

28 AMENDS:

- 29 19-2-102, as last amended by Laws of Utah 2014, Chapter 24
- 30 19-2-103, as last amended by Laws of Utah 2012, Chapter 360
- 31 19-2-104, as last amended by Laws of Utah 2014, Chapter 230
- 32 19-2-105.3, as last amended by Laws of Utah 2010, Chapter 236
- 33 19-2-107, as last amended by Laws of Utah 2014, Chapter 230
- 34 19-2-108, as last amended by Laws of Utah 2012, Chapters 333 and 360
- 35 19-2-109.1, as last amended by Laws of Utah 2012, Chapters 360 and 369
- 36 19-2-109.2, as last amended by Laws of Utah 2012, Chapter 360
- 37 19-2-112, as last amended by Laws of Utah 2012, Chapter 333
- 38 19-2-113, as last amended by Laws of Utah 2011, Chapter 297
- 39 19-2-114, as last amended by Laws of Utah 1991, Chapter 86
- 40 19-2-117, as last amended by Laws of Utah 2012, Chapter 360
- 41 19-2-119, as renumbered and amended by Laws of Utah 1991, Chapter 112
- 42 19-2-120, as last amended by Laws of Utah 2012, Chapter 360
- 43 19-2-122, as renumbered and amended by Laws of Utah 1991, Chapter 112
- 44 19-12-102, as enacted by Laws of Utah 2014, Chapter 24
- 45 19-12-201, as enacted by Laws of Utah 2014, Chapter 24

46 REPEALS:

- 47 19-2-109.5, as last amended by Laws of Utah 2009, Chapters 183 and 377

49 *Be it enacted by the Legislature of the state of Utah:*

50 Section 1. Section **19-2-102** is amended to read:

51 **19-2-102. Definitions.**

52 As used in this chapter:

53 ~~[(1) "Air contaminant" means any particulate matter or any gas, vapor, suspended~~
54 ~~solid, or any combination of them, excluding steam and water vapors.]~~

55 ~~[(2) "Air contaminant source" means all sources of emission of air contaminants~~
56 ~~whether privately or publicly owned or operated.]~~

57 (1) "Air pollutant" means ~~H~~→ [:

58 ~~(a) a physical, chemical, biological, or radioactive substance that, if emitted into or~~ ★

59 ~~☉ otherwise enters the ambient air in high enough concentrations and for long enough duration,~~
 60 ~~causes:~~

61 ~~—— (i) harm, discomfort, disease, or death to humans, animals, or vegetation; or~~

62 ~~—— (ii) damage to materials or property;~~

63 ~~—— (b) a precursor to the formation of a substance described under Subsection (1)(a); or~~

64 ~~—— (c) ~~↔~~ a substance that qualifies as an air pollutant as defined in 42 U.S.C. Sec. 7602.~~

65 (2) "Air pollutant source" means private and public sources of emissions of air
 66 pollutants.

67 (3) "Air pollution" means the presence [~~in the ambient air of one or more air~~
 68 ~~contaminants]~~ of an air pollutant in the ambient air in the quantities [~~and~~], for a duration, and
 69 under the conditions and circumstances [~~as is or tends to be]~~ that are injurious to human health
 70 or welfare, animal or plant life, or property, or would unreasonably interfere with the
 71 enjoyment of life or use of property, as determined by the rules adopted by the board.

72 (4) "Ambient air" means [~~the surrounding or outside air]~~ that portion of the
 73 atmosphere, external to buildings, to which the general public has access.

74 (5) "Asbestos" means the asbestiform varieties of serpentine (chrysotile), riebeckite
 75 (crocidolite), cummingtonite-grunerite, anthophyllite, [~~and~~] actinolite-tremolite, and libby
 76 amphibole ~~↔~~ [~~, including asbestiform, winchite, richterite, tremolite, and magnesian riebeckite found~~
 77 ~~in vermiculite products]~~ ~~↔~~ .

78 (6) "Asbestos-containing material" means [~~any~~] a material containing more than 1%
 79 asbestos, as determined using the method adopted in 40 [~~CFR~~] C.F.R. Part 61, Subpart M,
 80 National Emission Standard for Asbestos.

81 (7) "Asbestos inspection" means an activity undertaken to determine the presence or
 82 location, or to assess the condition of, asbestos-containing material or suspected
 83 asbestos-containing material, whether by visual or physical examination, or by taking samples
 84 of the material.

85 (8) "Board" means the Air Quality Board.

86 (9) "Clean school bus" [~~has~~] means the same [~~meaning~~] as that term is defined in 42
 87 U.S.C. Sec. 16091.

88 (10) "Director" means the director of the Division of Air Quality.

89 (11) "Division" means the Division of Air Quality created in Section 19-1-105.

245 tested sample contained greater than 1% of asbestos;

246 (B) conduct work described in Subsection (3)(b)~~(iv)~~(iv)(A) in areas to which the
247 general public has unrestrained access or in school buildings that are subject to the federal
248 Asbestos Hazard Emergency Response Act of 1986;

249 (C) conduct asbestos inspections in facilities subject to 15 U.S.C.~~[A:]~~ 2601 et seq.,
250 Toxic Substances Control Act, Subchapter II - Asbestos Hazard Emergency Response; or

251 (D) conduct lead-based paint inspections in facilities subject to 15 U.S.C.~~[A:]~~ 2601 et
252 seq., Toxic Substances Control Act, Subchapter IV -- Lead Exposure Reduction;

253 ~~[(vi)]~~ (v) establish certification requirements for ~~[persons]~~ a person required under 15
254 U.S.C.~~[A:]~~ 2601 et seq., Toxic Substances Control Act, Subchapter II - Asbestos Hazard
255 Emergency Response, to be accredited as ~~[inspectors, management planners, abatement project~~
256 ~~designers, asbestos abatement contractors and supervisors, or asbestos abatement workers]~~ an
257 inspector, management planner, abatement project designer, asbestos abatement contractor and
258 supervisor, or an asbestos abatement worker ~~H→~~ [, renovator, or dust sampling technician] ~~←H~~ ;

259 ~~[(vii)]~~ establish certification requirements for asbestos project monitors, which shall
260 provide for experience-based certification of persons who, prior to establishment of the
261 certification requirements, had received relevant asbestos training, as defined by rule, and had
262 acquired at least 1,000 hours of experience as project monitors;]

263 ~~[(viii)]~~ (vi) establish certification procedures and requirements for certification of the
264 conversion of a motor vehicle to a clean-fuel vehicle, certifying the vehicle is eligible for the
265 tax credit granted in Section 59-7-605 or 59-10-1009;

266 ~~[(ix)]~~ establish a program to certify private sector air quality permitting professionals
267 (AQPP), as described in Section 19-2-109.5;]

268 ~~[(x)]~~ (vii) establish certification requirements for ~~[persons]~~ a person required under 15
269 U.S.C.~~[A:]~~ 2601 et seq., Toxic Control Act, Subchapter IV -[=] Lead Exposure Reduction, to be
270 accredited as ~~[inspectors, risk assessors, supervisors, project designers, or abatement workers]~~
271 an inspector, risk assessor, supervisor, project designer, abatement worker, renovator, or dust
272 sampling technician; and

273 ~~[(xi)]~~ (viii) assist the State Board of Education in adopting school bus idling reduction
274 standards and implementing an idling reduction program in accordance with Section
275 41-6a-1308.