

| 2019 Draft Rule | Current TAHPR | Draft Rule Change Summary |
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| <i>Subchapter A: General Provisions</i> | | |
| §296.1. General Provisions. | §295.31. General Provisions. | |
| §296.2. Reference of Federal Standards. | §295.33. Adoption by Reference of Federal and Other Standards. | |
| Adoption by reference. References to federal standards, guidance, and analytical methods. | Adoption by reference. | <u>NEW:</u> Adds federal standards, guidance, and analytical methods referenced in the rule, and specifies the revision date for each section of each standard adopted or referenced |
| §296.3. Compliance with National Emission Standards for Hazardous Air Pollutants (NESHAP). | §295.71. National Emission Standards for Hazardous Air Pollutants (NESHAP) Compliance. | |
| §296.4. Memorandum of Understanding between the Texas Commission on Environmental Quality and the Texas Department of State Health Services for the Regulation of the National Emission Standard for Hazardous Air Pollutants for Asbestos. | §295.72. Memorandum of Understanding between the Texas Commission on Environmental Quality (TCEQ) and the Texas Department of Health for the Regulation of the Asbestos. | |
| | §295.73. Asbestos Advisory Committee. | |
| n/a | | <u>CHANGE:</u> Deletes section |
| §296.5. Compliance with Federal Regulations Implementing the Asbestos Hazard Emergency Response Act (AHERA). | §295.63. Asbestos Hazard Emergency Response Act (AHERA) Compliance. | |
| <i>Subchapter B: Definitions</i> | | |
| §296.21. Definitions. | §295.32. Definitions. | |
| §296.21(3) | §295.32(15) | |
| ACM | Asbestos-containing material (ACM) | <u>CHANGE:</u> Clarifies the legal differences in the percentage of asbestos regulated |

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| §296.21(7) | §295.58(i)(3)(A) | |
| Aggressive air sampling | Aggressive air sampling is the use of an air blower, such as a leaf... | NEW: Clarifies and relocates the current description |
| §296.21(11) | §295.59(b)(5) | |
| Amended water | n/a | NEW: Adds detail about what is considered amended water |
| §296.21(20) | | |
| ASTM E1494 | n/a | NEW: Adds a publication reference for clarification of the materials used for encapsulation |
| §296.21(21) | | |
| Bag-out area | n/a | NEW: Clarifies the difference between the bag-out area and the decontamination area |
| §296.21(26) | §295.32(29) | |
| Commercial building | Commercial Building | CHANGE: Clarifies the difference between public and commercial buildings and simplifies what is not considered a commercial building |
| §296.21(29) | | |
| Critical barrier | n/a | NEW: Clarifies what is considered a critical barrier |
| §296.21(30) | | |
| Decontamination area | n/a | NEW: Clarifies what a decontamination area should consist of, be used for, and where it should be located |
| §296.21(31) | §295.32(33) | |
| Demolition | Demolition | CHANGE: Clarifies what is considered a demolition in accordance with NESHAP |
| §296.21(35) | | |
| Emergency renovation operation | n/a | NEW: Clarifies what is considered an emergency and provides examples |
| §296.21(36) | | |

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| Emergency responder | n/a | NEW: Clarifies who is considered an emergency responder |
| §296.21(38) | §295.32(38) | |
| Encapsulation | Encapsulation | CHANGE: Clarifies that painting with a non-encapsulant is not an asbestos-related activity |
| §296.21(41) | | |
| Exposure assessment | | NEW: Clarifies what is required for an exposure assessment |
| §296.21(42) | §295.32(42) | |
| Facility | Facility | CHANGE: Adds lofts in accordance with NESHAP, and clarifies the applicability of residential/apartment buildings |
| §296.21(50) | | |
| Intact | n/a | NEW: Clarifies the condition material must be in to be considered intact |
| §296.21(58) | | |
| Mini-containment | n/a | NEW: Clarifies the requirements for the construction of mini-containments |
| §296.21(61) | | |
| Negative exposure assessment | n/a | NEW: Explains what qualifies as a negative exposure assessment |
| §296.21(65) | | |
| Nonscheduled renovation operation | n/a | NEW: Clarifies what type of operation qualifies as a nonscheduled renovation operation and the difference between a nonscheduled and planned renovation operation |
| §296.21(66) | | |

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| Nuisance residence demolition | n/a | NEW: Clarifies what demolition activity qualifies as a nuisance residence demolition |
| §296.21(76) | | |
| Planned renovation operation | n/a | NEW: Clarifies what type of operation is considered a planned renovation operation and the difference between a planned and nonscheduled renovation operation |
| §296.21(78)(E) | §295.32(79)(E) | |
| Public Building (manufacturing facility or building) | Public Building (manufacturing facility or building) | CHANGE: Clarifies the conditions under which access is limited in a manufacturing facility or building |
| §296.21(81) | §295.32(81) | |
| Regulated area | Regulated area | CHANGE: Clarifies the activities that require a regulated area, and replaces the OSHA PELs with the clearance standards |
| §296.21(95) | | |
| Surfacing material | n/a | NEW: Clarifies the type of material that is considered surfacing material |
| §296.21(96) | §295.32(91) | |
| Survey | Survey | CHANGE: Clarifies building types, that a survey is an inspection activity, and that ACBM is to be identified and its condition assessed |
| §296.21(97) | | |
| Survey report | n/a | NEW: Clarifies what is required in a survey report to clearly identify homogeneous areas assumed or sampled, and identified as ACM |
| §296.21(98) | | |
| TSI | n/a | NEW: Clarifies that TSI is ACM applied to structural components |
| Subchapter C: Standards of Conduct | | |

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| §296.31. Prohibited Activities for Licensees. | | |
| The purpose of this section is to specify prohibited activities for a licensee who performs... | n/a | NEW: Specifies prohibited activities for licensees in accordance with OSHA |
| §296.32. Conflict of Interest. | §295.37. Licensing and Registration: Conflict of Interests. | |
| <i>Subchapter D: License and Registration</i> | | |
| §296.41. License and Registration Requirements. | §295.35. Licensing and Registration: Conditions. | |
| §296.42. Initial and Renewal Applications. (§296.74. Reimbursement of Fees.) | §295.38. Licensing and Registration: Applications and Renewals. | |
| §296.43. Acceptable Academic Credit and Qualifying Work Experience. | | |
| Any degrees or academic credit earned in the United States must be from... | n/a | NEW: Adds guidance for acceptable education and work experience |
| §296.44. Out-of-State Applicants. | §295.39. Licensing and Registration: Out-of-state Applicants and Out-of-state Training. | |
| §296.44(c) | §295.39(d) | |
| Texas Asbestos Law and Rules Course. | Compulsory training. | CHANGE: Extends course completion requirement from 60 days to one year before application |
| §296.45. Insurance Requirements. | §295.40. Licensing, Training, and Registration: Insurance Requirements. | |
| §296.45(d) | §295.40(2) | |

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| The licensee shall notify DSHS at least 10 days before the effective date of a policy cancellation by the licensee or the insurance company. | Each required policy shall be endorsed to provide the department with at least a ten day notice of cancellation. | CHANGE: Deletes the requirement for an endorsement due to the difficulty in getting an acceptable endorsement from underwriters which delays issuing a license |
| §296.46. Asbestos Abatement Worker. | §295.42. Registration: Asbestos Abatement Workers. | |
| §296.46(b)(2)(B), & (E)-(G) | §295.42(f) | |
| comply with the requirements of §296.211 of this chapter (relating to General Requirements for Asbestos Abatement in a Public Building); | Responsibilities. | CHANGE: Adds the requirement to comply with general requirements (current §295.58), and with requirements in new §§296.232, 296.233, and 296.234 when used |
| §296.46(b)(2)(I) | | |
| properly wear personal protective equipment provided by the asbestos abatement contractor. | n/a | NEW: Adds responsibility to properly wear PPE |
| §296.47. Asbestos Abatement Supervisor. | §295.46. Licensure: Asbestos Abatement Supervisor. | |
| §296.47(c)(1)(E), (F), &(G) | | |
| comply with the restrictions and required work practices described in §296.232... | n/a | NEW: Adds requirement to comply with restrictions and requirements of the alternative practices and procedures when alternative practices are used |
| §296.47(c)(1)(F)(ii)(I)-(II) | §295.46(d)(1)(F) | |

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| <p>work experience as a licensed asbestos consultant, asbestos project manager...Work experience must have been gained while the qualifying license was current;</p> <p>work experience as an accredited asbestos project designer, asbestos abatement supervisor,...Work experience must have been gained while accreditation was current under the MAP...</p> | <p>work performed in an administrative capacity relating to asbestos abatement projects such as project manager, consultant, or designated person may be accepted as qualifying experience;</p> | <p>CHANGE: Clarifies that work experience must be gained while licensure or accreditation was current, deletes experience as a designated person, and adds experience as a licensed supervisor or worker, and accredited project designer, supervisor, or worker</p> |
| <p>§296.47(c)(1)(F)(ii)(III)</p> | <p>§295.46(d)(1)(G)</p> | |
| <p>work experience as a licensed or trained asbestos air monitoring technician...</p> | <p>experience as an asbestos air monitoring technician...</p> | <p>CHANGE: Clarifies that work experience must be gained while licensure was current or after being trained and with proper authorization or under direct supervision</p> |
| <p>§296.48. Asbestos Abatement Contractor.</p> | <p>§295.45. Licensure: Asbestos Abatement Contractor.</p> | |
| <p>§296.48(b)(2)(V)</p> | <p>§295.58(l)(2) & §295.62(c)(1)(E)</p> | |
| <p>provide for disposal of ACWM, in accordance with 40 CFR §61.150 (relating to Standard for waste...</p> | <p>Disposal of improperly labeled or classified asbestos-containing waste material...</p> | <p>CHANGE: Moves disposal responsibilities to contractor, O&M contractor, consultant, and waste transporter responsibilities in accordance with NESHAP</p> |
| <p>§296.48(c)(1)(B)-(G) & (c)(2)(B)-(G) §296.50(c)(1)(B)-(G) & (c)(2)(B)-(G) §296.55(c)(1)(C)-(H) & (c)(2)(C)-(H) §296.57(c)(1)(C)-(H) & (c)(2)(C)-(H) §296.58(c)(1)(A)-(F) & (c)(2)(A)-(F)</p> | <p>§295.39(e)(1) & (2) §295.43(e)(2) §295.45(e)(2) & (3) §295.48(e)(2) §295.53(f)(2) §295.54(f)(2) §295.56(d)(1)</p> | |

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| §296.59(c)(1)(B)-(G) & (c)(2)(B)-(G) | | |
| <p>whichever of the following applies in relation to the applicant's franchise tax account status:...</p> <p>a copy of the applicant's assumed name certificate...</p> <p>if the applicant is an entity, as defined in Business Organizations Code §1.002:...</p> <p>if the applicant is a nonfiling entity or a foreign nonfiling entity,...</p> <p>a taxpayer identification number;</p> <p>the applicant's Texas sales tax permit number...</p> | <p>...an out-of-state corporation or other business entity must:... (1) submit a letter or certificate...Texas secretary of state authorizing the conduct of business...;</p> <p>(2) submit a sales tax account identification number...Texas Comptroller of Public Accounts;</p> | <p>CHANGE: Adds updates to incorporate TAHPA requirements with documentation that is currently provided by the Secretary of State and the Comptroller</p> |
| §296.49. Asbestos Operations and Maintenance Supervisor. | §295.44. Licensure: Asbestos Operations and Maintenance Supervisor (Restricted) | |
| §296.50. Asbestos Operations and Maintenance Contractor. | §295.43. Licensure: Asbestos Operations and Maintenance Contractor (Restricted) | |
| §296.50(b)(2)(L) | §295.43(f)(2) & (f)(6) | |
| <p>at no cost to the employee, follow personal protective equipment (PPE) requirements, including...</p> | <p>complying with federal standards of operation, including EPA and OSHA regulations, which are adopted...</p> | <p>NEW: Adds OSHA requirement to follow PPE requirements at no cost to the employee</p> |
| §296.50(b)(2)(O) | §295.58(l)(2) | |
| <p>provide for disposal of ACWM, in accordance with 40 CFR §61.150 (relating to Standard for waste...</p> | <p>Disposal of improperly labeled or classified asbestos-containing waste material...</p> | <p>CHANGE: Moves disposal responsibilities to contractor, O&M contractor, consultant, and waste transporter responsibilities in accordance with NESHAP</p> |

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| §296.51. Asbestos Air Monitoring Technician. | §295.52. Licensure: Air Monitoring Technician. | |
| §296.51(c)(1)(G) | §295.52(e)(7) | |
| written documentation of verifiable work experience performing air monitoring on... 3 asbestos abatement projects... 15 days under...supervision of a licensed... Work experience...gained after completion of training... | proof of performing air monitoring as an apprentice for 30 days... | CHANGE: Reduces work experience requirement from 30 to 15 days and adds the requirement for experience to be on three different projects |
| §296.52. Asbestos Inspector. | §295.50. Licensure: Asbestos Inspector. | |
| §296.52(b)(2)(D) | §295.39. Licensing and Registration: Out-of-state Applicants and Out-of-state training. §295.39(e)(3) | |
| maintain professional liability insurance coverage for errors and omissions, if performing work for hire, or coverage... | ...or other business entity must: ... submit a certificate of insurance... if the applicant is an... asbestos inspector... | CHANGE: Clarifies the insurance requirement for an inspector acting as a business entity from current §295.39 and makes it consistent with current language for the same requirement for management planners in §295.51(e)(7) |
| §296.53. Asbestos Project Manager. | §295.49. Licensure: Asbestos Project Manager. | |
| §296.53(b)(2) | §295.49(e) | |
| Licensee Responsibilities. | Responsibilities. | CHANGE: Clarifies current responsibilities by specifying individual aspects of each requirement and editing language to distinguish monitoring a project from ensuring a project is performed in compliance with the rules |
| §296.53(c)(1)(G) | §295.49(d) | |

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| <p>written documentation of verifiable work experience on... 3 abatement projects for... 15 days...within the past 24 months...</p> | <p>n/a</p> | <p>NEW: Adds work experience requirements to better prepare project managers for monitoring asbestos abatement work practices</p> |
| <p>§296.54. Asbestos Management Planner.</p> | <p>§295.51. Licensure: Individual Asbestos Management Planner.</p> | |
| <p>§296.54(b)(2)(B)</p> | <p>§295.51(f)</p> | |
| <p>prepare any management plan as required...must include... date of asbestos survey... copy of...survey report... description of assessments..., description of any required response action or preventative measures needed... a description of any response actions or preventive measures taken... including: the names and addresses of all contractors involved... start and stop dates of work... results of any air samples analyzed</p> | <p>n/a</p> | <p>CHANGE: Adds a detailed description of what is required to be in a management plan</p> |
| <p>§296.54(c)(1)(H)</p> | <p>§295.51(e)(3)</p> | |
| <p>written documentation of verifiable work experience... 5 management plans... 5 asbestos surveys... on the same project may be used... must be gained after completion of training</p> | <p>have participated in the preparation of at least five management plans, under the direction of a licensed management planner or licensed asbestos consultant;</p> | <p>CHANGE: Adds a work experience requirement to participate in conducting five asbestos surveys as well as five management plans, and specifies that both can be done on the same project, all experience must be as a licensee or under the direction of a licensee, and must be done after completion of the appropriate training</p> |
| <p>§296.55. Asbestos Management Planner Agency.</p> | <p>§295.53. Licensure: Asbestos Management Planner Agency</p> | |

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| §296.55(b)(2)(I) | | |
| at no cost to the employee, comply with personal protective equipment (PPE) requirements... | n/a | NEW: Adds the OSHA requirement to provide PPE at no cost and lists additional federal citations |
| §296.56. Asbestos Consultant. | §295.47. Individual Asbestos Consultant. | |
| §296.56(b)(2) | §295.47(h) | |
| Licensee Responsibilities. | Responsibilities. | CHANGE: Clarifies current responsibilities by specifying individual aspects of each requirement and editing language to distinguish monitoring a project from ensuring a project is performed in compliance with the rules |
| §296.56(b)(2)(C) | §295.58(l)(2) | |
| verify that ACWM is properly transported and disposed of by doing and maintaining documentation of... | Disposal of improperly labeled or classified asbestos-containing waste material... | CHANGE: Moves disposal responsibilities to contractor, O&M contractor, consultant, and waste transporter responsibilities in accordance with NESHAP |
| §296.56(c)(1)(H)(i) | §295.47(e)(1)/(f)(1) | |
| current Texas architect or professional engineer, with 180 days of work experience performing asbestos-related activities in public buildings that must include the following: 6 specifications and plans 3 asbestos surveys 10 days of project manager 10 days of air monitoring Limits worker experience to 30 days | current architect or professional engineer with asbestos-related activity of six asbestos abatement projects covering a period of at least a year within the past seven years | CHANGE: Adds a set number of days needed for work experience and specifies requirements and limitations to the amount of each type of experience |
| | §295.47(e)(2) | |

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| n/a | current highest full-qualification memberships in a national professional organization devoted to technical proficiency in environmental or occupational health protection... | CHANGE: Deletes eligibility by membership in a national professional organization because organizations did not consistently require their members to meet the education or experience required |
| §296.56(c)(1)(H)(ii) | §295.47(e)(3) & (f)(1) | |
| Bachelor's degree in architecture, engineering, or a physical or natural science with 2 years of environmental or occupational health experience 180 days of asbestos-related experience in public buildings that must include: 6 specifications 3 asbestos surveys 10 days of project manager 10 days of air monitoring Limits worker experience to 30 days | bachelor's degree in architecture, engineering, physical or natural science, and including 4 years experience in areas affecting environmental or occupational health matters with asbestos-related activity of: six asbestos abatement projects covering a period of at least a year within the past seven years | CHANGE: Reduces the years of experience from 4 to 2, and specifies a minimum of 180 days of asbestos-related experience, and the requirements and limitations to the amount of each type of experience |
| §296.56(c)(1)(H)(ii) | | |
| completion of 60 college credit hours, which include 30 credit hours in engineering or natural or physical science and 9 credit hours in mathematics, from an accredited college or university, with 3 years of environmental or occupational experience 250 days of asbestos-related experience in public buildings that must include: 6 specifications 3 asbestos surveys 10 days of project manager 10 days of air monitoring Limits worker experience to 30 days | n/a | NEW: Provides a pathway for individuals with more asbestos-related experience and less education to become a licensed consultant |

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| §296.57. Asbestos Consultant Agency. | §295.48. Licensure: Asbestos Consultant Agency | |
| §296.57(b)(2)(B) | §295.48(f)(2) | |
| hold its responsible person...for the duration of the project, from the beginning of containment construction through final visual inspection after the removal of the containment; | monitoring and observing asbestos abatement projects for general compliance with the contract documents, specifications, and relevant regulations; | CHANGE: Adds specificity about the responsibility to monitor project from beginning of containment construction through final visual. |
| §296.58. Asbestos Transporter. | §295.56. Licensure: Asbestos Transporters. | |
| §296.58(b)(2)(I) & (J) | §295.58(I)(2) | |
| obtain a manifest from the asbestos abatement contractor... provide a copy of the manifest signed by the owner or operator of the... | Disposal of improperly labeled or classified asbestos-containing waste material... | CHANGE: Moves disposal responsibilities to contractor, O&M contractor, consultant, and waste transporter responsibilities in accordance with NESHP |
| §296.59. Asbestos Laboratory. | §295.54. Licensure: Asbestos Laboratory | |
| License required. | Licensing requirement. | CHANGE: Deletes the prohibition of a license transfer to a company that purchases the laboratory |
| Subchapter E: License and Registration Fees | | |
| §296.71. Fees. | | |
| | §295.38(e)(2) §295.38(i) §295.38(k)(1)-(4) §295.39(g)(2)(A)-(D) §296.41(c) §295.42(c) §295.43(c) §295.44(b) §295.45(c) §295.46(b) §295.47(c) §295.48(c) §295.49(b) | NEW: (c)(8) Adds a training instructor fee of \$100 (c)(18) Adds an additional training course approval fee of \$200 to recover department's cost to review (c)(23) Adds a returned check fee of \$30 CHANGE: Moves fees from the individual licensing sections into a new section (c)(2) Decreases abatement supervisor fee from \$645 to \$400 to align fee with responsibility of license |

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| | <p>§295.50(b) §295.51(c) §295.52(c) §295.53(d) §295.54(a) §295.54(b) §295.55(b) §295.56(b)</p> | <p>(c)(15) Decreases training provider fee from \$1,070 to \$750 to offset payment of new training instructor fees (c)(17) Increases reimbursement processing fee from \$30 to \$50 to recover DSHS's cost to issue (c)(25) Decreases provisional supervisor fee from \$300 to \$185 to correspond with decrease in supervisor fee</p> |
| §296.72. Late Fees. | §295.38(e)(5) | |
| A person who does not submit a timely renewal application shall pay the late... | Late fees. | CHANGE: Moves current late fee requirements into a new section and clarifies that a timely application includes all required documents and fees received by DSHS before the expiration date |
| §296.73. Dishonored Payment Device. | | |
| An application is incomplete if an applicant submits the application fee... | n/a | NEW: Adds new section addressing applications received with payment that is not honored |
| §296.74. Reimbursement of Fees. (§296.42. Initial and Renewal Applications.) | §295.38. Licensing and Registration: Applications and Renewals. | |
| §296.74(a)(1) | §295.38(e)(2) | |
| fee amounts are paid in excess of the required fee, including as a result of an error in the online payment... | Initial application or renewal fees will be refunded only if... | CHANGE: Adds a fee increase from \$30 to \$50 to recover DSHS's administrative costs |
| Subchapter F: Training Providers, Instructors, and Courses | | |
| §296.91. Asbestos Training Provider. | §295.55. Licensure: Asbestos Training Provider. | |
| §296.91(d) & (e) | §295.65. Training: Approval of Training Courses | |

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| Initial and renewal license requirements. Approval of additional training courses. | | CHANGE: Moves training course approval into training provider section and deletes photograph requirement (photograph remains a licensure requirement) |
| §296.92. Asbestos Training Instructor. | | |
| | n/a | NEW: Adds new section to provide flexibility for training instructors and accountability and provides a grandfather provision for current training instructors |
| §296.93. Asbestos Training Courses. | §295.64. Training: Required Asbestos Training Courses. | |
| Subchapter G: State Licensing Examination | | |
| | §295.41. Licensure: State Licensing Examination. | |
| §296.111. General Examination Provisions. | | |
| §296.111(c) | | |
| An applicant must submit all documents and fees necessary to complete the licensing process within three years... | n/a | NEW: Adds a specific time frame |
| §296.111(d) | | |
| DSHS approval to take an examination lapses and is no longer valid if an applicant: ... | n/a | NEW: Adds a specific time frame |
| §296.111(e) | | |
| An applicant who is a qualified person with a disability may request a reasonable testing accommodation... | n/a | NEW: Adds a pathway for making a reasonable testing accommodation request |
| §296.112. Examination Schedule. | §295.41(d) | |
| DSHS publishes all scheduled examination dates and locations on its website | Scheduling and registration. | CHANGE: Clarifies that examination dates and times are available on the website, and moves training provider requirement to the training provider licensing section |

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| §296.113. Examination Qualifications. | | |
| §296.114. Examination Registration and Confirmation. | | |
| §296.115. Examination Admittance and Conduct. | | |
| §296.116. Grading Examinations and Reporting Scores. | | |
| §296.117. Re-examination. | | |
| §296.118. Analysis of Examination Performance. | §295.41(g) | |
| An examinee may obtain an analysis of the examinee's performance on a failed examination upon written request... | Request for information concerning exam. | CHANGE: Adds a requirement that the request must be made within one year of the examination date |
| <i>Subchapter H: License and Registration Provisions Related to Military Service Members, Military Veterans, and Military Spouses</i> | | |
| §296.131. Military Service Members, Military Veterans, and Military Spouses. | | |
| This subchapter establishes licensing procedures for military service members, military veterans, ... | n/a | NEW: Adds requirement from Texas Occupations Code, Chapter 55, Licensing of Military Service Members, Military Veterans, and Military Spouses |
| <i>Subchapter I: Accreditation</i> | | |
| §296.151. Asbestos Abatement in a Commercial Building. | §295.57. Accreditation: Asbestos Abatement in Commercial Buildings. | |
| <i>Subchapter J: Exemptions</i> | §295.36 Exemptions | |
| §296.171. Removal of Resilient Floor-Covering Material. (§296.231. Alternative Practices and Procedures for Removal of Asbestos-Containing Resilient | §295.36(a) | |

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| Floor-Covering Material in a Public Building.) | | |
| §296.172. Emergency Abatement. | §295.36(d) | |
| Emergency Abatement. | Abatement emergency. | CHANGE: Clarifies that the exemption applies to “catastrophic” emergencies, and that DSHS accepts “oral and written” notifications of the emergency as required in §296.251 (Notifications) |
| <i>Subchapter K: Asbestos Management in a Public Building, Commercial Building, or Facility</i> | | |
| §296.191. Asbestos Management in a Public Building, Commercial Building, or Facility. | §295.34. Asbestos Management in Facilities and Public Buildings. | |
| §296.191(d)-(d)(8) | §295.34(c) | |
| Mandatory survey for ACBM before renovation or demolition. | Conditions requiring a mandatory asbestos survey for ACBM. | CHANGE: Adds the following elements: - a clear timeline to produce asbestos surveys requested by the department -clarification about ordered demolition of structurally unsound buildings -clarification about including suspect materials to be disturbed in the asbestos survey -clarification of the items required to be in certifications made by Texas-licensed or registered architect or professional engineer |
| §296.191(e) | §295.34(c)(4) | |

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| Asbestos survey. | | CHANGE: Adds clarification about what limited and comprehensive asbestos surveys cover and if an environmental assessment can be used as an asbestos survey |
| §296.191(f) | §295.58 (h) | |
| Sampling for asbestos in a public building. | Sampling for asbestos. | CHANGE: Clarifies that one positive sample analysis result is sufficient for each homogeneous area |
| §296.191(f)(1) | §295.58 (h)(1) | |
| When conducting core sample analysis... | Composite sample analysis in a public building is not allowed. | CHANGE: Clarifies the requirement for core samples to be analyzed and reported separately, and that the analysis may not be averaged |
| §296.191(f)(2) | §295.58(h) | |
| A result of...(PLM) analysis of 0% asbestos or no asbestos detected does not require further analysis for the detection of asbestos in friable or nonfriable suspect materials. | n/a | NEW: Clarifies that a 0% or no asbestos detected PLM sample analysis result does not require further analysis |
| §296.191(f)(3), (3)(A), & (3)(B) | §295.58(h)(2) & (3) | |
| A result of visual estimation by PLM analysis... | Each sample analyzed by visual PLM... | NEW: Clarifies that in order to show that a previously sampled and analyzed material with a PLM analysis result between 0% and 10% asbestos is not ACBM, the material must undergo additional analysis |
| §296.191(f)(3)(C) | §295.58(h) | |
| Point counting may be used ... | n/a | NEW: Clarifies that acid washing and ashing or similar sample preparation technique must be used to point count nonfriable materials |
| §296.191(g)(1) | §295.34(a)(2) | |

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| Demolition or renovation of a public building. | Demolition and/or renovation of a public building. | CHANGE: Clarifies requirements for public buildings by splitting and reordering the section and editing language for clarity |
| §296.191(g)(2)-(3) | §295.34(a)(1) | |
| (1) Demolition or renovation of a public building. (2) Demolition or renovation of a commercial building. | Demolition and/or renovation of a facility or commercial building. | CHANGE: Clarifies requirements for commercial buildings and facilities by splitting and reordering the section |
| §296.191(g)(4), (g)(4)(A), (g)(4)(B), & (g)(4)(C) | | |
| Demolition or renovation of a residential building that contains four or fewer dwelling units. | n/a | NEW: Clarifies the requirements for the demolition or renovation of more than one residential building |
| §296.191(h) | | |
| Demolition with ACM left in place. | n/a | NEW: Clarifies the types of ACM that may be left in place during demolition to comply with NESHAP |
| §296.191(i) & (j) | §295.34(g) | |
| Mandatory asbestos abatement project design for friable ACBM. Mandatory asbestos abatement project design for nonfriable ACBM. | Mandatory abatement project design. | CHANGE: Clarifies current rule requirements by dividing into separate friable and nonfriable sections, and specifies that certain alternative methods do not require a project design |
| §296.191(n)-(n)(2) | §295.34(i) | |
| Installation of new materials. | Installation of new materials. | CHANGE: Adds option to have a licensed inspector sample materials before installation and certify that the materials are free of asbestos |
| §296.191(n)(3)(c)(xxvii) | §295.34(j) | |

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| <p>A person must obtain an MSDS or SDS before installing any of the following building materials or replacement parts: vermiculite.</p> | <p>A MSDS shall be obtained for the following building materials or replacement parts including but not limited to:</p> | <p>CHANGE: Adds vermiculite</p> |
| <p>§296.191(p)(1)</p> | <p>§295.34(I)(2)(A)</p> | |
| <p>written evidence acceptable to the municipality that an asbestos survey of all parts of the building affected by the planned renovation or demolition has been completed by a person licensed in accordance with the Act and this chapter (for a public building) or accredited under the MAP (for a nonpublic building) to perform a survey; or</p> | <p>evidence acceptable to the municipality that an asbestos survey, as required by this Act, of all parts of the building affected by the planned renovation or demolition has been completed by a person licensed under this Act to perform a survey; or</p> | <p>CHANGE: Adds requirement for evidence to be "written"</p> |
| <p><i>Subchapter L: General Requirements, and Practices and Procedures for Asbestos Abatement in a Public Building</i></p> | | |
| <p>§296.211. General Requirements for Asbestos Abatement in a Public Building.</p> | <p>§295.58. Operations: General Requirements for Public Buildings</p> | |
| <p>§296.211(b)(1)</p> | <p>§295.58(b)</p> | |
| <p>Project supervision and monitoring.</p> | <p>Supervision.</p> | <p>CHANGE: Clarifies supervisory and monitoring requirements for each type of practice and procedure affecting asbestos-containing material and adds subparagraphs A-E that covers these requirements for the new alternative procedures</p> |
| <p>§296.211(b)(2)(C)</p> | <p>§295.58(b)(2)</p> | |

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| A licensed asbestos consultant or... enter and inspect the containment daily before the start... and throughout the day... | n/a | NEW: Specifies when the licensed consultant or project manager must enter containment to monitor project compliance |
| §296.211(e) | §295.58(e) | |
| Inspections and investigations. | Compliance inspections. | NEW: Clarifies that RFCI contractors and building owners must assist and cooperate with DSHS inspectors during compliance inspections or investigations |
| §296.211(f) | §295.58(f) | |
| Respiratory protection program. | Respiratory protection program. | CHANGE: Clarifies that employers of employees performing asbestos-related activities are responsible for respiratory protection programs in accordance with federal regulations, and the program must be worksite-specific |
| §296.211(f)(1) | | |
| The employer shall provide for personal air monitoring... | | NEW: Clarifies that employers must perform personal air monitoring unless the employer has a negative exposure assessment, and that both monitoring and assessment must be done in accordance with OSHA |
| §296.211(f)(2) | §295.58(g) | |
| The employer must maintain, in a safe working condition, ... | Individual respirator fit. | CHANGE: Clarifies that both employers and employer representatives are responsible for proper respirator use and that employees with facial hair who are performing asbestos-related activities must use a positive pressure or supplied-air respirator |
| §296.211(h) | §295.58(i) | |

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| Project monitoring. | Project monitoring. | CHANGE: Clarifies that the consultant must specify the duties of the project manager or air monitoring technician in writing, that any air sampling done when using an alternative procedure must be performed in accordance with NIOSH 7400, and moves the one-cassette requirement to §296.211(h)(1) |
| §296.211(h)(1) | §295.58(i), (i)(1)(A), (i)(2)(A), (i)(3)(C), and (i)(3)(E) | |
| Ambient air sampling. | (General sampling procedures from the listed sections) | CHANGE: Relocates and combines the air sampling procedures from §§295.58(i), (i)(1)(A), (i)(2)(A), (i)(3)(C), and (i)(3)(E) |
| §296.211(h)(1)(A)(i) | §295.58(i)(1)(A) | |
| Baseline air samples must be collected before the start of any asbestos... | The asbestos consultant shall insure that baseline samples are collected... | CHANGE: Clarifies the locations that baseline samples must be taken, and that the samples must be taken from locations that can be compared to the locations of air sampling taken during the project |
| §296.211(h)(1)(A)(ii) | §295.58(i)(1)(B) | |
| Baseline air samples must be kept for no fewer than 30 days after clearance is achieved. | These samples may be analyzed or archived at the consultant's discretion. The samples shall be preserved for no less than 60 days following achieving clearance. | CHANGE: Moves reference to analysis to §296.211(h)(1)(A)(i), and reduces the retention period for samples from 60 days to 30 days |
| §296.211(h)(1)(B)(ii) | §295.58(i)(2)(B) | |
| Ambient air samples must be collected inside containment adjacent to the abatement activities; ... | Ambient samples will be collected: ... | CHANGE: Clarifies the areas that air samples must be collected by providing more detail, such as, adjacent to abatement, not directly in the airstream, and within 10 feet of unobstructed exhaust, and includes the single cassette requirement from §295.58(i) |
| §296.211(h)(1)(B)(iii) | | |

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| <p>No later than the next notified project work day after the date of sampling, the applicable licensed contractor shall post, ...</p> | | <p>NEW: Adds posting requirements of the next notified work day for samples analyzed on-site, and the third notified day after analysis for friable ACBM analyzed off-site, and the option for the consultant to specify a deviation from the timeframe</p> |
| <p>§296.211(h)(2)</p> | <p>§295.60(m)(3)</p> | |
| <p>Personal air monitoring.</p> | <p>Air monitoring.</p> | <p>CHANGE: Moves personal air monitoring into a new section</p> |
| <p>§296.211(h)(3)(A) & (B)</p> | <p>§295.58(i)(3)(B)</p> | |
| <p>Initial visual inspection. Final visual inspection.</p> | <p>A visual inspection of the abatement area shall be made upon completion...</p> | <p>CHANGE: (A) Specifies that the asbestos abatement supervisor designated by the abatement contractor must conduct an initial visual inspection, and the consultant or project manager designated by the consultant must conduct a visual inspection to verify that the ACM to be removed, encapsulated, or enclosed was addressed as specified (B) Specifies that the contractor must abate any ACM and remove ACWM found during the final visual inspection</p> |
| <p>§296.211(i)</p> | <p>§295.58(j)</p> | |
| <p>Posting documents.</p> | <p>Posting of documents.</p> | <p>CHANGE: Clarifies license types required to post documents, and added a posting requirement for the results of ambient air monitoring within the required time periods</p> |
| <p>§296.212. Standard Asbestos Abatement Practices and Procedures in a Public Building.</p> | <p>§295.60. Operations: Abatement Practices and Procedures for Public Buildings.</p> | |
| | <p>§295.60(a)(1)</p> | |

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| n/a | Federal work practices for asbestos abatement... | CHANGE: Deletes section (applicability of federal regulations is referenced in §296.2) |
| §296.212(a)(1) | §295.60(a)(2) | |
| An asbestos abatement project design must be prepared by a licensed asbestos consultant as required... | An asbestos project consultant, who is licensed... | NEW: Clarifies the requirements for preparation of a project design as it relates to standard and alternative practices and procedures, adds basis of conclusion documentation requirement for consultants specifying work practices that vary from the rule, and requires that, if the design is submitted and/or approved then the specifications must be followed |
| §296.212(a)(5) | §295.60(a)(4) | |
| Except as otherwise provided in this paragraph or by other applicable law, access to the regulated area must be limited... | Only licensed persons, responding emergency personnel... | CHANGE: Allows authorized personnel in accordance with OSHA, and a building owner or owner's representative under certain conditions access into the regulated area |
| §296.212(b)(2) | §295.60(c) | |
| Objects within containment. | Movable objects. | CHANGE: Clarifies that moveable objects must be removed before abatement starts, that nonporous items must be decontaminated, and porous items must be disposed of as ACWM |
| §296.212(b)(3) | §295.60(b) | |
| Critical barriers. | Critical barriers. | CHANGE: Clarifies that a critical barrier is needed when a lay-in ceiling opens to adjacent areas |
| §296.212(b)(4) & (5) | §295.60(d) | |

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| Floor preparation. Wall preparation. | Floor and wall preparation. | CHANGE: Deletes specific requirements for tear resistance of machine direction (MD) and transverse direction (TD) and dart impact, and requires at least one viewing window unless the consultant specifies a viewing window is not feasible |
| §296.212(b)(6) | | |
| Bag-out area. | n/a | NEW: Clarifies what is required in the construction of a bag-out area and when it should be used |
| §296.212(b)(7) | | |
| Prohibited activities in a regulated area. | | NEW: Adds prohibited activities in accordance with OSHA |
| §296.212(b)(8) | §295.60(e) | |
| Decontamination area. | Decontamination system. | CHANGE: Adds minimum dimensions of 30" x 30" wide and 75" tall for each room for guidance, and adds a requirement for soap and water, where feasible, hot and cold water with temperature adjustment, and clarifies when a consultant may specify a remote decontamination area in accordance with OSHA, and that the supervisor must ensure that the decontamination area is fully operational before and during abatement |
| §296.212(b)(9) | §295.60(f) | |
| HVAC equipment. | Heating, ventilation, and air conditioning system equipment (HVAC). | CHANGE: Deletes the requirement to shut down the HVAC system and clarifies that the system must be isolated from the regulated area, and deletes the requirement for 6-mil sheeting |
| §296.212(b)(10) | §295.60(g) | |

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| Warning signs. | Warning signs. | CHANGE: Clarifies the areas where warning signs are to be posted by giving examples, and that caution tape may not be used in place of warning signs |
| §296.212(b)(11) | §295.60(h) | |
| Cleaning. | High-efficiency particulate air (HEPA) cleaning. | CHANGE: Clarifies that the HEPA vacuum must be operated and maintained in accordance with the manufacturer's instructions |
| §296.212(b)(12) | §295.60(i) | |
| Containment-area ventilation. | Containment-area ventilation. | CHANGE: Clarifies that the exhaust must be unrestricted |
| §296.212(c)(1) | §295.60(j)(1) | |
| All ACBM must be adequately wetted before removal or other handling... | all ACBM shall be adequately wetted prior to removal or other... | CHANGE: Clarifies that amended water must be used, when a consultant can specify not to use a surfactant, replaces "leak-tight drum" with "fiberboard drum" throughout, and no longer specifies tear resistance |
| 296.212(c)(2) | §295.60(j)(2) | |
| A bag must not be filled to a level that tears or breaks the bag... | in order to double bag the asbestos-contaminated waste... | CHANGE: Deletes restriction on filling bags more than half full and clarifies that the bag must be not be filled to a level that tears or breaks the bag, and that bags must be rinsed or HEPA-vacuumed in the bag-out area |
| §296.212(c)(7) | | |
| At the conclusion of the removal, the asbestos abatement contractor shall... | | NEW: Adds the requirement for the contractor to conduct a visual inspection after abatement ends |
| 296.212(c)(8) | §295.60(j)(9) | |

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| Temporary storage of ACWM must be provided... | proper temporary storage of asbestos-containing waste... | CHANGE: Clarifies that the storage container must be dedicated for temporary storage of ACWM, that it should be sealed to prevent unauthorized access, and it must be kept leak tight |
| §296.212(c)(9) | | |
| Vehicles used to transport ACWM must be marked... | | NEW: Adds the requirement to mark transport vehicles in accordance with NESHAP |
| §296.212(c)(10) | | |
| For all ACWM transported by a licensed asbestos transporter off... | | NEW: Adds the requirement to dispose of material in accordance with NESHAP |
| §296.212(d)(1) | | |
| Any product used for encapsulation must be clearly labeled... | | NEW: Specifies that to encapsulate ACBM the encapsulant must be designed or tested using ASTM E1494-12 for that use |
| §296.212(d)(2) | | |
| Any encapsulations must be performed within a containment. | n/a | NEW: Adds a requirement for performing encapsulation in containment and moves §295.60(k)(1) to §296.212(d)(3) |
| §296.212(f)(1) | §295.60(m)(1) | |
| Fire safety. | Fire safety. | CHANGE: Adds requirements for an extinguisher at each entrance, an annual inspection, and to proportionately distribute extinguishers and mark their locations in accordance with OSHA |
| §296.213. Asbestos Operations and Maintenance (O&M) Practices and | §295.59. Operations: Operations and Maintenance (O&M) Requirements for Public Buildings | |

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| Procedures for O&M Licensees in a Public Building. | | |
| | | CHANGE: Clarifies the TAHPA requirement for O&M work to be conducted by workers that are employed by the building owner, and SSSD procedures in the version of AHERA, Appendix B in effect when TAHPA was written (and which no longer exists) was incorporated |
| <i>Subchapter M: Alternative Asbestos Abatement Practices and Procedures in a Public Building</i> | | |
| §296.231. Alternative Practices and Procedures for Removal of Asbestos-Containing Resilient Floor-Covering Material in a Public Building. (§296.171. Removal of Resilient Floor-Covering Material.) | §295.36(a) | |
| §296.232. Alternative Asbestos Abatement Practices and Procedures for Certain Nonfriable Asbestos-Containing Building Material (ACBM) in a Public Building. | | |
| | n/a | NEW: Adds new alternative practice/procedure for licensees performing abatement of nonfriable packings, gaskets, cements, and mastics |
| §296.233. Alternative Asbestos Practices and Procedures for Small Projects and Repetitive Tasks in a Public Building. | | |

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| | n/a | NEW: Adds new alternative practice/procedure for licensees performing small repetitive tasks affecting ACBM |
| §296.234. Alternative Practices and Procedures for Removal of Whole Components of Intact Asbestos-Containing Material (ACM) in a Public Building. | | |
| | n/a | NEW: Adds new alternative practice/procedure for licensees performing removal of whole intact ACM |
| Subchapter N: Notifications | | |
| §296.251. Notifications. | §295.61. Operations: Notifications. | |
| §296.251(a) | §295.61(c) | |
| General provisions. | Timeliness of notification. | CHANGE: Adds the option to submit notifications online |
| §296.251(c)(2), & (e)(2) | §295.61(f) | |
| The building owner or the delegated agent, or the facility owner... | Start-date/stop-date (completion date) requirement. | CHANGE: Adds the requirement to amend a phased schedule and the time |
| §296.251(f), (g), (h), (i), (p) | §295.61(d), (e), (f) | |
| Start date change to an earlier date. Stop date change to an earlier date. Start date change to a later date. Stop date change to a later date. Notification of asbestos abatement and demolition. | | CHANGE: Adds requirement to fax or email a copy of the amendment to the regional office and limits telephone requirement to hard-copy notifications and specifies to contact the regional office |
| §296.251(j) | | |
| Cancellation. | n/a | NEW: Clarifies the requirements for cancelling a notified project |
| §296.251(k)(1) & (l) | §295.61(g) | |

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| Consolidated notification of nonscheduled asbestos O&M activities in a public building. Consolidated...facility that is not a public building. | Consolidated notifications of small operations. | CHANGE: Clarifies that 35 cubic feet is the volume off facility components that could not be measured, that consolidated notifications are for a single building, or group of buildings at one site under the control of one owner or operator, and adds a requirement to notify the regional inspector before each O&M activity |
| §296.251(m) | §295.61(h) | |
| Notification of emergency renovation operations. | Provision for emergency. | CHANGE: Clarifies that the notification form must include documentation of the emergency, adds a requirement to notify the regional office of the emergency by telephone and fax, or email that includes a description of the emergency and a copy of the notification |
| §296.251(n) | | |
| Addition of asbestos abatement or demolition to an existing notification. | | NEW: Clarifies the time frame and requirements for adding a demolition or renovation activity to a notification |
| §296.251(o) | §295.61(i) | |
| Notification of ordered demolitions for structurally unsound buildings. | Demolition notifications. | CHANGE: Deletes architects and clarifies that government officials must be qualified to determine what an unsound building is, adds a requirement to submit the order with the notification, provides a pathway for an owner that does not have an order, and adds a requirement to notify the regional office by telephone and fax or email with documentation |
| §296.251(p) | | |

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| Notification of asbestos abatement and demolition. | n/a | NEW: Adds subsection to incorporate current abatement/demolition on one notification procedure and clarifies requirements for notification |
| §296.251(q) | | |
| Notification of a phased project for asbestos abatement, demolition, or abatement and demolition in a public building or facility. | n/a | NEW: Adds subsection to incorporate current phased notification policy and clarifies requirements for notification |
| §296.251(r) | §295.61(j)(1) | |
| Asbestos notification fees. | Asbestos notification fees. | CHANGE: Reorganizes the subsection for clarity and (r)(1) adds delegated agent or facility owner or operator to pay for notification, and an explanation of the subscription fee (r)(2) adds an option to pay online or request an invoice when notifying online, and a timeframe for mailing the invoice (r)(3) clarifies the calculation of fees and that adding demolition to a notified abatement does not incur an additional fee (r)(4) increases the number of days to request a refund from 5 to 10 days after the notified end date or timely cancellation, increases the administrative fee from \$55 to \$57 to account for the subscription fee, and limits reimbursement requests to less than \$62 |
| <i>Subchapter O: Inspections and Investigations</i> | | |
| §296.271. Inspections and Investigations. | §295.68. Compliance: Inspections and Investigations. | |
| §296.271(c) | §295.68(c) | |

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| In order to inspect and investigate for compliance with this chapter, ... | A department representative, upon presenting... | CHANGE: Clarifies DSHS access during an inspection or investigation by adding "facility," as a building type, copies, photographs, and samples as types of activities DSHS may take, and §295.68(f) moved to recordkeeping (§296.291) |
| Subchapter P: Recordkeeping | | |
| §296.291. Recordkeeping | §295.62. Operations: Recordkeeping | |
| §296.291(b) | §296.62(c) | |
| Asbestos abatement contractors, asbestos O&M contractors, and RFCI contractors. | Asbestos contractors. | CHANGE: Clarifies that the recordkeeping requirements are for projects in public buildings, and that the requirement include O&M and RFCI contractors |
| §296.291(b)(2) | §295.58(k) & §295.62(c)(2) | |
| On site. | Documents required to be on-site are as follows: ... On site. | CHANGE: Moves on-site requirement to recordkeeping, clarifies that contractors are responsible for their employees' documents to be on-site, Adds requirement for the contractor's license and standard operating procedures, names of supervisor, project manager, and waste transporter for the project, copy of notification, copy of TAHPR, copy of federal regulations that apply, EPA O&M publication, RFCI recommended work practices, violation notification poster, and any asbestos-related order be on-site, Deletes requirement for social security numbers |
| §296.291(c), (d), (f), & (g) | | |
| Asbestos management planners. Asbestos management planner agencies. Asbestos consultant agencies. Asbestos air monitoring technicians. | n/a | NEW: Clarifies recordkeeping requirements for asbestos management planners, management planner agencies, consultant agencies, and air monitoring technicians (including elements to demonstrate AMT competency in the field) |

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| §296.291 (e) | §295.62(e) & (f) | |
| Asbestos consultants. | Consultants. Operations and maintenance manual. | CHANGE: Adds recordkeeping requirement for asbestos management plans, O&M plans, asbestos abatement designs, specifications and plans, and each written designation of a project manager and the project manager's responsibilities and authority |
| §296.291(h) | §295.62(d) | |
| Asbestos laboratories. | Analytical services. | CHANGE: Clarifies that samples from a public building must be kept for 30 days after analysis, deletes requirement with respect to inspection and completion of the project, and adds requirement for sample grids to be maintained for 1 year after analysis, and individual analyst records for 3 years after date of calculation |
| §296.291(i) | §295.62(b) | |
| Asbestos training providers. | Training providers. | CHANGE: Clarifies that records must be maintained in a central location, and moves verification of certificate information to licensee responsibilities |
| Subchapter Q: Compliance | | |
| §296.311. Disciplinary Action. | | |
| | n/a | NEW: Adds new section describing DSHS compliance authority |
| §296.312. Action against Accreditation. | §295.66 Compliance: Deaccreditation. | |
| DSHS may reprimand... | After notice to the accredited person of an opportunity for a... | CHANGE: Clarifies reasons for taking action against accreditation |

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| | §295.67 Compliance: Policy of the Texas Department of Health | |
| n/a | The department's policy is to gain compliance... | CHANGE: Deletes section |
| | §295.69 Compliance: Reprimand, Suspension, Revocation, Probation. | |
| §296.313. Denial, Suspension, or Revocation of License or Reprimand of Licensee. | §295.69(c) | |
| DSHS may take disciplinary action if it finds that a person regulated under... | After notice to the licensee or registrant of an opportunity for... | NEW: Adds provisions for a licensee that refuses to provide information to the licensing authority, fails to comply with the requirements of a probation period, and fails to pay a required or assessed fee |
| §296.314. Emergency Suspension. | §295.69(a) & (b) | |
| DSHS may suspend a license, registration, accreditation, or approval... | After notice to the licensee or registrant... | CHANGE: Moves emergency suspension provisions to new section |
| §296.315. Suspension of License for Failure to Pay Child Support or Comply with a Court Order. | | |
| Every license or registration of a person who is a licensee or registrant under this chapter is subject to suspension... | n/a | NEW: Adds requirement from Texas Family Code, Chapter 232, Suspension of License |
| §296.316. Probation. | §296.69(e) | |
| DSHS may place on probation a person whose license or registration is... | Probation. | CHANGE: Moves provisions to a new section |
| §296.317. Denial, Revocation or Withdrawal, or Suspension of Approval of a Training Course. | §295.65(d)(3) | |
| | Withdrawal of training course approval. | CHANGE: Moves training course approval into a new section |
| §296.318. Administrative Penalty. | §295.70. Compliance: Administrative Penalty. | |

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| DSHS may impose an administrative penalty against a person who violates... | If a person violates the Texas Asbestos Health Protection Act (Act), ... | CHANGE: Deletes base penalty amounts and examples of violations, and moves hearing information to §296.320 |
| §296.319. Revocation of Asbestos Abatement Supervisor's License. | | |
| This section applies to an asbestos abatement supervisor against whom... | n/a | NEW: Adds requirement from TAHPA |
| §296.320. Notice and Violation. | §295.69(d) | |
| | | CHANGE: Moves hearing information to new section |