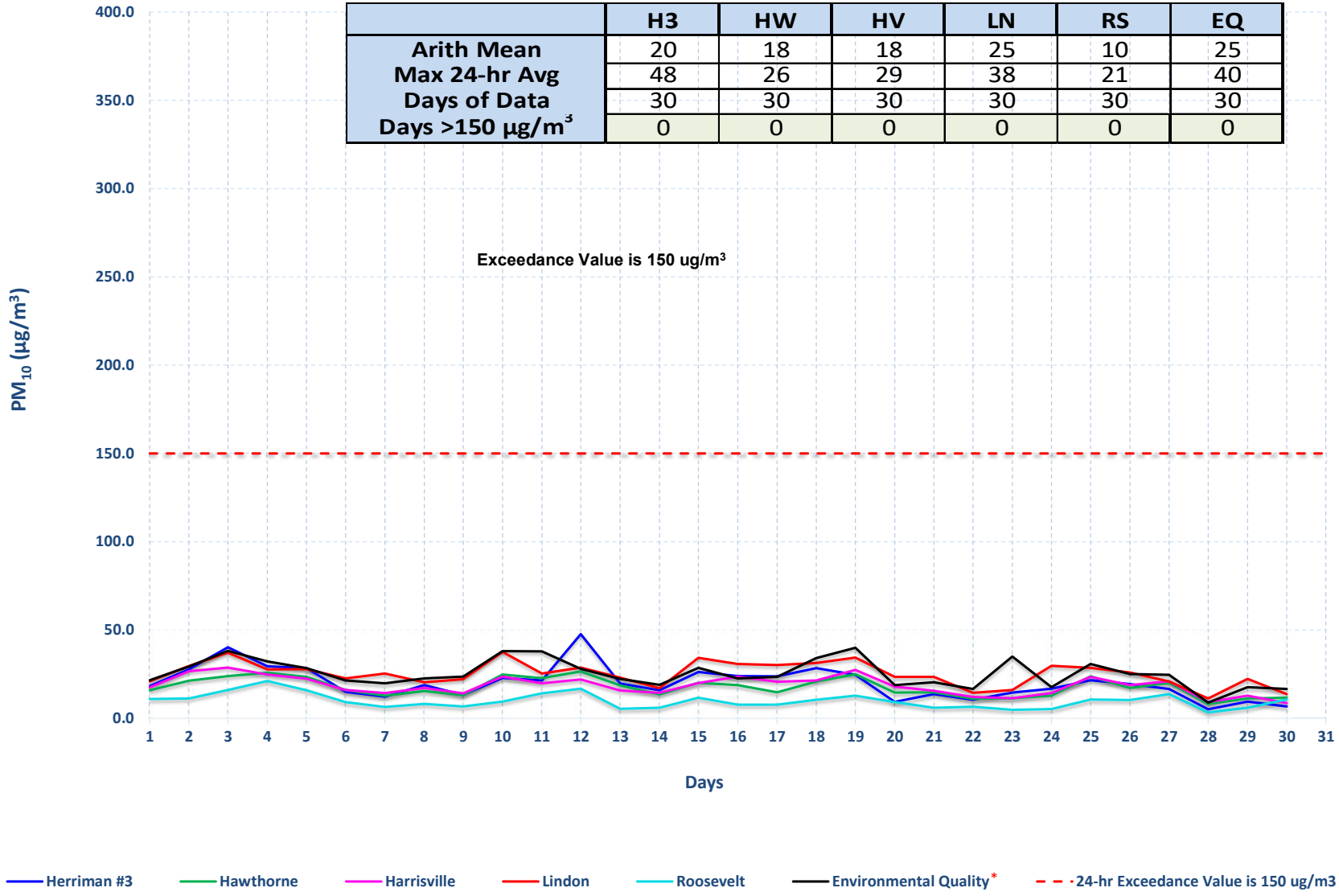
	BG	BV	CV	ED	HB	HV	HW	LN	NR	RP	RS	SF	SM	EQ	V4
Arith Mean	6	6	7	5	4	6	7	6	9	8	5	6	6	8	4
Max 24-hr Avg	11	11	14	13	6	11	12	10	18	17	8	10	11	18	7
98th percentile	11	10	13	11	6	10	11	10	17	15	8	9	10	17	6
Days of Data	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17
Days >35 µg/m^3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-hr PM_{10} Data September 2025

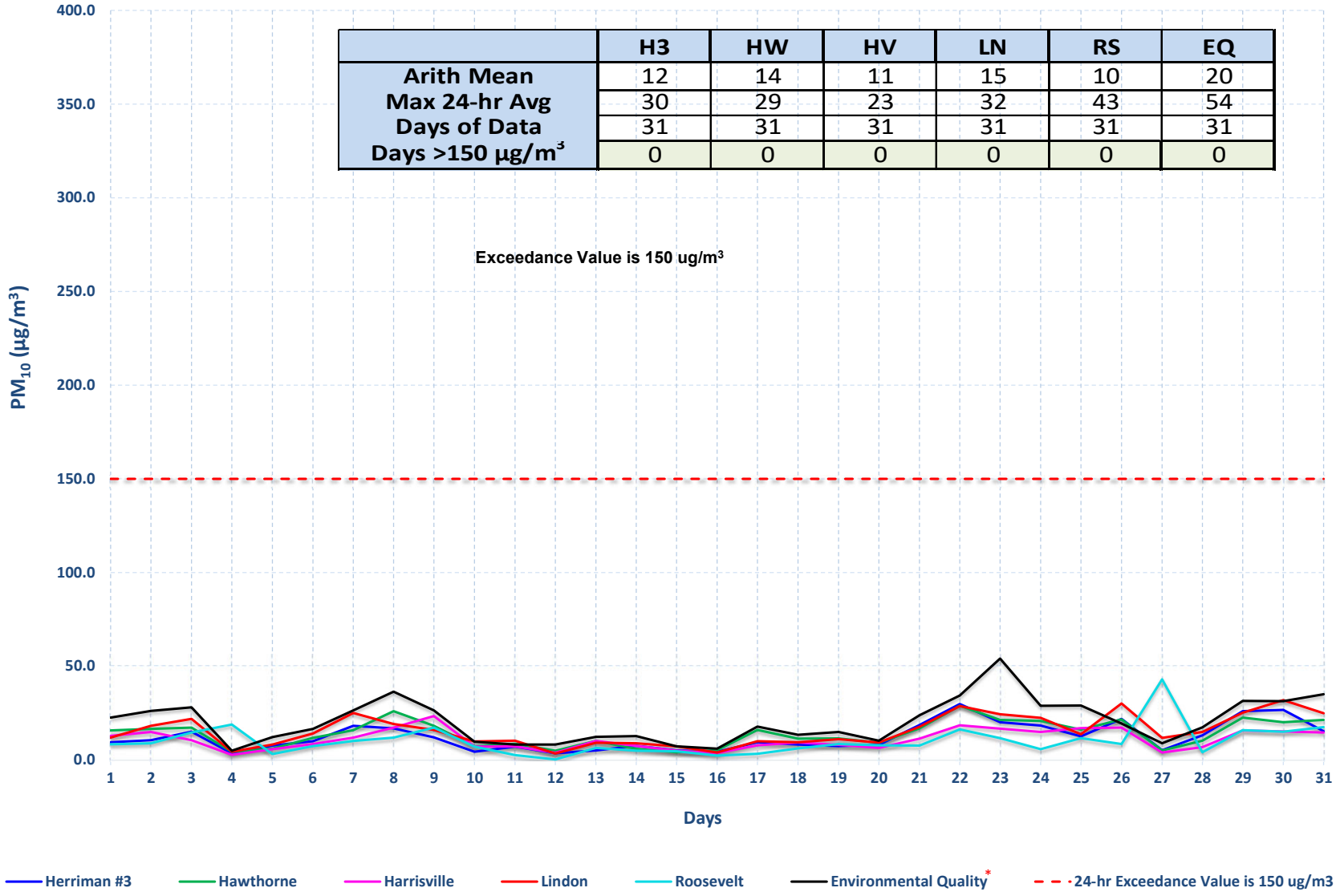
	H3	HW	HV	LN	RS	EQ
Arith Mean	20	18	18	25	10	25
Max 24-hr Avg	48	26	29	38	21	40
Days of Data	30	30	30	30	30	30
Days >150 µg/m³	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-hr PM_{10} Data October 2025

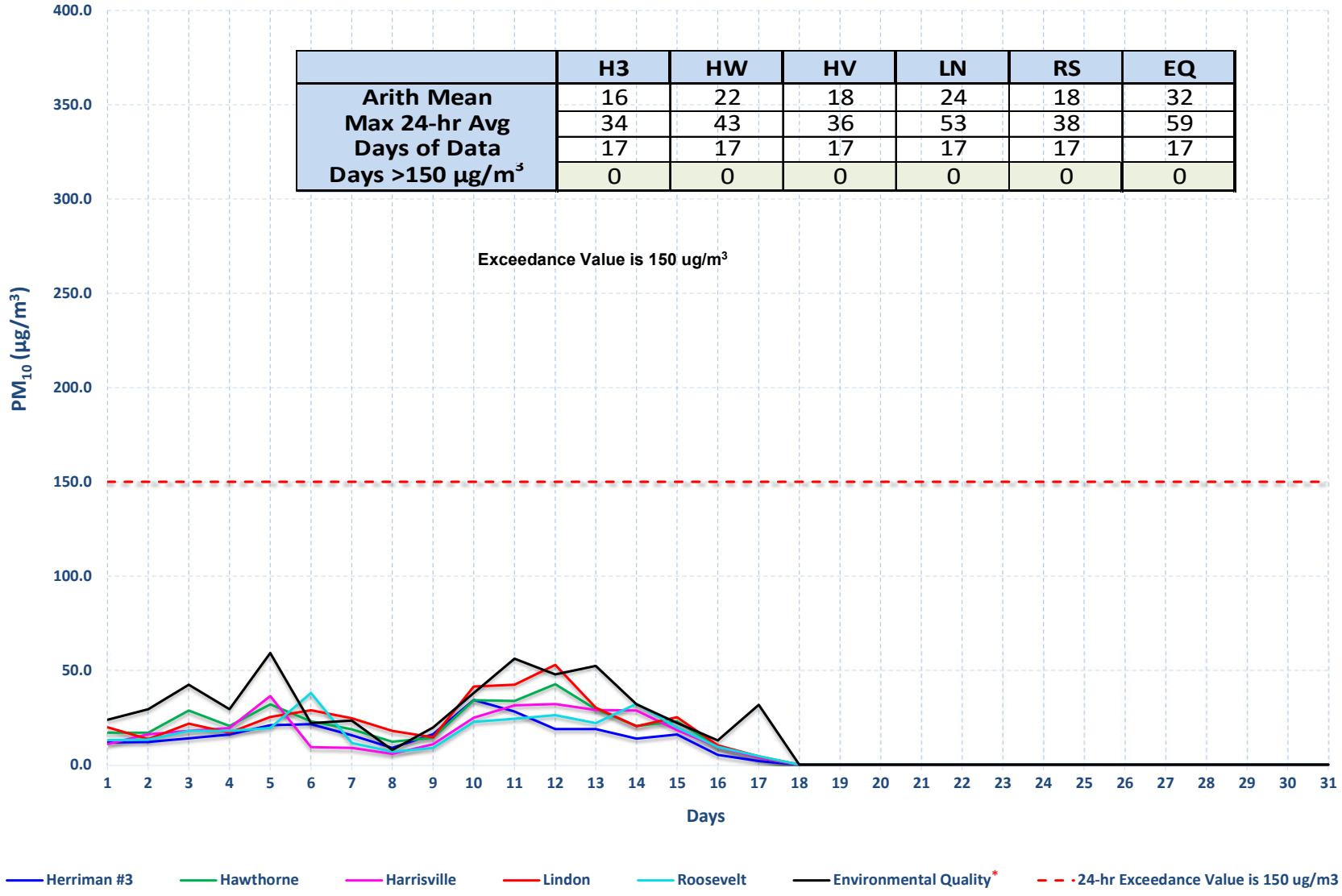
	H3	HW	HV	LN	RS	EQ
Arith Mean	12	14	11	15	10	20
Max 24-hr Avg	30	29	23	32	43	54
Days of Data	31	31	31	31	31	31
Days >150 µg/m³	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-hr PM_{10} Data November 2025

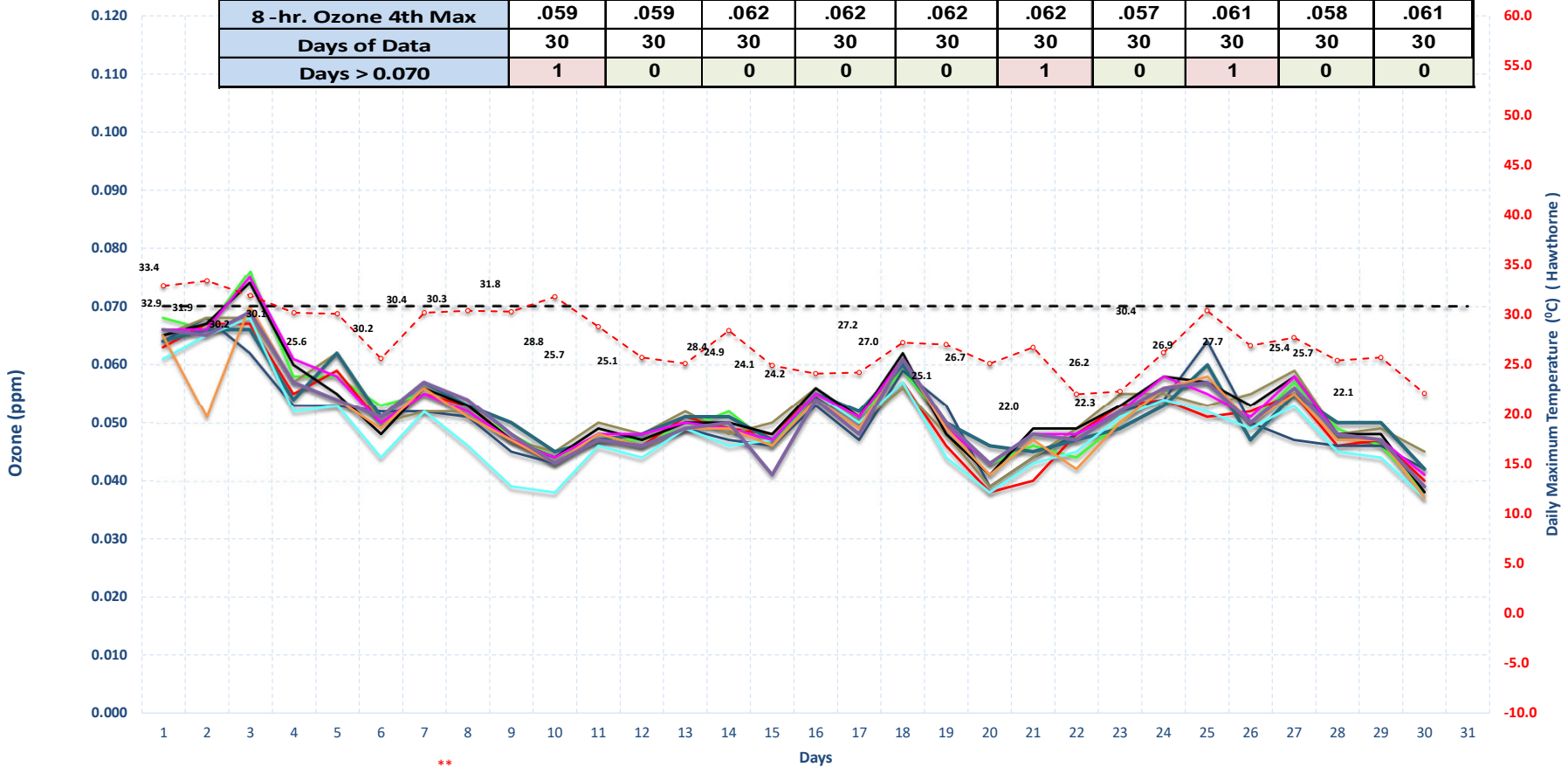
	H3	HW	HV	LN	RS	EQ
Arith Mean	16	22	18	24	18	32
Max 24-hr Avg	34	43	36	53	38	59
Days of Data	17	17	17	17	17	17
Days >150 µg/m³	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2025

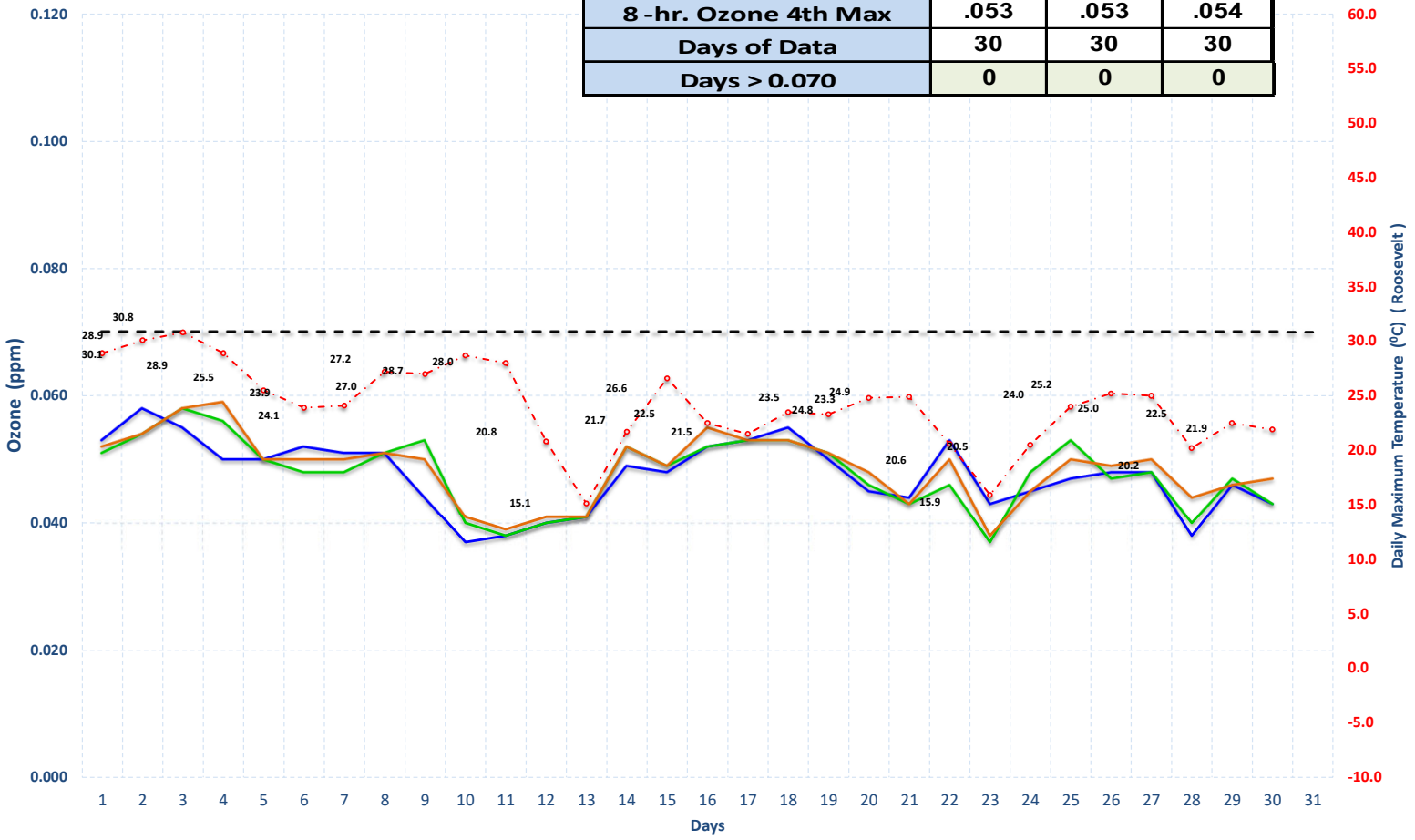
O3 Sep 2025	BV	CV	ED	H3	HV	HW	NR	RB	RP	EQ
Arith Mean	.052	.051	.051	.053	.052	.053	.049	.053	.051	.052
8-hr. Ozone 4th Max	.059	.059	.062	.062	.062	.062	.057	.061	.058	.061
Days of Data	30	30	30	30	30	30	30	30	30	30
Days > 0.070	1	0	0	0	0	1	0	1	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)
** Controlling Monitor

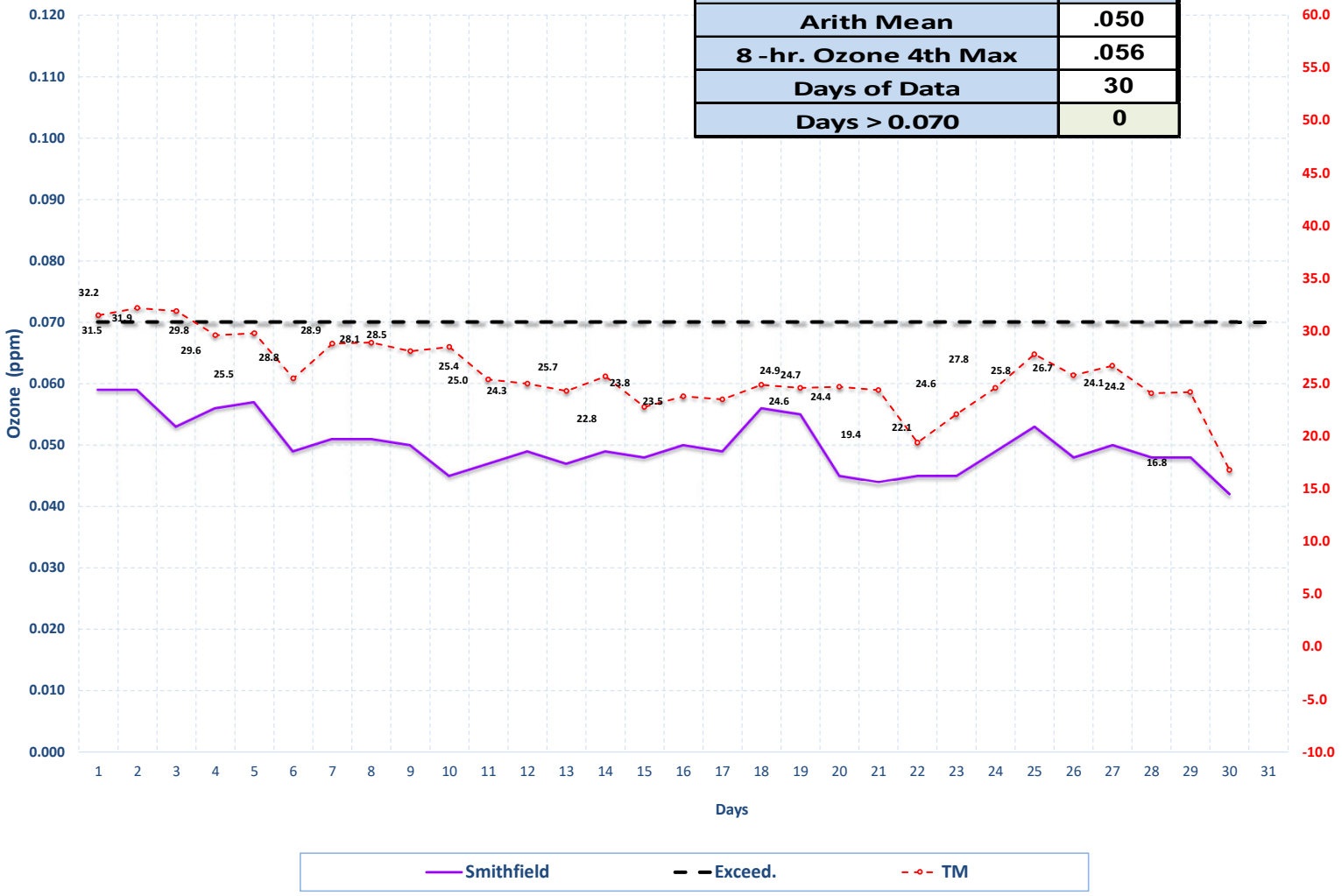
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2025

	P2	RS	V4
Arith Mean	.048	.048	.049
8 -hr. Ozone 4th Max	.053	.053	.054
Days of Data	30	30	30
Days > 0.070	0	0	0



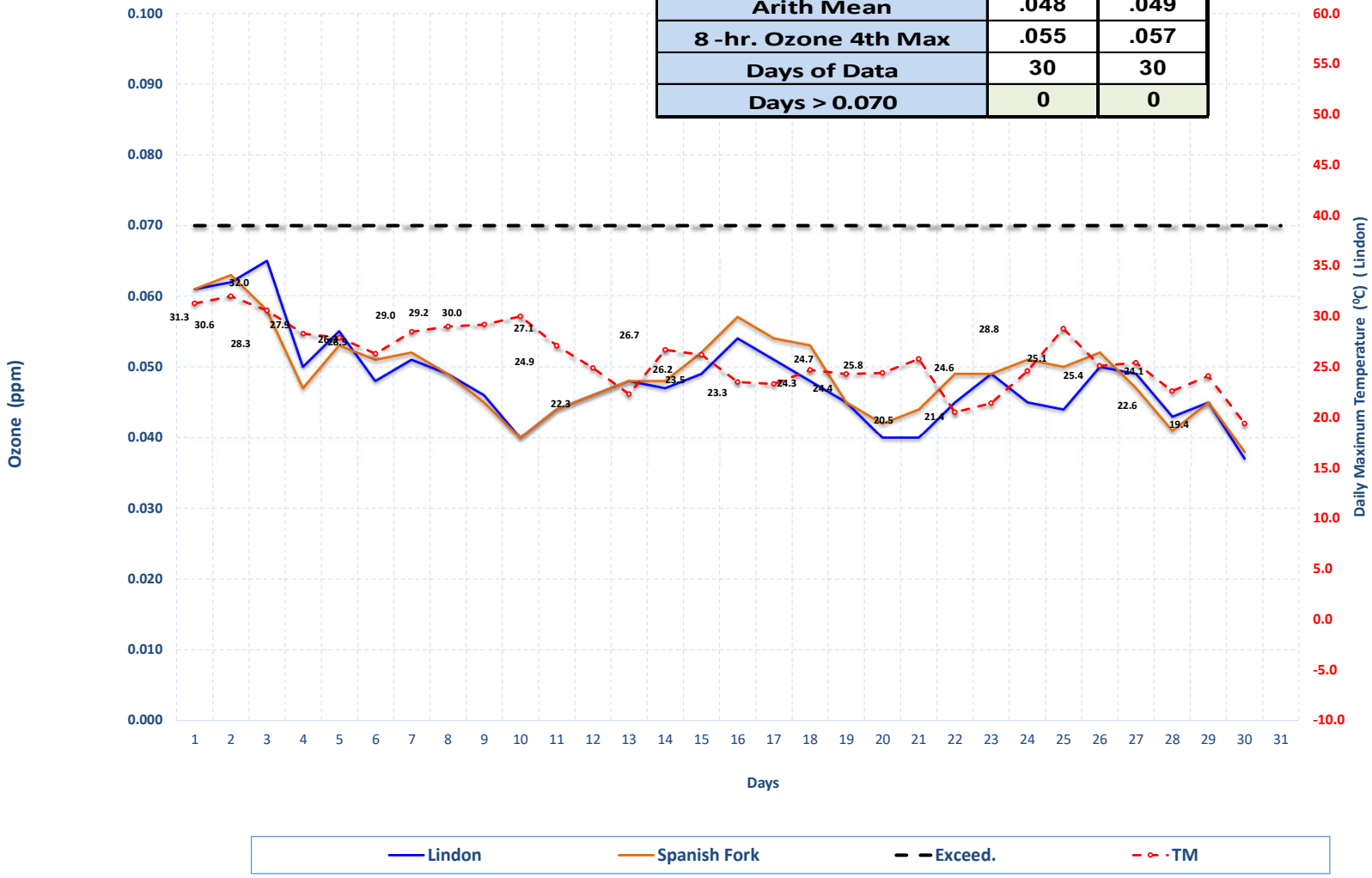
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2025

	SM
Arith Mean	.050
8 -hr. Ozone 4th Max	.056
Days of Data	30
Days > 0.070	0



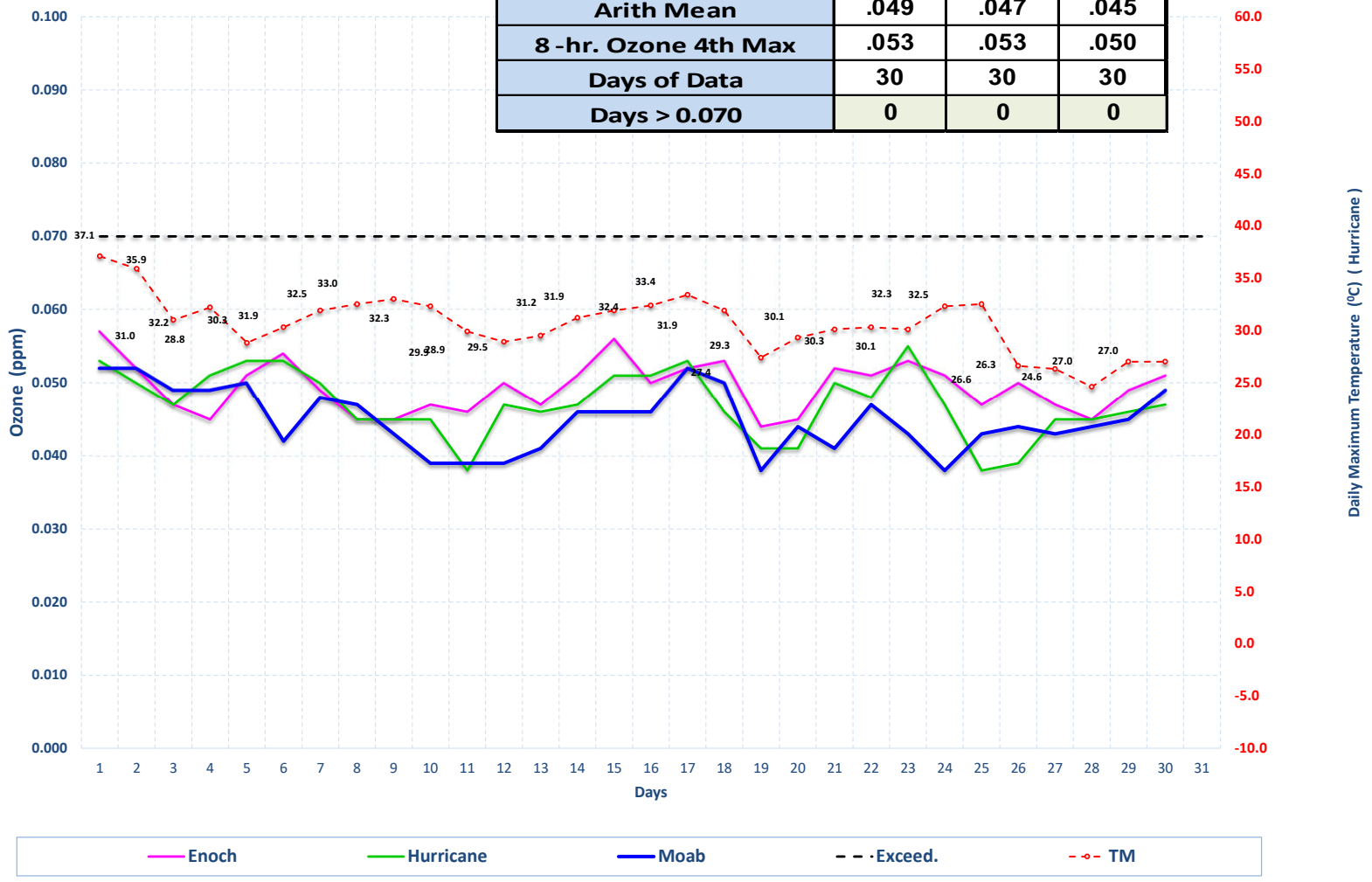
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2025

	LN	SF
Arith Mean	.048	.049
8 -hr. Ozone 4th Max	.055	.057
Days of Data	30	30
Days > 0.070	0	0



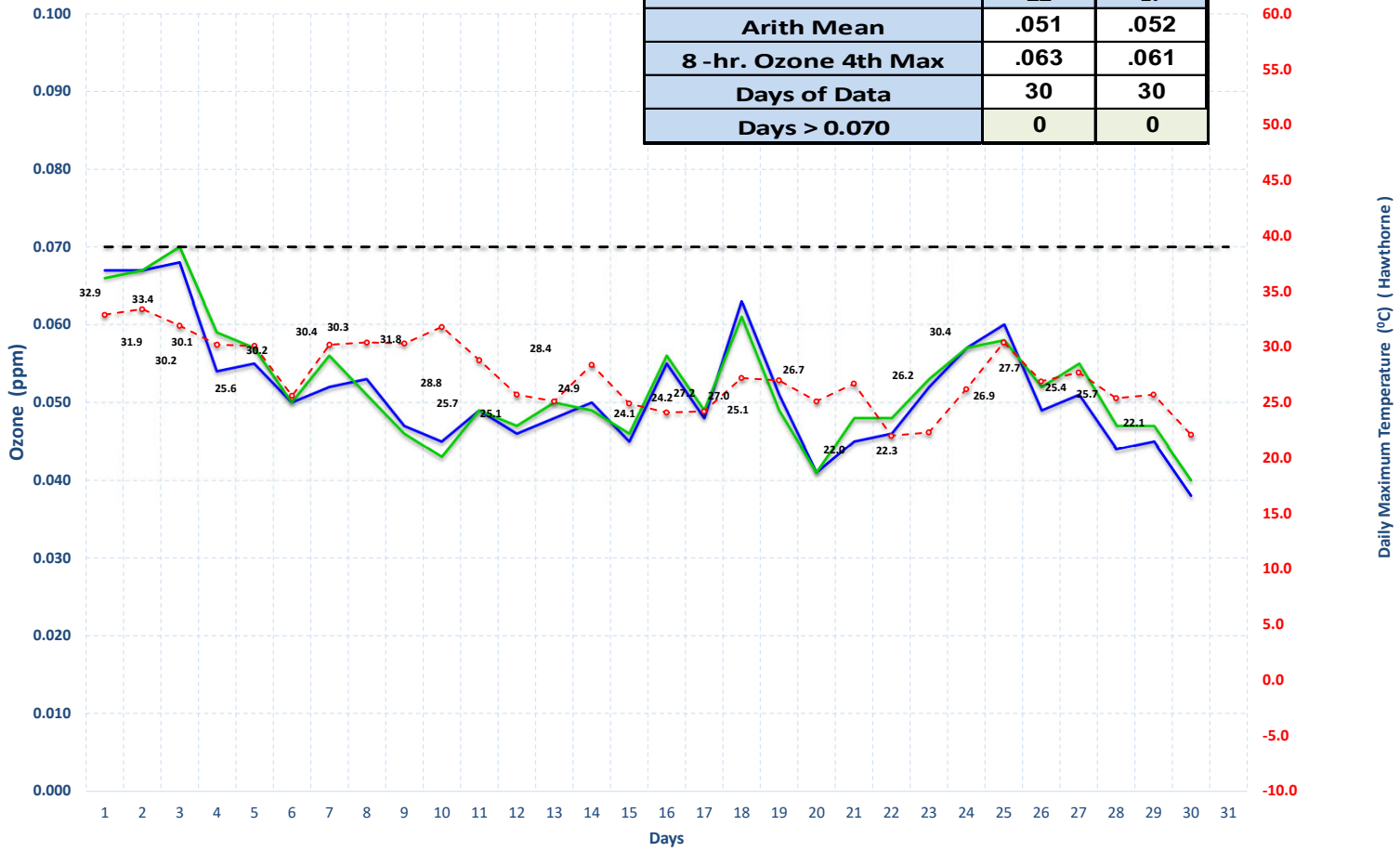
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2025

	EN	HC	M7
Arith Mean	.049	.047	.045
8 -hr. Ozone 4th Max	.053	.053	.050
Days of Data	30	30	30
Days > 0.070	0	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2025
Stations Monitoring the Inland Port Development

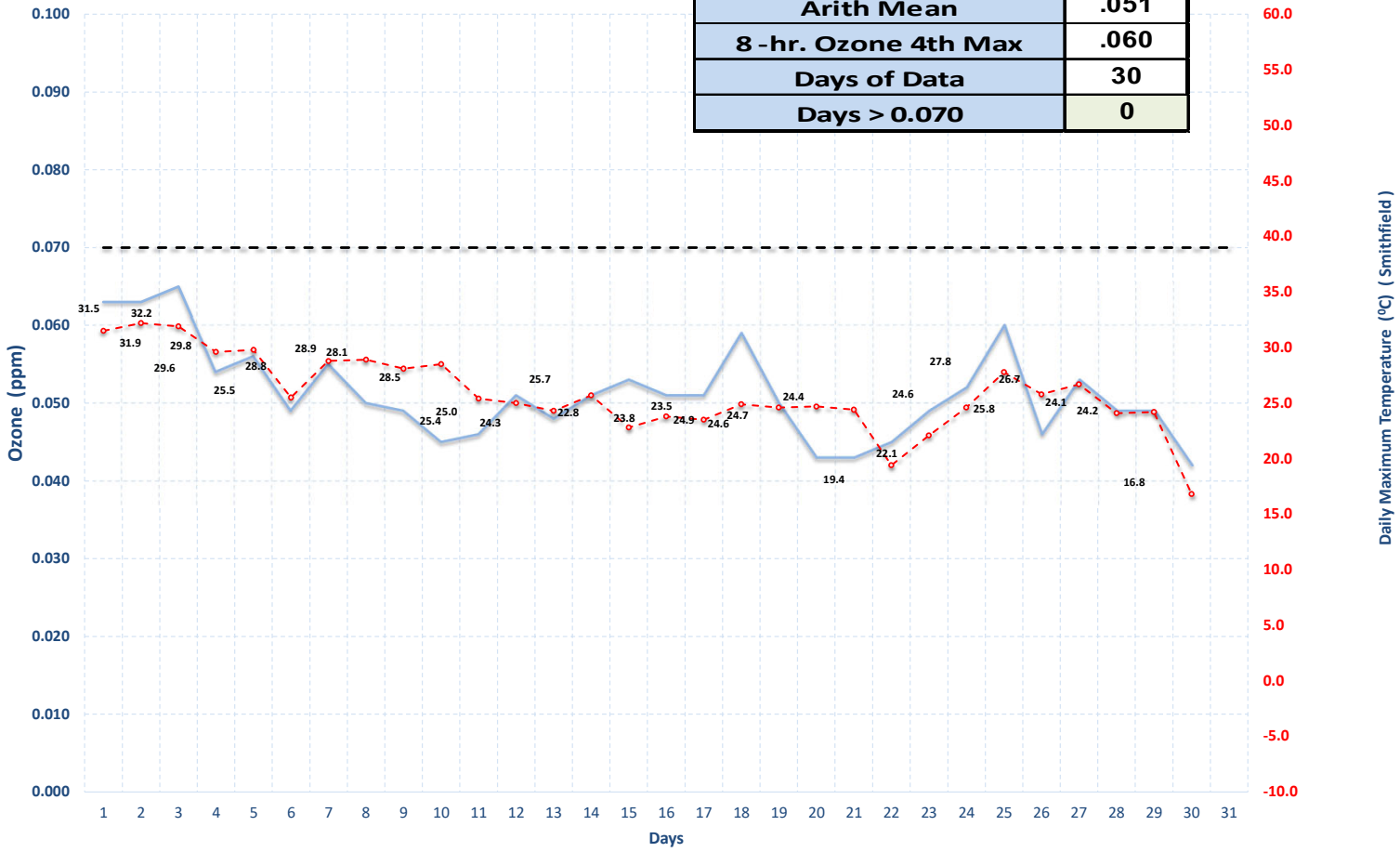
	ZZ	LP
Arith Mean	.051	.052
8 -hr. Ozone 4th Max	.063	.061
Days of Data	30	30
Days > 0.070	0	0



* **ZZ** is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named **IP**

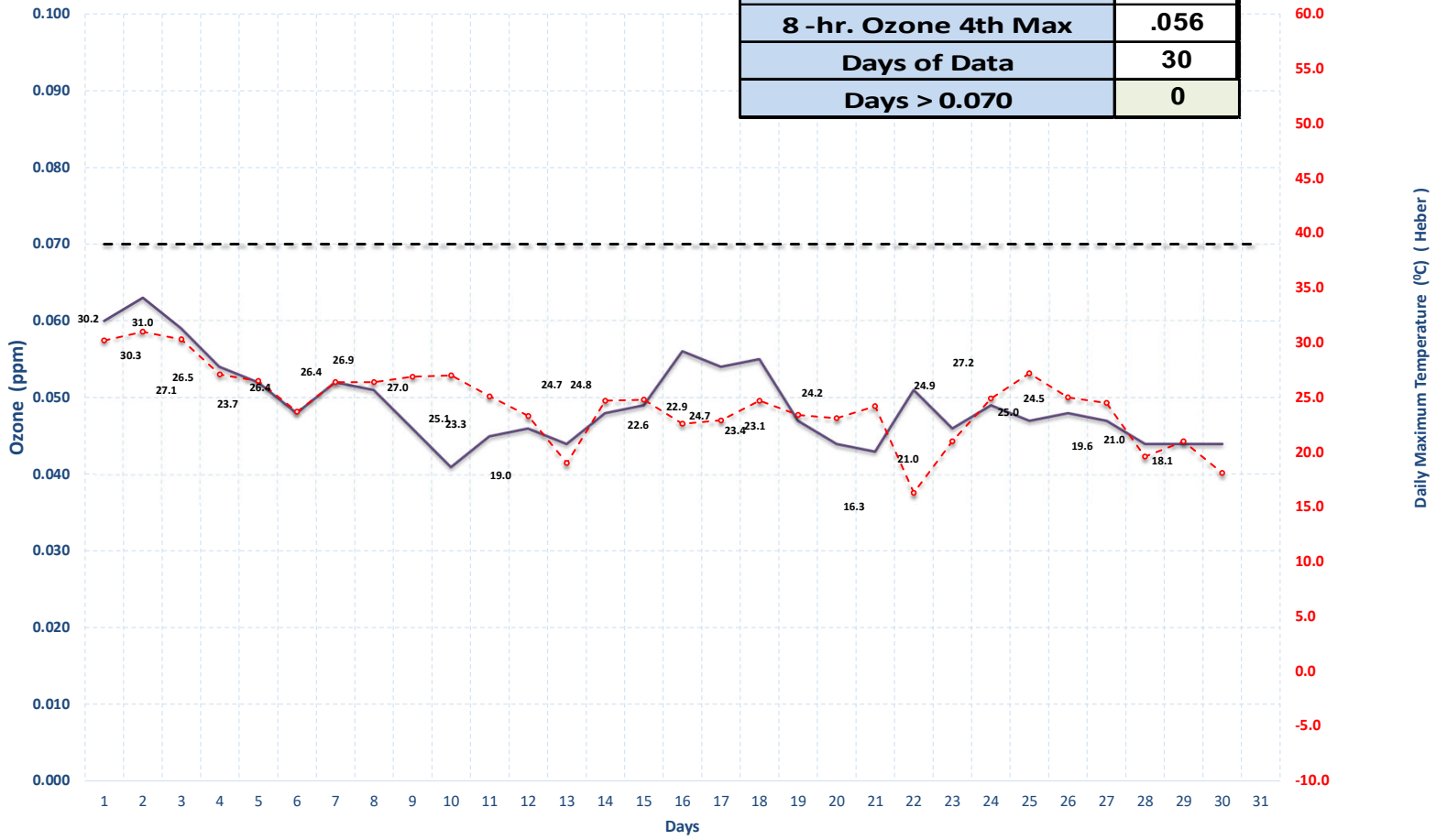
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2025

	BG
Arith Mean	.051
8 -hr. Ozone 4th Max	.060
Days of Data	30
Days > 0.070	0



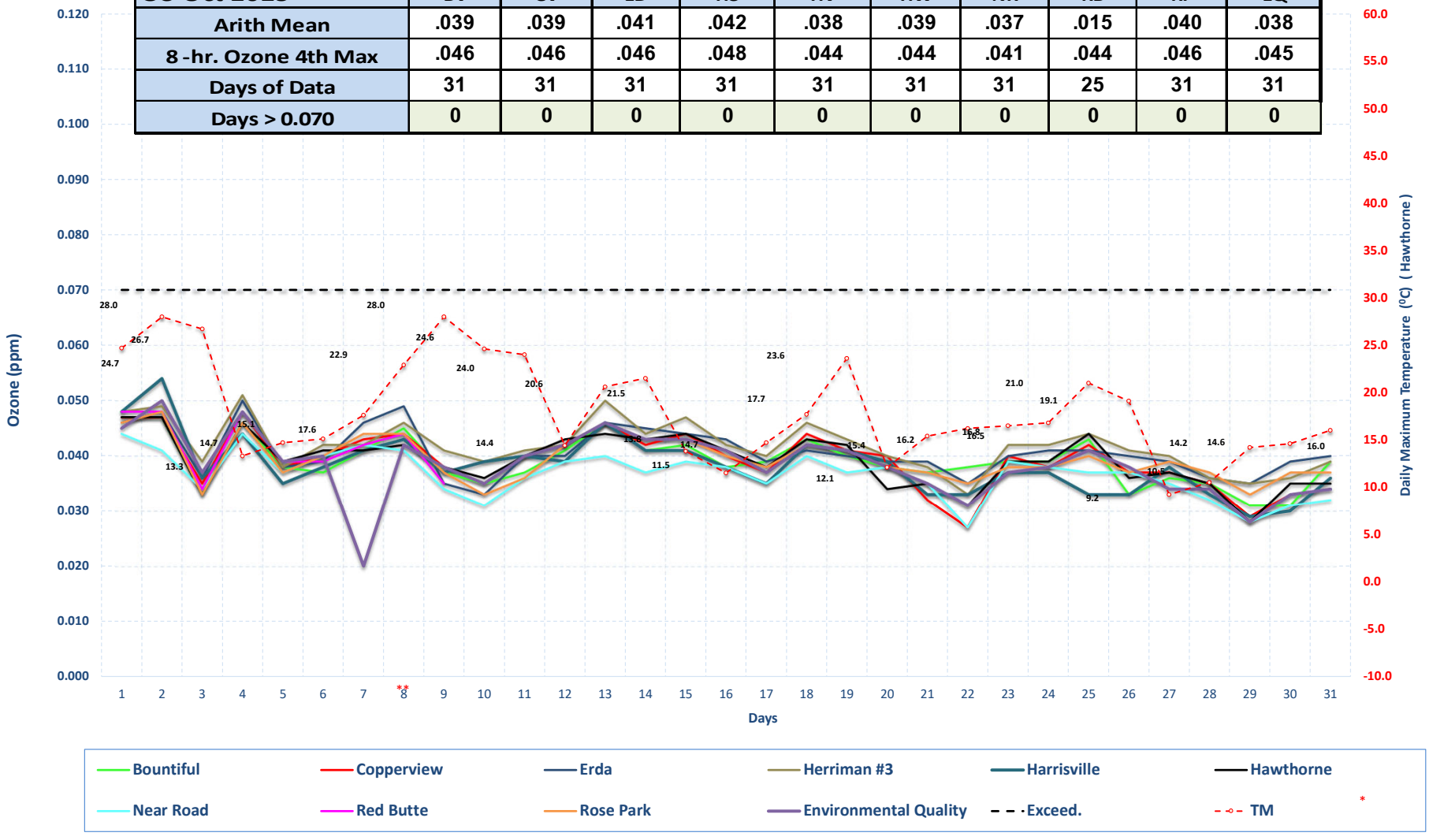
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2025

	HB
Arith Mean	.049
8 -hr. Ozone 4th Max	.056
Days of Data	30
Days > 0.070	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature Ocotber 2025

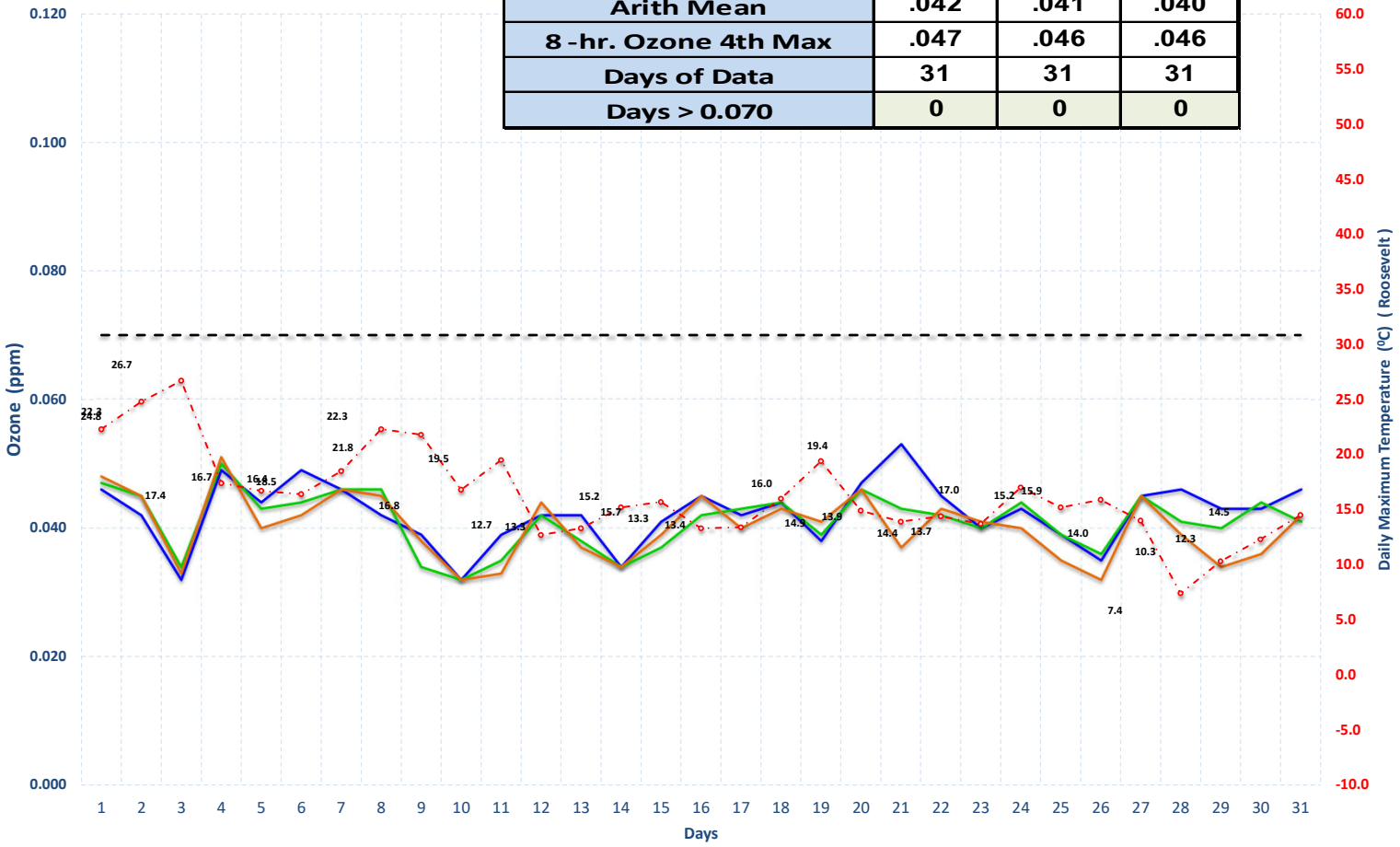
O3 Oct 2025	BV	CV	ED	H3	HV	HW	NR	RB	RP	EQ
Arith Mean	.039	.039	.041	.042	.038	.039	.037	.015	.040	.038
8 -hr. Ozone 4th Max	.046	.046	.046	.048	.044	.044	.041	.044	.046	.045
Days of Data	31	31	31	31	31	31	31	25	31	31
Days > 0.070	0	0	0	0	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)
** Controlling Monitor

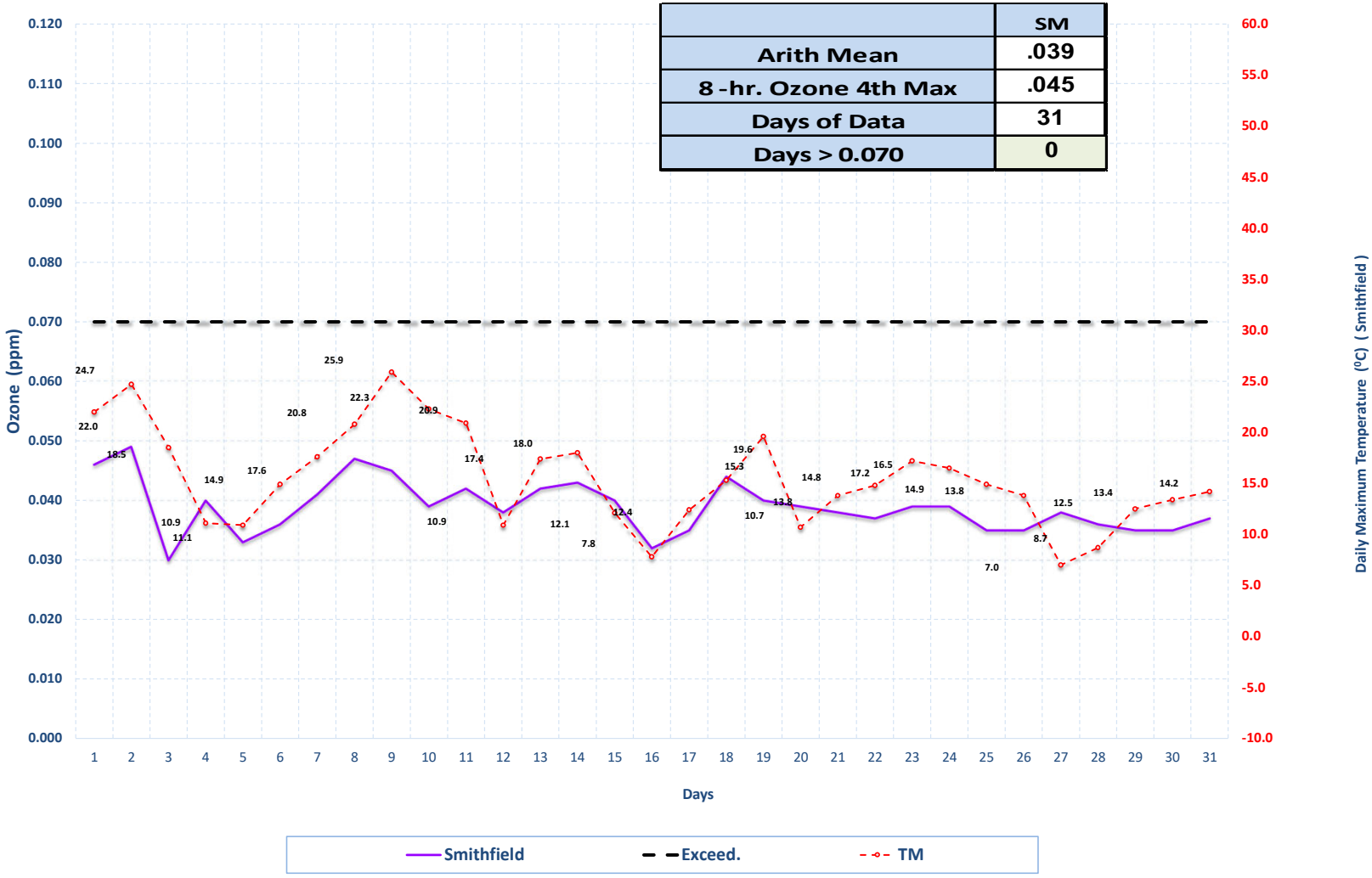
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2025

	P2	RS	V4
Arith Mean	.042	.041	.040
8 -hr. Ozone 4th Max	.047	.046	.046
Days of Data	31	31	31
Days > 0.070	0	0	0



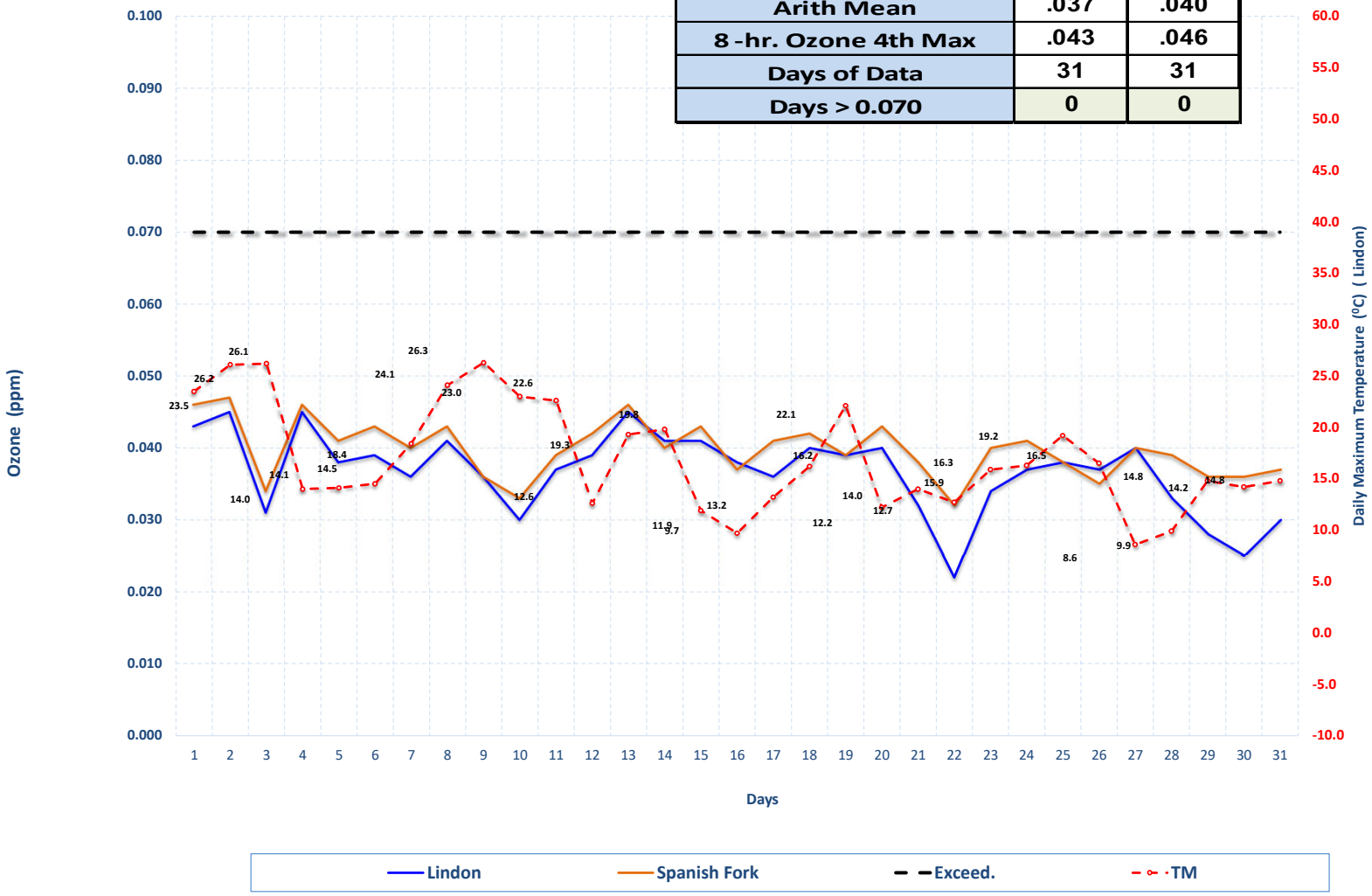
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2025

	SM
Arith Mean	.039
8 -hr. Ozone 4th Max	.045
Days of Data	31
Days > 0.070	0



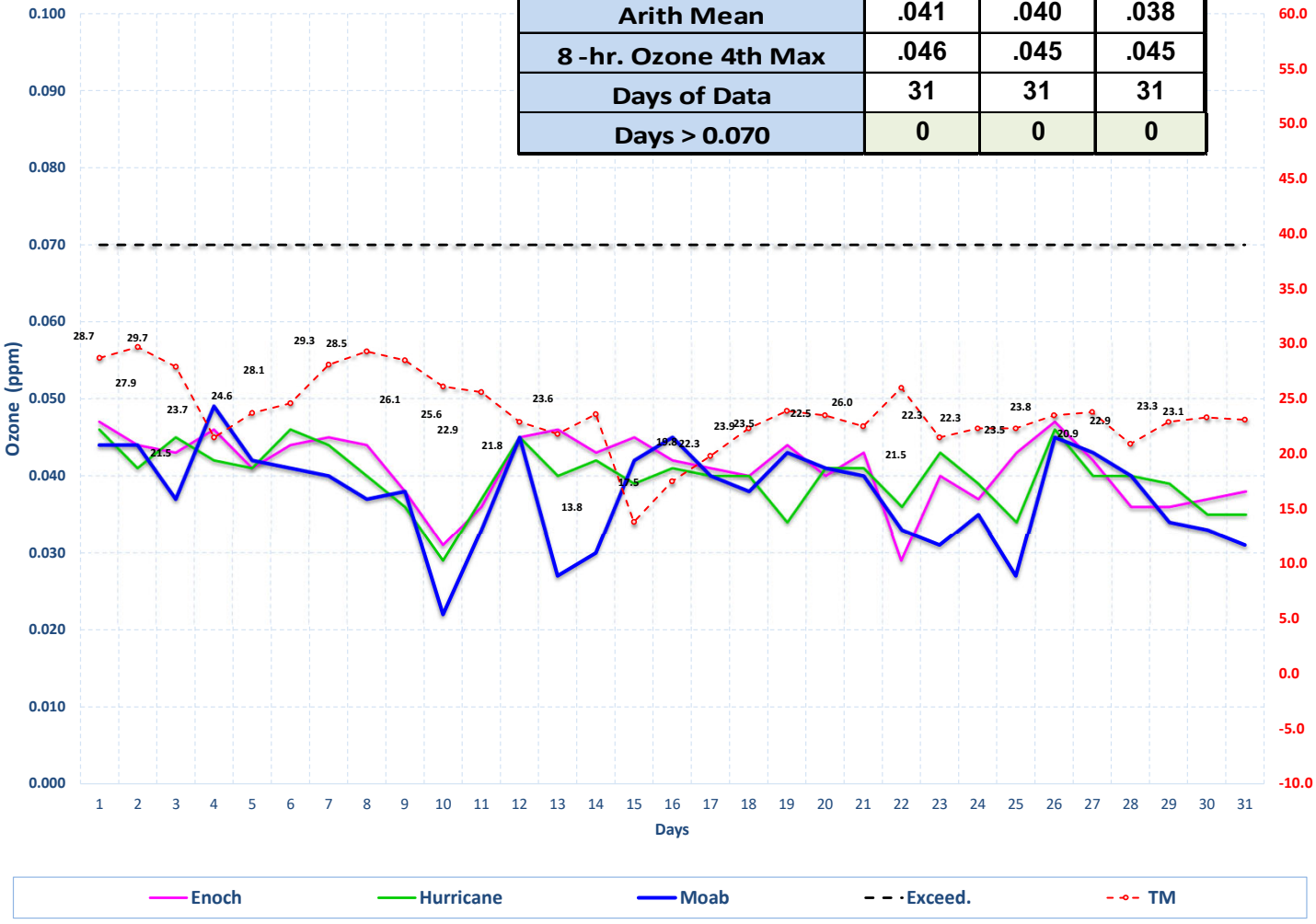
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2025

	LN	SF
Arith Mean	.037	.040
8 -hr. Ozone 4th Max	.043	.046
Days of Data	31	31
Days > 0.070	0	0



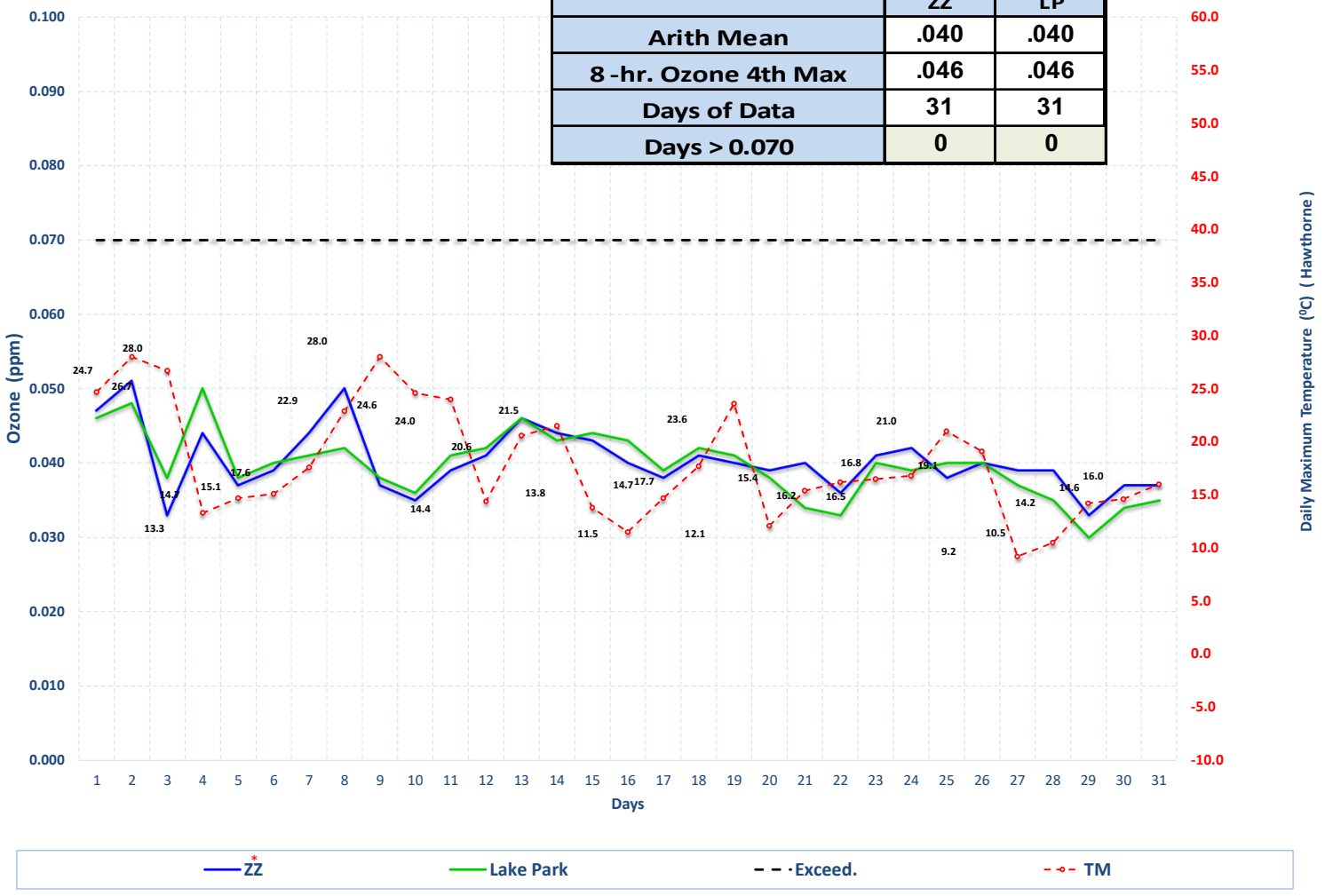
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2025

	EN	HC	M7
Arith Mean	.041	.040	.038
8 -hr. Ozone 4th Max	.046	.045	.045
Days of Data	31	31	31
Days > 0.070	0	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2025
Stations Monitoring the Inland Port Development

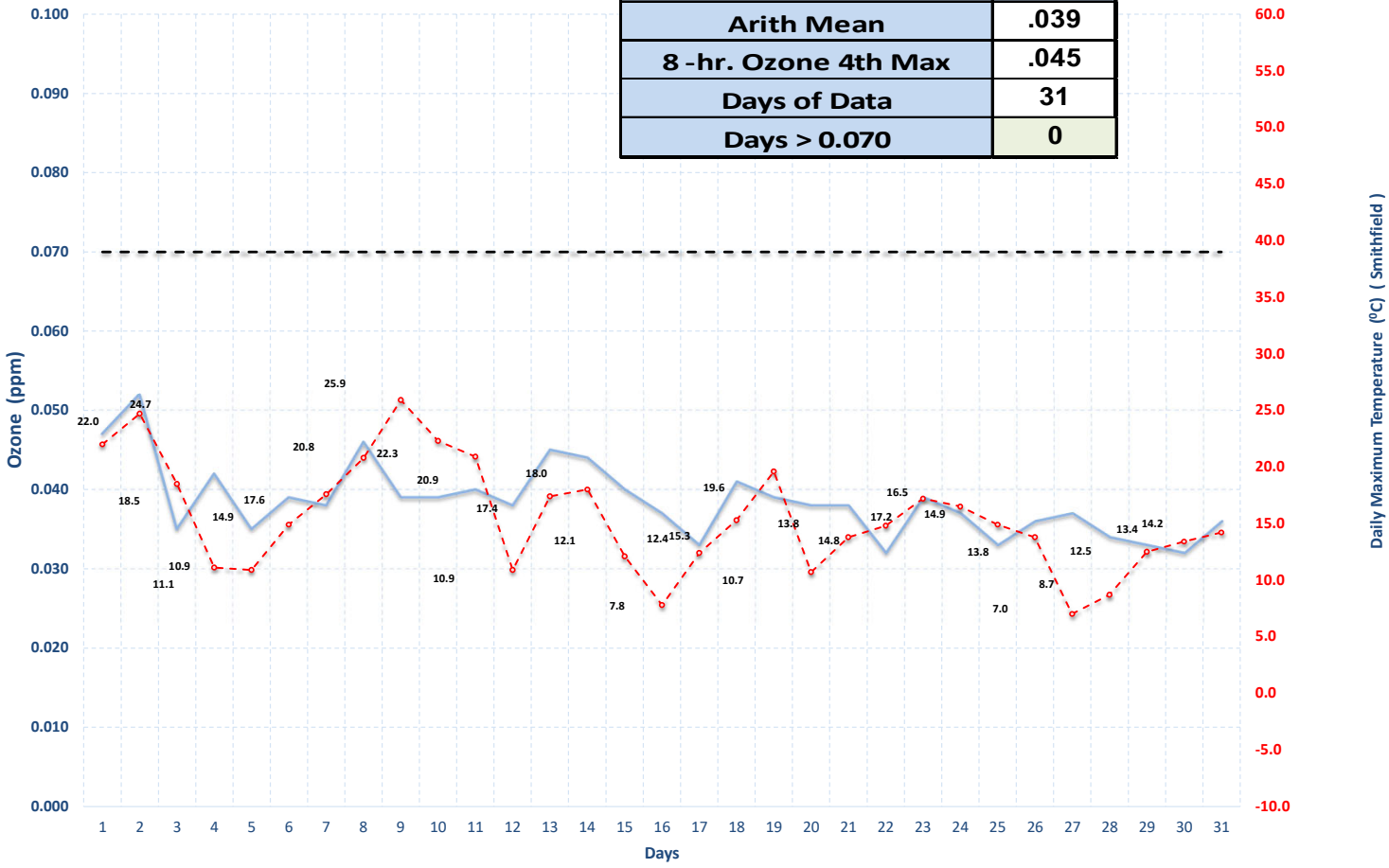
	ZZ	LP
Arith Mean	.040	.040
8 -hr. Ozone 4th Max	.046	.046
Days of Data	31	31
Days > 0.070	0	0



* **ZZ** is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named **IP**

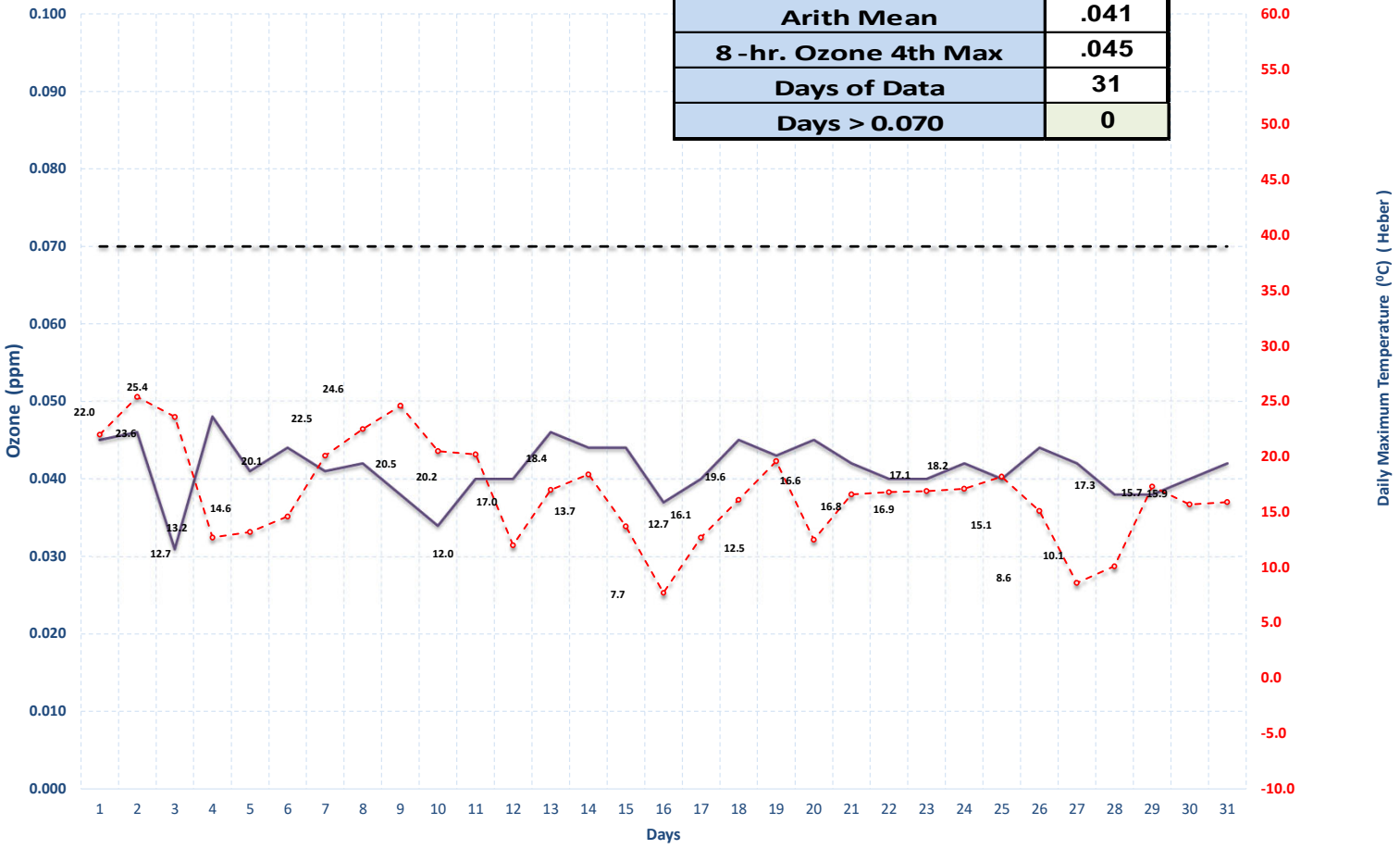
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2025

	BG
Arith Mean	.039
8 -hr. Ozone 4th Max	.045
Days of Data	31
Days > 0.070	0



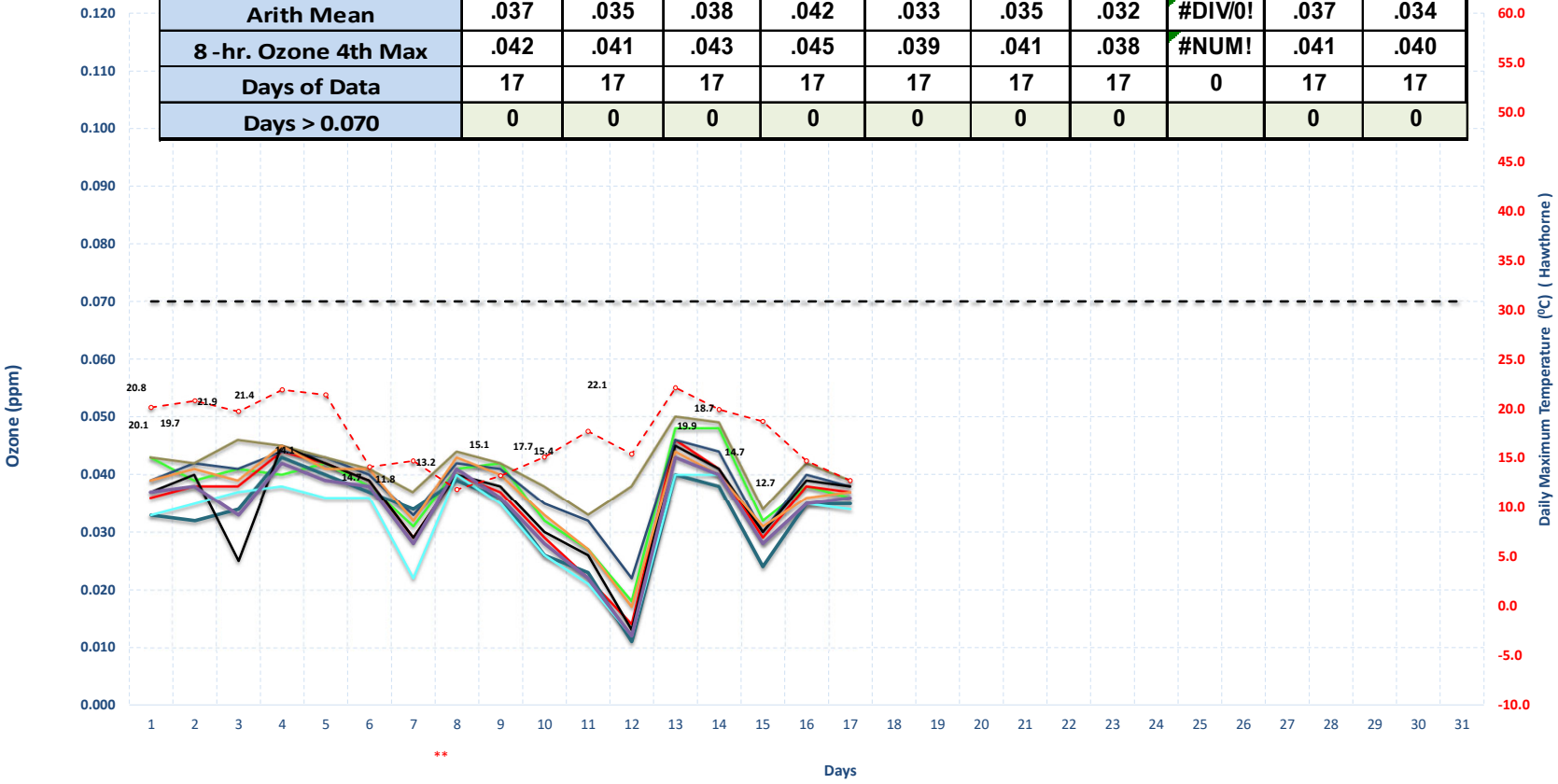
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2025

	HB
Arith Mean	.041
8 -hr. Ozone 4th Max	.045
Days of Data	31
Days > 0.070	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2025

O3 Nov 2025	BV	CV	ED	H3	HV	HW	NR	RB	RP	EQ
Arith Mean	.037	.035	.038	.042	.033	.035	.032	#DIV/0!	.037	.034
8 -hr. Ozone 4th Max	.042	.041	.043	.045	.039	.041	.038	#NUM!	.041	.040
Days of Data	17	17	17	17	17	17	17	0	17	17
Days > 0.070	0	0	0	0	0	0	0		0	0



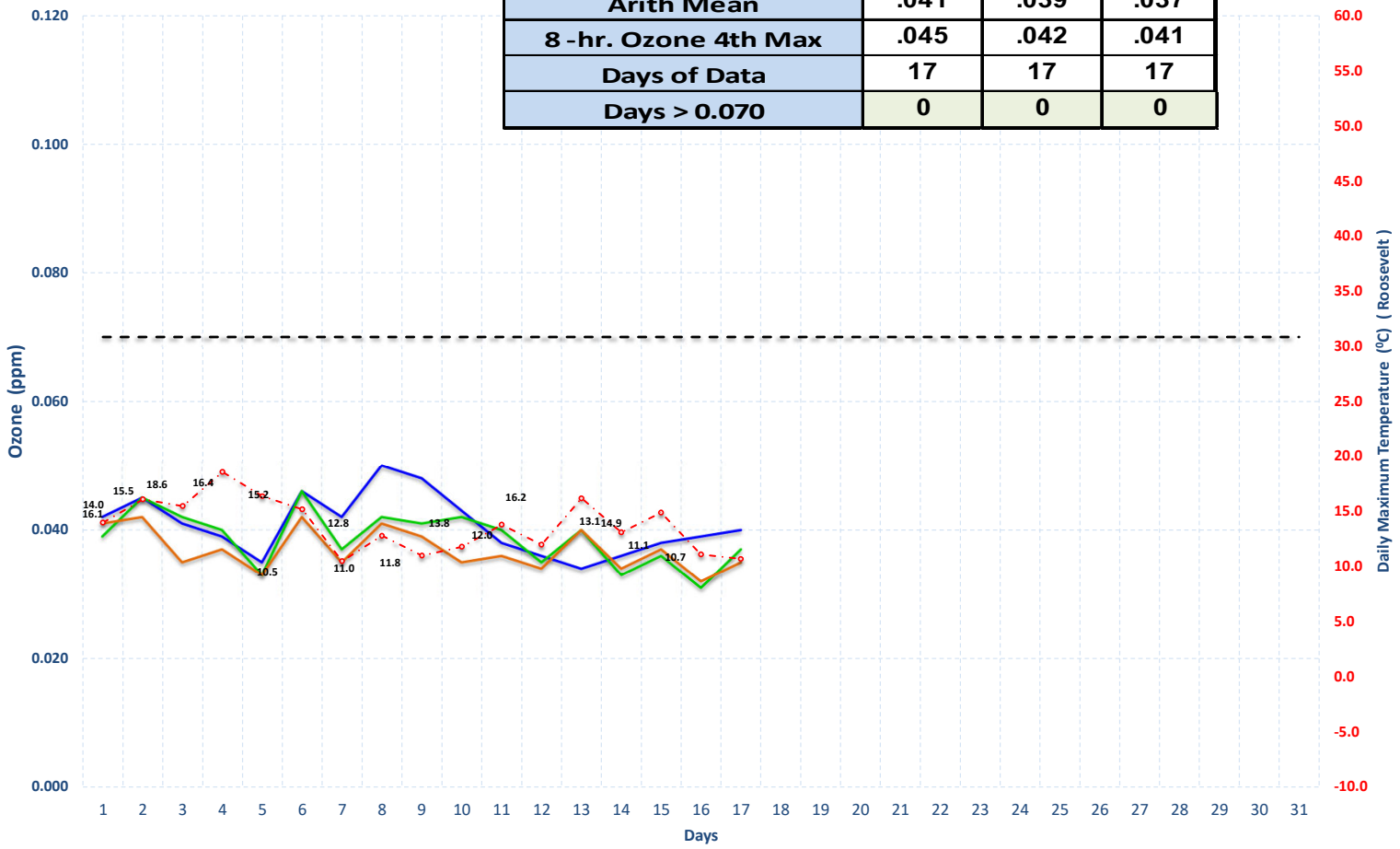
Bountiful — Copperview — Erda — Herriman #3 — Harrisville — Hawthorne

Near Road — Red Butte — Rose Park — Environmental Quality * — Exceed. — TM

* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)
** Controlling Monitor

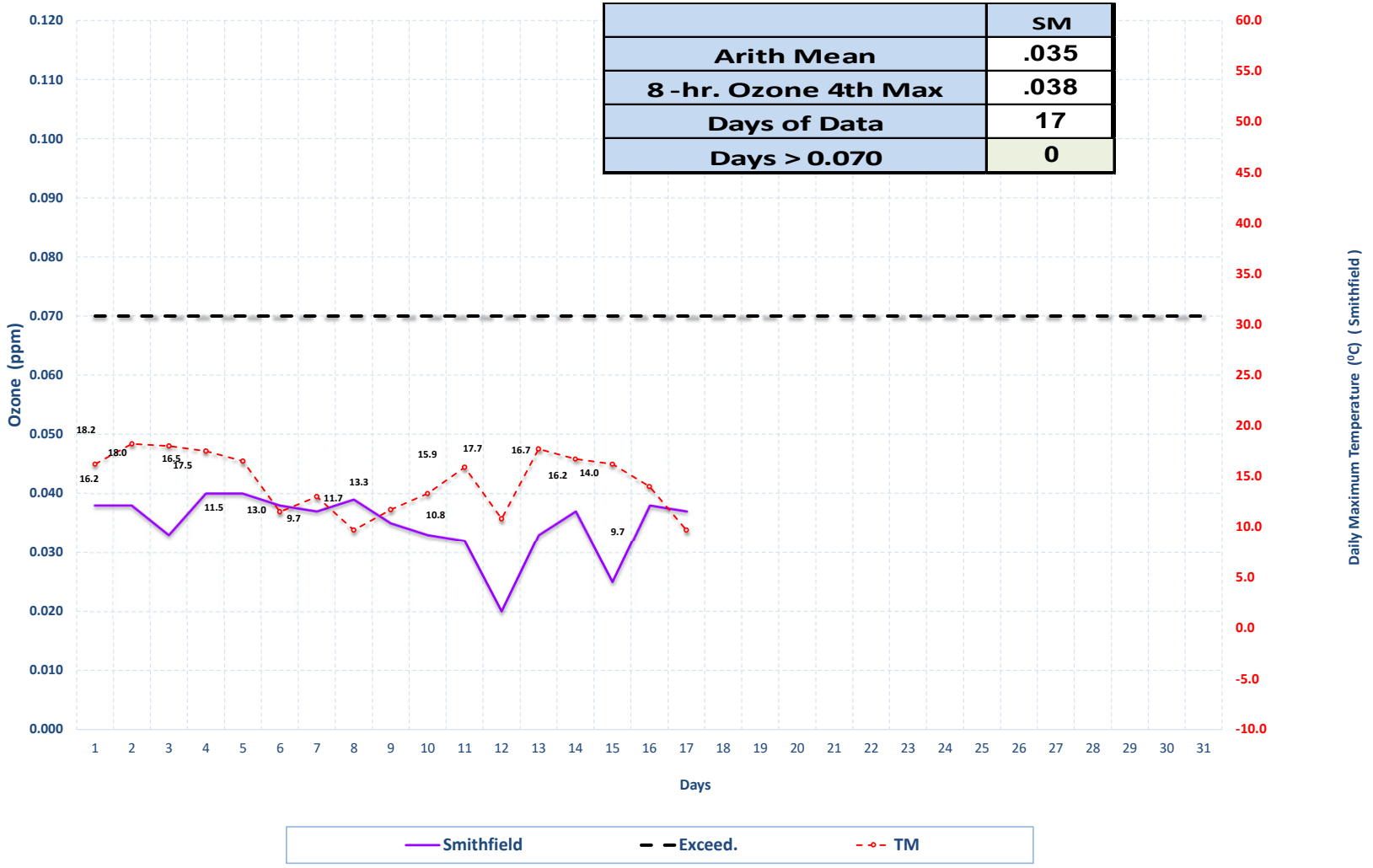
Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2025

	P2	RS	V4
Arith Mean	.041	.039	.037
8 -hr. Ozone 4th Max	.045	.042	.041
Days of Data	17	17	17
Days > 0.070	0	0	0



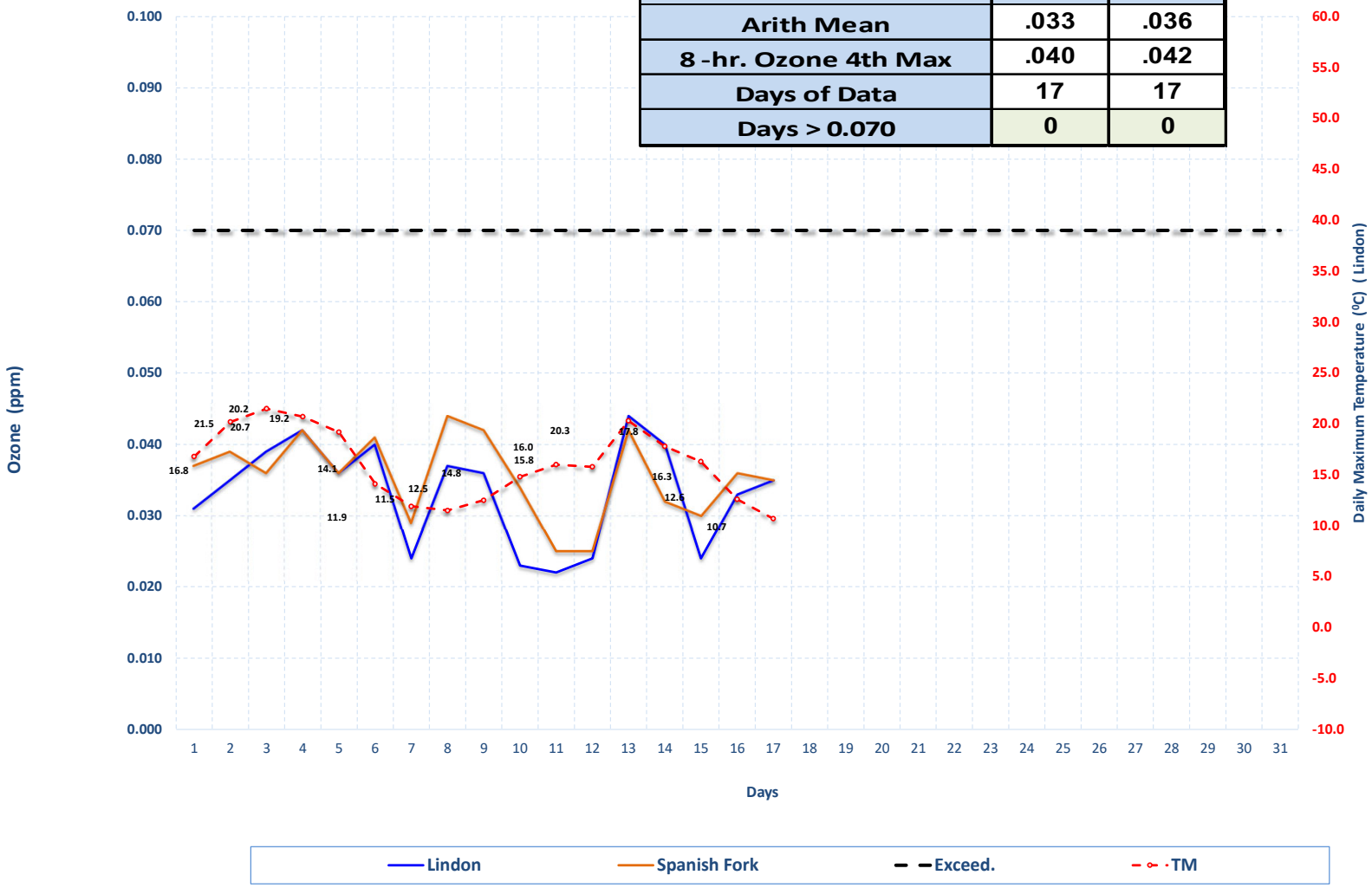
Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2025

	SM
Arith Mean	.035
8 -hr. Ozone 4th Max	.038
Days of Data	17
Days > 0.070	0



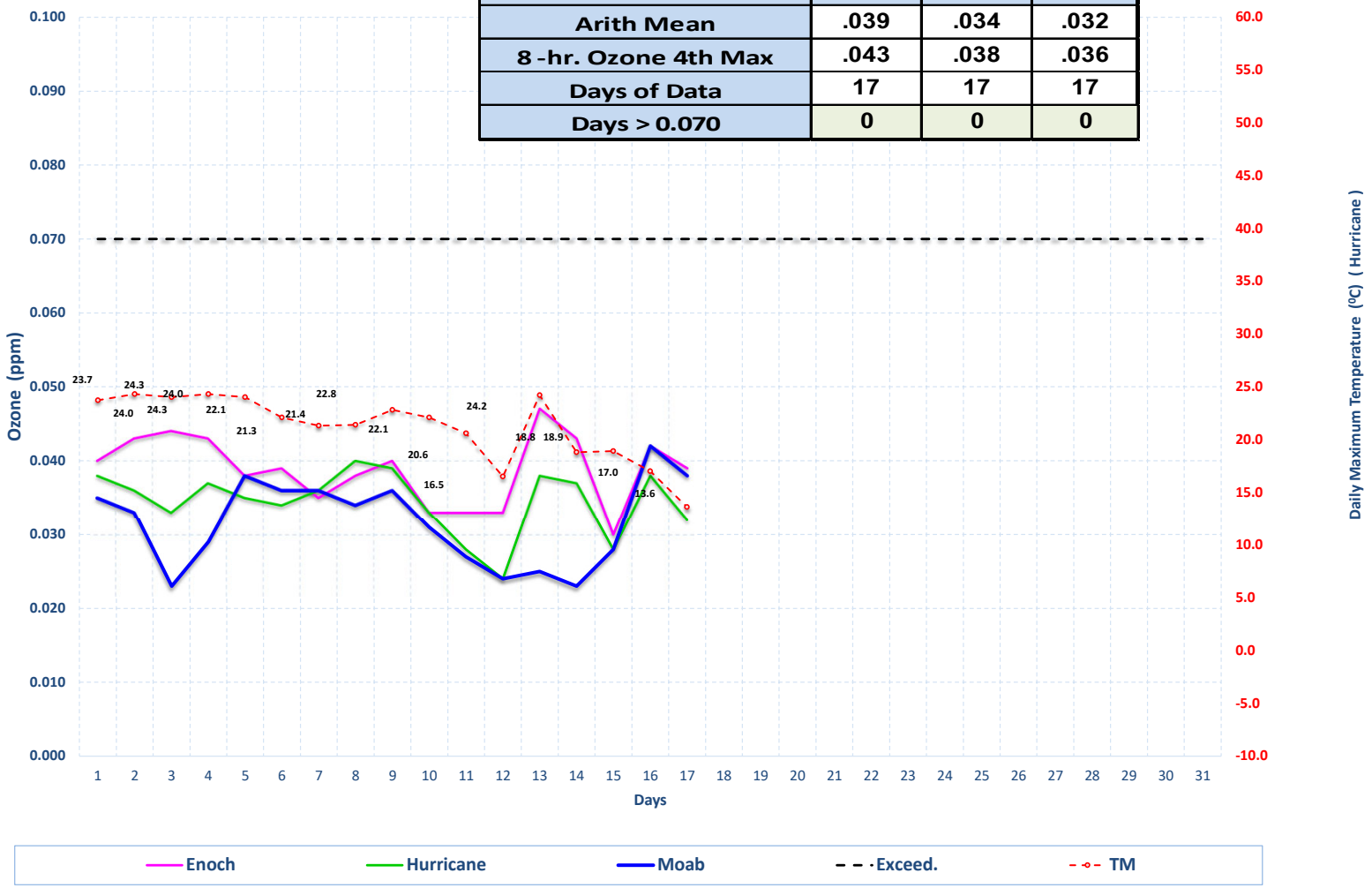
Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2025

	LN	SF
Arith Mean	.033	.036
8 -hr. Ozone 4th Max	.040	.042
Days of Data	17	17
Days > 0.070	0	0



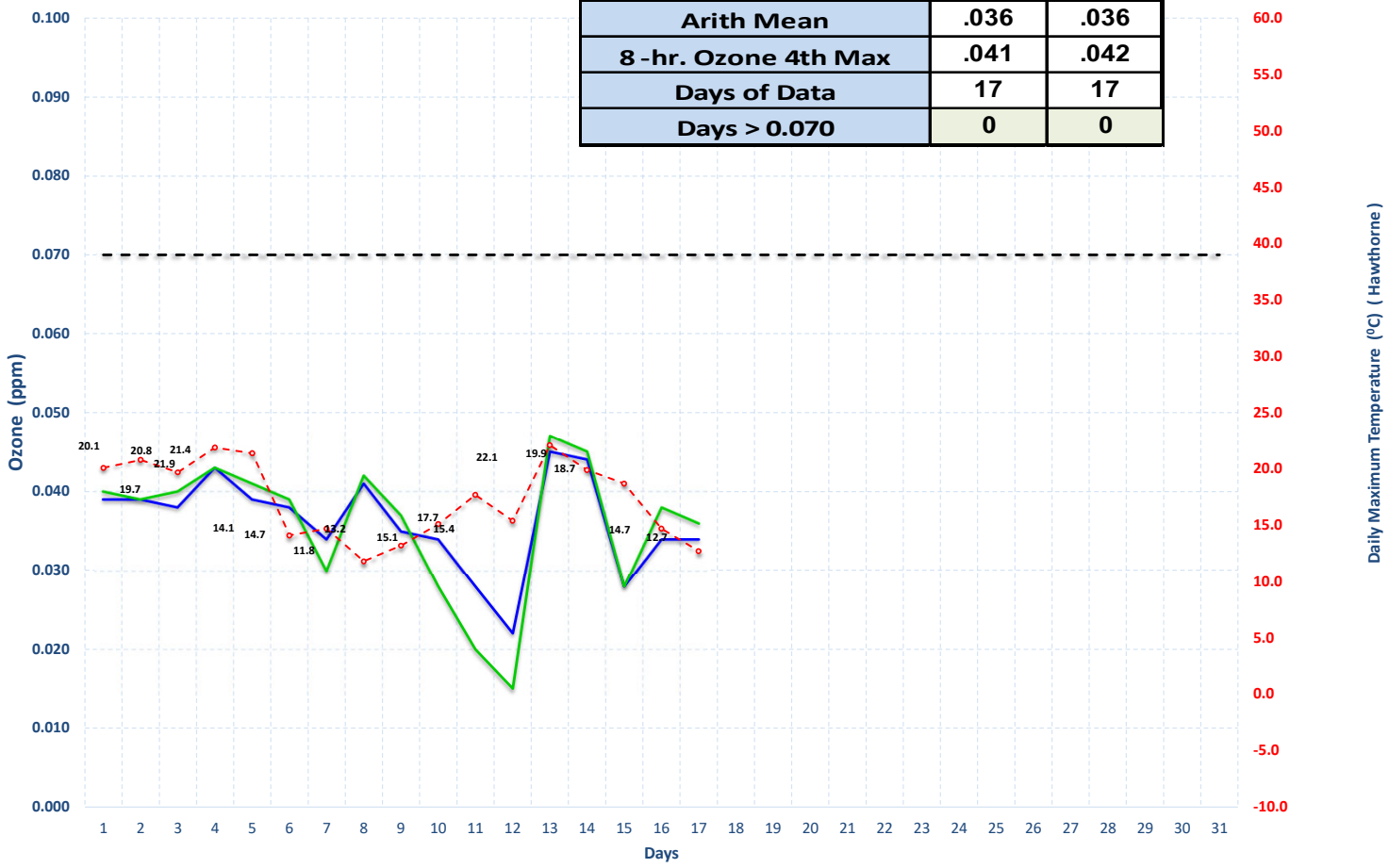
Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2025

	EN	HC	M7
Arith Mean	.039	.034	.032
8 -hr. Ozone 4th Max	.043	.038	.036
Days of Data	17	17	17
Days > 0.070	0	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2025
Stations Monitoring the Inland Port Development

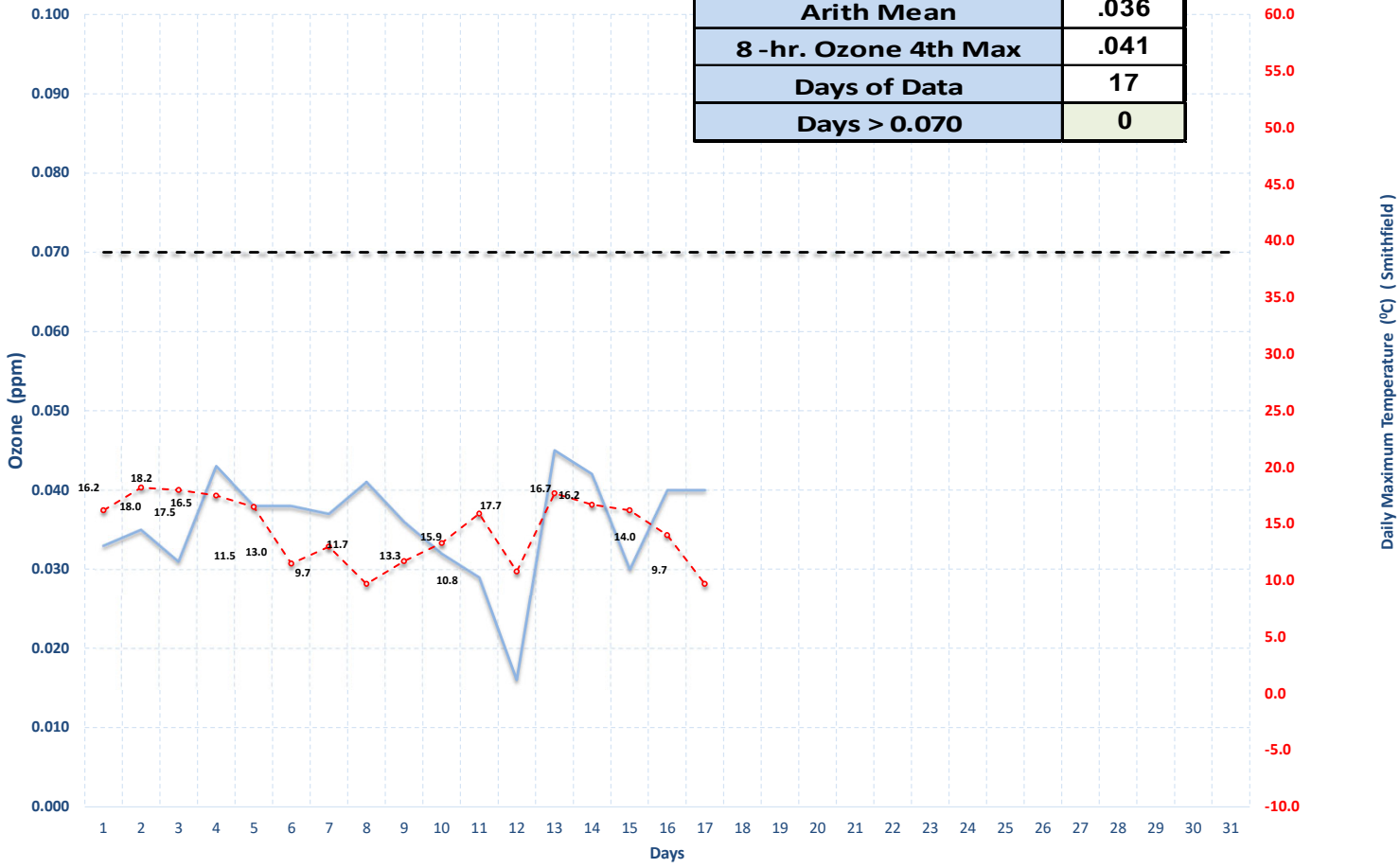
	ZZ	LP
Arith Mean	.036	.036
8 -hr. Ozone 4th Max	.041	.042
Days of Data	17	17
Days > 0.070	0	0



* **ZZ** is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named **IP**

Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2025

	BG
Arith Mean	.036
8 -hr. Ozone 4th Max	.041
Days of Data	17
Days > 0.070	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2025

	HB
Arith Mean	.039
8 -hr. Ozone 4th Max	.044
Days of Data	17
Days > 0.070	0