

# Attachment F

State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
Land Use Evaluation Statement

**The Department of Environmental Quality proposes to increase Asbestos Abatement Notification Fees**

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**1. Explain the purpose of the proposed rules.**

The Department of Environmental Quality's asbestos program has been supported by asbestos contractor license fees and asbestos abatement notification fees. However, the asbestos abatement notification fees are no longer sufficient to cover the cost of the program for two reasons. First, the fees have not been increased since 1995 whereas costs for existing staff have increased. Second, there has been a significant shift from large to smaller asbestos abatement projects over the past few years. The smaller projects generate less fee income but cost as much as the larger projects to administer. In addition, the shift to smaller projects has resulted in a need for more assistance and community outreach for homeowners and small businesses to avoid adverse health effects and civil penalties for mishandling asbestos material.

The Department proposed increasing the asbestos abatement notification fees as part of its legislatively approved budget. This proposed rule implements that budget proposal.

**2. Do the proposed rules affect existing rules, programs or activities that are considered land use programs in the DEQ State Agency Coordination (SAC) Program?**

Yes \_\_\_ No X

**a. If yes, identify existing program/rule/activity:**

The Department has determined that the asbestos program is not a program that significantly affects land use.

**b. If yes, do the existing statewide goal compliance and local plan compatibility procedures adequately cover the proposed rules?**

Not applicable as the Department has determined that neither the asbestos program rules nor the proposed fee increase significantly affect land use.

Yes \_\_\_ No \_\_\_\_\_ (if no, explain):

- c. **If no, apply the following criteria to the proposed rules.**

**In the space below, state if the proposed rules are considered programs affecting land use. State the criteria and reasons for the determination.**

The Department has determined that neither the asbestos program rules nor the proposed fee increase significantly affect land use. This determination was made based on the fact that the asbestos program charges a notification fee on all asbestos projects performed by licensed abatement contractors irrespective of past, current or future land use(s) of the structure being abated.

- 3. If the proposed rules have been determined a land use program under 2. above, but are not subject to existing land use compliance and compatibility procedures, explain the new procedures the Department will use to ensure compliance and compatibility.**

Not applicable as the Department has determined that neither the asbestos program rules nor the proposed increase significantly affect land use.