# SENATE BILL REPORT
# SB 6188

As of January 20, 2026

**Title:** An act relating to department of labor and industries' authority to enact rules related to regulating asbestos training.

**Brief Description:** Concerning the department of labor and industries' authority to enact rules related to regulating asbestos training.

**Sponsors:** Senators Hunt, Conway and Nobles; by request of Department of Labor & Industries.

**Brief History:**
**Committee Activity:** Labor & Commerce: 1/20/26.

**Brief Summary of Bill**

- Removes the provision that limits the Department of Labor and Industries' rulemaking authority for asbestos certification requirements to rules that are specifically required for the state's standards to be as stringent as applicable federal laws.

## SENATE COMMITTEE ON LABOR & COMMERCE

**Staff:** Jarrett Sacks (786-7448)

**Background:** Asbestos. Asbestos is a naturally occurring mineral fiber found in rock and soil. Asbestos can be used as an insulator or fire retardant in a variety of consumer goods, including in building materials, and is also found as a naturally occurring contaminant in deposits of other mineral types used for commercial purposes.

Asbestos Projects. Employees and other individuals working on an asbestos project must be certified by the Department of Labor and Industries (L&I). To qualify for a certificate, an individual must complete a training course and pass an examination.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

State law prohibits removing or encapsulating asbestos in any facility unless performed by a certified asbestos worker under the direct, on-site supervision of a certified asbestos supervisor. Persons undertaking asbestos projects are required to provide notice to L&I prior to commencing the project. Contractors working on asbestos abatement projects must obtain an asbestos contractor's certificate from L&I and employ at least one certified asbestos supervisor.

An asbestos project is the construction, demolition, repair, maintenance, remodeling, or renovation of any public or private building or mechanical piping equipment or systems involving the demolition, removal, encapsulation, salvage, or disposal of material, or outdoor activity, releasing or likely to release asbestos fibers into the air.

An asbestos abatement project is an asbestos project involving three square feet or three linear feet, or more, of asbestos-containing material.

L&I has rulemaking authority to implement the asbestos certification and training requirements. L&I 's authority to adopt rules is limited to rules that are specifically required, and only to the extent specifically required, for the standards to be as stringent as applicable federal laws.

Asbestos Hazard Emergency Response Act. The Asbestos Hazard Emergency Response Act (AHERA) and its regulations require public and non-profit private schools to inspect school buildings for asbestos-containing building material, prepare asbestos management plans, and perform asbestos response actions to prevent or reduce asbestos hazards. AHERA also required the Environmental Protection Agency (EPA) to adopt a model accreditation plan (MAP) for asbestos abatement personnel. The EPA's MAP covers training, examinations, continuing education, qualifications, recordkeeping for training providers, deaccreditation, electronic reporting, and reciprocity for states related to asbestos personnel.

**Summary of Bill:** The provision that limits L&I's rulemaking authority for asbestos certification requirements to rules that are specifically required for the state's standards to be as stringent as applicable federal laws is removed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Asbestos is a component in many building materials and its important to make sure workers who handle it are properly trained. L&I's authority is limited and they cannot adopt certain requirements because they are specifically

required by federal law. The bill would give L&I the authority to protect worker safety. The bill only impacts rulemaking for certification and training. L&I would adopt the EPA's model accreditation plan with the new authority.

CON: The bill allows the state to diverge from established federal rules and could create a situation where there are contradictory regulations in certain areas. Consistent regulations are important so people know what to follow.

**Persons Testifying:** PRO: Senator Victoria Hunt, Prime Sponsor; Tammy Fellin, Department of Labor & Industries.

CON: Mike Ennis, Building Industry Association of Washington (BIAW).

**Persons Signed In To Testify But Not Testifying:** No one.