



ADMINISTRATIVE RULES OF MONTANA

17.74.352 DEFINITIONS

For purposes of this subchapter, unless otherwise provided, the following definitions apply. The terms must be used in conjunction with the definitions in 75-2-502, MCA, and 40 CFR 61.141:

- (1) "Alternate work practice" means proposed alternative control measures, methods for clearing asbestos projects, or work methods other than those specified in this subchapter that are at least as stringent as the methods required in this subchapter.
- (2) "Annual base amount" means the amount of regulated asbestos-containing material, up to 25,000 square, 25,000 linear, or 25,000 cubic feet or any combination thereof, that an annual asbestos project permit holder may disturb or remove under an annual asbestos project permit during the year the annual permit is in effect.
- (3) "Approved asbestos disposal facility" or "disposal facility" means a licensed Class II or Class IV landfill as described in ARM 17.50.504.
- (4) "Asbestos-containing material (ACM)" means any material containing more than one percent asbestos.
- (5) "Asbestos-containing waste" has the meaning given for "asbestos-containing waste materials" in 40 CFR 61.141.
- (6) "Asbestos contractor/supervisor" means an individual with the requisite training and credentials to supervise an asbestos project and the personnel conducting an asbestos project.
- (7) "Asbestos inspector" means an individual with the requisite training and credentials to inspect a facility for the presence of asbestos-containing material.
- (8) "Asbestos management planner" means an individual with the requisite training and credentials to develop plans for the management of asbestos-containing material under the Asbestos Hazard Emergency Response Act.
- (9) "Asbestos project contractor" means any person who contracts to perform an asbestos project for another person.
- (10) "Asbestos project designer" means an individual with the requisite training and credentials to develop the plans, specifications, and/or designs for an asbestos project.
- (11) "Asbestos unit measurement (AUM)" means each unit of asbestos-containing material that may be disturbed or removed either in square, linear, or cubic feet or any combination thereof. The unit of measure (square, linear, or cubic feet) will be selected, for AUM calculation purposes, based on

the configuration of the material, pre-abatement, as described in the asbestos inspection report, or executed contract document.

- (12) "Asbestos worker" means an individual with the requisite training and credentials to handle asbestos-containing materials during an asbestos project.
- (13) "Building or other structure" as used in the definition of "asbestos project" in 75-2-502, MCA, has the meaning given for "facility" in 40 CFR 61.141.
- (14) "Cubic foot" means a unit of volume for three-dimensional materials, such as insulation, equal to one foot in length, width, and height. This measurement may only be used when the depth of the material exceeds three inches or cannot be otherwise calculated.
- (15) "Friable" means able to be crumbled, pulverized, or reduced to powder by hand pressure when dry.
- (16) "Homogenous materials" means materials that are uniform in color, texture, and age.
- (17) "Inspection" means an activity undertaken at a facility to determine the presence, location, and quantities, or to assess the condition, of ACM or suspected ACM, whether by visual or physical examination, or by collecting samples of the material. This term includes reinspections of known or assumed ACM which has been previously identified. The term does not include the following:
 - (a) inspections performed by employees or agents of federal, state, or local government solely to determine compliance with applicable statutes or regulations; or
 - (b) visual inspections performed solely to determine completion of asbestos projects.
- (18) "Layered homogenous materials" means materials in which the elements making up the composition are in the form of layers. This term may only be applied to flooring systems, wallboard systems, or roofing systems.
- (19) "Linear foot" means a unit of length equal to one foot and may only be used for pipe measurement.
- (20) "Owner or operator" has the meaning given for "owner or operator of a renovation or demolition activity" in 40 CFR 61.141.
- (21) "Pipe," as the term is used in this subchapter and [75-2-502](#) (3), MCA, includes any coating or wrap made of regulated asbestos-containing material that partially or wholly covers the inner or outer surface of the pipe.
- (22) "Project design" means a site-specific written plan including specifications, project procedures, containment design/placement, and descriptions of engineering controls that detail the handling of asbestos-containing material during an asbestos project.
- (23) "Square foot" means a unit of area for two-dimensional materials, such as flooring, equal to the area of a square that is one foot in length and width.
- (24) "Surfacing material" means material that is sprayed-on, troweled-on, or otherwise applied to surfaces, such as acoustical plaster on ceilings and fireproofing materials on structural members, or other materials applied to surfaces for acoustical, fireproofing, or other purposes.
- (25) "Thoroughly inspect" means to conduct a facility demolition-specific or renovation-specific asbestos inspection, pursuant to ARM 17.74.354, for the purposes of:

- (a) identifying all ACM that may be impacted by the subsequent renovation or demolition; and
- (b) determining which requirements of this subchapter, and the Asbestos Control Act codified at Title 75, chapter 2, part 5, MCA, apply to the proposed demolition or renovation activity.

Authorizing statute(s): 75-2-503, MCA

Implementing statute(s): 75-2-503, MCA

History: NEW, 2006 MAR p. 1574, Eff. 6/23/06; AMD, 2006 MAR p. 2962, Eff. 12/8/06; AMD, 2011 MAR p. 2264, Eff. 10/28/11; AMD, 2020 MAR p. 1325, Eff. 6/27/20; AMD, 2024 MAR p. 723, Eff. 4/13/24.