

HB 2355 -- Asbestos Abatement Projects

Sponsor: Hummel

This bill changes the laws regarding asbestos abatement projects. In its main provisions, the bill:

(1) Revises the definition of:

(a) "Asbestos abatement projects" by increasing the minimum project dimensions from 10 to 160 square feet and from 16 to 260 linear feet and by adding the cubic feet measurement of 35 or more of regulated asbestos containing materials;

(b) "Asbestos containing material" by removing the by weight requirement for the percentage of asbestos;

(c) "Friable asbestos containing material" to include all materials containing more than 1% asbestos that when dry, may be crumbled, pulverized, or reduced to a powder by hand pressure; and

(d) "Inspector" by removing the requirement that the individual be under the Asbestos Hazard Emergency Response Act of 1986;

(2) Defines "regulated asbestos containing material" to include friable asbestos containing material and Category I and II nonfriable asbestos containing material;

(3) Corrects a federal law reference for asbestos requirements under the United States Occupational Safety and Health Administration's (OSHA) regulations;

(4) Specifies that an individual who has not successfully completed an annual refresher course accredited by the State of Missouri within 12 months of his or her certification's expiration will be required to retake the training course. Currently, an individual must complete a refresher course accredited by the United States Environmental Protection Agency (EPA) or the State of Missouri if a certification has lapsed for more than 24 months;

(5) Removes the provisions regarding exemptions from certain state asbestos requirements for asbestos certification and registration for persons who are subject to EPA and OSHA asbestos regulations;

(6) Reduces the amount of time in advance, from 20 working days to 10 working days, that a person has for submitting an application to the Department of Natural Resources for an

asbestos abatement project and requires the application to include a copy of an asbestos inspection survey completed by a certified asbestos inspector for the structure;

(7) Removes the notification requirements for asbestos abatement projects that are between 10 square feet and 160 square feet or between 16 linear feet and 260 linear feet;

(8) Allows the required analysis of asbestos air samples to be conducted according to EPA standards. Currently, the analysis can only be conducted according to OSHA standards;

(9) Removes the provision that requires civil penalties paid for asbestos-related violations to be deposited into the Air Pollution Asbestos Fee Subaccount of the Natural Resources Protection Fund; and

(10) Repeals an exemption regarding state asbestos abatement projects for single-family owner-occupied dwellings and vacant public or privately owned residential buildings of four units or less that are being demolished for public health, safety, or welfare reasons.