

# **Regulation IV**

## **Rule 401 – Asbestos Fees**

*This Rule was first adopted December 16, 2004; revised September 21, 2006. The current version was adopted by the Governing Board via Resolution 2014-7 on October 16, 2014.*

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# RULE 401 ASBESTOS FEES

**A. PURPOSE:** The purpose of this rule is to recover expenses incurred in the course of the implementation of District asbestos control programs. The authority to establish this rule is provided for in H&SC §41512.5.

**B. DEMOLITION & RENOVATION PROJECT FEE SCHEDULE:**

- 1. Fee Payment Required:** Any owner or operator of a demolition or renovation project which is required to submit written notification pursuant to 40 CFR 61 Subpart M shall pay a flat fee per project or event in accordance with this Section. Fees must accompany the notification form.
- 2. Project Categories:** Fees shall be assessed per project or event as described herein and as determined by the APCO.
  - a. Renovation:** The altering of a facility or one or more facility components in any way, including the stripping or removal of regulated asbestos containing material from a facility component.
  - b. Demolition:** The wrecking or taking out of any load supporting structural member of a facility, or the intentional burning of any facility.
  - c. Abatement with Demolition:** A separate fee shall be assessed when a project involves both renovation and demolition.

Table 1 – Demolition & Renovation Projects

Each Project or Event	X-Factor Multiplier
Renovation	2
Demolition	2
Abatement with Demolition	4

- 3. Refunds:** In the event that a project is cancelled prior to the commencement of demolition or renovation activities, the District may refund the fees collected in full or a partial amount if the following is satisfied:
  - a.** The District has not performed a field inspection; and
  - b.** The refund request is made in writing and is received by the District within 10 days after payment is received by the District.

**C. NATURALLY OCCURRING ASBESTOS FEES:**

1. **Fee Payment Required:** Every owner or operator of a surfacing, quarrying, surfacing mining, construction, or grading operation which is subject to either CCR Title 17 §93105 or §93106 or both, shall pay a flat fee per facility in accordance with this Section.
2. **Facility & Service Type**
  - a. **Applications & Notifications:** For every application for exemption from the regulation, for every notification, and for every road grading notice, the owner or operator shall pay a flat rate per project equal to 1.0 X for the initial filing fee and 0.5 X for each subsequent update filed.
  - b. **Sampling Fees**
    - i. **Field Sampling:** Every owner/operator requesting the District to perform field sampling of suspected asbestos containing material shall be assessed a fee equal to one X for every hour expended including travel time.
    - ii. **Lab Analysis:** Every owner/operator requesting that the District conduct lab analysis of suspected asbestos containing material shall pay actual costs incurred by the District.

Table 2 – Naturally Occurring Asbestos

Description	X-Factor Multiplier	
	Initial	Update
Exemption, Notification, and Road Grading	1	0.5
Field Sampling, Requested	1 per hour worked	-
Lab Analysis, Requested	Actual Costs	Actual Costs