



ADMINISTRATIVE RULES OF MONTANA



17.74.359 ANNUAL ASBESTOS PROJECT PERMITS

- (1) An annual asbestos project permit authorizes a facility to conduct asbestos projects within the confines of the facility's controlled area during the year for which the permit is in force. After July 1, 2020, the annual asbestos project permit period is January 1 through December 31.
- (2) The owner or operator of a facility may apply to the department for an annual asbestos project permit if the facility:
 - (a) continuously employs asbestos project workers or continuously contracts with outside asbestos project contractors to perform asbestos projects for the facility; and
 - (b) maintains an asbestos health and safety program that incorporates standard operating procedures for employees involved in asbestos projects.
- (3) An owner or operator conducting asbestos projects under an annual asbestos project permit shall comply with all requirements pertaining to asbestos project notification.
- (4) The owner or operator of a facility applying for an annual asbestos project permit shall submit to the department:
 - (a) the fee required under ARM 17.74.406;
 - (b) a copy of the facility's written health and safety program on asbestos; and
 - (c) a completed application on a form provided by the department, including:
 - (i) a description of the structure and the asbestos work to be performed;
 - (ii) the name(s) and address(es) of any outside contractor or contractors who will be performing asbestos projects at the facility under the permit;
 - (iii) a signed statement that all work performed under the permit will be performed in accordance with this subchapter;
 - (iv) a signed statement that all work will be performed by persons accredited by the department; and
 - (v) a signed statement that:
 - (A) asbestos-containing waste will be transported to and disposed of at an approved asbestos disposal facility;
 - (B) identifies the transporter of the asbestos-containing waste; and
 - (C) identifies the disposal facility by name and location.

- (5) An annual asbestos project permit expires on December 31 of the year in which the permit is issued, unless the facility owner applies for a new annual permit by November 15 of the year the current annual permit was issued, and the department approves the application.
- (6) An application for an annual asbestos project permit must:
 - (a) indicate the amount of regulated asbestos-containing material proposed to be disturbed or removed during the permit period;
 - (b) require the permittee to report any amount of regulated asbestos-containing material disturbed or removed during the annual asbestos project period that exceeds the amount in (a);
 - (c) require the permittee to revise the annual asbestos project permit in accordance with (7); and
 - (d) incorporate by reference any required information that has been previously submitted.
- (7) A revision to an annual asbestos project permit is required as soon as possible or within 10 calendar days of the following:
 - (a) a change in owner or operator;
 - (b) a change in renovation contractor, transporter, or disposal facility;
 - (c) an alternate work practice request is submitted for department approval in accordance with ARM 17.74.353(1)(e);
 - (d) the amount of regulated asbestos-containing material being disturbed changes the amount in (6)(a) by 20 percent or more; or
 - (e) any significant change in scope or magnitude of asbestos projects conducted at the facility during the project period.

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

Implementing statute(s): 75-2-503, 75-2-504, MCA

History: NEW, 2006 MAR p. 1574, Eff. 6/23/06; 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.