



ADMINISTRATIVE RULES OF MONTANA



17.74.355 ASBESTOS PROJECT PERMITS AND DEMOLITION NOTIFICATIONS

- (1) Pursuant to 40 CFR 61.145, a person may not conduct demolition activities without a demolition notification submitted to the department.
- (2) Pursuant to 75-2-511, MCA, a person may not conduct an asbestos project without a permit issued by the department, or violate the conditions of the permit.
- (3) The owner or operator shall submit to the department:
 - (a) a completed, signed Montana Asbestos Project Permit Application, Transport and Disposal application, or Montana Demolition Notification on a form provided by the department; and
 - (b) the applicable fee required under ARM 17.74.406.
- (4) An application for an asbestos project permit and associated fees must be received by the department at least:
 - (a) five working days prior to the initiation of an asbestos project with quantities pursuant to 75-2-505(1) through (3), MCA; or
 - (b) ten working days prior to initiating an asbestos project with quantities pursuant to 40 CFR 61.145(a) or the initiation of demolition activities.
- (5) False, inaccurate, or misleading information may cause the department to revoke an asbestos project permit or demolition notification.
- (6) If an application submitted under this rule is incomplete, the department shall notify the applicant in writing of the information necessary to complete the application. If the department has not received the information within two days from the date of the written notice, the application will be considered withdrawn.
- (7) A revision of an asbestos project permit or demolition notice is required as soon as possible and must be submitted to the department with any necessary fees under ARM 17.74.406 for the following:
 - (a) a change in the project's owner or operator;
 - (b) a change in the renovation contractor, transporter, or disposal facility;
 - (c) the amount of regulated asbestos-containing material being disturbed changes by at least 20 percent or more from the amount permitted;
 - (d) any significant change in the scope of work of the asbestos project conducted at the facility during the project period; or

- (e) a change to the start or completion date for a permitted activity provided that the conditions of 40 CFR 61.145(b) are met for changes in start dates.
- (8) Expired asbestos project permits or expired demolition notifications are void. Any work beyond the expiration date will require a new asbestos project permit or demolition notification pursuant to the requirements of this subchapter.
- (9) A copy of the issued permit, project design, and sketch must be posted and maintained on site during the asbestos project and made available for examination by department employees or representatives upon request.
- (10) For an asbestos project limited to transportation and disposal, the issued permit must be available with the material being transported.

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

Implementing statute(s): 75-2-503, 75-2-505, 75-2-511, 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.