



ARKANSAS  
Department of Environmental Quality

## Memorandum

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**TO:** Michael O'Malley, Hearing Officer  
Arkansas Pollution Control and Ecology Commissioners

**FROM:** Mike Bates, Chief, Air Division *MB*

**DATE:** February 12, 2010

**SUBJECT:** Proposed Revisions to Regulation Number 21, Arkansas Asbestos Abatement Regulation

The Arkansas Department of Environmental Quality (ADEQ) proposes revisions to Regulation Number 21, Arkansas Asbestos Abatement Regulation. Regulation Number 21 is applicable to all owners and operators conducting a demolition or renovation activity; persons conducting inspections, air monitoring, developing management plans, and designing and/or conducting asbestos response actions; and training providers.

The Department proposes this rulemaking to require air monitoring for asbestos fibers to be conducted before, during, and after a project, whereas the current regulation only requires air monitoring to be performed after the project is completed. The proposed changes also require that air monitoring be conducted by an independent third party who is not an agent of the firm doing the renovation. The proposed changes also require photos of individuals seeking asbestos training certification and increases reporting requirements from training providers. The proposed changes will reduce asbestos fibers entering the atmosphere, resulting in a decrease in morbidity and premature death. Making the proposed change will improve the overall effectiveness and enforceability of asbestos abatement regulation, and help ensure the proper training and efficient certification of asbestos workers in the state.