

Compliance Advisory

June 15, 2022
Naturally Occurring Asbestos Program
Fee Change

This Advisory is provided to inform you about activities of the Air District which may affect your operation. It is intended to help you achieve and maintain compliance with applicable air pollution regulations.

**ATTENTION: NATURALLY OCCURRING ASBESTOS CONSULTANTS,
CONTRACTORS, AND INTERESTED PARTIES**

**SUBJECT: ASBESTOS DUST MITIGATION PLAN FEE SCHEDULE
CHANGE FOR CONSTRUCTION AND GRADING
PROJECTS**


On June 15, 2022, the Bay Area Air Quality Management District (Air District) Board of Directors approved a new fee schedule for Naturally Occurring Asbestos (NOA) operations (Regulation 3, Schedule S)**.


Effective July 1, 2022, the new fee schedule for NOA operations applies to asbestos dust mitigation plan initial review and amendments, air monitoring processing, and related inspection fees. In addition, a new processing fee for Geologic Exemption Applications has been added.

The new Naturally Occurring Asbestos Operations fee schedule (Regulation 3, Schedule S) is included.

If you have any questions about the NOA operations fee increases, please contact the Air District as indicated below:

 For questions about this Advisory, ATCM or ADMP, contact Dick Hansen Rodriguez, Air Quality Specialist II, at hrodriguez@baaqmd.gov or (415) 749-4929.

 For information about the Air District NOA program or for a copy of the CARB ATCM, see: <http://www.baaqmd.gov/permits/asbestos/naturally-occurring-asbestos>.

 For a copy of Air District Regulation 3 – Fees, see <http://www.baaqmd.gov/rules-and-compliance/current-rules>.


for J. Gove
Jeff Gove
Director of Compliance and Enforcement

**The Air District regulates operations that may release naturally occurring asbestos (NOA) using California Air Resources Board's (CARB) Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, Title 17, CCR 93105. This regulation applies to road construction and maintenance activities, construction and grading operations, and other operations in those geographic areas where NOA is likely to be found and require the best available dust mitigation measures to be followed to reduce exposure to airborne asbestos.

Effective July 1, 2022

SCHEDULE S NATURALLY OCCURRING ASBESTOS OPERATIONS

1. ASBESTOS DUST MITIGATION PLAN INITIAL REVIEW AND AMENDMENT FEES:

Any person submitting an Asbestos Dust Mitigation Plan (ADMP) for initial review of a Naturally Occurring Asbestos (NOA) project shall pay the following fee (including NOA Discovery Notifications which would trigger an ADMP review): \$840

Any person submitting a request to amend an existing ADMP shall pay the following fee: \$430

2. AIR MONITORING PROCESSING FEE:

NOA projects requiring an Air Monitoring component as part of the ADMP approval are subject to the following fee in addition to the ADMP fee: \$6,480

3. GEOLOGIC EVALUATION FEE:

Any person submitting a Geologic Evaluation for exemption from Section 93105 shall pay the following fee: \$3,200

4. INSPECTION FEES:

- a. The owner of any property for which an ADMP is required shall pay fees to cover the costs incurred by the District in conducting inspections to determine compliance with the ADMP on an ongoing basis. Inspection fees shall be invoiced by the District on a quarterly basis, and at the conclusion of dust generating activities covered under the ADMP, based on the actual time spent in conducting such inspections, and the following time and materials rate: \$179 per hour
- b. The owner of any property for which Geologic Evaluation is required shall pay fees to cover the costs incurred by the District. Inspection fees shall be invoiced by the District, based on the actual time spent in conducting such inspections, and the following time and materials rate: \$179 per hour

(Adopted 6/6/07; Amended 5/21/08, 5/20/09, 6/16/10, 6/15/11, 6/6/12, 6/19/13, 6/4/14, 6/3/15, 6/15/16, 6/21/17, 6/6/18, 6/5/19, 6/16/21, 6/15/22)