



MEMORANDUM OF RESPONSE

To: Travis Butchello, Regulatory Policy Advocate

From: Mandi Payton, Agency Rules Coordinator

Date: October 11, 2017

Subject: Memorandum of Response to CSI Review – Asbestos Program Transfer (OAC 3745-22-01 to 3745-22-11)

Recommendations

On October 10, 2017, Ohio EPA received the Recommendations for the Division of Air Pollution Control's Asbestos Program (3745-22-01 to 3745-22-11) Rules Package.

The CSI memorandum stated that:

“The rules impact all asbestos hazard abatement contractors, specialists, evaluation specialists, workers, project designers, air-monitoring technicians, and training course providers in the state. OEPA notes in the BIA that there will be time costs for compliance with the rules including training for providers, costs for safety equipment, and respirators and labor costs that will be associated with administrative and reporting requirements. Specifically, the BIA states that fees for training courses will be \$900 for the initial course and \$300 for a refresher, \$65 for a project notification that asbestos work is about to take place, and fees for the different licenses range from \$50 to \$750 for first-time and renewal registration. Lastly, OEPA approximates the administrative costs of the rules include a 30-minute burden for time necessary to review the rules, manage records, and fill out applications for licensure at a cost of \$17.94 per hour. The BIA further notes that while they expect administrative compliance to take roughly 30 minutes, depending on the task, it could take upwards of an hour or more depending on the individual. OEPA maintains that the regulatory intent of the rules outweighs any adverse impact because the rules provide the necessary framework to maintain public health and safety related to asbestos by ensuring that the public receives asbestos abatement, detection, and analytical services by trained and licensed personnel.

For the reasons explained above, this office does not have any recommendations regarding this rule package.

Based on the above comments, the CSI Office concludes that the Ohio Environmental Protection Agency should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.”

Next Steps

At this time, it is Ohio EPA's plan to move forward with the original filing of these rules with the Joint Committee on Agency Rule Review.

If you have any questions, please contact Mandi Payton at 614-644-3134.