



ADMINISTRATIVE RULES OF MONTANA



17.74.369 TRANSPORTATION AND DISPOSAL OF ASBESTOS-CONTAINING WASTE

- (1) A person may not transport asbestos-containing waste generated at a facility unless accredited by the department as an asbestos worker or asbestos contractor/supervisor or escorted and supervised by a person who is accredited as an asbestos worker or asbestos contractor/supervisor.
- (2) Prior to transporting or disposing of asbestos-containing waste from an asbestos project, a person shall possess a valid asbestos project permit from the department or apply for and obtain a Montana Transport and Disposal Permit pursuant to ARM 17.74.355.
- (3) A person who transports or escorts a vehicle that contains asbestos-containing waste from an asbestos project shall:
 - (a) maintain proof of accreditation and the asbestos project permit and make it available, upon request, to the department during asbestos-containing waste handling activities;
 - (b) prior to waste pick up:
 - (i) obtain assurance from the asbestos contractor/supervisor that the asbestos-containing waste is adequately wet;
 - (ii) confirm the asbestos-containing waste is properly packaged in leak-tight containers, or wrappings, except as provided in 40 CFR 61.150(a)(3);
 - (iii) confirm the contained or wrapped asbestos-containing waste is labeled with the name of the waste generator and the location at which the waste was generated;
 - (iv) ensure that any vehicle used to transport asbestos-containing waste during the loading and unloading of the waste is marked with signs conforming to the requirements of 40 CFR Part 61, subpart M;
 - (v) ensure that the waste shipment record form contains all information required by 40 CFR Part 61, subpart M, and record the asbestos project permit number on the form;
 - (vi) either deposit asbestos-containing waste at a licensed Class II or Class IV landfill facility as soon as practical, or, if asbestos-containing waste is not disposed of as soon as practical, store any asbestos-containing waste in a secure holding facility or location accessible only to asbestos workers or asbestos contractor/supervisors accredited by the department; and
 - (vii) retain responsibility for asbestos-containing waste until the waste is accepted by a licensed Class II or Class IV landfill; and
 - (c) retain the waste shipment record for at least two years.

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

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

History: NEW, 2011 MAR p. 2264, Eff. 10/28/11; AMD, 2024 MAR p. 723, Eff. 4/13/24.