



PROPOSED RULE MAKING
(RCW 34.05.320)

CR-102 (7/23/95)

Agency: Southwest Air Pollution Control Authority

Preproposal Statement of Inquiry was filed as WSR 96-05-070; or
 Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

(a) Title of rule: (Describe Subject)
 SWAPCA 476 Standards For Asbestos Control, Demolition, and Renovation

Purpose: The purpose of this regulation is to control asbestos emissions from renovation and demolition activities that disturb or have the potential to disturb asbestos containing material. This regulation establishes local requirements consistent with the federal requirements under 40 CFR 61 Subpart M

Other identifying information:

(b) Statutory authority for adoption: RCW 70.94.141 and 70.94.331	Statute being implemented: RCW 70.94.141
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(c) Summary: The proposed changes incorporate federal requirements for notification, reporting, and control of asbestos containing material for renovation and demolition activities and provide for alternative temporary on-site storage facilities.

Reasons supporting proposal: The proposed changes more fully incorporate the federal requirements contained in 40 CFR 61 Subpart M that has been delegated to SWAPCA by EPA.

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting..... Jerry Bradford	1308 NE 134th St., Vancouver, WA	360-574-3058
2. Implementation.... Paul Mairose	1308 NE 134th St., Vancouver, WA	360-574-3058
3. Enforcement..... Robert D. Elliott	1308 NE 134th St., Vancouver, WA	360-574-3058

(e) Name of proponent (person or organization)
 Southwest Air Pollution Control Authority

Private
 Public
 Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: No

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JUL 3 1996

(g) Is rule necessary because of:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, ATTACH COPY OF TEXT
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Citation:
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

SOUTHWEST AIR POLLUTION CONTROL AUTHORITY

(h) HEARING LOCATION:
 Southwest Air Pollution Control Office
 1308 NE 134th St.
 Vancouver, WA 98685
 Date: Sept. 17, 1996 Time: 3:00 p.m.

Assistance for persons with disabilities: Contact
 Mary Allen by Sept. 7, 1996

TDD (360) 574-3058 or () _____

Submit written comments to:
 Paul Mairose 1308 NE 134th St.
 Vancouver, WA 98685
 FAX (360) 576-0925 By (date) Sept. 7, 1996

DATE OF INTENDED ADOPTION:
 September 17, 1996

NAME (TYPE OR PRINT)
 Robert D. Elliott

SIGNATURE

TITLE
 Executive Director

DATE
6/25/96

CODE REVISER USE ONLY
 STATE OF WASHINGTON
 FILED

JUN 23 1996

TIME: 4:42
 WSR 96-14-075

(j) Short explanation of rule, its purpose, and anticipated effects:

The proposed changes incorporate specific language from 40 CFR 61 Subpart M for definitions, provides specific requirements for renovation activities separate from demolition activities, provides an exemption for small quantities of asbestos containing materials, provides for alternative asbestos removal methods, provides for Temporary Asbestos Storage Facilities, and provides for demolition by intentional burning.

Does proposal change existing rules?

YES

NO

If yes, describe changes:

See above.

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

- Yes. Attach copy of small business economic impact statement.
A copy of the statement may be obtained by writing to:

telephoning: ()

faxing: ()

- No. Explain why no statement was prepared.

Changes made to SWAPCA 476 are consistent with federal rules already in effect under 40 CFR 61 Subpart M. This agency is not subject to the small business economic impact provision of RCW 19.85.

(l) Does section 201, chapter 403, Laws of 1995, apply to this rule adoption?

Yes

No

Please explain:

Pursuant to RCW 70.94.141 (1), section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. SWAPCA is not voluntarily invoking section 201, chapter 403, Laws of 1995.