

Occupational Authorizations

for the meeting of the

ALC-OCCUPATIONAL LICENSING REVIEW SUBCOMMITTEE

Tuesday, February 18, 2020 at 2:30 PM

Division of Environmental Quality**ASBESTOS ABATEMENT AIR MONITOR**

Authorization Type: Certification # of Individuals Regulated:

Entity Division Name: Office of Air Quality, Asbestos Program

Scope of Practice: The scope of practice for the Asbestos Abatement Air Monitor is to collect airborne samples for analysis of asbestos fibers and/or measure the airborne fiber concentration of specific quantities of air for asbestos over a given amount of time at the conclusion of any demolition, renovation or asbestos response action for which containment was used.

Statutory Requirement(s):

- o The Asbestos Hazard Emergency Response Act (AHERA) enacted by Congress in 1986 required states to adopt a state accreditation program for personnel working in asbestos activities. In addition, AHERA mandates inspection requirements for schools; however DEQ is not delegated this portion of AHERA.
- o The Asbestos Program was initiated in 1982 when EPA delegated authority to enforce the Asbestos NESHAP. The delegation authorized DEQ to regulate the abatement of asbestos-containing material from all structures which meet the definition of the term "facility". Arkansas Asbestos Abatement Regulation 21 (Regulation 21) established state requirements to administer and enforce a licensing program for Abatement Contractors, Consultants and Training Providers and a certification program for Air Monitors, Contractors/Supervisors, Inspectors, Management Planners, Project Designers, and Workers as required by AHERA, ASHARA, and the MAP. In addition, Regulation 21 established a state requirement to enforce standards for demolitions, renovations, and disposal of regulated asbestos-containing materials to limit emissions of asbestos as required by the Asbestos NESHAP.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Certification	\$115.00	Once
Fee	Multiple Certifications (after the first Certification) within the Same 12-month Period	\$55.00	Annually
Fee	Refresher (renewal) Certification	\$115.00	Annually

Administrative Rules Documents

Document Type	Document
Rules	reg21_final_current.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Division of Environmental Quality (Continued)

ASBESTOS ABATEMENT CONTRACTOR/SUPERVISOR

Authorization Type: Certification # of Individuals Regulated:

Entity Division Name: Office of Air Quality, Asbestos Program

Scope of Practice: The scope of practice for the Asbestos Abatement Contractor/Supervisor is to supervise activities with respect to friable asbestos containing materials in a facility including a response action other than a small-scale short-duration activity, a maintenance activity that disturbs friable asbestos containing material, or a response action for a major fiber release episode.

- Statutory Requirement(s):
- o The Asbestos Hazard Emergency Response Act (AHERA) enacted by Congress in 1986 required states to adopt a state accreditation program for personnel working in asbestos activities. In addition, AHERA mandates inspection requirements for schools; however DEQ is not delegated this portion of AHERA.
 - o The Asbestos Model Accreditation Plan (MAP) 40 CFR 763, Subpart E, Appendix C mandates personnel working on asbestos activities in schools and public buildings to be trained and accredited in accordance with the MAP. In addition, to establishing the minimum number of training hours required for the personnel to have that conduct asbestos activities in schools and public buildings. Arkansas was the first certification and licensing program in EPA Region 6 and was used as one of the models by EPA in developing the MAP. EPA granted DEQ approval in May 1998 for all training disciplines (worker, inspector, contractor/supervisor, management planner, and project designer) covered under the MAP.
 - o The Asbestos Program was initiated in 1982 when EPA delegated authority to enforce the Asbestos NESHAP. The delegation authorized DEQ to regulate the abatement of asbestos-containing material from all structures which meet the definition of the term "facility". Arkansas Asbestos Abatement Regulation 21 (Regulation 21) established state requirements to administer and enforce a licensing program for Abatement Contractors, Consultants and Training Providers and a certification program for Air Monitors, Contractors/Supervisors, Inspectors, Management Planners, Project Designers, and Workers as required by AHERA, ASHARA, and the MAP. In addition, Regulation 21 established a state requirement to enforce standards for demolitions, renovations, and disposal of regulated asbestos-containing materials to limit emissions of asbestos as required by the Asbestos NESHAP.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Certification	\$115.00	Once
Fee	Refresher (renewal) Certification	\$115.00	Annually
Fee	Multiple Certifications (after the first Certification) within Same 12-month Period	\$55.00	Annually

Administrative Rules Documents	
Document Type	Document
Rules	reg21_final_current.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

ASBESTOS ABATEMENT WORKER

Division of Environmental Quality (Continued)

ASBESTOS ABATEMENT WORKER (Continued)

Authorization Type: Certification # of Individuals Regulated: 280

Entity Division Name: Office of Air Quality, Asbestos Program

Scope of Practice: The scope of practice for the Asbestos Abatement Worker is to carry out activities with the respect to friable asbestos containing material in a facility including a response action other than a small-scale short-duration activity, a maintenance activity that disturbs friable asbestos containing material, or a response action for a major fiber release episode.

Statutory Requirement(s):
 o The Asbestos National Emission Standard for Hazardous Air Pollutants (Asbestos NESHAP) 40 CFR Part 61, Subpart M established a federal requirement for standards of demolition and renovation related activities to limit emissions of asbestos. The Asbestos NESHAP also provides requirements including, but not limited to, notification requirements and waste disposal requirements. These requirements cover any institutional, commercial, public, industrial, or residential structure, installation, or building. Residential buildings with four or fewer dwelling units are exempt from the Asbestos NESHAP. In September 1981, EPA delegated the Asbestos NESHAP to DEQ and in March 1982 granted DEQ authorized DEQ to implement and enforce all future NESHAP requirements without a written request to EPA.

o The Asbestos Hazard Emergency Response Act (AHERA) enacted by Congress in 1986 required states to adopt a state accreditation program for personnel working in asbestos activities. In addition, AHERA mandates inspection requirements for schools; however DEQ is not delegated this portion of AHERA.

o The Asbestos Model Accreditation Plan (MAP) 40 CFR 763, Subpart E, Appendix C mandates personnel working on asbestos activities in schools and public buildings to be trained and accredited in accordance with the MAP. In addition, to establishing the minimum number of training hours required for the personnel to have that conduct asbestos activities in schools and public buildings. Arkansas was the first certification and licensing program in EPA Region 6 and was used as one of the models by EPA in developing the MAP. EPA granted DEQ approval in May 1998 for all training disciplines (worker, inspector, contractor/supervisor, management planner, and project designer) covered under the MAP.

o The Asbestos School Hazard Abatement Reauthorization Act (ASHARA) of 1990 enacted by Congress mandated EPA to increase the number of training hours required for training discipline under the MAP and expanded the accreditation requirements to cover asbestos abatement projects in all public and commercial buildings in addition to schools.

o The Asbestos Program was initiated in 1982 when EPA delegated authority to enforce the Asbestos NESHAP. The delegation authorized DEQ to regulate the abatement of asbestos-containing material from all structures which meet the definition of the term “facility”. Arkansas Asbestos Abatement Regulation 21 (Regulation 21) established state requirements to administer and enforce a licensing program for Abatement Contractors, Consultants and Training Providers and a certification program for Air Monitors, Contractors/Supervisors, Inspectors, Management Planners, Project Designers, and Workers as required by AHERA, ASHARA, and the MAP. In addition, Regulation 21 established a state requirement to enforce standards for demolitions, renovations, and disposal of regulated asbestos-containing materials to limit emissions of asbestos as required by the Asbestos NESHAP.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

No

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Certification	\$25.00	Once

Division of Environmental Quality (Continued)

ASBESTOS ABATEMENT WORKER (Continued)

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Refresher (renewal) Certification	\$25.00	Annually

Administrative Rules Documents

Document Type	Document
Rules	reg21_final_current.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Division of Environmental Quality (Continued)

ASBESTOS INSPECTOR

Authorization Type: Certification # of Individuals Regulated:

Entity Division Name: Office of Air Quality, Asbestos Program

Scope of Practice: The scope of practice for the Asbestos Abatement Inspector is to inspect for asbestos containing material in a facility.

- Statutory Requirement(s):
- o The Asbestos Hazard Emergency Response Act (AHERA) enacted by Congress in 1986 required states to adopt a state accreditation program for personnel working in asbestos activities. In addition, AHERA mandates inspection requirements for schools; however DEQ is not delegated this portion of AHERA.
 - o The Asbestos Model Accreditation Plan (MAP) 40 CFR 763, Subpart E, Appendix C mandates personnel working on asbestos activities in schools and public buildings to be trained and accredited in accordance with the MAP. In addition, to establishing the minimum number of training hours required for the personnel to have that conduct asbestos activities in schools and public buildings. Arkansas was the first certification and licensing program in EPA Region 6 and was used as one of the models by EPA in developing the MAP. EPA granted DEQ approval in May 1998 for all training disciplines (worker, inspector, contractor/supervisor, management planner, and project designer) covered under the MAP.
 - o The Asbestos School Hazard Abatement Reauthorization Act (ASHARA) of 1990 enacted by Congress mandated EPA to increase the number of training hours required for training discipline under the MAP and expanded the accreditation requirements to cover asbestos abatement projects in all public and commercial buildings in addition to schools.
 - o The Asbestos Program was initiated in 1982 when EPA delegated authority to enforce the Asbestos NESHAP. The delegation authorized DEQ to regulate the abatement of asbestos-containing material from all structures which meet the definition of the term "facility". Arkansas Asbestos Abatement Regulation 21 (Regulation 21) established state requirements to administer and enforce a licensing program for Abatement Contractors, Consultants and Training Providers and a certification program for Air Monitors, Contractors/Supervisors, Inspectors, Management Planners, Project Designers, and Workers as required by AHERA, ASHARA, and the MAP. In addition, Regulation 21 established a state requirement to enforce standards for demolitions, renovations, and disposal of regulated asbestos-containing materials to limit emissions of asbestos as required by the Asbestos NESHAP.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Certification	\$115.00	Once
Fee	Refresher (renewal) Certification	\$115.00	Annually
Fee	Multiple Certifications (after the first Certification) within Same 12-month Period	\$55.00	Annually

Administrative Rules Documents	
Document Type	Document
Rules	reg21_final_current.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Division of Environmental Quality (Continued)

ASBESTOS MANAGEMENT PLANNER

Authorization Type: Certification # of Individuals Regulated:

Entity Division Name: Office of Air Quality, Asbestos Program

Scope of Practice: The scope of practice for the Asbestos Abatement Management Planner is to prepare management plans for schools.

- Statutory Requirement(s):
- o The Asbestos Hazard Emergency Response Act (AHERA) enacted by Congress in 1986 required states to adopt a state accreditation program for personnel working in asbestos activities. In addition, AHERA mandates inspection requirements for schools; however DEQ is not delegated this portion of AHERA.
 - o The Asbestos Model Accreditation Plan (MAP) 40 CFR 763, Subpart E, Appendix C mandates personnel working on asbestos activities in schools and public buildings to be trained and accredited in accordance with the MAP. In addition, to establishing the minimum number of training hours required for the personnel to have that conduct asbestos activities in schools and public buildings. Arkansas was the first certification and licensing program in EPA Region 6 and was used as one of the models by EPA in developing the MAP. EPA granted DEQ approval in May 1998 for all training disciplines (worker, inspector, contractor/supervisor, management planner, and project designer) covered under the MAP.
 - o The Asbestos School Hazard Abatement Reauthorization Act (ASHARA) of 1990 enacted by Congress mandated EPA to increase the number of training hours required for training discipline under the MAP and expanded the accreditation requirements to cover asbestos abatement projects in all public and commercial buildings in addition to schools.
 - o The Asbestos Program was initiated in 1982 when EPA delegated authority to enforce the Asbestos NESHAP. The delegation authorized DEQ to regulate the abatement of asbestos-containing material from all structures which meet the definition of the term "facility". Arkansas Asbestos Abatement Regulation 21 (Regulation 21) established state requirements to administer and enforce a licensing program for Abatement Contractors, Consultants and Training Providers and a certification program for Air Monitors, Contractors/Supervisors, Inspectors, Management Planners, Project Designers, and Workers as required by AHERA, ASHARA, and the MAP. In addition, Regulation 21 established a state requirement to enforce standards for demolitions, renovations, and disposal of regulated asbestos-containing materials to limit emissions of asbestos as required by the Asbestos NESHAP.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Certification	\$115.00	Once
Fee	Refresher (renewal) Certification	\$115.00	Annually
Fee	Multiple Certifications (after the first Certification) within Same 12-month Period	\$55.00	Annually

Administrative Rules Documents	
Document Type	Document
Rules	reg21_final_current.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Division of Environmental Quality (Continued)

ASBESTOS PROJECT DESIGNER

Authorization Type: Certification # of Individuals Regulated:

Entity Division Name: Office of Air Quality, Asbestos Program

Scope of Practice: The scope of practice for the Asbestos Abatement Project Designer is to design activities with respect to friable asbestos containing material in a facility including a response action other than a small-scale short-duration activity, a maintenance activity that disturbs friable asbestos containing material other than a small-scale short-duration activity, or a response action for a major fiber release episode.

Statutory Requirement(s):
 o The Asbestos Hazard Emergency Response Act (AHERA) enacted by Congress in 1986 required states to adopt a state accreditation program for personnel working in asbestos activities. In addition, AHERA mandates inspection requirements for schools; however DEQ is not delegated this portion of AHERA.

o The Asbestos Model Accreditation Plan (MAP) 40 CFR 763, Subpart E, Appendix C mandates personnel working on asbestos activities in schools and public buildings to be trained and accredited in accordance with the MAP. In addition, to establishing the minimum number of training hours required for the personnel to have that conduct asbestos activities in schools and public buildings. Arkansas was the first certification and licensing program in EPA Region 6 and was used as one of the models by EPA in developing the MAP. EPA granted DEQ approval in May 1998 for all training disciplines (worker, inspector, contractor/supervisor, management planner, and project designer) covered under the MAP.

o The Asbestos School Hazard Abatement Reauthorization Act (ASHARA) of 1990 enacted by Congress mandated EPA to increase the number of training hours required for training discipline under the MAP and expanded the accreditation requirements to cover asbestos abatement projects in all public and commercial buildings in addition to schools.

o The Asbestos Program was initiated in 1982 when EPA delegated authority to enforce the Asbestos NESHAP. The delegation authorized DEQ to regulate the abatement of asbestos-containing material from all structures which meet the definition of the term “facility”. Arkansas Asbestos Abatement Regulation 21 (Regulation 21) established state requirements to administer and enforce a licensing program for Abatement Contractors, Consultants and Training Providers and a certification program for Air Monitors, Contractors/Supervisors, Inspectors, Management Planners, Project Designers, and Workers as required by AHERA, ASHARA, and the MAP. In addition, Regulation 21 established a state requirement to enforce standards for demolitions, renovations, and disposal of regulated asbestos-containing materials to limit emissions of asbestos as required by the Asbestos NESHAP.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Certification	\$115.00	Once
Fee	Refresher (renewal) Certification	\$115.00	Annually
Fee	Multiple Certifications (after the first Certification) within Same 12-month Period	\$55.00	Annually

Administrative Rules Documents	
Document Type	Document
Rules	reg21_final_current.pdf

Supporting Evidence Documents

Division of Environmental Quality (Continued)

ASBESTOS PROJECT DESIGNER (Continued)

No Supporting Evidence Documents Provided

ASBESTOS ABATEMENT CONTRACTOR/CONSULTANT

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Office of Air Quality, Asbestos Program

Scope of Practice: The scope of practice for the Asbestos Abatement Contractor/Consultant is to act as an agent for an owner or operator in performing demolitions, renovations, air monitoring, and/or response actions which will involve, or may involve, the removal or disturbance of asbestos containing material in any facility.

Statutory Requirement(s):
o The Asbestos National Emission Standard for Hazardous Air Pollutants (Asbestos NESHAP) 40 CFR Part 61, Subpart M established a federal requirement for standards of demolition and renovation related activities to limit emissions of asbestos. The Asbestos NESHAP also provides requirements including, but not limited to, notification requirements and waste disposal requirements. These requirements cover any institutional, commercial, public, industrial, or residential structure, installation, or building. Residential buildings with four or fewer dwelling units are exempt from the Asbestos NESHAP. In September 1981, EPA delegated the Asbestos NESHAP to DEQ and in March 1982 granted DEQ authorized DEQ to implement and enforce all future NESHAP requirements without a written request to EPA.

o The Asbestos Hazard Emergency Response Act (AHERA) enacted by Congress in 1986 required states to adopt a state accreditation program for personnel working in asbestos activities. In addition, AHERA mandates inspection requirements for schools; however DEQ is not delegated this portion of AHERA.

o The Asbestos Program was initiated in 1982 when EPA delegated authority to enforce the Asbestos NESHAP. The delegation authorized DEQ to regulate the abatement of asbestos-containing material from all structures which meet the definition of the term "facility". Arkansas Asbestos Abatement Regulation 21 (Regulation 21) established state requirements to administer and enforce a licensing program for Abatement Contractors, Consultants and Training Providers and a certification program for Air Monitors, Contractors/Supervisors, Inspectors, Management Planners, Project Designers, and Workers as required by AHERA, ASHARA, and the MAP. In addition, Regulation 21 established a state requirement to enforce standards for demolitions, renovations, and disposal of regulated asbestos-containing materials to limit emissions of asbestos as required by the Asbestos NESHAP.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Fee for Asbestos Abatement Contractor	\$375.00	Annually
Fee	License Fee for Asbestos Abatement Consultant	\$375.00	Annually

Administrative Rules Documents	
Document Type	Document
Rules	reg21_final_150911.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Division of Environmental Quality (Continued)

ASBESTOS TRAINING PROVIDER

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Office of Air Quality, Asbestos Program

Scope of Practice: The scope of practice for a Training Provider is to conduct some or all of the training programs for asbestos professional disciplines.

- Statutory Requirement(s):
- o The Asbestos Hazard Emergency Response Act (AHERA) enacted by Congress in 1986 required states to adopt a state accreditation program for personnel working in asbestos activities. In addition, AHERA mandates inspection requirements for schools; however DEQ is not delegated this portion of AHERA.
 - o The Asbestos Model Accreditation Plan (MAP) 40 CFR 763, Subpart E, Appendix C mandates personnel working on asbestos activities in schools and public buildings to be trained and accredited in accordance with the MAP. In addition, to establishing the minimum number of training hours required for the personnel to have that conduct asbestos activities in schools and public buildings. Arkansas was the first certification and licensing program in EPA Region 6 and was used as one of the models by EPA in developing the MAP. EPA granted DEQ approval in May 1998 for all training disciplines (worker, inspector, contractor/supervisor, management planner, and project designer) covered under the MAP.
 - o The Asbestos School Hazard Abatement Reauthorization Act (ASHARA) of 1990 enacted by Congress mandated EPA to increase the number of training hours required for training discipline under the MAP and expanded the accreditation requirements to cover asbestos abatement projects in all public and commercial buildings in addition to schools.
 - o The Asbestos Program was initiated in 1982 when EPA delegated authority to enforce the Asbestos NESHAP. The delegation authorized DEQ to regulate the abatement of asbestos-containing material from all structures which meet the definition of the term "facility". Arkansas Asbestos Abatement Regulation 21 (Regulation 21) established state requirements to administer and enforce a licensing program for Abatement Contractors, Consultants and Training Providers and a certification program for Air Monitors, Contractors/Supervisors, Inspectors, Management Planners, Project Designers, and Workers as required by AHERA, ASHARA, and the MAP. In addition, Regulation 21 established a state requirement to enforce standards for demolitions, renovations, and disposal of regulated asbestos-containing materials to limit emissions of asbestos as required by the Asbestos NESHAP.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial License Fee	\$375.00	Once
Fee	Refresher (renewal) License Fee	\$375.00	Annually

Administrative Rules Documents	
Document Type	Document
Rules	reg21_final_current.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided