

**25-7-501. Legislative declaration.**

**(1)** The general assembly hereby declares that it is in the interest of the general public to control the exposure of the general public to friable asbestos. It is the intent of the general assembly to ensure the health, safety, and welfare of the public by regulating the practice of asbestos abatement in locations to which the general public has access for the purpose of ensuring that such abatement is performed in a manner which will minimize the risk of release of asbestos. However, it is not the intent of the general assembly to regulate occupational health practices which are regulated pursuant to federal laws or to grant any authority to the department of public health and environment to enter and regulate work areas where general public access is limited. It is the intent of the general assembly that the commission may adopt regulations to permit the enforcement of the national emission standards for hazardous air pollutants as set forth in 42 U.S.C. sec. 7412.

**(2)** Therefore, the general assembly determines and declares that the enactment of this part 5 is a matter of statewide concern to achieve statewide uniformity in the regulation of such asbestos abatement practices and uniformity in the qualifications for and certification of persons who perform such abatement.

**25-7-503. Powers and duties of commission - rules - delegation of authority to division.**

**(1)** The commission has the following powers and duties:

**(a)** To promulgate rules pursuant to section 24-4-103, C.R.S., regarding the following, as are necessary to implement the provisions of this part 5 only for areas of public access:

**(I)** Performance standards and practices for asbestos abatement which are not more stringent than 29 CFR 1910.1001 and 1926.1101;

**(II)**

**(A)** Determination of a maximum allowable asbestos level, which shall be the highest level of airborne asbestos under normal conditions that allows for protection of the general public; except that, until the commission adopts by rule a level, the maximum allowable asbestos level for the protection of the general public shall be 0.01 fibers per cubic centimeter of air, measured during normal occupancy and calculated as an eight-hour time-weighted average, in accord with 29 CFR 1910.1000 (d)(1)(i).

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**(2)** Notwithstanding any other provisions of this section to the contrary, neither the commission nor the division shall have the authority to enforce standards more restrictive than the federal standards set forth in the "Occupational Safety and Health Act", on asbestos abatement projects which are subject to such federal standards; except that, nothing in this subsection (2) shall be construed to prevent the application and enforcement of the maximum allowable asbestos level prescribed in subparagraph (II) of paragraph (a) of subsection (1) of this section as a clearance level and a condition of reentry by the general public upon completion of the project.

# EXAMPLE

Effective January 30, 2008

## III.K.1. Construction

A [decontamination unit](#) shall be constructed to provide employees with a facility to be used to decontaminate [asbestos](#)-exposed Workers and equipment before such Workers and equipment leave the [work area](#). The decontamination unit shall consist of the following three stages, **which shall be separated by staggered flaps** or an equivalent system of barriers that will self-close should negative air pressure fail:

Updated regulation as of March 17<sup>th</sup>, 2021

## III.K.1. Construction

A decontamination unit must be constructed to provide a means to decontaminate asbestos- exposed personnel and equipment before such personnel and equipment leave the work area. The decontamination unit must consist of the following three stages, **which must be separated by three offset flaps in a “Z” pattern** or an equivalent system of barriers that will self-close should negative air pressure fail: