

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	09/14/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/16/2015

2. COMAR Codification

Title Subtitle Chapter Regulation

26 11 21 10

3. Name of Promulgating Authority

Department of the Environment

4. Name of Regulations Coordinator

Megan L Ulrich

Telephone Number

410-537-3279

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1800 Washington Blvd.

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megan.ulrich@maryland.gov

5. Name of Person to Call About this Document

Randy Mosier

Telephone No.

410-537-4488

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randy.mosier@maryland.gov

6. Check applicable items:

- New Regulations
- Amendments to Existing Regulations
 - Date when existing text was downloaded from COMAR online: 09-02-2015.
- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R
 (vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

- Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.
- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Michael F. Strande, Assistant Attorney General, (telephone #410-537-3421) on 09/10/2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Benjamin H. Grumbles

Title

Secretary of the Environment

Telephone No.

410-537-4187

Date

09/11/2015

Title 26
DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

26.11.21 Control of Asbestos

Authority: Environment Article, §§ 6-411 and 6-413, Annotated Code of Maryland

Notice of Proposed Action

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The Secretary of the Environment proposes to amend Regulation .10 under COMAR 26.11.21 Control of Asbestos.

Statement of Purpose

The purpose of this action is to eliminate the asbestos license fee for businesses that employ two or less employees and reduce the license fee for businesses that employ three or more employees.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact.

This action reduces asbestos license application fees. The fee is eliminated for businesses that employ two or less employees. Currently, businesses that employ two or less people must pay \$125 annually when applying for or renewing a license with the Department. The fee is reduced from \$750 to \$625 for businesses that employ three or more employees.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(R-)	minimal
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude

- D. On regulated industries or trade groups: (+) minimal
- E. On other industries or trade groups: NONE
- F. Direct and indirect effects on public: NONE

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. Approximately 25- 30 businesses of two employees or less apply for a license or renew a license with the Department annually. Based on these current numbers, the Department will experience an annual decrease in revenue of \$3,125- \$3,750.

Approximately 130- 135 businesses of three employees or more apply for a license or renew a license with the Department annually. Based on these current numbers, the Department will experience an annual decrease in revenue of \$16,250- \$16,875.

D. The elimination of the license application and renewal fee for businesses with two or less employees will be a minimal economic benefit to the business of \$125 a year. The reduction of the license application and renewal fee for businesses with three or more employees will be a minimal economic benefit to the business of \$125 a year.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Mr. Randy Mosier, Chief of the Regulation Division, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or call 410-537-4488, or email to randy.mosier@maryland.gov, or fax to 410-537-4243. Comments will be accepted through November 16, 2015. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2016

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

A combination of Maryland Clean Air Funds (Special) and Air Pollution Control Program Grant Funds (Federal) will be used.

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

The elimination of the license application and renewal fee for businesses with two or less employees will be a minimal economic benefit to the business of \$125 a year. The reduction of the license application and renewal fee for businesses with three or more employees will be a minimal economic benefit to the business of \$125 a year.

G. Small Business Worksheet:

Attached Document:

Download date: 09-02-2015

Draft: 09-10-2015

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

Chapter 21 Control of Asbestos

Authority: Environment Article, Title 6, Subtitle 4, Annotated Code of Maryland

.10 License Application.

A. To apply for or to renew a license, a business entity or public unit shall:

(1) Submit a completed application to the Department on forms provided by the Department; and

(2) Except for public units, pay the fee in §B, of this regulation, by certified check made payable to the Department of the Environment Clean Air Fund.

B. Application Fee.

Number of Employees to be Engaged in Asbestos Projects	License Fee
2 or less	[\$125] <i>No fee</i>
3 or more	[\$750] \$625