



State of Oregon Department of Environmental Quality

# Notice of Proposed Rulemaking

**Aug. 31, 2022**

Asbestos Fee Correction 2022

This package contains the following documents:

- Notice of Rulemaking
- Draft Rules – Edits Highlighted
- Draft Rules – Edits Included (final clean version)

## **Note for Readers:**

This package contains multiple documents. If you want to read more than one document at a time, you can open multiple copies of this PDF by downloading the PDF and then opening it in Adobe. You can then either:

- Click on the “Windows” item in the top ribbon
- Click on “New Window”
- A second copy of the PDF will open in a new window

**Or:**

- Click on “File” in the top ribbon
- Click on “Open” in the top ribbon
- Double click on the name of the PDF you want to open
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# Introduction

DEQ invites public input on proposed permanent rule amendments to chapter 340 of the Oregon Administrative Rules.

## Request for Other Options

During the public comment period, DEQ asks for public comment on whether there are other options for achieving the rules' substantive goals while reducing the rules' negative economic impact on business.

## Overview

DEQ proposes rules to revise the 2022 Asbestos Fee Increase rules contained in OAR Chapter 340, Division 248 to incorporate the intended fee increases for certification of asbestos workers and supervisors, and for licensing of asbestos abatement contractors.

These fees were brought to the fiscal advisory committee on Jan. 18, 2022 and approved by the Environmental Quality Commission on May 19, 2022. The original public notice and staff report contained tables with the correct fee increases for all asbestos fee categories, however the draft rules and redline draft rules approved by the EQC omitted the fee increase in the asbestos certification and licensing fee categories.

The EQC issued a temporary rule to implement the correct asbestos fees that were omitted in the first rulemaking. DEQ now proposes rules to make the corrected fee increase changes permanent.

## Background for this rulemaking

The asbestos program is necessary to ensure the safety of people and the environment. This fee increase is one way to ensure the asbestos program will continue, and that asbestos is being handled and disposed of safely.

Oregon's asbestos program

- Regulates the handling, removal, and disposal of asbestos containing materials.
- Provides inspections of notified asbestos projects.
- Responds to complaints by inspecting unnotified projects and other areas of concern.
- Provides technical assistance to the public and contractors.
- Reviews applications and provides licensing for asbestos abatement contractors.
- Provides training provider accreditation, including review of applications and course materials, for asbestos worker and supervisor certification course.
- Provides the cards for certified asbestos workers and supervisors.

- Reviews all asbestos abatement project notifications for completeness and accuracy of information.
- Operates and provides technical assistance for the Your DEQ Online asbestos platform.

### **History of asbestos fee increases**

- The asbestos program is 100% supported by fees collected through project notifications, contractor licensing, worker and supervisor certification, and training provider accreditation.
- The last fee increase for notifications occurred in 2007.
- The last fee increase for certifications, accreditations and licensing occurred in 1992.

### **Affected parties**

The proposed fee increase would

- Directly affect licensed asbestos abatement contractors.
- Directly affect certified asbestos workers and supervisors.
- Indirectly affect homeowners and property owners when asbestos abatement is required prior to renovation or demolition.

### **Outreach efforts, public involvement and stakeholder involvement**

Outreach includes

- Jan. 4, 2022, GovDelivery email to all DEQ asbestos, rulemaking and public notice subscribers
- Jan. 12, 2022, email to stakeholders advising of GovDelivery
- Jan. 18, 2022, Fiscal Advisory Committee meeting including a 20-minute timeframe for the public to provide informal feedback
- Jan. 27, 2022, email to fiscal advisory committee members
- Feb. 9, 2022, email to stakeholders including all current abatement contractors and training providers
- March 1, 2022, notice to members of the public, abatement contractors and training providers that DEQ was accepting comments on the proposed rules.

# Procedural Summary

## More information

Information about this rulemaking is on this rulemaking's web page: [Asbestos Fees 2022 Rulemaking Page](#)

## How to comment on this rulemaking proposal

DEQ is asking for public comment on the proposed rules. Anyone can submit comments and questions about this rulemaking. A person can submit comments by email, regular mail or at the public hearing.

### Comment deadline

DEQ will only consider comments on the proposed rules that are received by 4 p.m., on Sept. 22, 2022.

### Submit comment by email to:

[Asbestos.Fees2022@DEQ.oregon.gov](mailto:Asbestos.Fees2022@DEQ.oregon.gov)

### Note for public university students:

ORS 192.345(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon's public records law. If you are an Oregon public university or OHSU student, notify DEQ that you wish to keep your email address confidential.

### By mail:

Oregon DEQ  
Attn: Tim Wollerman  
700 NE Multnomah St., Ste. 600  
Portland, OR 97232-4100

### At hearing:

Thursday, Sept. 15, 2022 at 4 p.m.

# Public Hearing

DEQ plans to hold one public hearing. Anyone can attend this hearing by webinar or phone. The meeting will be by Zoom, an online video conferencing platform, with toll-free telephone access for audio-only connections.

**Date: Sept. 15, 2022**

**Start time: 4 p.m.**

**Join online via Zoom:**

<https://us02web.zoom.us/j/87372913904?pwd=bmtvSkNMNUpBSnBRY0tvYzJBUzdXUT09>

**Join by phone:**

Call-in number: (833)548-0276

Meeting ID: 873 7291 3904

Passcode: 854040

## Sign up for rulemaking notices

Get email or text updates about this rulemaking by either

- Signing up through this link: [Asbestos Email List](#), or
- Signing up on the rulemaking web site: [Asbestos Fee Correction 2022 rulemaking web page](#)

## What will happen next?

DEQ staff will include a written response to comments in a staff report. DEQ may modify the rule proposal based on the comments. The staff report will be provided to Richard Whitman, Director of DEQ. The EQC delegated authority to Director Whitman to review and adopt the corrected fee numbers.

Dependent on approval, DEQ intends to adopt the permanent fee changes in October. Given that the correct fee numbers are already in place due to the temporary rule, the transition to a permanent fee adoption will be seamless for the public, asbestos workers and supervisors, and asbestos abatement contractors.

# **Statement of need**

## **What need would the proposed rule address?**

The asbestos program serves multiple important purposes. In addition to implementing federal requirements for asbestos, the program ensures asbestos abatement projects are performed safely and that asbestos containing materials are handled and disposed of properly. The program protects the public from airborne asbestos, a known human carcinogen.

The asbestos program is completely funded by fees. These include project notifications, abatement contractor licensing, worker and supervisor certification, and training provider accreditation. The last increase in notification fees occurred in 2007, and the last increase in licensing, certification and accreditation fees occurred in 1992. Regulations have become more complex increasing the demand for technical assistance, and the number of notifications submitted has grown by approximately 250 percent since 2015. This fee increase is essential to maintain a program that provides oversight and protection for the public and asbestos abatement professionals.

## **How would the proposed rule address the need?**

The permanent adoption of the remaining asbestos fee increases for certification of asbestos workers and supervisors, and for licensing of asbestos abatement contractors, will be sufficient to ensure adequate funding for DEQ's administration of Oregon's asbestos program through July 2026.

## **How will DEQ know the rule addressed the need?**

The rule will have addressed the need if the proposed increase in fees allow the asbestos program to balance its budget and maintain current service levels.

# Rules affected, authorities, supporting documents

## Lead division

Air Quality Division

## Program or activity

Asbestos Program

## Chapter 340 action

### Adopt

Rules Amended - OAR
340-248-0180

### Statutory authority

Statutory Authority – ORS		
468.020	468.065	468 & 468A

### Statute implemented

Statutes Implemented – ORS		
468A.745	468.020	468A.025

### Legislation

HB5017, Policy Option Package 114, March 2021

### Documents relied on for rulemaking

Document title	Document location
Asbestos Fees 2022 EQC Staff Report	<a href="https://www.oregon.gov/deq/EQCdocs/051922_C_AsbestosFees.pdf">https://www.oregon.gov/deq/EQCdocs/051922_C_AsbestosFees.pdf</a>
Asbestos Fees 2022 Public Notice	<a href="https://www.oregon.gov/deq/rulemaking/Documents/asbestos2022pnp.pdf">https://www.oregon.gov/deq/rulemaking/Documents/asbestos2022pnp.pdf</a>



# Fee Analysis

The proposed rules would increase existing fees for certification of asbestos workers and supervisors, and for licensing of asbestos abatement contractors. EQC authority to act on the proposed fees is ORS 468A, 468.020, and 468A.025.

## Brief description of proposed fees

On May 19, 2022, DEQ proposed to increase fees associated with the Asbestos Program sufficient to generate an additional \$300,000 in revenue annually. This included an increase in notification, licensing, certification and accreditation fees. The permanent rule will correct the omitted fee increases for certification and licensing.

## Reasons

The rule would address the legislatively approved changes to DEQ's budget. Policy Option Package 114, approved in the 2021 legislative session, authorizes an additional \$300,000 in revenue annually to sustain the increased costs of the asbestos program.

The rule would address increased program and staff costs. Asbestos notification fees were last raised in 2007, and licensing, certification and accreditation fees were last raised in 1992.

The rule would allow the asbestos program to maintain current service levels and protect the public and worker health by providing technical assistance, conducting abatement project inspections, and investigating and addressing violations that endanger public health.

## Fee payer

Fee payers are asbestos abatement contractors, certified asbestos workers and supervisors, and accredited asbestos training providers.

Fee payers may also include homeowners and/or property owners who are indirectly affected when hiring asbestos abatement contractors.

## Affected party involvement in fee-setting process

DEQ convened a Fiscal Advisory Committee including appointees representing a variety of industries directly and indirectly affected by the proposed fee increase. The FAC met on Jan. 18, 2022, to discuss ways to employ the fee increase to allow DEQ to generate the required revenue.

## Summary of impacts

Impacts to asbestos fees include increasing

- Certification fees by 26 percent, and
- Licensing fees by 27 percent.

<b>Asbestos Fees</b>
----------------------

Worker and Supervisor Cards	Current Fee	Increased Fee 26%
Initial Worker Certification	\$45	\$57
Refresher Worker Certification	\$45	\$57
Initial Supervisor Certification	\$65	\$82
Refresher Supervisor Certification	\$65	\$82
Abatement Contractor License	Current Fee	Increased Fee 27%
New Contractor License	\$1,000	\$1,270
Contractor License Renewal	\$1,000	\$1,270
Contractor License Modification	\$1,000	\$1,270

## Current and proposed fee information

Current Fees		
Program costs covered by fees	\$1,192,457	100%
Program costs covered by General Fund	\$0	0%
Fee Last Changed	1992 (Licensing, Certification)	

The two tables below are the summary of revenue based on the fee increases as intended for May 2022. The proposed rules are one portion of the overall revenue for the Asbestos Program.

Proposed Fees		
Expected change in revenue (+/-)	\$300,000	~25%
Main GF required by statute/rule to fund program	\$0	0%
Proposed fee allows General Fund replacement	\$0	0%

<b>Transactions and Revenue*</b>				
<b>Biennium</b>	<b>Number of transactions</b>	<b>Number of fee payers</b>	<b>Impact on revenue (+/-)</b>	<b>Total revenue (+/-)</b>
FY2021	5472	5472	\$0	\$1,192,457
Next FY**	5472	5472	\$300,000	\$1,498,427

\*This table's data is approximate. Some transactions in the asbestos program cover multiple purchases (i.e., multiple worker or supervisor cards purchased at once). Most abatement contractors submit multiple notifications annually, so the number of payers may not be accurate. The number of transactions does not necessarily reflect the number of payers.

\*\*The total revenue for the next fiscal year assumes the same revenue as FY2021, with the additional revenue from factoring in the fee increase.

# Statement of fiscal and economic impact

## Fiscal and Economic Impact

An increase in asbestos notification fees, certification fees, accreditation fees, and licensing fees would affect approximately 72 licensees, 6 training providers, and 1,222 certificate holders directly. This increase would increase program revenue by \$300,000 annually in the 2023-2025 biennium.

## Statement of Cost of Compliance

### State agencies

Federal and state agencies should not be affected by this fee increase rulemaking unless they employ asbestos staff or require asbestos abatement work in an agency building.

### Local governments

Local government should not be affected by this fee increase rulemaking unless they employ asbestos staff or require asbestos abatement work in a government building.

### Public

The proposed rules may affect the public indirectly. Homeowners, property owners, and facility owners/operators hire asbestos abatement contractors to perform asbestos abatement projects during renovation or demolition activities.

### Large businesses - businesses with more than 100 employees

Most asbestos abatement contractors and training providers are small businesses, however there are some that employ more than 100 individuals. Those businesses will be directly affected by the asbestos notification fee increase, worker and supervisor certification fee increase, licensing fee increase, and in some cases, the training provider accreditation fee increase.

Large businesses who require asbestos abatement may be affected indirectly by the increase of asbestos fees. Because training providers and asbestos abatement contractors will be required to pay higher fees, these entities may increase prices to offset costs.

### Small businesses – businesses with 100 or fewer employees

Most asbestos abatement contractors are small businesses. The increase in worker and supervisor certification fees, licensing fees, and notification fees will affect them directly. Most accredited asbestos training providers are also small businesses, and the increase of training provider fees will affect them directly.

Small businesses who require asbestos abatement may be affected indirectly by the increase of asbestos fees. Because training providers and asbestos abatement contractors will be required to pay higher fees, these entities may increase prices to offset costs.

**ORS 183.336 Cost of Compliance Effect on Small Businesses**

**a. Estimated number of small businesses and types of businesses and industries with small businesses subject to proposed rule.**

Based on the list of existing licensed asbestos abatement contractors and accredited asbestos training providers, 76 small businesses will be subject to the fee increase.

- 71 asbestos abatement contractors
- 5 accredited asbestos training providers

**b. Projected reporting, recordkeeping, and other administrative activities, including costs of professional services, required for small businesses to comply with the proposed rule.**

The proposed rules should not require any additional administrative activities. All affected parties already have systems in place to comply with the proposed fee increase.

**c. Projected equipment, supplies, labor, and increased administration required for small businesses to comply with the proposed rule.**

The proposed rules will not require any additional resources. There should be no changes to administration requirements to comply with the proposed fee increase.

**d. Describe how DEQ involved small businesses in developing this proposed rule.**

The Fiscal Advisory Committee included representatives from a variety of asbestos industry types, including contractors, inspectors, training providers, local government agencies, and community organizations.

**Documents relied on for fiscal and economic impact**

Document title	Document location
List of Accredited Training Providers	DEQ Headquarters Office 700 NE Multnomah St. Suite 600 Portland, OR 97232
List of Licensed Asbestos Abatement Contractors	DEQ Headquarters Office 700 NE Multnomah St. Suite 600 Portland, OR 97232

## Advisory committee fiscal review

DEQ appointed a fiscal advisory committee.

As ORS 183.33 requires, DEQ asked for the committee's recommendations on

- a. Whether the proposed rules would have a fiscal impact,
- b. The extent of the impact, and
- c. Whether the proposed rules would have a significant adverse impact on small businesses; if so, then how DEQ can comply with ORS 183.540 reduce that impact.

The committee reviewed the draft fiscal and economic impact statement, and its findings are stated in the notes dated Jan. 18, 2022. The committee determined the proposed rules would not have a significant adverse impact on small businesses in Oregon.

Even without a significant impact, as ORS 183.333 and 183.540 require, the committee considered how DEQ could reduce the rules' fiscal impact on small business by

- d. Establishing differing compliance or reporting requirements or timetables for small business;
- e. Clarifying, consolidating, or simplifying the compliance and reporting requirements under the rule for small business;
- f. Utilizing objective criteria for standards;
- g. Exempting small businesses from any or all requirements of the rule; or
- h. Otherwise establishing less intrusive or less costly alternatives applicable to small business.

This fee increase rulemaking does not alter compliance or reporting requirements or standards. Small businesses cannot be exempt from the fee increase, however DEQ considered any options to lessen the impact of the increase.

At the recommendation of the committee, a phased in increase of fees was considered. In this case the fees would increase in January 2023 instead of July 2022. This would result in drastically higher fees in 2023 to meet the \$300,000 annual target, reverting to the designed across-the-board increase in 2024 and forward, thus this approach was rejected by DEQ.

Another approach considered at the recommendation of the committee was raising only the fees for larger sized notification projects, as these are typically performed by larger businesses. Due to the infrequent nature of large asbestos abatement projects, this is not a reliable source of income for the asbestos program, thus this approach was also rejected by the DEQ.

The committee agreed that Option 1, as described above as an across-the-board increase in fees, is the most desirable path forward. It will lessen the impact on asbestos workers and supervisors, who often pay for their certification without the aid of their employer.

# Housing cost

As ORS 183.534 requires, DEQ evaluated whether the proposed rules would influence the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel.

DEQ determined the proposed rules might influence development costs. A vacant parcel would not be affected, but a parcel with required demolition would be affected as the standing structure may be subject to the asbestos regulations in OAR 340-248. Property owners may be subjected to the potentially increased costs due to fee increase for the asbestos abatement service provider. Any estimate of possible financial impact would be speculative because individual abatement contractors set their own pricing for services.

# Racial Equity

DEQ determined that the increase of fees may affect racial equity in the state. Many certified asbestos workers and certified asbestos supervisors are BIPOC. Frequently, they are responsible for their own certification fees. To minimize the impact of the fee increase, DEQ, in agreement with the fiscal advisory committee, chose the option with the lower increase for certifications.



# **Federal relationship**

ORS 183.332, 468A.327 and OAR 340-011-0029 require DEQ to attempt to adopt rules that correspond with existing equivalent federal laws and rules unless there are reasons not to do so.

The proposed rules are not different from or in addition to federal requirements.

# Land use

## Land-use considerations

In adopting new or amended rules, ORS 197.180 and OAR 340-018-0070 require DEQ to determine whether the proposed rules significantly affect land use. If so, DEQ must explain how the proposed rules comply with statewide land-use planning goals and local acknowledged comprehensive plans.

Under OAR 660-030-0005 and OAR 340 Division 18, DEQ considers that rules affect land use if:

- The statewide land use planning goals specifically refer to the rule or program, or
- The rule or program is reasonably expected to have significant effects on:
  - Resources, objects, or areas identified in the statewide planning goals, or
  - Present or future land uses identified in comprehensive plans.

DEQ determined whether the proposed rules involve programs or actions that affect land use by reviewing its Statewide Agency Coordination plan. The plan describes the programs that DEQ determined significantly affect land use. DEQ considers that its programs specifically relate to the following statewide goals:

<b>Goal</b>	<b>Title</b>
5	Natural Resources, Scenic and Historic Areas, and Open Spaces
6	Air, Water and Land Resources Quality
11	Public Facilities and Services
16	Estuarine Resources
19	Ocean Resources

Statewide goals also specifically reference the following DEQ programs:

- Nonpoint source discharge water quality program – Goal 16
- Water quality and sewage disposal systems – Goal 16
- Water quality permits and oil spill regulations – Goal 19

## Determination

DEQ determined that these proposed rules do not affect land use under OAR 340-018-0030 or DEQ’s State Agency Coordination Program.

# EQC Prior Involvement

DEQ shared information about this rulemaking with the EQC. Information was included in the Director's report with the EQC at the facilitated Feb. 3, 2022 meeting.

EQC adopted the proposed 2022 Asbestos Rules at its meeting on May 19, 2022. The rules presented to EQC omitted the fee increases for certification of asbestos workers and supervisors, and for licensing of asbestos abatement contractors.

On July 22, 2022, EQC adopted temporary rules to implement the omitted fee increases for certification of asbestos workers and supervisors, and for licensing of asbestos abatement contractors. The EQC also delegated authority to DEQ Director Whitman to approve the proposed rules to make these fees permanent.

# Advisory Committee

## Background

DEQ convened a Fiscal Advisory Committee. The committee included representatives from a variety of asbestos industry types, including contractors, inspectors, training providers, local government agencies, and community organizations. The committee met once on Jan. 18, 2022 and the meeting information is located at the [Asbestos Fees 2022 rulemaking web page](#).

The committee members were:

Rulemaking Name Advisory Committee		
Name	Title	Affiliation
Glenn Traeger	Homeowner	Public
Beth Benton	Division Manager	City of Portland Bureau of Development Services
Tim Lenihan	Field Investigator and Compliance Specialist	Oregon Construction Contractors Board
Bob Gordon	Abatement Division Manager	GDSI
Raegan Conroy	Training Program Manager	PBS Engineering and Environmental, Inc.
Paul West	Owner/Operator	Safety Directions, LLC
David Fawcett	President	Coleman Creek Consulting, Inc.
Rosa Martinez	President	Professional Minority Group, Inc.
Garry Penning	Manager	Rogue Disposal & Recycling, Inc.

## Meeting notifications

To notify people about the advisory committee's activities, DEQ

- Sent GovDelivery bulletins, a free e-mail subscription service, to the following lists:
  - Rulemaking
  - Asbestos Issues
  - DEQ Public Notices
- Sent a one-time notice to all asbestos contractors and training providers to describe how to sign up for advisory committee meeting notices, and people who signed up for the advisory committee bulletin.

- Added advisory committee announcements to DEQ’s calendar of public meetings at [DEQ Calendar](#).

## **Committee discussions**

In addition to the recommendations described under the Statement of Fiscal and Economic Impact section above, the committee reviewed the charter, discussed both fee increase scenarios, and stressed the importance of minimizing the impact to small businesses.

# Public Engagement

## Public notice

DEQ provided notice of the proposed rulemaking and rulemaking hearing by

- On Aug. 31, 2022, Filing notice with the Oregon Secretary of State for publication in the September 2022 Oregon Bulletin;
- Posting the Notice, Invitation to Comment and Draft Rules on the web page for this rulemaking, located at the [Asbestos Fees 2022 rulemaking web page](#);
- Emailing approximately 22,321 interested parties on the following DEQ lists through GovDelivery:
  - Rulemaking
  - Asbestos Issues
  - DEQ Public Notices
- Emailing approximately 75 stakeholders on the asbestos contractors and training providers mailing lists.
- Emailing the following key legislators required under [ORS 183.335](#):
  - Sen. President Courtney
  - Speaker Rayfield
  - Sen. Lieber
  - Rep. Marsh
- Posting on the DEQ event calendar: [DEQ Calendar](#)

## How to comment on this rulemaking proposal

DEQ is asking for public comment on the proposed rules. Anyone can submit comments and questions about this rulemaking. A person can submit comments by email, regular mail or verbally at the public hearing.

### Comment deadline

DEQ will only consider comments on the proposed rules that DEQ receives **by 4 p.m., on Thursday, Sept. 22, 2022.**

### Submit comments by email

Any person may send comments by email to [Asbestos.Fees2022@DEQ.oregon.gov](mailto:Asbestos.Fees2022@DEQ.oregon.gov). Commenters should include “Rulemaking Comment” in the email subject line.

### Note for public university students:

ORS 192.345(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon’s public records law. If you are an Oregon public university or OHSU student, notify DEQ that you wish to keep your email address confidential.

### By mail

Oregon DEQ  
Attn: Tim Wollerman/Air Quality  
700 NE Multnomah St., Suite 600  
Portland, OR 97232-4100

### At hearing

4 p.m., Thursday, Sept. 15, 2022

## Public Hearing

DEQ plans to hold a public hearing at 4 p.m. on Thursday, Sept. 15, 2022. Anyone can attend the hearing by webinar or teleconference.

**Date:** Thursday, Sept. 15, 2022

**Start time:** 4 p.m.

**Location:** The meeting will be by Zoom, an online video conferencing platform, with toll-free telephone access for audio-only connections.

### Zoom information:

#### Join via Zoom:

<https://us02web.zoom.us/j/87372913904?pwd=bmtvSkNMNUpBSnBRY0tvYzJBUzdXUT09>

#### Join by phone:

Call-in number: (833)548-0276

Meeting ID: 873 7291 3904  
Passcode: 854040

Instructions on how to join webinar or teleconference: [Instructions](#)

DEQ will consider all comments and testimony received before the closing date. DEQ will summarize all comments and respond to comments in the staff report.



# Accessibility Information

You may review copies of all documents referenced in this announcement electronically. To schedule a review of all websites and documents referenced in this announcement, call Hillarie Sales, DEQ (503-863-4644).

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format, or any other arrangements necessary to accommodate a disability. To make these arrangements, contact DEQ, Portland, at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011, ext. 5696; fax to 503-229-6762; or email to [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us). Hearing impaired persons may call 711.



# Draft Rules – Edits Highlighted

## Key to Identifying Changed Text:

~~Strikethrough: Deleted Text~~

Underline: New/inserted text

### Division 248 ASBESTOS REQUIREMENTS

#### 340-248-0180

#### Licensing and Certification Requirements: Fees

(1) DEQ may assess the following fees to provide revenues to operate the asbestos control program.

(a) Contractor Licenses: A non-refundable license application fee of \$~~1000~~ 1,270 for a one-year Asbestos Abatement Contractor license;

(b) Worker and Supervisor Certifications: A non-refundable application fee of \$~~65~~ 82 for a one-year certification as an asbestos supervisor and \$~~45~~ 57 for a one-year certification as an asbestos worker;

(c) Training Provider Accreditation: A non-refundable accreditation application fee of:

(A) \$394 for a one-year accreditation to provide a course for training asbestos supervisors;

(B) \$394 for a one-year accreditation to provide a course for training asbestos workers; and

(C) \$394 each for a one-year accreditation to provide a course for refresher training for Oregon asbestos certification.

(d) Asbestos Abatement Project Notification fee required under OAR 340-248-0260.

(2) Requests for waiver of fees must be made in writing to the Director, on a case-by-case basis, and be based upon financial hardship. Applicants for waivers must describe the reason for the request and certify financial hardship. The Director may waive part or all of a fee.

**Statutory/Other Authority:** ORS 468 & 468A

**Statutes/Other Implemented:** ORS 468A.745



State of Oregon Department of Environmental Quality

## Draft Rules – Edits Incorporated

### Division 248 ASBESTOS REQUIREMENTS

#### 340-248-0180

##### Licensing and Certification Requirements: Fees

(1) DEQ may assess the following fees to provide revenues to operate the asbestos control program.

(a) Contractor Licenses: A non-refundable license application fee of \$1,270 for a one-year Asbestos Abatement Contractor license;

(b) Worker and Supervisor Certifications: A non-refundable application fee of \$82 for a one-year certification as an asbestos supervisor and \$57 for a one-year certification as an asbestos worker;

(c) Training Provider Accreditation: A non-refundable accreditation application fee of:

(A) \$394 for a one-year accreditation to provide a course for training asbestos supervisors;

(B) \$394 for a one-year accreditation to provide a course for training asbestos workers; and

(C) \$394 each for a one-year accreditation to provide a course for refresher training for Oregon asbestos certification.

(d) Asbestos Abatement Project Notification fee required under OAR 340-248-0260.

(2) Requests for waiver of fees must be made in writing to the Director, on a case-by-case basis, and be based upon financial hardship. Applicants for waivers must describe the reason for the request and certify financial hardship. The Director may waive part or all of a fee.

**Statutory/Other Authority:** ORS 468 & 468A

**Statutes/Other Implemented:** ORS 468A.745