

WAC 296-65-020 Notification requirements. (1) Before any person or individual begins an asbestos project as defined in WAC 296-62-07722 and 296-65-003 involving more than forty-eight square feet or ten linear feet, unless the surface area of the pipe is greater than forty-eight square feet, of asbestos containing material, notification must be provided to the department. Notices must be submitted electronically using the online project notification system or via submitting the project notification form via email to the asbestos certification program. All applicable information must be provided and at a minimum must include the following:

(a) Notice type.

(i) Initial notification is used if the project begins in five days or more.

(ii) Short-term notification is used if the project begins within five days period, see subsection (2) of this section for short-term notification requirements.

(iii) Emergency notification is used if the project is defined as an emergency project in WAC 296-65-65003. See subsection (5) of this section for emergency notification requirements.

(b) Name, address, and contact information of the property owner.

(c) Name, address, and contact information of the certified asbestos contractor.

(d) Asbestos supervisor name, certification number, and contact information.

(e) Description of the facility including size, age and prior use of the facility.

(f) Scope of work, remodel, repair, maintenance, and demolition.

(g) Identify asbestos-containing material to be removed or encapsulated.

(h) Quantity of each identified material to be removed.

(i) methods used to remove or encapsulate the material.

(j) Location of the facility. Information must be specific enough to allow the department to locate the project period.

(k) Exact starting and completion dates of the asbestos project, including shifts during which abatement work will be accomplished. These dates must correspond to the dates specified for asbestos removal in the contract. Any change in these dates or work shifts must be communicated to the department by an amended notice filed online or an email submitted to the asbestos certification program.

(l) When the starting date or time changes, the amended notice must be filed no later than 5:00 p.m. on the business day prior to the starting date in the original notice and prior to the new starting date.

(m) When the completion date or time changes, the amended notice must be filed before completion of the project, and within eight hours from when the person learns that the change will occur.

(n) Notice must be filed electronically using the online project notification system or by completing the project notification form and submitting it via email to the asbestos certification program.

(2) The department may allow a short-term prenotification where there is a work requirement or waiting the five days would cause an unnecessary hardship. The following must be completed when requesting a short-term notification.

(a) The notice type selected must be short term.

(b) Notify appropriate regional labor and industries staff of the short-term request and allow sufficient time (one business day) for staff to respond prior to start of work.

(c) Provide justification for the request in the "reason" comment box.

(3) The director may waive the prenotification requirement upon written request of an owner for large-scale, on-going projects. In granting such a waiver, the director will require the owner to provide prenotification if significant changes in personnel, methodologies, equipment, work site, or work procedures occur or are likely to occur. The director will further require annual resubmittal of such notification.

(4) The director, upon review of an owner's reports, work practices, or other data available as a result of inspections, audits, or other authorized activities, may reduce the size threshold for prenotification required by this section. Such a change will be based on the director's determination that significant problems in personnel, methodologies, equipment, work site, or work procedures are creating the potential for violations of this chapter.

(5) Emergency projects which disturb or release asbestos into the air must be reported to the department within three working days after commencement of the project in the manner otherwise required under this chapter. The employees, the employees' collective bargaining representative or employee representative, if any, and other persons at the project area must be notified of the emergency as soon as possible by the person undertaking the emergency project. A notice describing the nature of the emergency project must be clearly posted adjacent to the work area.

(6) Incremental phasing in the conduct or design of asbestos projects or otherwise conducting or designing asbestos projects of a size less than the threshold exemption specified in subsection (1) of this section, with the intent of avoiding the notification requirements, is a violation of this chapter.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, and chapter 49.26 RCW. WSR 20-03-153, § 296-65-020, filed 1/21/20, effective 3/2/20. Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 17-18-075, § 296-65-020, filed 9/5/17, effective 10/6/17. Statutory Authority: RCW 49.17.040, 49.17.050, 49.26.040 and 49.26.130. WSR 99-17-026, § 296-65-020, filed 8/10/99, effective 11/10/99. Statutory Authority: RCW 49.17.040, [49.17.]050 and [49.17.]060. WSR 96-05-056, § 296-65-020, filed 2/16/96, effective 4/1/96. Statutory Authority: Chapter 49.17 RCW. WSR 89-21-018 (Order 89-10), § 296-65-020, filed 10/10/89, effective 11/24/89; WSR 87-24-051 (Order 87-24), § 296-65-020, filed 11/30/87. Statutory Authority: RCW 49.17.050(2) and 49.17.040. WSR 87-10-008 (Order 87-06), § 296-65-020, filed 4/27/87. Statutory Authority: SSB 4209, 1985 c 387. WSR 85-21-080 (Order 85-30), § 296-65-020, filed 10/22/85.]