State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Commissioner

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

Air Quality Board
Dave Spence, *Chair*
Colton Norman, *Vice-Chair*
Tim Davis
Kim Frost
Seth Lyman
Sonja Norton
Lorin Palmer
John Rasband
Lauren Vander Werff
Bryce C. Bird,
Executive Secretary

DAQ-047-26

UTAH AIR QUALITY BOARD MEETING
TENTATIVE AGENDA

Wednesday, October 7, 2026 - 1:30 p.m.
195 North 1950 West, Room 1015
Salt Lake City, Utah 84116

Board members may be participating electronically. Interested persons can participate telephonically by dialing 1-475-299-8810 using access code: 449-801-632#, or via the Internet at meeting link: meet.google.com/dpm-oqgm-nzk

I. Call-to-Order and Roll Call.

II. Date of the Next Air Quality Board Meeting: November 4, 2026

III. Approval of the Minutes for the September 2, 2026, Board Working Lunch and Meeting.

IV. Propose for Final Adoption: Repeal Rule R307-124. General Requirements: Conversion to Alternative Fuel Grant Program. Presented by Jazmine Lopez.

V. Propose for Final Adoption: Amendment to Rules R307-840. Lead-Based Paint Program Purpose, Applicability, and Definitions; R307-841. Residential Property and Child-Occupied Facility Renovation; and R307-842. Lead-Based Paint Activities. Presented by Tamie Call.

VI. Propose for Public Comment: Amend Rules R307-309. Nonattainment and Maintenance Areas for PM10 and PM2.5: Fugitive Emissions and Fugitive Dust; and R307-205 Emission Standards: Fugitive Emissions and Fugitive Dust. Presented by Alyssa Higham.

VII. Informational Items.
   A. Air Toxics. Presented by Leonard Wright.
   B. Compliance. Presented by Harold Burge, Rik Ombach, and Chad Gilgen.
   C. Monitoring. Presented by Bo Call.
   D. Other Items to be Brought Before the Board.
   E. Board Meeting Follow-up Items.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact LeAnn Johnson, Office of Human Resources at (385) 226-4881, TDD (801) 536-4284 or by email at leannjohnson@utah.gov.

ITEM 4

State of Utah

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Environmental Quality

Tim Davis
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DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-044-26

M E M O R A N D U M

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Jazmine Lopez, Rules Coordinator

DATE: September 17, 2026

SUBJECT: PROPOSE FOR FINAL ADOPTION: Repeal R307-124. General Requirements: Conversion to Alternative Fuel Grant Program.

The Conversion to Alternative Fuel Grant Program Fund allowed the air quality director to provide a grant to persons who install alternative fuel conversion equipment on an eligible vehicle.

During the 2026 General Session, the Utah Legislature passed House Bill 545, Budgetary Modifications, which repeals the account providing funds for the Conversion to Alternative Fuel Grant Program as well as Section 19-2 Part 3, which described the definitions, conditions, and rulemaking provisions of the program.

Remaining funds for the Alternative Fuel Grant Program Fund were removed by the Utah Legislature in May 2025 and moved to the General Fund (House Bill 3, item 182 and Senate Bill 3, item 127). Because no additional funds are anticipated to be placed into the account and the program is being repealed by the Legislature, the rule is no longer necessary for agency operations.

On July 1, 2026, the Utah Air Quality Board proposed the repeal of rule R307-124 for a 30-day public comment period from July 15, 2026, through August 14, 2026. No comments were received during this time, and no public hearing was requested by the associated due date.

Recommendation: Staff recommends the Board approve the repeal of rule R307-124, General Requirements: Conversion to Alternative Fuel Grant Program, for final adoption.

195 North 1950 West • Salt Lake City, Utah
Mailing Address: P.O. Box 144820 • Salt Lake City, Utah 84114-4820
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www.deq.utah.gov
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NOTICE OF SUBSTANTIVE CHANGE	
TYPE OF FILING: Repeal	**Filing ID: 58102**
Rule or section number:	**R307-124**

1. Agency Information

Title catchline:	Environmental Quality, Air Quality
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state and zip:	Salt Lake City, UT 84114-4820

2. Contact Persons

Name:	Phone:	Email:
Jazmine Lopez	801-536-4050	jazminelopez@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:

R307-124. General Requirements: Conversion to Alternative Fuel Grant Program

B. Purpose of the new rule or reason for the change:

The Division of Air Quality (Division) is submitting this filing to repeal Rule R307-124 because the program it governs is no longer active.

During the 2026 General Session, the Utah Legislature passed HB 545, Budgetary Modifications, which repeals the account providing funds for the Conversion to Alternative Fuel Grant Program, as well as Title 19, Chapter 2, Part 3, which described the definitions, conditions, and rulemaking provisions of the program.

Remaining funds for the Alternative Fuel Grant Program Fund were removed by the Utah Legislature in May 2025 and moved to the General Fund (HB 3, item 182 and SB 3, item 127).

Because no additional funds are anticipated to be placed into the account and the program is being repealed by the legislature, this rule is no longer necessary for agency operations.

C. Summary of the new rule or change:

This filing is a full repeal of Rule R307-124. It eliminates the procedures and standards for administrative hearings and public comment opportunities previously associated with this specific program.

By repealing this rule, the Division is updating the Utah Administrative Code to reflect that the program and its corresponding funding have been discontinued.

4. Legislative Action Information

A. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
B. If yes, any bill number and session:	HB 545 (2026 General Session)

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

Remaining funds were removed by the Utah Legislature in May 2025. No additional funds are anticipated to be placed into the Alternative Fuel Grant Program Fund. Therefore, the repeal of this rule will not have an impact on state budgets.

B. Local governments:

Remaining funds were removed by the Utah Legislature in May 2025. No additional funds are anticipated to be placed into the Alternative Fuel Grant Program Fund. Therefore, the repeal of this rule will not have an impact on local governments.

C. Small businesses ("small business" means a business employing 1-49 persons)**:**
Remaining funds were removed by the Utah Legislature in May 2025. No additional funds are anticipated to be placed into the Alternative Fuel Grant Program Fund. Therefore, the repeal of this rule will not have an impact on small businesses.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons)**:**
Remaining funds were removed by the Utah Legislature in May 2025. No additional funds are anticipated to be placed into the Alternative Fuel Grant Program Fund. Therefore, the repeal of this rule will not have an impact on non-small businesses.
E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an ***agency***)**:**
Remaining funds were removed by the Utah Legislature in May 2025. No additional funds are anticipated to be placed into the Alternative Fuel Grant Program Fund. Therefore, the repeal of this rule will not have an impact on persons other than small businesses, non-small businesses, state, or local government entities.
F. Compliance costs for affected persons:
Remaining funds were removed by the Utah Legislature in May 2025. No additional funds are anticipated to be placed into the Alternative Fuel Grant Program Fund. Therefore, the repeal of this rule will not have a compliance cost impact on affected persons.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Cost	**$0**	**$0**	**$0**	**$0**	**$0**
Fiscal Benefits	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Benefits	**$0**	**$0**	**$0**	**$0**	**$0**
Net Fiscal Benefits	**$0**	**$0**	**$0**	**$0**	**$0**

7. Regulatory Impact Analysis Approval

The Commissioner of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:	☒

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-2-104	Section 19-1-403.3	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	08/14/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.)**:**		
Date:	**Time** (hh:mm AM/PM)**:**	**Place** (physical address or URL)**:**
08/12/2026	03:00 PM – 04:00 PM	A public hearing is set for 08/12/2026. Further details may be found below. The hearing will be cancelled should no request for one be made by 08/10/2026, at 10 AM MST. The final status of the public hearing will be posted on 08/10/2026, after 10 AM MST. The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment Interested persons can participate in person or electronically, via the internet. In Person: MASOB 195 N 1950 W, Salt Lake City, UT First Floor, Air Quality Board Room Virtual Attendance: Time zone: America/Denver Google Meet joining info: Video call link: https://meet.google.com/vro-ppdv-pbi Or dial: (US) +1 409-422-5239 PIN: 252 397 785#

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	10/07/2026

13. Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	**Date:**	06/04/2026

R307. Environmental Quality, Air Quality.

[~~R307-124. General Requirements: Conversion to Alternative Fuel Grant Program.~~

~~R307-124-1. Authorization and Purpose.~~

~~(1) This rule is authorized by Section 19-2-304, which establishes the requirements, procedures, criteria, and definitions used to determine eligibility for the Conversion to Alternative Fuel Grant Program.~~

~~(2) The procedures of this rule constitute the minimum requirements for the application and the awarding of funds that are designated for the Conversion to Alternative Fuel Grant Program.~~

~~R307-124-2. Definitions.~~

~~The following additional definitions apply to R307-124:~~

~~"Alternative fuel" means alternative fuel as defined in Subsection 19-2-302(2).~~

~~"Clean fuel grant" means clean fuel grant as defined in Subsection 19-2-302(4).~~

~~"Conversion equipment" means conversion equipment as defined in Subsection 19-2-302(5).~~

~~"Cost" means cost as defined in 19-2-302(6).~~

~~"Division" means the Division of Air Quality.~~

~~"Eligible vehicle" means eligible vehicle as defined in Subsection 19-2-302(9).~~

~~R307-124-3. Minimum Qualifications for an Applicant to Receive a Clean Fuel Grant.~~

~~(1) All applicants must be a registered business within the State of Utah and have a business license from the city or county in which they are located.~~

~~(2) Applicants that are applying for a clean fuel grant for a conversion of an eligible vehicle to run on propane must meet the requirements of R710-6 Liquefied Petroleum Gas (LPG) Rules.~~

~~R307-124-4. Minimum Qualifications for a Person that Installs Conversion Equipment on an Eligible Vehicle.~~

~~The following are the minimum qualifications for a person that installs conversion equipment on an eligible vehicle:~~

~~(1) A person that installs conversion equipment on an eligible vehicle to run on natural gas shall be:~~

~~(a) a Canadian Standards Association (CSA) America Compressed Natural Gas (CNG) Fuel System Inspector; or~~

~~(b) an Automotive Service Excellence (ASE) F1-certified technician.~~

~~(2) A person that installs conversion equipment on an eligible vehicle to run on propane shall be certified under R710-6 LPG Rules.~~

~~(3) A person that installs conversion equipment on an eligible vehicle to run on electricity shall be an ASE-certified technician.~~

~~R307-124-5. Preliminary Approval Application Procedure.~~

~~To be considered for a clean fuel grant all applicants shall apply for preliminary approval on forms provided by the Division as required by Subsection 19-2-304(1)(e), and shall provide additional information as requested by the Division.~~

~~(1) All applicants shall:~~

~~(a) acknowledge that receiving preliminary approval does not guarantee reimbursement by the Division, and preliminarily approved projects shall meet all the eligibility requirements listed in R307-124 before receiving the clean fuel grant for an eligible vehicle;~~

~~(b) certify under penalty of perjury and subject to provisions of Utah Code Section 76-8-504 ("written false statement"), that all savings on the cost of conversion equipment in the amount of the clean fuel grant will be passed to the owner of the eligible vehicle, as required in Subsection 19-2-303(2)(b);~~

~~(c) certify that the applicant is currently a registered business within the State of Utah and has a current business license; and~~

~~(d) agree to the provisions found in Subsection 19-2-303(3).~~

~~(2) Applicants applying for a clean fuel grant for a conversion of an eligible vehicle to run on natural gas shall provide the installer's ASE F-1 or CSA America certification number.~~

~~(3) Applicants that are applying for a clean fuel grant for a conversion of an eligible vehicle to run on propane shall provide the applicant's dealer license number and the installer's LPG certification number required by R710-6 LPG Rules.~~

~~(4) Applicants that are applying for a clean fuel grant for a conversion of an eligible vehicle to run on electricity shall provide the installer's ASE certification number.~~

~~(5) Preliminary approval will encumber funds for up to 60 calendar days from the preliminary application's approval.~~

~~R307-124-6. Final Approval Procedure and Payment Process.~~

~~Once an applicant has encumbered funds for a conversion, the applicant has up to 60 calendar days to obtain final approval from the Division. To obtain final approval, the applicant shall apply for final approval on forms provided by the Division, as required by Subsection 19-2-304(1)(e), and shall provide additional information as requested by the Division.~~

~~(1) To demonstrate that a conversion of a vehicle to be fueled by natural gas is eligible, an applicant shall submit the following documentation to the Director:~~

~~(a) A copy of the applicant's business registration from the Utah Department of Commerce and current business license from the city or county in which they are located;~~

~~(b) a copy of the installer's CSA America or ASE F-1 certification;~~

~~(c) an original or copy of the purchase order, customer invoice, or receipt that includes:~~

~~(i) the name, address, and phone number of the applicant;~~

~~(ii) the name of the installer;~~

~~(iii) the vehicle identification number (VIN);~~

~~(iv) the date of conversion; and~~

~~(v) the cost of the conversion (itemizing the equipment, labor, and the clean fuel grant);~~

~~(d)(i) a copy of the vehicle inspection report dated after the conversion, from an approved county I/M station, showing that the converted motor vehicle meets all county emissions requirements for all installed fuel systems if the motor vehicle is registered within a county with an I/M program; or~~

~~(ii) in all other areas of the state, a signed statement by the installer that includes the VIN, the installer's ASE or CSA America certification number, and states that the eligible vehicle's conversion is functional;~~

~~(e) a copy of the current Utah vehicle registration; and~~

~~(f) a signed statement by the installer certifying that the conversion does not tamper with, circumvent, or otherwise affect the vehicle's on-board diagnostic system, in accordance with Utah Code 19-1-406(2).~~

~~(2) To demonstrate that a conversion of a vehicle to be fueled by propane is eligible, an applicant shall submit the following documentation to the director:~~

~~(a) A copy of the applicant's business registration from the Utah Department of Commerce and current business license from the city or county in which they are located;~~

~~(b) a copy of the applicant's current dealer license required under R710-6;~~

~~(c) a copy of the installer's current certification under R710-6;~~

~~(d)(i) a copy of the vehicle inspection report, dated after the conversion, from an approved county I/M station, showing that the converted motor vehicle meets all county emissions requirements for all installed fuel systems, if the motor vehicle is registered within a county with an I/M program, or~~

~~(ii) in all other areas of the state, a signed statement by an ASE-certified technician that includes the VIN, the technician's ASE certification number, and states that the conversion is functional;~~

~~(e) Provide the EPA Certificate of Conformity, or equivalent documentation that is consistent with requirements outlined in 40 CFR Part 85 and 40 CFR Part 86, as published in Federal Register Volume 76 Page 19830 on April 8, 2011, or an executive order from the California Air Resources Board;~~

~~(f) an original or copy of the purchase order, customer invoice, or receipt that includes:~~

~~(i) the name, address, and phone number of the applicant;~~

~~(ii) the name of the installer;~~
~~(iii) the VIN;~~
~~(iv) the date of conversion; and~~
~~(v) the cost of the conversion (itemizing the equipment, labor, and the clean fuel grant); and~~
~~(g) a copy of the current Utah vehicle registration.~~
~~(3) To demonstrate that a conversion of a motor vehicle to be powered by electricity is eligible, an applicant shall submit the following documentation to the director:~~
~~(a) A copy of the applicant's business registration from the Utah Department of Commerce and current business license from the city or county in which they are located;~~
~~(b) a copy of the current Utah vehicle registration;~~
~~(c) an original or copy of the purchase order, customer invoice, or receipt that includes:~~
~~(i) the name, address, and phone number of the applicant;~~
~~(ii) the name of the installer;~~
~~(iii) the VIN;~~
~~(iv) the date of conversion; and~~
~~(v) the cost of the conversion (itemizing the equipment, labor, and the clean fuel grant);~~
~~(d) If the converted eligible vehicle does not have any auxiliary sources of combustion emissions, then the applicant shall submit a signed statement by an ASE-certified technician that includes the VIN, the technician's ASE certification number, and states that the conversion is functional and that the converted motor vehicle does not have any auxiliary source of combustion emissions.~~
~~(e) If the converted eligible vehicle has an auxiliary source of combustion emissions, the applicant shall submit:~~
~~(i) a copy of the vehicle inspection report after the conversion, from an approved county I/M station, showing that the converted motor vehicle meets all county emissions requirements for all installed fuel systems, if the motor vehicle is registered within a county with an I/M program; or~~
~~(ii) in all other areas of the state, a signed statement by an ASE-certified technician that includes the VIN, the technician's ASE certification number, and states that the conversion is functional; and~~
~~(iii) provide the EPA Certificate of Conformity, or equivalent documentation that is consistent with requirements outlined in 40 CFR Part 85 and 40 CFR Part 86, as published in Federal Register Volume 76 Page 19830 on April 8, 2011, or an executive order from the California Air Resources Board.~~
~~(4) All applicants shall complete and submit an IRS form W-9 to the Division.~~
~~(5) Approved applications shall continue to comply with the provisions of this rule.~~

~~R307-124-7. Grant Program Limitations.~~
~~Grant applications shall not be approved if:~~
~~(1) Awarding a grant to an applicant would result in the Department's inability to fulfill its obligations under this program or this rule;~~
~~(2) The applicant does not meet the approval requirements of Section R307-124-5;~~
~~(3) The fund balance is zero; or~~
~~(4) Awarding a grant to an applicant would result in the fund balance being less than zero.~~

~~R307-124-8. Review.~~
~~The Division reserves the right to request supplemental information it may deem necessary from an applicant, in order to effectively administer the program and this rule.~~

~~KEY: air pollution, alternative fuels, tax credits, motor vehicles~~
~~Date of Last Change: September 8, 2016~~
~~Notice of Continuation: August 10, 2021~~
~~Authorizing, and Implemented or Interpreted Law: 19-2-301 through 305; 19-1-403.3~~]

ITEM 5

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Commissioner

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-045-26

M E M O R A N D U M

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

THROUGH: Jazmine Lopez, Rules Coordinator

FROM: Leonard Wright, Air Toxics Lead-based Paint and Asbestos Manager; and Tamie Call, Environmental Scientist

DATE: September 17, 2026

SUBJECT: PROPOSE FOR FINAL ADOPTION: Amendment to Rules R307-840. Lead-Based Paint Program Purpose, Applicability, and Definitions; R307-841. Residential Property and Child-Occupied Facility Renovation; and R307-842. Lead-Based Paint Activities.

On January 13, 2025, the Environmental Protection Agency (EPA) finalized stronger requirements for the identification and cleanup of lead-based paint hazards in pre-1978 homes and childcare facilities. The final rule reduced the level of lead in dust that is considered hazardous from 10 micrograms per square foot ($\mu g/ft^2$) on floors and 100 $\mu g/ft^2$ on windowsills to any reportable level as analyzed by a laboratory recognized by EPA's National Lead Laboratory Accreditation Program. This change is being made because there is no level of lead in blood that is safe for children. The rule also lowered the amount of lead that can remain in dust on floors, windowsills, and window troughs after a lead paint abatement occurs from:

10 $\mu g/ft^2$ to 5 $\mu g/ft^2$ for floors,
100 $\mu g/ft^2$ to 40 $\mu g/ft^2$ for windowsills, and
400 $\mu g/ft^2$ to 100 $\mu g/ft^2$ for window troughs.

EPA also finalized changes to adopt the terms dust-lead reportable levels (DLRL) and dust-lead action levels (DLAL) as well as several other amendments, including revisions to both the definition of target housing and the definition of abatement.

To maintain EPA authorization, EPA requires states to meet all requirements imposed by these rulemakings no later than two years after the effective date of the new requirements. The amendments to rules R307-840, Lead-Based Paint Program Purpose, Applicability, and Definitions, R307-841, Residential Property and Child-Occupied Facility Renovation, and R307-842, Lead-Based Paint Activities, incorporate these changes into the air quality rules and allow our state program to maintain EPA-authorization.

On July 1, 2026, the Utah Air Quality Board proposed amendments to rules R307-840, R307-841, and R307-842 for a 30-day public comment period from July 15, 2026, through August 14, 2026. No comments were received during this time, and no public hearing was requested by the associated due date.

Recommendation: Staff recommend the Board approve the amendments to rules R307-840, R307-841, and R307-842, for final adoption.

NOTICE OF SUBSTANTIVE CHANGE	
TYPE OF FILING: Amendment	**Filing ID: 58103**
Rule or section number:	**R307-840**

1. Agency Information

Title catchline:	Environmental Quality, Air Quality
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state and zip:	Salt Lake City, UT 84114-4820

2. Contact Persons

Name:	Phone:	Email:
Tamie Call	385-227-1055	twcall@utah.gov
Leonard Wright	801-707-8032	leonardwright@utah.gov
Jazmine Lopez	801-536-4050	jazminelopez@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:

R307-840. Lead-Based Paint Program Purpose, Applicability, and Definitions.

B. Purpose of the new rule or reason for the change:

The Division of Air Quality is updating Rule R307-840 to align with the new federal definitions and standards found in 40 Code of Federal Regulations (CFR) Part 745.

C. Summary of the new rule or change:

In October 2024, the Environmental Protection Agency (EPA) finalized stronger requirements for how to identify and clean up lead-based paint hazards in pre-1978 homes and childcare facilities. The final rule reduced the level of lead in dust that is considered hazardous from ten micrograms per square foot (µg/ft2) on floors and 100 µg/ft2 on window sills to any reportable level as analyzed by a laboratory recognized by EPA's National Lead Laboratory Accreditation Program. This change is being made because there is no level of lead in blood that is safe for children. The rule also lowered the amount of lead that can remain in dust on floors, window sills, and window troughs after a lead paint abatement occurs from:
1. 10 µg/ft2 to 5 µg/ft2 for floors,
2. 100 µg/ft2 to 40 µg/ft2 for window sills, and
3. 400 µg/ft2 to 100 µg/ft2 for window troughs.

The EPA also finalized changes to adopt the terms "Dust-lead Reportable Levels" and "Dust-lead Action Levels", as well as several other amendments, including revisions to both the definition of "Target Housing" and the definition of "Abatement" which now provides that the EPA will recommend an abatement when dust-lead loadings are at or above the dust-lead action levels.

The state of Utah is required to adopt the federal standards by 2027.

Changes are also being made to bring Rule R307-840 into compliance with the Rulewriting Manual for Utah and Executive Order No. 2021-12.

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

This is a standard change to lower the allowable amount of lead after abatement projects to meet the new EPA dust-lead action levels.

This change should have no effect on the state budget because it will not implement any new state requirements beyond what is federally required.

B. Local governments:

This is a standard change to lower the allowable amount of lead after abatement projects to meet the new EPA dust-lead action levels.

This change should have no effect on local governments because it will not implement any new local government requirements beyond what is federally required.

C. Small businesses ("small business" means a business employing 1-49 persons)**:**

Small businesses will have to be more thorough with post-abatement cleaning to meet new dust-lead clearance levels. This could lead to slightly longer cleanup times and the increase of cleaning product use.

It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, the amount of disturbed lead, or the ease of vacuuming, mopping, or wiping up the renovated area.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons)**:**

A certified lead-based paint renovator company may incur additional costs at a job site since the allowable levels of lead in dust has been decreased. This could lead to slightly longer cleanup times and the increase of cleaning product use.

It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, the amount of disturbed lead, or the ease of vacuuming, mopping, or wiping up the renovated area.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an ***agency***)**:**

Incremental costs can be incurred for specialized cleaning used to reduce dust-lead loadings (i.e., quantity of lead per unit of surface area) to below the action levels. In some instances, floors may have to be sealed, overlaid, or replaced, or window sills sealed or repainted.

Additional costs may result from the retesting of lead dust levels. Because of the lower laboratory reporting limits necessary for testing lead dust levels under this rule, incremental laboratory test costs are likely to increase.

It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, and the amount of disturbed lead in the renovated area.

F. Compliance costs for affected persons:

Incremental costs can be incurred for specialized cleaning used to reduce dust-lead loadings (i.e., quantity of lead per unit of surface area) to below the action levels. In some instances, floors may have to be sealed, overlaid, or replaced, or window sills sealed or repainted.

Additional costs may result from the retesting of lead dust levels. Because of the lower laboratory reporting limits necessary for testing lead dust levels under this rule, incremental laboratory test costs are likely to increase.

It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, the amount of disturbed lead, or the ease of vacuuming, mopping, or wiping up the renovated area.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Other Persons	inestimable	inestimable	inestimable	inestimable	inestimable
Total Fiscal Cost	**inestimable**	**inestimable**	**inestimable**	**inestimable**	**inestimable**

Fiscal Benefits	FY2027	FY2028	FY2029	FY2030	FY2031
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Other Persons	inestimable	inestimable	inestimable	inestimable	inestimable
Total Fiscal Benefits	**inestimable**	**inestimable**	**inestimable**	**inestimable**	**inestimable**
Net Fiscal Benefits	**inestimable**	**inestimable**	**inestimable**	**inestimable**	**inestimable**

7. Regulatory Impact Analysis Approval

The Commissioner of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:	☒

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 19-2-104(1)(i)	40 CFR 745	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	08/14/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.)**:**

Date:	**Time** (hh:mm AM/PM)**:**	**Place** (physical address or URL)**:**
08/07/2026	09:00 AM - 10:00 AM	A public hearing is set for 08/07/2026. Further details may be found below. The hearing will be cancelled should no request for one be made by 08/05/2026, at 10 AM MST. The final status of the public hearing will be posted on 08/05/2026, after 10 AM MST. The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment Interested persons can participate in person or electronically, via the internet. In Person: MASOB 195 N 1950 W Salt Lake City, UT First Floor, Air Quality Board Room Virtual Attendance: Time zone: America/Denver Google Meet joining info: Video call link: https://meet.google.com/suv-jfta-amz Or dial: (US) +1 570-399-3496 PIN: 962 498 585#

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	10/07/2026

13. Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	**Date:**	06/12/2026

R307. Environmental Quality, Air Quality.
R307-840. Lead-Based Paint Program Purpose, Applicability, and Definitions.
R307-840-1. Purpose and Applicability.

(1) Rules R307-840, R307-841, and R307-842 establish procedures and requirements for the accreditation of training programs for lead-based paint activities and renovations, procedures and requirements for the certification of individuals and firms engaged in lead-based paint activities and renovations, and work practice standards for performing such activities. [~~These rules~~] Rules R307-840, R307-841, and R307-842 also require that, except as outlined in Subsection R307-840-1(2), all lead-based paint activities and renovations, as defined in Rules R307-840, R307-841, and R307-842 [~~these rules~~], must be performed by certified individuals and firms.

(2) Rules R307-840, R307-841, and R307-842 apply to all individuals and firms who are engaged in lead-based paint activities and renovations as defined in Section R307-840-2, except persons who perform these activities within residential dwellings that they own, unless the residential dwelling is occupied by a person [~~or persons~~] other than the owner or the owner's immediate family while these activities are being performed, or if a child residing in the building has been identified as having an elevated blood lead level.

(3) Rules R307-840, R307-841, and R307-842 identify lead-based paint hazards. The standards for lead-based paint hazards apply to target housing and child-occupied facilities.

(4) Rules R307-840, R307-841, and R307-842 do not require the owner of the property or properties [~~subject to these rules~~] to evaluate the property or properties for the presence of lead-based paint hazards or take any action to control these conditions if one or more of them is identified.

(5) While Rules R307-840, R307-841, and R307-842 establish specific requirements for performing lead-based paint activities and renovations should they be undertaken, [~~these rules~~] Rules R307-840, R307-841, and R307-842 do not require that the owner or occupant undertake any particular lead-based paint activity or renovation.

(6) Individuals or firms wishing to deviate from the certification, notification, work practice, or other requirements of Rules R307-840, R307-841, and[~~/or~~] R307-842 may do so only after requesting and obtaining written approval from the director.

R307-840-2. Definitions.

The following definitions apply to Rules R307-840, R307-841, and R307-842, in addition to the definitions found in Section R307-101-2.

"Abatement" means any measure or set of measures designed to permanently eliminate lead-based paint hazards, in the case of dust-lead hazards to below the action levels. Abatement includes, but is not limited to:

(1) The removal of paint and dust, in the case of dust-lead hazards to below the action levels, the permanent enclosure or encapsulation of lead-based paint, the replacement of painted surfaces or fixtures, or the removal or permanent covering of soil, if [~~when~~] lead-based paint hazards are present in such paint, dust, or soil; and

(2) All preparation, cleanup, disposal, and post-abatement [~~clearance~~] testing activities associated with such measures.

(3) Specifically, abatement includes, but is not limited to:

(a) Projects for which there is a written contract or other documentation, which provides that an individual or firm will be conducting activities in or to a residential dwelling or child-occupied facility that:

(i) Shall result in the permanent elimination of lead-based paint hazards, in the case of dust-lead hazards to below the action levels; or

(ii) Are designed to permanently eliminate lead-based paint hazards, in the case of dust-lead hazards to below the action levels, and are described in Subsections R307-840-2(1) and R307-840-2(2). [~~paragraphs (1) and (2) of this definition.~~]

(b) Projects resulting in the permanent elimination of lead-based paint hazards, in the case of dust-lead hazards to below the action levels, conducted by firms or individuals certified in accordance

with Section R307-842-2, unless such projects are covered by Subsection R307-840-2(4)[~~paragraph (4) of this definition~~];

(c) Projects resulting in the permanent elimination of lead-based paint hazards, in the case of dust-lead hazards to below the action levels, conducted by firms or individuals who, through their company name or promotional literature, represent, advertise, or hold themselves out to be in the business of performing lead-based paint activities as identified and defined by [~~this section~~] Section R307-840-2, unless such projects are covered by[~~ paragraph (4) of this definition~~] Subsection R307-840-2(4); or

(d) Projects resulting in the permanent elimination of lead-based paint hazards, in the case of dust-lead hazards to below the action levels, that are conducted in response to [~~S~~]state [~~of Utah~~] or local abatement orders.

(4) Abatement does not include renovation, remodeling, landscaping or other activities, if [~~when~~] such activities are not designed to permanently eliminate lead-based paint hazards, in the case of dust-lead hazards to below the action levels, but, instead, are designed to repair, restore, or remodel a given structure or dwelling, even though these activities may incidentally result in a reduction or elimination of lead-based paint hazards. Furthermore, abatement does not include interim controls, operations and maintenance activities, or other measures and activities designed to temporarily, but not permanently, reduce lead-based paint hazards, in the case of dust-lead hazards to below the action levels.

"Accredited Training Program" means a training program that has been accredited by the director pursuant to Section R307-842-1 to provide training for individuals engaged in lead-based paint activities.

"Adequate Quality Control" means a plan or design which ensures the authenticity, integrity, and accuracy of samples, including dust, soil, and paint chip or paint film samples. Adequate quality control also includes provisions for representative sampling.

"Action Levels" are values that indicate the amount of lead in dust on a surface following completion of an abatement activity. To complete abatement when dust sampling is required, values below these levels must be achieved.

"Arithmetic Mean" means the algebraic sum of data values divided by the number of data values such as [~~(e.g.,~~] the sum of the concentration of lead in several soil samples divided by the number of samples[~~)~~].

"Business Day" means Monday through Friday ~~[with the exception of federal and State of Utah]~~ including holidays.

"Certificate of Mailing" means Certificate of Mailing as defined by the United States Postal Service.

"Certified Abatement Worker" means an individual who has been trained by an accredited training program and certified by the director pursuant to Section R307-842-2 to perform abatements.

"Certified Dust Sampling Technician" means an individual who has been trained by an accredited training program and certified by the director pursuant to Subsection R307-841-8(1) and Section R307-842-2 to collect dust samples.

"Certified Firm" means a company, partnership, corporation, sole proprietorship or individual doing business, association, or other business entity; a federal, state, tribal, or local government agency; or a nonprofit organization that performs lead-based paint activities, renovations, or dust sampling to which the director has issued a certificate of approval pursuant to Subsection R307-842-2(5).

"Certified Inspector" means an individual who has been trained by an accredited training program and certified by the director pursuant to Section R307-842-2 to conduct inspections. A certified inspector also samples for the presence of lead in dust and soil for [~~the purposes of~~] abatement-related [~~clearance~~]testing.

"Certified Project Designer" means an individual who has been trained by an accredited training program and certified by the director pursuant to Section R307-842-2 to prepare abatement project designs, occupant protection plans, and abatement reports.

"Certified Renovator" means an individual who has been trained by an accredited training program and certified by the director pursuant to Subsection R307-841-8(1) and Section R307-842-2 to conduct renovations.

"Certified Risk Assessor" means an individual who has been trained by an accredited training program and certified by the director pursuant to Section R307-842-2 to conduct risk assessments. A risk assessor also samples for the presence of lead in dust and soil for [~~the purposes of~~] abatement-related [~~clearance~~] testing.

"Certified Supervisor" means an individual who has been trained by an accredited training program and certified by the director pursuant to Section R307-842-2 to supervise and conduct abatements, and to prepare occupant protection plans and abatement reports.

"Chewable Surface" means an interior or exterior surface painted with lead-based paint that a young child can mouth or chew. A chewable surface is the same as an "accessible surface" as defined in 42 U.S.C. 4851b(2). Hard metal substrates and other materials that can not be dented by the bite of a young child are not considered chewable.

"Child-Occupied Facility" means a building, or portion of a building, constructed [~~prior to~~] before 1978, visited regularly by the same child, under six [~~6~~] years of age, on at least two different days within any week, [~~(~~]Sunday through Saturday [~~period)~~], provided [~~that~~] each day's visit lasts at least three [~~3~~] hours and the combined weekly visits last at least six [~~6~~] hours, and the combined annual visits last at least 60 hours. Child-occupied facilities may include, but are not limited to, day care centers, preschools, and kindergarten classrooms. Child-occupied facilities may be located in target housing or in public or commercial buildings. With respect to common areas in public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only those common areas that are routinely used by children under age six [~~6~~], such as restrooms and cafeterias. Common areas that children under age six [~~6~~] only pass through, such as hallways, stairways, and garages are not included. In addition, with respect to exteriors of public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only the exterior sides of the building that are immediately adjacent to the child-occupied facility or the common areas routinely used by children under age six [~~6~~].

"Cleaning Verification Card" means a card developed and distributed, or otherwise approved, by EPA for [~~the purpose of~~] determining, through comparison of wet and dry disposable cleaning cloths with the card, whether post-renovation cleaning has been properly completed.

~~"Clearance Levels" are values that indicate the amount of lead in dust on a surface following completion of an abatement activity. To achieve clearance when dust sampling is required, values below these levels must be achieved.~~

"Common Area" means a portion of a building that is generally accessible to all occupants. Such an area may include, but is not limited to, hallways, stairways, laundry and recreational rooms, playgrounds, community centers, garages, and boundary fences.

"Common Area Group" means a group of common areas that are similar in design, construction, and function. Common area groups include, but are not limited to hallways, stairways, and laundry rooms.

"Component or Building Component" means specific design or structural elements or fixtures of a building or residential dwelling that are distinguished from each other by form, function, and location. These include, but are not limited to, interior components such as ceilings, crown molding, walls, chair rails, doors, door trim, floors, fireplaces, radiators and other heating units, shelves, shelf supports, stair treads, stair risers, stair stringers, newel posts, railing caps, balustrades, windows and trim, [~~(~~]including sashes, window heads, jambs, sills or stools and troughs[~~)~~], built-in cabinets, columns, beams, bathroom vanities, counter tops, and air conditioners, and exterior components such as painted roofing, chimneys, flashing, gutters and downspouts, ceilings, soffits, fascias, rake boards, cornerboards, bulkheads, doors and door trim, fences, floors, joists, lattice work, railings and railing caps, siding, handrails, stair risers and treads, stair stringers, columns, balustrades, window sills or stools and troughs, casings, sashes and wells, and air conditioners.

"Concentration" means the relative content of a specific substance contained within a larger mass, such as the amount of lead [(]in micrograms per gram or parts per million by weight[)] in a sample of dust or soil.

"Containment" means a process to protect workers and the environment by controlling exposures to the lead-contaminated dust and debris created during an abatement.

"Course Agenda" means an outline of the key topics to be covered during a training course, including the time allotted to teach each topic.

"Course Test" means an evaluation of the overall effectiveness of the training which shall test the trainees' knowledge and retention of the topics covered during the course.

"Course Test Blue Print" means written documentation identifying the proportion of course test questions devoted to each major topic in the course curriculum.

"Deteriorated Paint" means any interior or exterior paint or other coating that is flaking, peeling, chipping, chalking, or cracking, or any other paint or coating located on an interior or exterior surface or fixture that is otherwise damaged or separated from the substrate.

"Discipline" means one of the specific types or categories of lead-based paint activities identified in [~~this rule~~] Rule R307-840 for which individuals may receive training from accredited programs and become certified by the director. Disciplines include Abatement Worker, Dust Sampling Technician, Inspector, Project Designer, Renovator, Risk Assessor, and Supervisor.

"Distinct Painting History" means the application history, as indicated by its visual appearance or a record of application, over time, of paint or other surface coatings to a component or room.

"Documented Methodologies" are methods or protocols used to sample for the presence of lead in paint, dust, and soil.

"Dripline" means the area within three [~~3~~] feet surrounding the perimeter of the building.

"Dry Disposable Cleaning Cloth" means a commercially available dry, electrostatically charged, white disposable cloth designed to be used for cleaning hard surfaces such as uncarpeted floors or counter tops.

"Dust-lead action level (DLAL)" are the values that indicate the amount of lead in dust on a surface following completion of an abatement activity. To complete abatement when dust sampling is required, values below these levels must be achieved. EPA previously used the term "clearance levels" to refer to these levels. Five micrograms per square foot (µg/ft2) for floors, 40 µg/ft2 for window sills, or 100 µg/ft2 for troughs.

"Dust-lead hazard" means:

(1) Before January 12, 2026, a dust-lead hazard is surface dust in a residential dwelling or child-occupied facility that contains a mass-per-area concentration of lead equal to or exceeding 10 µg/ft^2 [~~on~~] for floors or 100 µg/ft^2 [~~on~~] for interior window sills based on wipe samples.

(2) On or after January 12, 2026, a dust-lead hazard is surface dust in a residential dwelling or child-occupied facility that contains a mass-per-area concentration of any reportable level of lead for floors or for interior window sills based on wipe samples analyzed by an NLLAP-recognized laboratory.

"Dust-lead reportable level (DLRL)" means the lowest analyte concentration or amount that does not contain a "less than" qualifier and that is reported with confidence for a specific method by a laboratory recognized by EPA under TSCA Section 405(b).

"Elevated Blood Lead Level (EBL)" means an excessive absorption of lead that is a confirmed concentration of lead in whole blood of ≥3.5 micrograms of lead per deciliter of whole blood (ug/dl) for a single venous blood test or two capillary blood tests drawn within 12 weeks of each other.

"Emergency Renovation Operations" means renovation activities, such as operations necessitated by non-routine failures of equipment, that were not planned but result from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, or threatens equipment [~~and/~~]or property with significant damage.

"Encapsulant" means a substance that forms a barrier between lead-based paint and the environment using a liquid-applied coating, [(]with or without reinforcement materials,[)] or an adhesively bonded covering material.

"Encapsulation" means the application of an encapsulant.

"Enclosure" means the use of rigid, durable construction materials that are mechanically fastened to the substrate [~~in order~~] to act as a barrier between lead-based paint and the environment.

"EPA" means the United States Environmental Protection Agency.

"Friction Surface" means an interior or exterior surface that is subject to abrasion or friction, including, but not limited to, certain window, floor, and stair surfaces.

"Guest Instructor" means an individual designated by the training program manager or principal instructor to provide instruction specific to the lecture, hands-on activities, or work practice components of a course.

"Hands-On Skills Assessment" means an evaluation which tests the trainees' ability to satisfactorily perform the work practices and procedures identified in Subsection R307-842-1(4), as well as any other skill taught in a training course.

"Hazardous Waste" means any waste as defined in 40 Code of Federal Regulations (CFR) 261.3.

"HEPA Vacuum" means a vacuum cleaner which has been designed with a high-efficiency particulate air (HEPA) filter as the last filtration stage. A HEPA filter is a filter that is capable of capturing particulates of 0.3 microns with 99.97% efficiency. The vacuum cleaner must be designed so that all the air drawn into the machine is expelled through the HEPA filter with none of the air leaking past it. HEPA vacuums must be operated and maintained in accordance with the manufacturer's instructions.

"Housing for the Elderly" means retirement communities or similar types of housing reserved for households composed of one or more persons 62 years of age or more at the time of initial occupancy.

"HUD" means the United States Department of Housing and Urban Development.

"Impact Surface" means an interior or exterior surface that is subject to damage by repeated sudden force such as certain parts of door frames, a door knob that knocks into a wall, or a door that knocks against its door frame.

"Inspection" means a surface-by-surface investigation to determine the presence of lead-based paint and the provision of a report explaining the results of the investigation.

"Interim Certification" means the status of an individual who has successfully completed the appropriate training course in a discipline from an accredited training program, as defined by Section R307-840-2 [~~this section~~], but has not yet received formal certification in that discipline from the director pursuant to Section R307-842-2. Interim certification expires six [~~6~~] months after the completion of the training course, and is equivalent to a certificate for the [~~6~~]six-month period.

"Interim Controls" means a set of measures designed to temporarily reduce human exposure or likely exposure to lead-based paint hazards, including specialized cleaning, repairs, maintenance, painting, temporary containment, ongoing monitoring of lead-based paint hazards or potential hazards, and the establishment and operation of management and resident education programs.

"Interior Window Sill" means the portion of the horizontal window ledge that protrudes into the interior of the room.

"Lead-Based Paint" means paint or other surface coatings that contain lead equal to or in excess of 1.0 milligrams per square centimeter or more than 0.5% by weight.

"Lead-Based Paint Activities" means, in the case of target housing and child-occupied facilities, inspection, risk assessment, and abatement.

"Lead-Based Paint Activities Courses" means initial and refresher training courses for a [~~(~~]worker, supervisor, inspector, risk assessor, or project designer[~~)~~] provided by accredited training programs.

"Lead-Based Paint Hazard" means, for [~~the purposes of~~] lead-based paint activities, any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, or lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects as identified by the Administrator of the

EPA pursuant to TSCA Section 403, and for [~~the purposes of~~] renovation, means hazardous lead-based paint, dust-lead hazard, or soil-lead hazard as identified in Section R307-840-2.

"Lead-Hazard Screen" means a limited risk assessment activity that involves limited paint and dust sampling as described in Subsection R307-842-3(3).

"Living Area" means any area of a residential dwelling used by one or more children under age six [~~6 and under~~], including, but not limited to, living rooms, kitchen areas, dens, play rooms, and children's bedrooms.

"Loading" means the quantity of a specific substance present per unit of surface area, such as the amount of lead in micrograms contained in the dust collected from a certain surface area divided by the surface area in square feet or square meters.

"Local Government" means a county, city, town, borough, parish, district, association, or other public body, [~~(~~]including an agency, which comprises [~~comprised of~~] two or more of the foregoing entities,[~~)~~] created under state law.

"Mid-Yard" means an area of a residential yard approximately midway between the dripline of a residential building and the nearest property boundary or between the driplines of a residential building and another building on the same property.

"Minor Repair and Maintenance Activities" are activities, including minor heating, ventilation, or air conditioning work, electrical work, and plumbing, that disrupt six [~~6~~] square feet or less of painted surface per room for interior activities or 20 square feet or less of painted surface for exterior activities where none of the work practices prohibited or restricted by Subsection R307-841-5(1)(c) are used and where the work does not involve window replacement or demolition of painted surface areas. When removing painted components, or portions of painted components, the entire surface area removed is the amount of painted surface disturbed. Jobs, other than emergency renovations, performed in the same room within the same 30 days must be considered the same job for [~~the purpose of~~] determining whether the job is a minor repair and maintenance activity.

"Multi-Family Dwelling" means a structure that contains more than one separate residential dwelling unit which is used or occupied, or intended to be used or occupied, in whole or in part, as the home or residence of one or more persons.

"Multi-Family Housing" means a housing property consisting of more than four dwelling units.

"Nonprofit" means an entity which has demonstrated to any branch of the federal government or to a state, municipal, tribal or territorial government, that no part of its net earnings inure to the benefit of any private shareholder or individual.

"Owner" means any entity that has legal title to target housing, including, but not limited to individuals, partnerships, corporations, trusts, government agencies, housing agencies, Indian tribes, and nonprofit organizations, except where a mortgagee holds legal title to property serving as collateral for a mortgage loan, in which case the owner would be the mortgagor.

"Paint In Poor Condition" means more than ten [~~10~~] square feet of deteriorated paint on exterior components with large surface areas, or more than two [~~2~~] square feet of deteriorated paint on interior components with large surface areas such as [~~(e.g.,~~] walls, ceilings, floors, or doors[~~)~~], or more than 10% of the total surface area of the component is deteriorated on interior or exterior components with small surface areas such as [~~(~~]window sills, baseboards, soffits, or trim[~~)~~].

"Paint-lead hazard" means any of the following:

(a) Any lead-based paint on a friction surface that is subject to abrasion and where the lead dust levels on the nearest horizontal surface underneath the friction surface, such as [~~(e.g.,~~]the window sill or floor,[~~)~~] are equal to or greater than the dust-lead [~~hazard~~] action levels identified in the definition of "Dust-lead [~~hazard~~] action level".

(b) Any damaged or otherwise deteriorated lead-based paint on an impact surface that is caused by impact from a related building component [~~(~~]such as a door knob that knocks into a wall or a door that knocks against its door frame[~~)~~].

(c) Any chewable lead-based painted surface on which there is evidence of teeth marks.

(d) Any other deteriorated lead-based paint in any residential building or child-occupied facility or on the exterior of any residential building or child-occupied facility.

"Painted surface" means a component surface covered in whole or in part with paint or other surface coatings.

"Pamphlet" means the EPA pamphlet titled "Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools" developed under Section 406(a) of TSCA for use in complying with [~~s~~]Section 406(b) of TSCA. This includes reproductions of the pamphlet when copied in full and without revision or deletion of material from the pamphlet [~~(~~]except for the addition or revision of state or local sources of information[~~)~~].

"Permanently Covered Soil" means soil which has been separated from human contact by the placement of a barrier consisting of solid, relatively impermeable materials, such as pavement or concrete. Grass, mulch, and other landscaping materials are not considered permanent covering.

"Person" means any natural or judicial person including any individual, corporation, partnership, or association, any Indian tribe, state, or political subdivision thereof, any interstate body, and any department, agency, or instrumentality of the federal government.

"Play Area" means an area of frequent soil contact by children of less than six [~~6~~] years of age as indicated by, but not limited to, such factors including the presence of play equipment such as [~~(e.g.,~~]sandboxes, swing sets, and sliding boards[~~)~~], toys, or other children's possessions, observations of play patterns, or information provided by parents, residents, care givers, or property owners.

"Principal Instructor" means the individual who has the primary responsibility for organizing and teaching a particular course.

"Recognized Laboratory" means an environmental laboratory recognized by EPA pursuant to TSCA Section 405(b) as being capable of performing an analysis for lead compounds in paint, soil, and dust.

"Recognized Test Kit" means a commercially available kit recognized by EPA under 40 CFR 745.88 as being capable of allowing a user to determine the presence of lead at levels equal to or in excess of 1.0 milligrams per square centimeter, or more than 0.5% lead by weight, in a paint chip, paint powder, or painted surface.

"Reduction" means measures designed to reduce or eliminate human exposure to lead-based paint hazards through methods including interim controls and abatement.

"Renovation" means the modification of an existing structure, or portion thereof, that results in the disturbance of painted surfaces, unless that activity is performed as part of an abatement as defined by Section R307-840-2. The term renovation includes, but is not limited to, the removal, modification, or repair of painted surfaces or painted components including [~~(e.g.,~~] modification of painted doors, surface restoration, window repair, surface preparation activity, [~~(~~]such as sanding, scraping, or other such activities that may generate paint dust[~~))~~], the removal of building components including [~~(e.g.,~~] walls, ceilings, plumbing, or windows[~~)~~], weatherization projects including [~~(e.g.,~~] cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, planing thresholds to install weather-stripping[~~)~~], and interim controls that disturb painted surfaces. A renovation performed [~~for the purpose of~~] if converting a building, or part of a building, into target housing or a child-occupied facility is a renovation under [~~this rule~~] Rule R307-840. The term renovation does not include minor repair and maintenance activities.

"Renovator" means an individual who either performs or directs workers who perform renovations.

"Residential Building" means a building containing one or more residential dwellings.

"Residential Dwelling" means: [~~(1) a detached single family dwelling unit, including attached structures such as porches and stoops; or (2) a single family dwelling unit in a structure that contains more than one separate residential dwelling unit, which is used or occupied, or intended to be used or occupied, in whole or in part, as the home or residence of one or more persons.~~]

(1) a detached single family dwelling unit, including attached structures such as porches and stoops; or

(2) a single family dwelling unit in a structure that contains more than one separate residential dwelling unit, which is used or occupied, or intended to be used or occupied, in whole or in part, as the home or residence of one or more persons.

"Risk Assessment" means: [~~(1) an on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards, and (2) the provision of a report by the individual or firm conducting the risk assessment, explaining the results of the investigation and options for reducing lead-based paint hazards.~~]

(1) an on-site investigation to determine the existence, nature, severity, and location of lead-based paint hazards; and (2) the provision of a report by the individual or firm conducting the risk assessment, explaining the results of the investigation and options for reducing lead-based paint hazards.

"Room" means a separate part of the inside of a building, such as a bedroom, living room, dining room, kitchen, bathroom, laundry room, or utility room. To be considered a separate room, the room must be separated from adjoining rooms by built-in walls or archways that extend at least six [~~6~~] inches from an intersecting wall. Half walls or bookcases count as room separators if built-in. Movable or collapsible partitions or partitions consisting solely of shelves or cabinets are not considered built-in walls. A screened in porch that is used as a living area is a room.

"Soil Sample" means a sample collected in a representative location using ASTM E1727, "Standard Practice for Field Collection of Soil Samples for Lead Determination by Atomic Spectrometry Techniques," or equivalent method.

"Soil-lead hazard" means bare soil on residential real property or on the property of a child-occupied facility that contains total lead equal to or exceeding 400 parts per million (ug/g) in a play area or average 1,200 parts per million of bare soil in the rest of the yard based on soil samples.

"Start Date" means the first day of any lead-based paint activities training course or lead-based paint abatement activity.

"Start Date Provided to the director" means the start date included in the original notification or the most recent start date provided to the director in an updated notification.

"State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Canal Zone, American Samoa, the Northern Mariana Islands, or any other territory or possession of the United States.

"Target housing" means any housing constructed [~~prior to~~] before 1978, except housing for the elderly or persons with disabilities or any zero-bedroom dwelling, [~~(~~]unless any [~~one or more~~] child[~~ren~~] who is less than [~~age~~] six [~~6~~] years of age [~~or under~~] resides or is expected to reside in such housing [~~for the elderly or persons with disabilities) or any 0-bedroom dwelling~~].

"Training curriculum" means an established set of course topics for instruction in an accredited training program for a particular discipline designed to provide specialized knowledge and skills.

"Training Hour" means at least 50 minutes of actual learning, including, but not limited to, time devoted to lecture, learning activities, small group activities, demonstrations, evaluations, and hands-on experience.

"TSCA" means the Toxic Substances Control Act, 15 U.S.C. 2601.

"Training Manager" means the individual responsible for administering a training program and monitoring the performance of principal instructors and guest instructors.

"Training Provider" means any organization or entity accredited under Section R307-842-1 to offer lead-based paint activities, renovator, or dust sampling technician courses.

"Vertical containment" means a vertical barrier consisting of plastic sheeting or other impermeable material over scaffolding or a rigid frame, or an equivalent system of containing the work area. Vertical containment is required for some exterior renovations but it may be used on any renovation.

"Visual Inspection for [~~Clearance~~] Abatement-related Testing" means the visual examination of a residential dwelling or a child-occupied facility following abatement to determine whether or not the abatement has been successfully completed.

"Visual Inspection for Risk Assessment" means the visual examination of a residential dwelling or a child-occupied facility to determine the existence of deteriorated lead-based paint or other potential sources of lead-based paint hazards.

"Weighted Arithmetic Mean" means the arithmetic mean of sample results weighted by the number of subsamples in each sample. Its purpose is to give influence to a sample relative to the surface area it represents. A single surface sample comprises [~~is comprised of~~] a single subsample. A composite sample may contain from two to four subsamples of the same area as each other and of each single surface sample in the composite. The weighted arithmetic mean is obtained by summing, for all samples, the product of the sample's result multiplied by the number of subsamples in the sample, and dividing the sum by the total number of subsamples contained in all samples. For example, the weighted arithmetic mean of a single surface sample containing 60 ug/ft2, a composite sample of [~~(3~~] three subsamples[~~)~~] containing 100 ug/ft2, and a composite sample of [~~(4~~] four subsamples[~~)~~] containing 110 ug/ft2 is 100 ug/ft2. This result is based on the equation (60+(3*100)+(4*110))/(1+3+4).

"Wet Disposable Cleaning Cloth" means a commercially available, pre-moistened white disposable cloth designed to be used for cleaning hard surfaces such as uncarpeted floors or counter tops.

"Wet Mopping System" means a device with the following characteristics: A long handle, a mop head designed to be used with disposable absorbent cleaning pads, a reservoir for cleaning solution, and a built-in mechanism for distributing or spraying the cleaning solution onto a floor, or a method of equivalent efficacy.

"Window Trough" means, for a typical double-hung window, the portion of the exterior window sill between the interior window sill [~~(~~]or stool[~~)~~] and the frame of the storm window. If there is no storm window, the window trough is the area that receives both the upper and lower window sashes when they are both lowered. The window trough is sometimes referred to as the window "well."

"Wipe Sample" means a sample collected by wiping a representative surface of known area, as determined by ASTM E1728/E1728M-20 pursuant to 40 CFR 745.67, [~~"Standard Practice for Field Collection of Settled Dust Samples Using Wipe Sampling Methods for Lead Determination by Atomic Spectrometry Techniques",~~] or equivalent method, with an acceptable wipe material as defined in ASTM E1792-20 pursuant to 40 CFR 745.67. [~~, "Standard Specification for Wipe Sampling Materials for Lead in Surface Dust."~~]

"Work Area" means the area that the certified renovator establishes to contain the dust and debris generated by a renovation.

"[~~0~~]Zero-Bedroom Dwelling" means any residential dwelling in which the living area is not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory housing, military barracks, and rentals of individual rooms in residential dwellings.

KEY: definitions, paint, lead-based paint
Date of Last Change: [~~September 1, 2021~~] 2026
Notice of Continuation: November 1, 2023
Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(i)

NOTICE OF SUBSTANTIVE CHANGE	
TYPE OF FILING: Amendment	**Filing ID: 58104**
Rule or section number:	**R307-841**

1. Agency Information

Title catchline:	Environmental Quality, Air Quality
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state and zip:	Salt Lake City, UT 84114-4820

2. Contact Persons

Name:	Phone:	Email:
Tamie Call	385-227-1055	twcall@utah.gov
Leonard Wright	801-707-8032	leonardwright@utah.gov
Jazmine Lopez	801-536-4050	jazminelopez@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:

R307-841. Residential Property and Child-Occupied Facility Renovation.

B. Purpose of the new rule or reason for the change:

The Division of Air Quality is updating Rule R307-841 to align with the new federal definitions and standards found in 40 Code of Federal Regulations (CFR) Part 745.

C. Summary of the new rule or change:

In October 2024, the Environmental Protection Agency (EPA) finalized stronger requirements for how to identify and clean up lead-based paint hazards in pre-1978 homes and childcare facilities.

The final rule reduced the level of lead in dust that is considered hazardous from ten micrograms per square foot (µg/ft2) on floors and 100 µg/ft2 on window sills to any reportable level as analyzed by a laboratory recognized by EPA's National Lead Laboratory Accreditation Program. This change is being made because there is no level of lead in blood that is safe for children.

The rule also lowered the amount of lead that can remain in dust on floors, window sills, and window troughs after a lead paint abatement occurs from:
1. 10 µg/ft2 to 5 µg/ft2 for floors,
2. 100 µg/ft2 to 40 µg/ft2 for window sills, and
3. 400 µg/ft2 to 100 µg/ft2 for window troughs.

EPA also finalized changes to adopt the terms "Dust-lead Reportable Levels" and "Dust-lead Action Levels", as well as several other amendments, including revisions to both the definition of "Target Housing" and the definition of "Abatement" which now provides that EPA will recommend an abatement when dust-lead loadings are at or above the dust-lead action levels.

The state of Utah is required to adopt the federal standards by 2027.

Changes are also being made to bring Rule R307-841 into compliance with the Rulewriting Manual for Utah and Executive Order No. 2021-12.

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

This is a standard change to lower the allowable amount of lead after abatement projects to meet the new EPA dust-lead action levels. This change should have no effect on the state budget because it will not implement any new state requirements beyond what is federally required.

B. Local governments:
This is a standard change to lower the allowable amount of lead after abatement projects to meet the new EPA dust-lead action levels. This change should have no effect on local governments because it will not implement any new local government requirements beyond what is federally required.
C. Small businesses ("small business" means a business employing 1-49 persons)**:**
Small businesses will have to be more thorough with post-abatement cleaning to meet new dust-lead clearance levels. This could lead to slightly longer cleanup times and the increase of cleaning product use. It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, the amount of disturbed lead, or the ease of vacuuming, mopping, or wiping up the renovated area.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons)**:**
A certified lead-based paint renovator company may incur additional costs at a job site since the allowable levels of lead in dust has been decreased. This could lead to slightly longer cleanup times and the increase of cleaning product use. It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, the amount of disturbed lead, or the ease of vacuuming, mopping, or wiping up the renovated area.
E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an ***agency***)**:**
Incremental costs can be incurred for specialized cleaning used to reduce dust-lead loadings (i.e., quantity of lead per unit of surface area) to below the action levels. In some instances, floors may have to be sealed, overlaid, or replaced, or window sills sealed or repainted. Additional costs may result from the retesting of lead dust levels. Because of the lower laboratory reporting limits necessary for testing lead dust levels under this rule, incremental laboratory test costs are likely to increase. It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, and the amount of disturbed lead in the renovated area.
F. Compliance costs for affected persons:
Incremental costs can be incurred for specialized cleaning used to reduce dust-lead loadings (i.e., quantity of lead per unit of surface area) to below the action levels. In some instances, floors may have to be sealed, overlaid, or replaced, or window sills sealed or repainted. Additional costs may result from the retesting of lead dust levels. Because of the lower laboratory reporting limits necessary for testing lead dust levels under this rule, incremental laboratory test costs are likely to increase. It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, the amount of disturbed lead, or the ease of vacuuming, mopping, or wiping up the renovated area.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Other Persons	inestimable	inestimable	inestimable	inestimable	inestimable
Total Fiscal Cost	**inestimable**	**inestimable**	**inestimable**	**inestimable**	**inestimable**

Fiscal Benefits	FY2027	FY2028	FY2029	FY2030	FY2031
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Other Persons	inestimable	inestimable	inestimable	inestimable	inestimable
Total Fiscal Benefits	**inestimable**	**inestimable**	**inestimable**	**inestimable**	**inestimable**
Net Fiscal Benefits	**inestimable**	**inestimable**	**inestimable**	**inestimable**	**inestimable**

7. Regulatory Impact Analysis Approval

The Commissioner of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:	☒

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 19-2-104(1)(i)	40 CFR 745	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	08/14/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.)**:**

Date:	**Time** (hh:mm AM/PM)**:**	**Place** (physical address or URL)**:**
08/07/2026	10:00 AM - 11:00 AM	A public hearing is set for 08/07/2026. Further details may be found below. The hearing will be cancelled should no request for one be made by 08/05/2026, at 10 AM MST. The final status of the public hearing will be posted on 08/05/2026, after 10 AM MST. The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment Interested persons can participate in person or electronically, via the internet. In Person: MASOB 195 N 1950 W Salt Lake City, UT First Floor, Air Quality Board Room Virtual Attendance: Time zone: America/Denver Google Meet joining info: Video call link: https://meet.google.com/rho-fjjo-oct Or dial: (US) +1 401-830-3669 PIN: 913 658 639#

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	10/07/2026

13. Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	**Date:**	06/12/2026

R307. Environmental Quality, Air Quality.
R307-841. Residential Property and Child-Occupied Facility Renovation.
R307-841-1. Purpose.

This rule implements 40 Code of Federal Regulations (CFR) 745, regulations developed under Sections 402 and 406 of the Toxic Substances Control Act, [(]15 U.S.C. 2682 and 2686,[)] and applies to all renovations performed for compensation in target housing and child-occupied facilities. The purpose of this rule is to ensure the following:

(1) Owners and occupants of target housing and child-occupied facilities receive information on lead-based paint hazards before these renovations begin; and

(2) Individuals performing renovations regulated in accordance with Section R307-841-3 are properly trained; renovators and firms performing these renovations are certified; and the work practices in Section R307-841-5 are followed during these renovations.

R307-841-2. Effective Dates.

(1) Training, certification and accreditation requirements, and work practice standards. The training, certification and accreditation requirements and work practice standards in this rule are applicable as follows:

(a) Training programs. Effective April 8, 2010, no training program may provide, offer, or claim to provide training or refresher training for director certification as a renovator or a dust sampling technician without accreditation from the director under Section R307-842-1. Training programs may apply for accreditation under Section R307-842-1;

(b) Firms.

(i) Firms may apply for certification under Section R307-841-7 beginning April 8, 2010.

(ii) On or after April 8, 2010, no firm may perform, offer, or claim to perform renovations without certification from the director under Section R307-841-7 in target housing or child-occupied facilities, unless the renovation qualifies as one of the exceptions identified in Subsection R307-841-3(1).

(c) Individuals. On or after April 8, 2010, all renovations must be directed by renovators certified in accordance with Subsection R307-841-8(1) and performed by certified renovators or individuals trained in accordance with Subsection R307-841-8(2)(b) in target housing or child-occupied facilities, unless the renovation qualifies for one of the exceptions identified in Subsection R307-841-3(1).

(d) Work practices. On or after July 5, 2012, renovations must be performed in accordance with the work practice standards in Section R307-841-5 and the associated recordkeeping requirements in Subsections R307-841-6(2)(a) and R307-841(2)(f) in target housing or child-occupied facilities, unless the renovation qualifies for the exception identified in Subsection R307-841-3(1).

[~~(i) On or after April 8, 2010 and before July 5, 2012, all renovations must be performed in accordance with the work practice standards in R307-841-5 and the associated recordkeeping requirements in R307-841-6(2)(a) and (2)(f) in target housing or child-occupied facilities, unless the renovation qualifies for the exceptions identified in R307-841-3(1). This does not apply to renovations in target housing for which the firm performing the renovation has obtained a statement signed by the owner that the renovation will occur in the owner's residence, no child under age six resides there, the housing is not a child-occupied facility, and the owner acknowledges that the work practices to be used during the renovation will not necessarily include all of the lead-safe work practices contained in EPA's renovation, repair, and painting rule. For the purposes of this section, a child resides in the primary residence of his or her custodial parents, legal guardians, and foster parents. A child also resides in the primary residence of an informal caretaker if the child lives and sleeps most of the time at the caretaker's residence.~~]

[~~(ii) On or after July 5, 2012, all renovations must be performed in accordance with the work practice standards in R307-841-5 and the associated recordkeeping requirements in R307-841-6(2)(a) and(2)(f) in target housing or child-occupied facilities, unless the renovation qualifies for the exception identified in R307-841-3(1).~~]

(2) Renovation-specific pamphlet. Renovators or firms performing renovations must provide owners and occupants with "Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools."

R307-841-3. Applicability.

(1) This rule applies to all renovations performed for compensation in target housing and child-occupied facilities, except for the following:

(a) Renovations in target housing or child-occupied facilities in which a written determination has been made by an inspector or risk assessor, certified pursuant to Section R307-842-2, that the components affected by the renovation are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligrams/per square centimeter (mg/cm^2) or 0.5% by weight, where the firm performing the renovation has obtained a copy of the determination; or

(b) Renovations in target housing or child-occupied facilities in which a certified renovator, using an EPA-recognized test kit as defined in Section R307-840-2 and following the kit manufacturer's instructions, has tested each component affected by the renovation and determined that the components are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 mg/cm^2 or 0.5% by weight. If the components make up an integrated whole, such as the individual stair treads and risers of a single staircase, the renovator is required to test only one of the individual components, unless the individual components appear to have been repainted or refinished separately.

(c) Renovations in target housing or child-occupied facilities in which a certified renovator has collected a paint chip sample from each painted component affected by the renovation and a laboratory recognized by EPA pursuant to [~~s~~]Section 405(b) of TSCA as being capable of performing analyses for lead compounds in paint chip samples has determined that the samples are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 mg/cm^2 or 0.5% by weight. If the components make up an integrated whole, such as the individual stair treads and risers of a single staircase, the renovator is required to test only one of the individual components, unless the individual components appear to have been repainted or refinished separately.

(2) The information distribution requirements in Section R307-841-4 do not apply to emergency renovations, which are renovation activities that were not planned but result from a sudden, unexpected event [~~(~~]such as non-routine failures of equipment[~~)~~] that, if not immediately attended to, presents a safety or public health hazard, or threatens equipment [~~and/~~]or property with significant damage. Interim controls performed in response to an elevated blood lead level in a resident child are also emergency renovations. Emergency renovations other than interim controls are also exempt from the warning sign, containment, waste handling, training, and certification requirements in Sections R307-841-5, R307-841-7, and R307-841-8 to the extent necessary to respond to the emergency. Emergency renovations are not exempt from the cleaning requirements of Subsection R307-841-5(1)(e) which must be performed by certified renovators or individuals trained in accordance with Subsection R307-841-8(2)(b), the cleaning verification requirements of Subsection R307-841-5(2), which must be performed by certified renovators, and the recordkeeping requirements of Subsections R307-841-6(2)(e) and R307-841-6(2)(f).

R307-841-4. Information Distribution Requirements.

(1) Renovations in dwelling units. No more than 60 days before beginning renovation activities in any residential dwelling unit of target housing, the firm performing the renovation must:

(a) Provide the owner of the unit with the pamphlet, and comply with one of the following:

(i) Obtain, from the owner, a written acknowledgment that the owner has received the pamphlet; or

(ii) Obtain a certificate of mailing at least seven [~~7~~] days [~~prior to~~] before the renovation; and

(b) If the owner does not occupy the dwelling unit, provide an adult occupant of the unit with the pamphlet, and comply with one of the following:

(i) Obtain, from the adult occupant, a written acknowledgment that the occupant has received the pamphlet, or certify in writing that a pamphlet has been delivered to the dwelling and that the firm performing the renovation has been unsuccessful in obtaining a written acknowledgment from an adult

occupant. Such certification must include the address of the unit undergoing renovation, the date and method of delivery of the pamphlet, names of the persons delivering the pamphlet, reason for lack of acknowledgment such as [(e.g.,] occupant refuses to sign[,] or no adult occupant available[)], the signature of a representative of the firm performing the renovation, and the date of signature; or

(ii) Obtain a certificate of mailing at least seven [7] days [prior to] before the renovation.

(2) Renovations in common areas. No more than 60 days before beginning renovation activities in common areas of multi-unit target housing, the firm performing the renovation must:

(a) Provide the owner with the pamphlet, and comply with one of the following:

(i) Obtain, from the owner, a written acknowledgment that the owner has received the pamphlet; or

(ii) Obtain a certificate of mailing at least seven [7] days [prior to] before the renovation;

(b) Comply with one of the following:

(i) Notify in writing, or ensure written notification of, each affected unit and make the pamphlet available upon request [prior to] before the start of renovation. Such notification shall be accomplished by distributing written notice to each affected unit. The notice shall describe the general nature and locations of the planned renovation activities, the expected starting and ending dates, and a statement of how the occupant can obtain the pamphlet and a copy of the records required by Subsections R307-841-6(3) and R307-841-6(6)[(4)] at no cost to the occupants; or

(ii) While the renovation is ongoing, post informational signs describing the general nature and locations of the renovation and the anticipated completion date. These signs must be posted in areas where they are likely to be seen by the occupants of all [of] the affected units. The signs must be accompanied by a posted copy of the pamphlet or information on how interested occupants can review a copy of the pamphlet or obtain a copy from the renovation firm at no cost to occupants. The signs must also include information on how interested occupants can review a copy of the records required by Subsections R307-841-6(3) and R307-841-6(6)[(4)] or obtain a copy from the renovation firm at no cost to the occupants;

(c) Prepare, sign, and date a statement describing the steps performed to notify all occupants of the intended renovation activities and to provide the pamphlet; and

(d) If the scope, locations, or expected starting and ending dates of the planned renovation activities change after the initial notification, and the firm provided written initial notification to each affected unit, the firm performing the renovation must provide further written notification to the owners and occupants providing revised information on the ongoing or planned activities. This subsequent notification must be provided before the firm performing the renovation initiates work beyond that which was described in the original notice.

(3) Renovations in child-occupied facilities. No more than 60 days before beginning renovation activities in any child-occupied facility, the firm performing the renovation must:

(a)[(i)] Provide the owner of the building with the pamphlet, and comply with one of the following:

[(A)](i) Obtain, from the owner, a written acknowledgment that the owner has received the pamphlet; or

[(B)](ii) Obtain a certificate of mailing at least seven [7] days [prior to] before the renovation;

[(ii)](b) If the adult representative of the child-occupied facility is not the owner of the building, provide an adult representative of the child-occupied facility with the pamphlet, and comply with one of the following:

[(A)](i) Obtain, from the adult representative, a written acknowledgment that the adult representative has received the pamphlet, or certify in writing that a pamphlet has been delivered to the facility and that the firm performing the renovation has been unsuccessful in obtaining a written acknowledgment from an adult representative. Such certification must include the address of the child-occupied facility undergoing renovation, the date and method of delivery of the pamphlet, names of the persons delivering the pamphlet, reason for lack of acknowledgment such as [(e.g.,] representative refuses to sign[)], the signature of a representative of the firm performing the renovation, and the date of signature; or

[~~(B)~~](ii) Obtain a certificate of mailing at least seven [~~7~~] days [~~prior to~~] before the renovation;

[~~(b)~~](c) Provide the parents and guardians of children using the child-occupied facility with the pamphlet and information describing the general nature and locations of the renovation and the anticipated completion date and information on how interested parents or guardians of children frequenting the child-occupied facility can review a copy of the records required by Subsections R307-841-6(3) and R307-841-6(6)[~~(4)~~] or obtain a copy from the renovation firm at no cost to the parents or guardians by complying with one of the following:

(i) Mail, electronically-deliver, or hand-deliver the pamphlet and the renovation information to each parent or guardian of a child using the child-occupied facility; or

(ii) While the renovation is ongoing, post informational signs describing the general nature and locations of the renovation and the anticipated completion date. These signs must be posted in areas where they can be seen by the parents or guardians of the children frequenting the child-occupied facility. The signs must be accompanied by a posted copy of the pamphlet or information on how interested parents or guardians of children frequenting the child-occupied facility can review a copy of the pamphlet or obtain a copy from the renovation firm at no cost to the parents or guardians. The signs must also include information on how interested parents or guardians of children frequenting the child-occupied facility can review a copy of the records required by Subsections R307-841-6(3) and R307-841-6(6)[~~(4)~~] or obtain a copy from the renovation firm at no cost to the parents or guardians.

[~~(c)~~](d) The renovation firm must prepare, sign, and date a statement describing the steps performed to notify all parents and guardians of the intended renovation activities and to provide the pamphlet.

(4) Written acknowledgment. The written acknowledgments required by[~~ paragraphs~~] Subsections R307-841-4(1)(a)(i), R307-841-4(1)(b)(i), R307-841-4(2)(a)(i), R307-841-4(3)(a)(i)[~~(A)~~], and R307-841-4(3)[~~(a)(ii)(A)~~](b)(i) [~~of this section~~] must:

(a) Include a statement recording the owner or occupant's name and acknowledging receipt of the pamphlet [~~prior to~~] before the start of renovation, the address of the unit undergoing renovation, the signature of the owner or occupant as applicable, and the date of signature;

(b) Be either a separate sheet or part of any written contract or service agreement for the renovation; and

(c) Be written in the same language as the text of the contract or agreement for the renovation or, in the case of non-owner occupied target housing, in the same language as the lease or rental agreement or the pamphlet.

R307-841-5. Work Practice Standards.

(1) Standards for renovation activities. Renovations must be performed by firms certified under Section R307-841-7 using renovators certified under Section R307-841-8. The responsibilities of certified firms are set forth in Subsection R307-841-7(4) and the responsibilities of certified renovators are set forth in Subsection R307-841-8(2).

(a) Occupant protection. Firms must post signs clearly defining the work area and warning occupants and other persons not involved in renovation activities to remain outside of the work area. To the extent practicable, these signs must be in the primary language of the occupants. These signs must be posted before beginning the renovation, must remain in place, and must be readable until the renovation and the post-renovation cleaning verification have been completed. If warning signs have been posted in accordance with 24 CFR 35.1345(b)(2) or 29 CFR 1926.62(m), additional signs are not required by this section.

(b) Containing the work area. Before beginning the renovation, the firm must isolate the work area so that no dust or debris leaves the work area while the renovation is being performed. In addition, the firm must maintain the integrity of the containment by ensuring that any plastic or other impermeable materials are not torn or displaced, and taking any other steps necessary to ensure that no dust or debris leaves the work area while the renovation is being performed. The firm must also ensure that containment is installed in such a manner that it does not interfere with occupant and worker egress in an emergency.

(i) Interior renovations. The firm must:

(A) Remove all objects from the work area, including furniture, rugs, and window coverings, or cover them with plastic sheeting or other impermeable material with all seams and edges taped or otherwise sealed;

(B) Close and cover all duct openings in the work area with taped-down plastic sheeting or other impermeable material;

(C) Close windows and doors in the work area. Doors must be covered with plastic sheeting or other impermeable material. Doors used as an entrance to the work area must be covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area;

(D) Cover the floor surface, including installed carpet, with taped-down plastic sheeting or other impermeable material in the work area six [~~6~~] feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to contain the dust, whichever is greater. Floor containment measures may stop at the edge of the vertical barrier when using a vertical containment system consisting of impermeable barriers that extend from the floor to the ceiling and are tightly sealed at joints with the floor, ceiling, and walls; and

(E) Use precautions to ensure that all personnel, tools, and other items, including the exterior of containers of waste, are free of dust and debris before leaving the work area.

(ii) Exterior renovations. The firm must:

(A) Close all doors and windows within 20 feet of the renovation. On multi-story buildings, close all doors and windows within 20 feet of the renovation on the same floor as the renovation, and close all doors and windows on all floors below that are the same horizontal distance from the renovation;

(B) Ensure that doors within the work area that will be used while the job is being performed are covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area;

(C) Cover the ground with plastic sheeting or other disposable impermeable material extending [~~10~~] ten feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to collect falling paint debris, whichever is greater, unless the property line prevents [~~10~~] ten feet of such ground covering. Ground containment measures may stop at the edge of the vertical barrier when using a vertical containment system; and

(D) If the renovation will affect surfaces within [~~10~~] ten feet of the property line, the renovation firm must erect vertical containment or equivalent extra precautions in containing the work area to ensure that dust and debris from the renovation does not contaminate adjacent buildings or migrate to adjacent properties. Vertical containment or equivalent extra precautions in containing the work area may also be necessary in other situations [~~in order~~] to prevent contamination of other buildings, other areas of the property, or adjacent buildings or properties.

(c) Prohibited and restricted practices. The work practices listed [~~below~~] are prohibited or restricted during a renovation as follows:

(i) Open-flame burning or torching of painted surfaces is prohibited;

(ii) The use of machines designed to remove paint or other surface coatings through high speed operation such as sanding, grinding, power planning, needle gun, abrasive blasting, or sandblasting, is prohibited on painted surfaces unless such machines have shrouds or containment systems and are equipped with a HEPA vacuum attachment to collect dust and debris at the point of generation. Machines must be operated so that no visible dust or release of air occurs outside the shroud or containment system; and

(iii) Operating a heat gun on painted surfaces is permitted only at temperatures below 1,100 degrees Fahrenheit.

(d) Waste from renovations.

(i) Waste from renovation activities must be contained to prevent releases of dust and debris before the waste is removed from the work area for storage or disposal. If a chute is used to remove waste from the work area, it must be covered.

(ii) At the conclusion of each work day and at the conclusion of the renovation, waste that has been collected from renovation activities must be stored under containment, in an enclosure, or behind a barrier that prevents release of dust and debris out of the work area and prevents access to dust and debris.

(iii) [~~When~~] If the firm transports waste from renovation activities, the firm must contain the waste to prevent release of dust and debris.

(e) Cleaning the work area. After the renovation has been completed, the firm must clean the work area until no dust, debris, or residue remains.

(i) Interior and exterior renovations. The firm must:

(A) Collect all paint chips and debris and, without dispersing any of it, seal this material in a heavy-duty bag; and

(B) Remove the protective sheeting. Mist the sheeting before folding it, fold the dirty side inward, and either tape shut to seal or seal in heavy-duty bags. Sheeting used to isolate contaminated rooms from non-contaminated rooms must remain in place until after the cleaning and removal of other sheeting. Dispose of the sheeting as waste.

(ii) Additional cleaning for interior renovations. The firm must clean all objects and surfaces in the work area and within [~~2~~] two feet of the work area in the following manner, cleaning from higher to lower:

(A) Walls. Clean walls starting at the ceiling and working down to the floor by either vacuuming with a HEPA vacuum or wiping with a damp cloth;

(B) Remaining surfaces. Thoroughly vacuum all remaining surfaces and objects in the work area, including furniture and fixtures, with a HEPA vacuum. The HEPA vacuum must be equipped with a beater bar when vacuuming carpets and rugs; and

(C) Wipe all remaining surfaces and objects in the work area, except for carpeted or upholstered surfaces, with a damp cloth. Mop uncarpeted floors thoroughly, using a mopping method that keeps the wash water separate from the rinse water, such as the [~~2~~]two-bucket mopping method, or using a wet mopping system.

(2) Standards for post-renovation cleaning verification.

(a) Interiors.

(i) A certified renovator must perform a visual inspection to determine whether dust, debris, or residue is still present. If dust, debris, or residue is present, these conditions must be removed by re-cleaning and another visual inspection must be performed.

(ii) After a successful visual inspection, a certified renovator must:

(A) Verify that each windowsill in the work area has been adequately cleaned, using the following procedure.

(I) Wipe the windowsill with a wet disposable cleaning cloth that is damp to the touch. If the cloth matches or is lighter than the cleaning verification card, the windowsill has been adequately cleaned.

(II) If the cloth does not match and is darker than the cleaning verification card, re-clean the windowsill as directed in [~~paragraphs~~]Subsections R307-841-5(1)(e)(ii)(B) and R307-841-5(1)(e)(ii)(C) [~~of this section~~], then either use a new cloth or fold the used cloth in such a way that an unused surface is exposed, and wipe the surface again. If the cloth matches or is lighter than the cleaning verification card, that windowsill has been adequately cleaned.

(III) If the cloth does not match and is darker than the cleaning verification card, wait for one [~~1~~] hour or until the surface has dried completely, whichever is longer.

(IV) After waiting for the windowsill to dry, wipe the windowsill with a dry disposable cleaning cloth. After this wipe, the windowsill has been adequately cleaned.

(B) Wipe uncarpeted floors and countertops within the work area with a wet disposable cleaning cloth. Floors must be wiped using an application device with a long handle and a head to which the cloth is attached. The cloth must remain damp at all times while it is being used to wipe the surface for post-renovation cleaning verification. If the surface within the work area is greater than 40 square feet, the surface within the work area must be divided into roughly equal sections that are each less than 40 square feet. Wipe each such section separately with a new wet disposable cleaning cloth. If the cloth used to

wipe each section of the surface within the work area matches the cleaning verification card, the surface has been adequately cleaned.

(I) If the cloth used to wipe a particular surface section does not match the cleaning verification card, re-clean that section of the surface as directed in[~~ paragraphs~~] Subsections R307-841-5(1)(e)(ii)(B) and R307-841-5(1)(e)(ii)(C) [~~of this section~~], then use a new wet disposable cleaning cloth to wipe that section again. If the cloth matches the cleaning verification card, that section of the surface has been adequately cleaned.

(II) If the cloth used to wipe a particular surface section does not match the cleaning verification card after the surface has been re-cleaned, wait for one [~~1~~] hour or until the entire surface within the work area has dried completely, whichever is longer.

(III) After waiting for the entire surface within the work area to dry, wipe each section of the surface that has not yet achieved post-renovation cleaning verification with a dry disposable cleaning cloth. After this wipe, that section of the surface has been adequately cleaned.

(iii) [~~When~~] If the work area passes the post-renovation cleaning verification, remove the warning signs.

(b) Exteriors. A certified renovator must perform a visual inspection to determine whether dust, debris, or residue is still present on surfaces in and below the work area, including windowsills and the ground. If dust, debris, or residue is present, these conditions must be eliminated and another visual inspection must be performed. [~~When~~] If the area passes the visual inspection, remove the warning signs.

(3) Optional dust clearance testing. Cleaning verification need not be performed if the contract between the renovation firm and the person contracting for the renovation or another federal, state, territorial, tribal, or local law or regulation requires:

(a) The renovation firm to perform dust clearance sampling at the conclusion of a renovation covered by this rule.

(b) The dust clearance samples are required to be collected by a certified inspector, risk assessor, or dust sampling technician.

(c) The renovation firm is required to re-clean the work area until the dust [~~clearance~~] sample results are below the [~~clearance standards~~] dust-lead action levels in Section [~~R307-842-3(5)(j)~~] R307-840-2 or any local standard.

(4) Activities conducted after post-renovation cleaning verification. Activities that do not disturb paint, such as applying paint to walls that have already been prepared, are not regulated by this rule if they are conducted after post-renovation cleaning verification has been performed.

R307-841-6. Recordkeeping and Reporting Requirements.

(1) Firms performing renovations must retain and, if requested, make available to the director all records necessary to demonstrate compliance with this rule for a period of [~~3~~] three years following completion of the renovation. This [~~3~~]three-year retention requirement does not supersede longer obligations required by other provisions for retaining the same documentation.

(2) Records that must be retained pursuant to[~~ paragraph~~] Subsection R307-841-6(1) [~~of this section~~] shall include [~~(~~]where applicable[~~)~~]:

(a) Records or reports certifying that a determination had been made that lead-based paint is not present on the components affected by the renovation, as described in Subsection R307-841-3(1). These records or reports include:

(i) Reports prepared by a certified inspector or certified risk assessor certified pursuant to Section R307-842-2.

(ii) Records prepared by a certified renovator after using EPA-recognized test kits, including an identification of the manufacturer and model of any test kits used, a description of the components that were tested including their locations, and the result of each test kit used.

(iii) Records prepared by a certified renovator after collecting paint chip samples, including a description of the components that were tested including their locations, the name and address of the NLLAP-recognized entity performing the analysis, and the results for each sample.

(b) Signed and dated acknowledgments of receipt as described in Subsections R307-841-4(1)(a)(i), R307-841-4(1)(b)(i), R307-841-4(2)(a)(i), R307-841-4(3)(a)(i)[~~(A)~~], and R307-841-4(3)(b)(i)[~~(a)(ii)(A)~~].

(c) Certifications of attempted delivery as described in Subsections R307-841-4(1)(b)(i) and R307-841-4(3)(b)(i)[~~(a)(ii)(A)~~].

(d) Certificates of mailing as described in Subsections R307-841-4(1)(a)(ii), R307-841-4(1)(b)(ii), R307-841-4(2)(a)(ii), R307-841-4(3)(a)(ii)[~~(i)(B)~~], and R307-841-4(3)(b)(ii)[~~(a)(ii)(B)~~].

(e) Records of notification activities performed regarding common area renovations, as described in Subsections R307-841-4(2)(c) and R307-841-4(2)(d), and renovations in child-occupied facilities, as described in Subsection R307-841-4(3)(c)[~~(b)~~].

(f) Documentation of compliance with the requirements of Section R307-841-5, including documentation that a certified renovator was assigned to the project, that the certified renovator provided on-the-job training for workers used on the project in a language that the workers can comprehend, that the certified renovator performed or directed workers who performed all [~~of~~] the tasks described in Subsection R307-841-5(1), and that the certified renovator performed the post-renovation cleaning verification described in Subsection R307-841-5(2). If the renovation firm was unable to comply with all [~~of~~] the requirements of [~~this rule~~] Rule R307-841 due to an emergency as defined in Section R307-841-3, the firm must document the nature of the emergency and the [~~provisions of the rule~~] requirements that were not followed. This documentation must include a copy of the certified renovator's current Utah Lead-Based Paint Renovator certification card, and a certification by the certified renovator assigned to the project that:

(i) Training was provided to workers. [~~(t~~]Topics must be identified for each worker[~~)~~].

(ii) Warning signs were posted at the entrances to the work area.

(iii) If test kits were used, that the specified brand of kits was used at the specified locations and that the results were as specified.

(iv) If paint chip samples were collected, that the samples were collected at the specified locations, that the specified NLLAP-recognized laboratory analyzed the samples, and that the results were as specified.

(v) The work area was contained by:

(A) Removing or covering all objects in the work area for [~~(~~]interiors[~~)~~];

(B) Closing and covering all HVAC ducts in the work area for [~~(~~]interiors[~~)~~];

(C) Closing all windows in the work area for [~~(~~]interiors[~~)~~] or closing all windows in and within 20 feet of the work area for [~~(~~]exteriors[~~)~~];

(D) Closing and sealing all doors in the work area for [~~(~~]interiors[~~)~~] or closing and sealing all doors in and within 20 feet of the work area for [~~(~~]exteriors[~~)~~];

(E) Covering doors in the work area that were being used to allow passage but prevent spread of dust;

(F) Covering the floor surface, including installed carpet, with taped-down plastic sheeting or other impermeable material in the work area six [~~6~~] feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to contain the dust, whichever is greater for [~~(~~]interiors[~~)~~] or covering the ground with plastic sheeting or other disposable impermeable material anchored to the building extending [~~10~~] ten feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to collect falling paint debris, whichever is greater, unless the property line prevents [~~10~~] ten feet of such ground covering, weighted down by heavy objects for [~~(~~]exteriors[~~)~~]; and

(G) Installing [~~(if necessary)~~] vertical containment to prevent migration of dust and debris to adjacent property for [~~(~~]exteriors[~~)~~].

(vi) Waste was contained on-site and while being transported off-site.

(vii) The work area was properly cleaned after the renovation by:

(A) Picking up all chips and debris, misting protective sheeting, folding it dirty side inward, and taping it for removal; and

(B) Cleaning the work area surfaces and objects using a HEPA vacuum and[~~/or~~] wet cloths or mops for [~~(~~]interiors[~~)~~].

(viii) The certified renovator performed the post-renovation cleaning verification, [(]the results of which must be briefly described, including the number of wet and dry cloths used[)].

(3)[(a)] When the final invoice for the renovation is delivered or within 30 days of the completion of the renovation, whichever is earlier, the renovation firm must provide information pertaining to compliance with this rule to the following persons:

[(i)](a) The owner of the building[;] and, if different;[,]

[(ii)](b) An adult occupant of the residential dwelling, if the renovation took place within a residential dwelling, or an adult representative of the child-occupied facility, if the renovation took place within a child-occupied facility.

[(b)](4) [When] If performing renovations in common areas of multi-unit target housing, renovation firms must post the information required by this rule or instructions on how interested occupants can obtain a copy of this information. This information must be posted in areas where it is likely to be seen by the occupants of all [of] the affected units.

[(c)](5) The information required to be provided by[paragraph] Subsection R307-841-6(3) [of this section] may be provided by completing the sample form titled "Sample Renovation Recordkeeping Checklist" or a similar form containing the test kit information required by Subsection R307-841-6(2)(a)(ii) and the training and work practice compliance information required by Subsection R307-841-6(2)(f).

[(4)](6) If dust clearance sampling is performed in lieu of cleaning verification as permitted by Subsection R307-841-5(3), the renovation firm must provide, when the final invoice for the renovation is delivered or within 30 days of the completion of the renovation, whichever is earlier, a copy of the dust sampling report to:

(a) The owner of the building[;] and, if different;[,]

(b) An adult occupant of the residential dwelling, if the renovation took place within a residential dwelling, or an adult representative of the child-occupied facility, if the renovation took place within a child-occupied facility.

[(c)](7) [When] If performing renovations in common areas of multi-unit target housing, renovation firms must post these dust sampling reports or information on how interested occupants of the housing being renovated can obtain a copy of the report. This information must be posted in areas where they are likely to be seen by the occupants of all [of] the affected units.

R307-841-7. Firm Certification.

(1) Initial certification.

(a) Firms that perform renovations for compensation must apply to the director for certification to perform renovations or dust sampling. To apply, a firm must submit to the director a completed["Lead-Based Paint Certification] "Application for Firms," signed by an authorized agent of the firm, and pay the [correct amount of]fees.

(b) After the director receives a firm's application, the director will take one of the following actions within 90 days of the date the application is received:

(i) The director will approve a firm's application if the director determines that it is complete and that the environmental compliance history of the firm, its principals, or its key employees does not show an unwillingness or inability to maintain compliance with environmental statutes or regulations. An application is complete if it contains all [of] the information requested on the form and includes [at least] the[correct amount of] fees. [When] If the director approves a firm's application, the director will issue the firm a certificate with an expiration date not more than five [5] years from the date the application is approved;

(ii) The director will request a firm to supplement its application if the director determines that the application is incomplete. If the director requests a firm to supplement its application, the firm must submit the requested information or pay the additional fees within 30 days of the date of the request; and

(iii) The director will not approve a firm's application if the firm does not supplement its application in accordance with [paragraph]Subsection R307-841-7(1)(b)(ii)[of this section] or if the director determines that the environmental compliance history of the firm, its principals, or its key

employees demonstrates an unwillingness or inability to maintain compliance with environmental statutes or regulations. The director will send the firm a letter giving the reason for not approving the application. The director will not refund the application fees. A firm may reapply for certification at any time by filing a new, complete application that includes the [~~correct amount of~~] fees.

(2) Re-certification. To maintain its certification, a firm must be re-certified by the director.

(a) Timely and complete application. To be re-certified, a firm must submit a complete application for re-certification. A complete application for re-certification includes a completed "Lead-Based Paint Certification Application for Firms" which contains all [~~of~~] the information requested by the form and is signed by an authorized agent of the firm, noting on the form that it is submitted as a re-certification. A complete application must also include the correct amount of fees.

(i) An application for re-certification is timely if it is postmarked 90 days or more before the date the firm's current certification expires. If the firm's application is complete and timely, the firm's current certification will remain in effect until its expiration date or until the director has made a final decision to approve or disapprove the re-certification application, whichever is later.

(ii) If the firm submits a complete re-certification application less than 90 days before its current certification expires, and the director does not approve the application before the expiration date, the firm's current certification will expire and the firm will not be able to conduct renovations until the director approves its re-certification application.

(iii) If the firm fails to obtain re-certification before the firm's current certification expires, the firm must not perform renovations or dust sampling until it is certified anew pursuant to[~~ paragraph~~] Subsection R307-841-7(1)[~~, of this section~~].

(b) Director's action on an application. After the director receives a firm's application for re-certification, the director will review the application and take one of the following actions within 90 days of receipt:

(i) The director will approve a firm's application if the director determines that it is timely and complete and that the environmental compliance history of the firm, its principals, or its key employees does not show an unwillingness or inability to maintain compliance with environmental statutes or regulations. [~~When~~] If the director approves a firm's application for re-certification, the director will issue the firm a new certificate with an expiration date not more than [~~5~~] five years from the date that the firm's current certification expires.

(ii) The director will request a firm to supplement its application if the director determines that the application is incomplete.

(iii) The director will not approve a firm's application if it is not received or is not complete as of the date that the firm's current certification expires, or if the director determines that the environmental compliance history of the firm, its principals, or its key employees demonstrates an unwillingness or inability to maintain compliance with environmental statutes or regulations. The director will send the firm a letter giving the reason for not approving the application. The director will not refund the application fees. A firm may reapply for certification at any time by filing a new application and paying the [~~correct amount of~~] fees.

(3) Amendment of certification. A firm must amend its certification within 90 days of the date a change occurs to information included in the firm's most recent application. If the firm fails to amend its certification within 90 days of the date the change occurs, the firm may not perform renovations or dust sampling until its certification is amended.

(a) To amend a certification, a firm must submit a completed [~~"Lead-Based Paint Certification~~] "Application for Firms," signed by an authorized agent of the firm, noting on the form that it is submitted as an amendment and indicating the information that has changed. The firm must also pay at least the [~~correct amount of~~] fees.

(b) If additional information is needed to process the amendment, or the firm did not pay the [~~correct amount of~~] fees, the director will request the firm to submit the necessary information or fees. The firm's certification is not amended until the firm complies with the request.

(c) Amending a certification does not affect the certification expiration date.

(4) Firm responsibilities. Firms performing renovations must ensure that:

(a) All individuals performing renovation activities on behalf of the firm are either certified renovators or have been trained by a certified renovator in accordance with Section R307-841-8;

(b) A certified renovator is assigned to each renovation performed by the firm and discharges all [~~of~~] the certified renovator responsibilities identified in Section R307-841-8;

(c) All renovations performed by the firm are performed in accordance with the work practice standards in Section R307-841-5;

(d) The pre-renovation education requirements of Section R307-841-4 have been performed; and

(e) The recordkeeping requirements of Section R307-841-6 are met.

R307-841-8. Renovator Certification and Dust Sampling Technician Certification.

(1) Renovator certification and dust sampling technician certification.

(a) To become a certified renovator or certified dust sampling technician, an individual must successfully complete an initial lead-based paint renovator or dust[-] sampling technician course accredited by the director under Section R307-842-1, the EPA under 40 CFR 745.225, or a state or tribal program that has been authorized by EPA pursuant to subpart Q of 40 CFR 745.

[~~(b) Individuals who have successfully completed an accredited abatement worker or supervisor course, or individuals who successfully completed a director, EPA, HUD, or EPA/HUD model renovation training course before October 4, 2011, but no later than the training course expiration date found on that training certificate, may take an accredited refresher renovator training course that includes hands-on training in lieu of the initial renovator training course to become a certified renovator.~~

~~(c) Individuals who have successfully completed an accredited lead-based paint inspector or risk assessor course before October 4, 2011, but no later than the training course expiration date found on that training certificate, may take an accredited refresher dust sampling technician course in lieu of the initial training to become a certified dust sampling technician. Individuals who are currently certified as lead-based paint inspectors or risk assessors may act as certified dust sampling technicians without further training.~~]

[~~(d)~~](b) To maintain renovator certification or dust sampling technician certification, an individual must complete a renovator or dust sampling technician refresher course accredited by the director under Section R307-842-1, the EPA under 40 CFR 745.225, or by a state or tribal program that is authorized under subpart Q of 40 CFR 745 within [~~5~~] five years of the date the individual completed the initial course described in[~~ paragraph~~] Subsection R307-841-8(1)(a)[~~ of this section~~]. If the individual does not complete a refresher course within this time, the individual must re-take the initial course to become certified again. [~~Individuals who complete a renovator course accredited by the director under R307-842-1, the EPA or an EPA authorized program on or before March 31, 2010, must complete a renovator refresher course accredited by the director under R307-842-1, the EPA or an EPA authorized program on or before March 31, 2016, to maintain renovator certification. Individuals who completed a renovator course accredited by the director under R307-842-1, the EPA or an EPA authorized program between April 1, 2010 and March 31, 2011, will have one year added to their original 5-year training certificate expiration date.~~] Individuals who take a renovator refresher course that does not include hands-on training will have a training course certificate expiration date three [~~3~~] years from the date they complete the training. Individuals who take a refresher training course that includes hands-on training will have a training course certificate expiration date five [~~5~~] years from the date they complete the training. Individuals who take the renovator refresher course without hands-on training must, for their next renovator refresher course, take a course that includes hands-on training.

[~~(e)~~](c) An individual shall be re-certified as a renovator or a dust sampling technician if the individual successfully completes the appropriate lead-based paint accredited refresher training course and submits a valid copy of the appropriate refresher course completion certificate. During the time period when the individual is not certified by the director, that individual cannot perform any regulated work activities that requires individual certification.

(2) Renovator responsibilities. Certified renovators are responsible for ensuring compliance with Section R307-841-5 at all renovations to which they are assigned. A certified renovator:

(a) Must perform all [~~of~~] the tasks described in Subsection R307-841-5(2) and must either perform or direct workers who perform all [~~of~~] the tasks described in Subsection R307-841-5(1);

(b) Must provide training to workers on the work practices required by Subsection R307-841-5(1) that they will be using in performing their assigned tasks;

(c) Must be physically present at the work site when the signs required by Subsection R307-841-5(1)(a) are posted, while the work area containment required by Subsection R307-841-5(1)(b) is being established, and while the work area cleaning required by Subsection R307-841-5(1)(e) is performed;

(d) Must regularly direct work being performed by other individuals to ensure that the work practices required by Subsection R307-841-5(1) are being followed, including maintaining the integrity of the containment barriers and ensuring that dust or debris does not spread beyond the work area;

(e) Must be available, either on-site or by telephone, at all times that renovations are being conducted;

(f) [~~When~~] If requested by the [~~party~~] person contracting for renovation services, must use an acceptable test kit to determine whether components to be affected by the renovation contain lead-based paint;

(g) Must have with them at the work site their current Utah Lead-Based Paint Renovator certification card; and

(h) Must prepare the records required by Subsections R307-841-6(2)(a)(ii), R307-841-6(2)(a)(iii), and R307-841-6(2)(f).

(3) Dust sampling technician responsibilities. [~~When~~] If performing optional dust clearance sampling under Subsection R307-841-5(3), a certified dust sampling technician:

(a) Must collect dust samples in accordance with Subsection R307-842-3(5)(h), must send the collected samples to a laboratory recognized by EPA under TSCA Section 405(b), and must compare the results to the [~~clearance~~] action levels in accordance with Section [~~R307-842-3(5)(h)~~] R307-840-2; and

(b) Must have with them at the work site their current Utah Lead-Based Paint Dust Sampling Technician certification card.

R307-841-9. Suspending, Revoking, or Modifying an Individual's or Firm's Certification.

(1) Grounds for suspending, revoking, or modifying an individual's certification. The director may suspend, revoke, or modify an individual's certification if the individual fails to comply with state lead-based paint administrative rules. The director may also suspend, revoke, or modify a certified renovator's certification if the renovator fails to ensure that all assigned renovations comply with Section R307-841-5. In addition to an administrative or judicial finding of violation, execution of a consent agreement in settlement of an enforcement action constitutes, for purposes of Section R307-841-5[~~ this section~~], evidence of a failure to comply with relevant statutes or regulations.

(2) Grounds for suspending, revoking, or modifying a firm's certification. The director may suspend, revoke, or modify a firm's certification if the firm:

(a) Submits false or misleading information to the director in its application for certification or re-certification;[~~,~~]

(b) Fails to maintain or falsifies records required in Section R307-841-6;[~~,~~] or

(c) Fails to comply, or an individual performing a renovation on behalf of the firm fails to comply, with state lead-based paint administrative rules. In addition to an administrative or judicial finding of violation, execution of a consent agreement in settlement of an enforcement action constitutes, for purposes of Section R307-841-5[~~ this section~~], evidence of a failure to comply with relevant statutes or regulations.

KEY: paint, lead-based paint, lead-based paint renovation
Date of Last Change: [September 1, 2021] 2026
Notice of Continuation: October 2, 2024
Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(i)

NOTICE OF SUBSTANTIVE CHANGE	
TYPE OF FILING: Amendment	**Filing ID: 58105**
Rule or section number:	**R307-842**

1. Agency Information

Title catchline:	Environmental Quality, Air Quality
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state and zip:	Salt Lake City, UT 84114-4820

2. Contact Persons

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Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:

R307-842. Lead-Based Paint Activities.

B. Purpose of the new rule or reason for the change:

The Division of Air Quality is updating Rule R307-842 to align with the new federal definitions and standards found in 40 Code of Federal Regulations (CFR) Part 745.

C. Summary of the new rule or change:

In October 2024, the Environmental Protection Agency (EPA) finalized stronger requirements for how to identify and clean up lead-based paint hazards in pre-1978 homes and childcare facilities. The final rule reduced the level of lead in dust that is considered hazardous from ten micrograms per square foot (µg/ft2) on floors and 100 µg/ft2 on window sills to any reportable level as analyzed by a laboratory recognized by EPA's National Lead Laboratory Accreditation Program.

This change is being made because there is no level of lead in blood that is safe for children. The rule also lowered the amount of lead that can remain in dust on floors, window sills, and window troughs after a lead paint abatement occurs from:
1. 10 µg/ft2 to 5 µg/ft2 for floors,
2. 100 µg/ft2 to 40 µg/ft2 for window sills, and
3. 400 µg/ft2 to 100 µg/ft2 for window troughs.

EPA also finalized changes to adopt the terms "Dust-lead Reportable Levels" and "Dust-lead Action Levels" as well as several other amendments, including revisions to both the definition of "Target Housing" and the definition of "Abatement" which now provides that EPA will recommend an abatement when dust-lead loadings are at or above the dust-lead action levels.

The state of Utah is required to adopt the federal standards by 2027.

Changes are also being made to bring Rule R307-842 into compliance with the Rulewriting Manual for Utah and Executive Order No. 2021-12.

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

This is a standard change to lower the allowable amount of lead after abatement projects to meet the new EPA dust-lead action levels. This change should have no effect on the state budget because it will not implement any new state requirements beyond what is federally required.

B. Local governments:
This is a standard change to lower the allowable amount of lead after abatement projects to meet the new EPA dust-lead action levels. This change should have no effect on local governments because it will not implement any new local government requirements beyond what is federally required.
C. Small businesses ("small business" means a business employing 1-49 persons)**:**
Small businesses will have to be more thorough with post-abatement cleaning to meet new dust-lead clearance levels. This could lead to slightly longer cleanup times and the increase of cleaning product use. It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, the amount of disturbed lead, or the ease of vacuuming, mopping, or wiping up the renovated area.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons)**:**
A certified lead-based paint renovator company may incur additional costs at a job site since the allowable levels of lead in dust has been decreased. This could lead to slightly longer cleanup times and the increase of cleaning product use. It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, the amount of disturbed lead, or the ease of vacuuming, mopping, or wiping up the renovated area.
E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an ***agency***)**:**
Incremental costs can be incurred for specialized cleaning used to reduce dust-lead loadings (i.e., quantity of lead per unit of surface area) to below the action levels. In some instances, floors may have to be sealed, overlaid, or replaced, or window sills sealed or repainted. Additional costs may result from the retesting of lead dust levels. Because of the lower laboratory reporting limits necessary for testing lead dust levels under this rule, incremental laboratory test costs are likely to increase. It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, and the amount of disturbed lead in the renovated area.
F. Compliance costs for affected persons:
Incremental costs can be incurred for specialized cleaning used to reduce dust-lead loadings (i.e., quantity of lead per unit of surface area) to below the action levels. In some instances, floors may have to be sealed, overlaid, or replaced, or window sills sealed or repainted. Additional costs may result from the retesting of lead dust levels. Because of the lower laboratory reporting limits necessary for testing lead dust levels under this rule, incremental laboratory test costs are likely to increase. It is difficult to estimate an exact cost increase since there are many variables involved such as: square footage of the renovation, levels of lead that exist on-site, the amount of disturbed lead, or the ease of vacuuming, mopping, or wiping up the renovated area.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Other Persons	inestimable	inestimable	inestimable	inestimable	inestimable
Total Fiscal Cost	**inestimable**	**inestimable**	**inestimable**	**inestimable**	**inestimable**

Fiscal Benefits	FY2027	FY2028	FY2029	FY2030	FY2031
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	inestimable	inestimable	inestimable	inestimable	inestimable
Other Persons	inestimable	inestimable	inestimable	inestimable	inestimable
Total Fiscal Benefits	**inestimable**	**inestimable**	**inestimable**	**inestimable**	**inestimable**
Net Fiscal Benefits	**inestimable**	**inestimable**	**inestimable**	**inestimable**	**inestimable**

7. Regulatory Impact Analysis Approval

The Commissioner of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:	☒

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 19-2-104(1)(i)	40 CFR 745	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	08/14/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.)**:**

Date:	**Time** (hh:mm AM/PM)**:**	**Place** (physical address or URL)**:**
08/07/2026	11:00 AM - 12:00 PM	A public hearing is set for 08/07/2026. Further details may be found below. The hearing will be cancelled should no request for one be made by 08/05/2026, at 10 AM MST. The final status of the public hearing will be posted on 08/05/2026, after 10 AM MST. The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment Interested persons can participate in person or electronically, via the internet. In Person: MASOB 195 N 1950 W Salt Lake City, UT First Floor, Air Quality Board Room Virtual Attendance: Time zone: America/Denver Google Meet joining info: Video call link: https://meet.google.com/eek-zssw-vot Or dial: (US) +1 470-466-0225 PIN: 970 645 005#

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	10/07/2026

13. Agency Authorization Information

Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	**Date:**	06/12/2026

R307. Environmental Quality, Air Quality.
R307-842. Lead-Based Paint Activities.
R307-842-1. Accreditation of Training Programs: Target Housing and Child-Occupied Facilities.

(1) Scope.

(a) A training program may seek accreditation to offer courses in any of the following disciplines: inspector, risk assessor, supervisor, project designer, abatement worker, renovator, and dust sampling technician. A training program may also seek accreditation to offer refresher courses for each of the [~~above~~] listed disciplines. Training courses taught in Utah must be accredited by the director. All e-learning renovator refresher courses originating from companies based in Utah must also be accredited by the director.

(b) Training programs may apply to the director for accreditation of their lead-based paint activities courses or refresher courses pursuant to this section. Training programs may apply to the director for accreditation of their renovator or dust sampling technician courses or refresher courses pursuant to this section.

(c) Initial and refresher courses shall be specific to each discipline and shall be conducted as separate and distinct courses and not combined with any other training during the period of the course.

(d) A training program must not provide, offer, or claim to provide director-accredited lead-based paint activities courses without applying for and receiving accreditation from the director as required under[~~ paragraph~~] Subsection R307-842-1(2)[~~ of this section~~]. A training program must not provide, offer, or claim to provide director-accredited renovator or dust sampling technician courses without applying for and receiving accreditation from the director as required under[~~ paragraph~~] Subsection R307-842-1(2)[~~ of this section~~].

(e) Accredited training programs, training program managers, and principal instructors must comply with all [~~of~~] the requirements of this section including approved terms of the application and all the requirements and limitations specified in any accreditation documents issued to training programs.

(2) Application process. The following are procedures a training program must follow to receive director accreditation to offer lead-based paint activities courses, renovator courses, or dust sampling technician courses:

(a) A training program seeking accreditation shall submit an electronic or a written application to the director containing the following information:

(i) The training program's name, address, and telephone number;

(ii) A list of courses for which it is applying for accreditation. [~~For the purposes of this section,~~] Courses taught in different languages and electronic learning courses are considered different courses, and each must independently meet the accreditation requirements;

(iii) The name and documentation of the qualifications of the training program manager;

(iv) The [~~name(s)~~] names and documentation of qualifications of any principal [~~instructor(s)~~] instructors; and

(v) A statement signed by the training program manager certifying that the training program meets the requirements established in[~~ paragraph~~] Subsection R307-842-1(3)[~~ of this section~~]. If a training program uses EPA-recommended model training materials, the training program manager shall include a statement certifying that, as well; or

(vi) If a training program does not use EPA-recommended model training materials, its application for accreditation shall also include:

(A) A copy of the student and instructor manuals, or other materials to be used for each course;

(B) A copy of the course agenda for each course; and

(C) [~~When~~] If applying for accreditation of a course in a language other than English, a signed statement from a qualified, independent translator that they had compared the course to the English language version and found the translation to be accurate;

(vii) All training programs shall include in their application for accreditation the following:

(A) A description of the facilities and equipment to be used for lecture and hands-on training;

(B) A copy of the course test blueprint for each course;

(C) A description of the activities and procedures that will be used for conducting the assessment of hands-on skills for each course; and

(D) A copy of the quality control plan as described in[~~ paragraph~~] Subsection R307-842-1(3)(i)[~~ of this section~~].

(b) If a training program meets the requirements in[~~ paragraph~~] Subsection R307-842-1(3)[~~ of this section~~], then the director shall approve the application for accreditation no more than 180 days after receiving a complete application from the training program. In the case of approval, a certificate of accreditation shall be sent to the applicant. In the case of disapproval, a letter describing the reasons for disapproval shall be sent to the applicant. [~~Prior to~~] Before disapproval, the director may, at its discretion, work with the applicant to address inadequacies in the application for accreditation. The director may also request additional materials retained by the training program under[~~ paragraph~~] Subsection R307-842-1(8)[~~ of this section~~]. If a training program's application is disapproved, the program may reapply for accreditation at any time.

(c) A training program may apply for accreditation to offer initial courses or refresher courses in as many disciplines as it chooses. A training program may seek accreditation for additional courses at any time as long as the program can demonstrate that it meets the requirements of this section.

(d) A training program applying for accreditation must submit the appropriate fees in accordance with the current Department of Environmental Quality Fee Schedule.

(3) Requirements for the accreditation of training programs. A training program accredited by the director to offer lead-based paint activities courses, renovator courses, or dust sampling technician courses must meet the following requirements:

(a) The training program shall employ a training manager who has:

(i) At least two [~~2~~] years of experience, education, or training in teaching workers or adults; or

(ii) A bachelor's or graduate degree in building construction technology, engineering, industrial hygiene, safety, public health, education, business administration or program management or a related field; or

(iii) Two years of experience in managing a training program specializing in environmental hazards; and

(iv) Demonstrated experience, education, or training in the construction industry including: lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.

(b) The training manager shall designate a qualified principal instructor for each course who has:

(i) Demonstrated experience, education, or training in teaching workers or adults; and

(ii) Successfully completed at least 16 hours of any director-accredited, EPA-accredited, or EPA-authorized state or tribal-accredited lead-specific training for instructors of lead-based paint activities courses or eight [~~8~~] hours of any director-accredited, EPA-accredited, or EPA-authorized state or tribal-accredited lead-specific training for instructors of renovator or dust sampling technician courses; and

(iii) Demonstrated experience, education, or training in lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.

(c) The principal instructor shall be responsible for the organization of the course, course delivery, and oversight of the teaching of all course material. The training manager may designate guest instructors as needed for a portion of the course to provide instruction specific to the lecture, hands-on activities, or work practice components of a course. However, the principal instructor is primarily responsible for teaching the course materials and must be present to provide instruction, [~~(~~]or oversight of portions of the course taught by guest instructors,[~~)~~] for the course for which the principal instructor [~~he or she~~] has been designated [~~the principal instructor~~].

(d) The following documents shall be recognized by the director as evidence that training managers and principal instructors have the education, work experience, training requirements or demonstrated experience, specifically listed in[~~ paragraphs~~] Subsections R307-842-1(3)(a) and R307-842-1(3)(b)[~~ of this section~~]. This documentation must be submitted with the accreditation application and retained by the training program as required by the recordkeeping requirements contained in[~~ paragraph~~] Subsection R307-842-1(8)[~~ of this section~~]. Those documents include the following:

(i) Official academic transcripts or diploma as evidence of meeting the education requirements;

(ii) Resumes, letters of reference, or documentation of work experience, as evidence of meeting the work experience requirements; and

(iii) Certificates from train-the-trainer courses and lead-specific training courses, as evidence of meeting the training requirements.

(e) The training program shall ensure the availability of, and provide adequate facilities for, the delivery of the lecture, course test, hands-on training, and assessment activities. This includes providing training equipment that reflects current work practices and maintaining or updating the equipment and facilities as needed.

(f) To become accredited in the following disciplines, the training program shall provide initial training courses that meet the following training requirements:

(i) The initial inspector course shall last a minimum of 24 training hours, with a minimum of eight [~~8~~] hours devoted to hands-on training activities. The minimum curriculum requirements for the initial inspector course are contained in[~~ paragraph~~] Subsection R307-842-1(4)(a)[~~ of this section~~];

(ii) The initial risk assessor course shall last a minimum of 16 training hours, with a minimum of four [~~4~~] hours devoted to hands-on training activities. The minimum curriculum requirements for the initial risk assessor course are contained in[~~ paragraph~~] Subsection R307-842-1(4)(b)[~~ of this section~~];

(iii) The initial supervisor course shall last a minimum of 32 training hours, with a minimum of eight [~~8~~] hours devoted to hands-on training activities. The minimum curriculum requirements for the initial supervisor course are contained in[~~ paragraph~~] Subsection R307-842-1(4)(c)[~~ of this section~~];

(iv) The initial project designer course shall last a minimum of eight [~~8~~] training hours. The minimum curriculum requirements for the initial project designer course are contained in[~~ paragraph~~] Subsection R307-842-1(4)(d)[~~ of this section~~];

(v) The initial abatement worker course shall last a minimum of 16 training hours, with a minimum of eight [~~8~~] hours devoted to hands-on training activities. The minimum curriculum requirements for the initial abatement worker course are contained in[~~ paragraph~~] Subsection R307-842-1(4)(e)[~~ of this section~~];

(vi) The initial renovator course must last a minimum of eight [~~8~~] training hours, with a minimum of two [~~2~~] hours devoted to hands-on training activities. The minimum curriculum requirements for the initial renovator course are contained in[~~ paragraph~~] Subsection R307-842-1(4)(f)[~~ of this section~~]; and

(vii) The initial dust sampling technician course must last a minimum of eight [~~8~~] training hours, with a minimum of two [~~2~~] hours devoted to hands-on training activities. The minimum curriculum requirements for the initial dust sampling technician course are contained in[~~ paragraph~~] Subsection R307-842-1(4)(g)[~~ of this section~~].

(viii) Electronic learning and other alternative course delivery methods are permitted for the classroom portion of renovator, dust sampling technician, or lead-based paint activities courses but not the hands-on portion of these courses, or for final course tests or proficiency tests described in[~~ paragraph~~] Subsection R307-842-1(3)(g)[~~ of this section~~]. Electronic learning courses must comply with the following requirements:

(A) A unique identifier must be assigned to each student for them to use to launch and re-launch the course;

(B) The training provider must track each student's course log-ins, launches, progress, and completion, and maintain these records in accordance with[~~ paragraph~~] Subsection R307-842-1(8)[~~ of this section~~];

(C) The course must include periodic knowledge checks equivalent to the number and content of the knowledge checks contained in EPA's model course, but at least 16 over the entire course. The knowledge checks must be successfully completed before the student can go on to the next module;

(D) There must be a test of at least 20 questions at the end of the electronic learning portion of the course, of which 80% must be answered correctly by the student for successful completion of the electronic learning portion of the course. The test must be designed so that students do not receive feedback on their test answers until after they have completed and submitted the test; and

(E) Each student must be able to save or print a copy of an electronic learning course completion certificate. The electronic certificate must not be susceptible to easy editing.

(g) For each course offered, the training program shall conduct either a course test at the completion of the course, and if applicable, a hands-on skills assessment, or in the alternative, a proficiency test for that discipline. Each student must successfully complete the hands-on skills assessment and receive a passing score on the course test to pass any course, or successfully complete a proficiency test.

(i) The training manager is responsible for maintaining the validity and integrity of the hands-on skills assessment or proficiency test to ensure that it accurately evaluates the trainees' performance of the work practices and procedures associated with the course topics contained in[~~ paragraph~~] Subsection R307-842-1(4)[~~ of this section~~];

(ii) The training manager is responsible for maintaining the validity and integrity of the course test to ensure that it accurately evaluates the trainees' knowledge and retention of the course topics; and

(iii) The course test shall be developed in accordance with the test blueprint submitted with the training accreditation application.

(h) The training program shall issue unique course completion certificates to each individual who passes the training course. The course completion certificate shall include:

(i) The name, a unique identification number, and address of the individual;

(ii) The name of the particular course that the individual completed;

(iii) Dates of course completion and [~~/~~]test passage;

(iv) For initial inspector, risk assessor, project designer, supervisor, or abatement worker course completion certificates, the expiration date of interim certification, which is six [~~6~~] months from the date of course completion;

(v) The name, address, and telephone number of the training program;

(vi) The language in which the course was taught;

(vii) For renovator and dust sampling technician course completion certificates, a photograph of the individual. The photograph must be an accurate and recognizable image of the individual. As reproduced on the certificate, the photograph must not be smaller than one [~~1~~] square inch; and

(viii) For renovator, dust sampling technician, or lead-based paint activities course completion certificates, the expiration date of the training certificate.

(i) The training manager shall develop and implement a quality control plan. The plan shall be used to maintain and improve the quality of the training program over time. This plan shall contain at least the following elements:

(i) Procedures for periodic revision of training materials and the course test to reflect innovations in the field; and

(ii) Procedures for the training manager's annual review of principal instructor competency.

(j) Courses offered by the training program must teach the work practice standards contained in Section R307-841-5 or R307-842-3, as applicable, in such a manner that trainees are provided with the knowledge needed to perform the renovations or lead-based paint activities they will be responsible for conducting.

(k) The training manager shall be responsible for ensuring that the training program complies at all times with all [~~of~~] the requirements in Section R307-842-1[~~this section~~].

(l) The training manager shall allow the director or the director's authorized representative to audit the training program to verify the contents of the application for accreditation as described in[~~paragraph~~] Subsection R307-842-1(2)[~~ of this section~~].

(m) The training manager must provide notification of renovator, dust sampling technician, or lead-based paint activities courses offered.

(i) The training manager must provide the director with notification of all renovator, dust sampling technician, or lead-based paint activities courses offered except for any renovator course without hands-on training delivered via electronic learning. The original notification must be received by the director at least seven [~~7~~] business days [~~prior to~~] before the start date of any renovator, dust sampling technician, or lead-based paint activities course;

(ii) The training manager must provide the director updated notification [~~when~~] if renovator, dust sampling technician, or lead-based paint activities courses will begin on a date other than the start date specified in the original notification, as follows:

(A) For renovator, dust sampling technician, or lead-based paint activities courses beginning [~~prior to~~] before the start date provided to the director, an updated notification must be received by the director at least seven [~~7~~] business days before the new start date; and

(B) For renovator, dust sampling technician, or lead-based paint activities courses beginning after the start date provided to the director, an updated notification must be received by the director at least two [~~2~~] business days before the start date provided to the director;

(iii) The training manager must update the director of any change in location of renovator, dust sampling technician, or lead-based paint activities courses at least seven [~~7~~] business days [~~prior to~~] before the start date provided to the director;

(iv) The training manager must update the director regarding any course cancellations, or any other change to the original notification. Updated notifications must be received by the director at least two [~~2~~] business days [~~prior to~~] before the start date provided to the director;

(v) Each notification, including updates, must include the following:

(A) Notification type such as [~~(~~]original, update, or cancellation[~~)~~];

(B) Training program name, address, and telephone number;

(C) Course discipline, type, such as initial or refresher [~~(initial/refresher)~~], and the language in which instruction will be given;

(D) Dates [~~Date(s)~~] and times [~~time(s)~~] of training;

(E) Training locations, [~~location(s)~~] telephone number, and address;

(F) Principal instructor's name; and

(G) Training manager's name and signature;

(vi) Notification of renovator, dust sampling technician, or lead-based paint activities course schedules must be submitted electronically or written, using the forms provided by the Utah Division of Air Quality. [~~must be accomplished using any of the following methods: Written notification, or electronically using the Utah Division of Air Quality electronic notification system. Written notification of renovator, dust sampling technician, or lead-based paint activities course schedules can be accomplished by using either the sample form titled "Renovator, Dust Sampling Technician, or Lead-Based Paint Activities Training Course Notification Form" or a similar form containing the information required in paragraph (3)(m)(v) of this section. All written notifications must be delivered to the director by United States Postal Service, fax, commercial delivery service, hand delivery, or by email. Instructions and sample forms can be obtained from the Utah Division of Air Quality Lead-Based Paint Program web site;~~]

(vii) Renovator, dust sampling technician, or lead-based paint activities courses must not begin on a date, or at a location other than that specified in the original notification unless an updated notification identifying a new start date or location is submitted, in which case the course must begin on the new start date [~~and/~~] or location specified in the updated notification; and

(viii) No training program shall provide renovator, dust sampling technician, or lead-based paint activities courses without first notifying the director of such activities in accordance with the requirements of Subsection R307-842-1(3)(m)[~~ this paragraph~~].

(n) The training manager must provide notification following completion of renovator, dust sampling technician, or lead-based paint activities courses.

(i) The training manager must provide the director notification after the completion of any renovator, dust sampling technician, or lead-based paint activities course. This notification must be received by the director no later than ten [~~10~~] business days following course completion. Notification[~~s~~] for any e-learning renovator refresher course that does not include hands-on training must be submitted [~~via written notification or electronically~~] electronically or written, using the forms provided by the Utah Division of Air Quality, -[~~using the Utah Division of Air Quality electronic notification system~~] no later than the 10th day of the month and include all students trained in the previous month. [~~Written notification for any e-learning renovator refresher course, can be accomplished by using either the sample~~

~~form titled "Renovator, Dust Sampling Technician, or Lead-Based Paint Activities Training Course Notification Form" or a similar form containing the information required in paragraph (3)(n)(ii) of this section. All written notifications must be delivered to the director by United States Postal Service, fax, commercial delivery service, hand delivery, or by email. Instructions and sample forms can be obtained from the Utah Division of Air Quality Lead-Based Paint Program web site;~~]

(ii) The notification must include the following:

(A) Training program name, address, and telephone number;

(B) Course discipline and type such as initial or refresher [~~(initial/refresher)~~];

(C) Dates [~~Date(s)~~] of training;

(D) The following information for each student who took the course:

(I) Name;[~~,~~]

(II) Address;[~~,~~]

(III) Date of birth;[~~,~~]

(IV) Course completion certificate number;[~~,~~]

(V) Course test score;[~~,~~]

(VI) For renovator or dust sampling technician courses, a digital photograph of the student;[~~,~~] and

(VII) For renovator refresher courses, the expiration date of the training certificate;

(E) Training manager's name and signature; and

(F) Utah Division of Air Quality Lead-Based Paint Program training verification statement.

(iii) Notification of renovator, dust sampling technician or lead-based paint activities course schedules must be submitted electronically or written, using the forms provided by the Utah Division of Air Quality. ~~[must be accomplished using any of the following methods: Written notification, or electronically using the Utah Division of Air Quality electronic notification system. Written notification following renovator, dust sampling technician, or lead-based paint activities training courses can be accomplished by using either the sample form titled "Renovator, Dust Sampling Technician, or Lead-Based Paint Activities Training Course Notification Form" or a similar form containing the information required in paragraph (3)(n)(ii) of this section. All written notifications must be delivered to the director by United States Postal Service, fax, commercial delivery service, hand delivery, or by email. Instructions and sample forms can be obtained from the Utah Division of Air Quality Lead-Based Paint Program web site.]~~

(4) Minimum training curriculum requirements. A training program accredited by the director to offer lead-based paint courses in the specific disciplines listed in[~~ paragraph~~] Subsection R307-842-1(4) must ensure that its courses of study include, at a minimum, the following course topics.

(a) Inspector. Instruction in the topics described in[~~ paragraphs~~] Subsections R307-842-1(4)(a)(iv), R307-842-1(4)(a)(v), R307-842-1(4)(a)(vi), and R307-842-1(4)(a)(vii)[~~ of this section~~] must be included in the hands-on portion of the course.

(i) Role and responsibilities of an inspector;

(ii) Background information on lead and its adverse health effects;

(iii) Background information on federal, state, and local regulations and guidance that pertains to lead-based paint and lead-based paint activities;

(iv) Lead-based paint inspection methods, including selection of rooms and components for sampling or testing;

(v) Paint, dust, and soil sampling methodologies;

(vi) [~~Clearance standards~~] Action levels and testing, including random sampling;

(vii) Preparation of the final inspection report; and

(viii) Recordkeeping.

(b) Risk assessor. Instruction in the topics described in[~~ paragraphs~~] Subsections R307-842-1(4)(b)(iv), R307-842-1(4)(b)(vi), and R307-842-1(4)(b)(vii)[~~ of this section~~] must be included in the hands-on portion of the course.

(i) Role and responsibilities of a risk assessor;

(ii) Collection of background information to perform a risk assessment;

(iii) Sources of environmental lead contamination such as paint, surface dust and soil, water, air, packaging, and food;

(iv) Visual inspection for the purposes of identifying potential sources of lead-based paint hazards;

(v) Lead hazard screen protocol;

(vi) Sampling for other sources of lead exposure;

(vii) Interpretation of lead-based paint and other lead sampling results, including all applicable federal or state guidance or regulations pertaining to lead-based paint hazards;

(viii) Development of hazard control options, the role of interim controls, and operations and maintenance activities to reduce lead-based paint hazards; and

(ix) Preparation of a final risk assessment report.

(c) Supervisor. Instruction in the topics described in[~~ paragraphs~~] Subsections R307-842-1(4)(c)(v), R307-842-1(4)(c)(vii), R307-842-1(4)(c)(viii), R307-842-1(4)(c)(ix), and R307-842-1(4)(c)(x)[~~ of this section~~] must be included in the hands-on portion of the course.

(i) Role and responsibilities of a supervisor;

(ii) Background information on lead and its adverse health effects;

(iii) Background information on federal, state, and local regulations and guidance that pertain to lead-based paint abatement;

(iv) Liability and insurance issues relating to lead-based paint abatement;

(v) Risk assessment and inspection report interpretation;

(vi) Development and implementation of an occupant protection plan and abatement report;

(vii) Lead-based paint hazard recognition and control;

(viii) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices;

(ix) Interior dust abatement and [~~/~~] cleanup or lead-based paint hazard control and reduction methods;

(x) Soil and exterior dust abatement or lead-based paint hazard control and reduction methods;

(xi) [~~Clearance standards~~] Action levels and testing;

(xii) Cleanup and waste disposal; and

(xiii) Recordkeeping.

(d) Project designer.

(i) Role and responsibilities of a project designer;

(ii) Development and implementation of an occupant protection plan for large-scale abatement projects;

(iii) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices for large-scale abatement projects;

(iv) Interior dust abatement and [~~/~~] cleanup or lead hazard control and reduction methods for large-scale abatement projects;

(v) [~~Clearance standards~~] Action levels and testing for large-scale abatement projects; and

(vi) Integration of lead-based paint abatement methods with modernization and rehabilitation projects for large-scale abatement projects.

(e) Abatement worker. Instruction in the topics described in[~~ paragraphs~~] Subsections R307-842-1(4)(e)(iv), R307-842-1(4)(e)(v), R307-842-1(4)(e)(vi), and R307-842-1(4)(e)(vii)[~~ of this section~~] must be included in the hands-on portion of the course.

(i) Role and responsibilities of an abatement worker;

(ii) Background information on lead and its adverse health effects;

(iii) Background information on federal, state, and local regulations and guidance that pertain to lead-based paint abatement;

(iv) Lead-based paint hazard recognition and control;

(v) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices;

(vi) Interior dust abatement methods and [~~/~~] cleanup or lead-based paint hazard reduction; and

(vii) Soil and exterior dust abatement methods or lead-based paint hazard reduction.

(f) Renovator. Instruction in the topics described in[~~ paragraphs~~] Subsections R307-842-1(4)(f)(iv), R307-842-1(4)(f)(vi), R307-842-1(4)(f)(vii), and R307-842-1(4)(f)(viii)[~~ of this section~~] must be included in the hands-on portion of the course.

(i) Role and responsibility of a renovator;

(ii) Background information on lead and its adverse health effects;

(iii) Background information on EPA, HUD, OSHA, and other federal, state, and local regulations and guidance that pertains to lead-based paint and renovation activities;

(iv) Procedures for using acceptable test kits to determine whether paint is lead-based paint;

(v) Procedures for collecting a paint chip sample and sending it to a laboratory recognized by EPA under [~~s~~]Section 405(b) of TSCA;

(vi) Renovation methods to minimize the creation of dust and lead-based paint hazards;

(vii) Interior and exterior containment and cleanup methods;

(viii) Methods to ensure that the renovation has been properly completed, including cleaning verification, and clearance testing;

(ix) Waste handling and disposal;

(x) Providing on-the-job training to other workers; and

(xi) Record preparation.

(g) Dust sampling technician. Instruction in the topics described in[~~ paragraphs~~] Subsections R307-842-1(4)(g)(iv) and R307-842-1(4)(g)(vi)[~~ of this section~~] must be included in the hands-on portion of the course.

(i) Role and responsibility of a dust sampling technician;

(ii) Background information on lead and its adverse health effects;

(iii) Background information on federal, state, and local regulations and guidance that pertains to lead-based paint and renovation activities;

(iv) Dust sampling methodologies;

(v) [~~Clearance standards~~] Action levels and testing; and

(vi) Report preparation.

(5) Requirements for the accreditation of refresher training programs. A training program may seek accreditation to offer refresher training courses in any of the following disciplines: Inspector, risk assessor, supervisor, project designer, abatement worker, renovator, and dust sampling technician. A training program accredited by the director to offer refresher training must meet the following minimum requirements:

(a) Each refresher course shall review the curriculum topics of the full-length courses listed under[~~ paragraph~~] Subsection R307-842-1(4)[~~ of this section~~], as appropriate. In addition, to become accredited to offer refresher training courses, training programs shall ensure that their courses of study include, at a minimum, the following:

(i) An overview of current safety practices relating to lead-based paint in general, as well as specific information pertaining to the appropriate discipline;

(ii) Current laws and regulations relating to lead-based paint in general, as well as specific information pertaining to the appropriate discipline; and

(iii) Current technologies relating to lead-based paint in general, as well as specific information pertaining to the appropriate discipline;

(b) Refresher courses for inspector, risk assessor, supervisor, and abatement worker must last a minimum of eight [~~8~~] training hours. Refresher courses for project designer, renovator, and dust sampling technician must last a minimum of four [4] training hours. Refresher courses for all disciplines except renovator and project designer must include a hands-on component. Renovators must take a refresher course that includes hands-on training at least every other re-certification;

(c) For any course offered, [~~E~~]except for e-learning renovator refresher courses and project designer courses,[~~ for all other courses offered,~~] the training program shall conduct a hands-on assessment. With the exception of project designer courses, the training program shall conduct a course

test at the completion of the course. Renovators must take a refresher course that includes hands-on training at least every other re-certification;

(d) A training program may apply for accreditation of a refresher course concurrently with its application for accreditation of the corresponding initial training course as described in[~~ paragraph~~] Subsection R307-842-1(2)[~~ of this section~~]. If so, the director shall use the approval procedure described in[~~ paragraph~~] Subsection R307-842-1(2)[~~ of this section~~]. In addition, the minimum requirements contained in[~~ paragraphs~~] Subsections R307-842-1(3)(a) through R307-842-1(3)(e), Subsection R307-842-1(3)(f)(viii), [~~and~~]Subsections R307-842-1(3)(g) through R307-842-1(3)(n), and Subsections R307-842-1(5)(a) through R307-842-1(5)(c)[~~ of this section~~] shall also apply; and

(e) A training program seeking accreditation to offer refresher training courses only shall submit a written application to the director containing the following information:

(i) The refresher training program's name, address, and telephone number;

(ii) A list of courses for which it is applying for accreditation;

(iii) The name and documentation of the qualifications of the training program manager;

(iv) The names [~~name(s)~~] and documentation of the qualifications of the principal instructors [~~instructor(s)~~];

(v) A statement signed by the training program manager certifying that the refresher training program meets the minimum requirements established in[~~ paragraph~~] Subsection R307-842-1(3)[~~ of this section~~], except for the requirements in[~~ paragraph~~] Subsection R307-842-1(3)(f)[~~ of this section~~]. If a training program uses EPA-developed model training materials, the training manager shall include a statement certifying that, as well;

(vi) If the refresher training course materials are not based on EPA-developed model training materials, the training program's application for accreditation shall include:

(A) A copy of the student and instructor manuals to be used for each course; and

(B) A copy of the course agenda for each course;

(vii) All refresher training programs shall include in their application for accreditation the following:

(A) A description of the facilities and equipment to be used for lecture and hands-on training;

(B) A copy of the course test blueprint for each course;

(C) A description of the activities and procedures that will be used for conducting the assessment of hands-on skills for each course, [~~(~~]if applicable[~~)~~]; and

(D) A copy of the quality control plan as described in[~~ paragraph~~] Subsection R307-842-1(3)(i)[~~ of this section~~];

(viii) The requirements in[~~ paragraphs~~] Subsections R307-842-1(3)(a) through R307-842-1(3)(e), Subsection R307-842-1(3)(f)(viii), and Subsections R307-842-1(3)(g) through R307-842-1(3)(n)[~~ of this section~~] apply to refresher training providers; and

(ix) If a refresher training program meets the requirements listed in Subsection R307-842-1(5)(e)[~~this paragraph~~], then the director shall approve the application for accreditation no more than 180 days after receiving a complete application from the refresher training program. In the case of approval, a certificate of accreditation shall be sent to the applicant. In the case of disapproval, a letter describing the reasons for disapproval shall be sent to the applicant. [~~Prior to~~] Before disapproval, the director may, at the director's discretion, work with the applicant to address inadequacies in the application for accreditation. The director may also request additional materials retained by the refresher training program under[~~ paragraph~~] Subsection R307-842-1(8)[~~ of this section~~]. If a refresher training program's application is disapproved, the program may reapply for accreditation at any time.

(6) Re-accreditation of training programs.

(a) Unless re-accredited, a training program's accreditation, including refresher training accreditation, shall expire four [4] years after the date of issuance. If a training program meets the requirements [~~of this section~~], the training program shall be re-accredited.

(b) A training program seeking re-accreditation shall submit an application to the director no later than 180 days before its accreditation expires. If a training program does not submit its application

for re-accreditation by that date, the director cannot guarantee that the program will be re-accredited before the end of the accreditation period.

(c) The training program's application for re-accreditation shall contain:

(i) The training program's name, address, and telephone number;

(ii) A list of courses for which it is applying for re-accreditation;

(iii) The name and qualifications of the training program manager;

(iv) The names [~~name(s)~~] and qualifications of the principal instructors [~~instructor(s)~~];

(v) A description of any changes to the training facility, equipment, or course materials since its last application was approved that [~~adversely~~] affects the students' ability to learn;

(vi) A statement signed by the program manager stating:

(A) That the training program complies at all times with all requirements in[~~ paragraphs~~] Subsections R307-842-1(3) and R307-842-1(5)[~~ of this section~~], as applicable; and

(B) The recordkeeping and reporting requirements of[~~ paragraph~~] Subsection R307-842-1(8)[~~ of this section~~] shall be followed; and

(vii) A payment of appropriate fees in accordance with the current Department of Environmental Quality Fee Schedule.

(d) Upon request, the training program shall allow the director or the director's authorized representative to audit the training program to verify the contents of the application for re-accreditation as described in[~~ paragraph~~] Subsection R307-842-1(6)(c)[~~ of this section~~].

(7) Suspension, revocation, and modification of accredited training programs.

(a) The director may, after notice and an opportunity[~~,~~] for hearing, suspend, revoke, or modify training program accreditation, including refresher training accreditation, if a training program, training manager, or other person with supervisory authority over the training program has:

(i) Misrepresented the contents of a training course to the director [~~and/~~] or the student population;

(ii) Failed to submit required information or notifications in a timely manner;

(iii) Failed to maintain required records;

(iv) Falsified accreditation records, instructor qualifications, or other accreditation-related information or documentation;

(v) Failed to comply with the training standards and requirements in this section;

(vi) Failed to comply with federal, state, or local lead-based paint statutes or regulations; or

(vii) Made false or misleading statements to the director in its application for accreditation or re-accreditation which the director relied upon in approving the application.

(b) In addition to an administrative or judicial finding of violation, execution of a consent agreement in settlement of an enforcement action constitutes[~~, for purposes of this section,~~] evidence of a failure to comply with relevant statutes or regulations.

(8) Training program recordkeeping requirements.

(a) Accredited training programs shall maintain, and make available to the director or the director's authorized representative, upon request, the following records:

(i) All documents specified in[~~ paragraph~~] Subsection R307-842-1(3)(d)[~~ of this section~~] that demonstrate the qualifications listed in[~~ paragraphs~~] Subsections R307-842-1(3)(a) and R307-842-1(3)(b)[~~ of this section~~] of the training manager and principal instructors;

(ii) Current curriculum and [~~/~~] course materials and documents reflecting any changes made to these materials;

(iii) The course test blueprint;

(iv) Information regarding how the hands-on assessment is conducted including, but not limited to:

(A) Who conducts the assessment;

(B) How the skills are graded;

(C) What facilities are used; and

(D) The pass and [~~/~~] fail rate;

(v) The quality control plan as described in[~~ paragraph~~] Subsection R307-842-1(3)(i)[~~ of this section~~];

(vi) Results of the students' hands-on skills assessments and course tests, and a record of each student's course completion certificate;

(vii) Any other material not listed in[~~ paragraphs~~] Subsections R307-842-1(8)(a)(i) through R307-842-1(8)(a)(vi)[~~ of this section~~] that was submitted to the director as part of the program's application for accreditation.

(viii) For renovator refresher and dust sampling technician refresher courses, a copy of each trainee's prior course completion certificate showing that each trainee was eligible to take the refresher course; and

(ix) For course modules delivered in an electronic format, a record of each student's log-ins, launches, progress, and completion, and a copy of the electronic learning completion certificate for each student.

(b) The training program must retain records pertaining to renovator, dust sampling technician, and lead-based paint activities courses at the address specified on the training program accreditation application, [~~(~~]or as modified in accordance with[~~ paragraph~~] Subsection R307-842-1(8)(c)[~~ of this section)~~] for the following minimum periods:

(i) Records pertaining to lead-based paint activities courses must be retained for a minimum of three [~~3~~] years and six [~~6~~] months;

(ii) Records pertaining to renovator or dust sampling technician courses offered must be retained for a minimum of five [~~5~~] years and six [~~6~~] months.

(c) The training program shall notify the director in writing within 30 days of changing the address specified on its training program accreditation application or transferring the records from that address.

(9) Amendment of accreditation.

(a) A training program must amend its accreditation within 90 days of the date a change occurs to information included in the program's most recent application. If the training program fails to amend its accreditation within 90 days of the date the change occurs, the program may not provide renovator, dust sampling technician, or lead-based paint activities training until its accreditation is amended.

(b) To amend an accreditation, a training program must submit a completed Division of Air Quality Lead-Based Paint Application for Course Accreditation, signed by an authorized agent of the training provider, noting on the form that it is submitted as an amendment and indicating the information that has changed.

(c) Training managers, principal instructors, permanent training locations. If the amendment includes a new training program manager, any new or additional principal instructors [~~instructor(s)~~], or any new permanent training locations [~~location(s)~~], the training provider is not permitted to provide training under the new training manager or offer courses taught by any new principal instructors [~~instructor(s)~~] or at the new training locations [~~location(s)~~] until the director either approves the amendment or 30 days have elapsed, whichever occurs earlier. Except:

(i) If the amendment includes a new training program manager or new or additional principal instructor that was identified in a training provider accreditation application that the director has already approved[~~ under this section~~], the training provider may begin to provide training under the new training manager or offer courses taught by the new principal instructor on an interim basis as soon as the provider submits the amendment to the director. The training provider may continue to provide training under the new training manager or offer courses taught by the new principal instructor if the director approves the amendment or if the director does not disapprove the amendment within 30 days.

(ii) If the amendment includes a new permanent training location, the training provider may begin to provide training at the new permanent training location on an interim basis as soon as the provider submits the amendment to the director. The training provider may continue to provide training at the new permanent training location if the director approves the amendment or if the director does not disapprove the amendment within 30 days.

R307-842-2. Certification of Individuals and Firms Engaged in Lead-Based Paint Activities: Target Housing and Child-Occupied Facilities.

(1) Certification of individuals.

(a) Individuals seeking certification by the director to engage in lead-based paint activities must either:

(i) Submit to the director an application demonstrating that they meet the requirements established in[~~ paragraphs~~] Subsection R307-842-2(2) or R307-842-2(3)[~~ of this section~~] for the particular discipline for which certification is sought; or

(ii) Submit to the director an application with a copy of a valid lead-based paint activities certification [~~(~~]or equivalent[~~)~~] from the EPA or a state or tribal program that has been authorized by EPA pursuant to [~~s~~]Subpart Q of 40 CFR 745; or

(iii) For supervisor, inspector, [~~and/~~] or risk assessor certification, submit to the director an application with a copy of a valid lead-based paint training certificate from an EPA-accredited, or EPA-authorized state or tribal-accredited lead-specific training in the appropriate discipline and pass the certification exam in the appropriate discipline offered by the director.

(b) Following the submission of an application demonstrating that all the requirements of[~~ this section~~] Section R307-842-2 have been met, the director shall certify an applicant as an inspector, risk assessor, supervisor, project designer, or abatement worker, as appropriate.

(c) Upon receiving director certification, individuals conducting lead-based paint activities shall comply with the work practice standards for performing the appropriate lead-based paint activities as established in Section R307-842-3.

(d) It shall be a violation of state administrative rules for an individual to conduct any of the lead-based paint activities described in Section R307-842-3 if that individual has not been certified by the director [~~pursuant to this section~~] to do so.

(e) Individuals applying for certification must submit the appropriate fees in accordance with the current Department of Environmental Quality Fee Schedule.

(2) Inspector, risk assessor, or supervisor.

(a) To become certified by the director as an inspector, risk assessor, or supervisor, pursuant to[~~ paragraph~~] Subsection R307-842-2(1)(a)(i)[~~ of this section~~], an individual must:

(i) Successfully complete an accredited initial training course in the appropriate discipline and receive a course completion certificate from an accredited training program;

(ii) Pass the certification exam in the appropriate discipline offered by the director; and

(iii) Meet or exceed the following experience [~~and/~~] or education requirements:

(A) Inspectors. No additional experience [~~and/~~] or education requirements;

(B) Risk assessors.

(I) Successful completion of an accredited initial training course for inspectors; and

(II) Bachelor's degree and one [~~1~~] year of experience in a related field such as [~~(e.g.,~~] lead, asbestos, environmental remediation work, or construction[~~)~~], or an Associates degree and two [~~2~~] years experience in a related field such as [~~(e.g.,~~] lead, asbestos, environmental remediation work, or construction[~~)~~]; or

(III) Certification as an industrial hygienist, professional engineer, registered architect [~~and/~~] or certification in a related engineering, [~~/~~]health, or [~~/~~]environmental field such as [~~(e.g.,~~] safety professional[~~,~~] or environmental scientist[~~)~~]; or

(IV) A high school diploma [~~(~~]or equivalent[~~)~~], and at least three [~~3~~] years of experience in a related field such as [~~(e.g.,~~] lead, asbestos, environmental remediation work, or construction[~~)~~];

(C) Supervisor.

(I) One year of experience as a certified lead-based paint abatement worker; or

(II) At least two [~~2~~] years of experience in a related field such as [~~(e.g.,~~] lead, asbestos, or environmental remediation work[~~)~~] or in the building trades.

(b) The following documents shall be recognized by the director as evidence of meeting the requirements listed in [~~(2)(b)(iii) of~~] this [~~paragraph~~] subsection:

(i) Official academic transcripts or diploma, as evidence of meeting the education requirements;

(ii) Resumes, letters of reference, or documentation of work experience, as evidence of meeting the work experience requirements; and

(iii) Course completion certificates from lead-specific or other related training courses, issued by accredited training programs, as evidence of meeting the training requirements.

(c) [~~In order to~~] To take the certification examination for a particular discipline an individual must:

(i) Successfully complete an accredited initial training course in the appropriate discipline and receive a course completion certificate from an accredited training program; and

(ii) Meet or exceed the education [~~and/~~] or experience requirements[~~ in paragraph (2)(a)(iii) of this section~~].

(d) The initial training course completion certificate shall serve as interim certification for an individual until the next available opportunity to take the certification exam. Such interim certification shall expire six [~~6~~] months after issuance.

(e) After passing the appropriate certification exam and submitting an application demonstrating that an individual [~~he/she~~] meets the appropriate training, education, [~~and/~~] or experience prerequisites described in[~~ paragraph~~] Subsection R307-842-2(2)(a)[~~ of this section~~], an individual shall be issued a certificate by the director. To maintain certification, an individual must be re-certified as described in[~~ paragraph~~] Subsection R307-842-2(4)[~~ of this section~~].

(f) An individual may take the certification exam no more than three times within six [~~6~~] months of receiving an initial training course completion certificate.

(g) If an individual does not pass the certification exam and receive a certificate within six [~~6~~] months of receiving an [~~his/her~~] initial training course completion certificate, the individual must retake the appropriate initial training course from an accredited training program before reapplying for certification from the director.

(3) Abatement worker and project designer.

(a) To become certified by the director as an abatement worker or project designer, [~~pursuant to paragraph (1)(a)(i) of this section,~~] an individual must:

(i) Successfully complete an accredited initial training course in the appropriate discipline and receive a course completion certificate from an accredited training program; and

(ii) Meet or exceed the following additional experience [~~and/~~] or education requirements:

(A) Abatement workers. No additional experience [~~and/~~] or education requirements; and

(B) Project designers.

(I) Successful completion of an accredited initial training course for supervisors;

(II) Bachelor's degree in engineering, architecture, or a related profession, and one [~~1~~] year of experience in building construction and design or a related field; or

(III) Four years of experience in building construction and design or a related field.

(b) The following documents shall be recognized by the director as evidence of meeting the requirements listed in this [~~paragraph~~] subsection:

(i) Official academic transcripts or diploma, as evidence of meeting the education requirements;

(ii) Resumes, letters of reference, or documentation of work experience, as evidence of meeting the work experience requirements; and

(iii) Course completion certificates from lead-specific or other related training courses, issued by accredited training programs, as evidence of meeting the training requirements.

(c) The initial training course completion certificate shall serve as an interim certification until certification from the director is received, but shall be valid for no more than six [~~6~~] months from the date of completion.

(d) After successfully completing the appropriate initial training courses and meeting any other qualifications described in[~~ paragraph~~] Subsection R307-842-2(3)(a)[~~ of this section~~], an individual shall be issued a certificate from the director. To maintain certification, an individual must be re-certified as described in[~~ paragraph~~] Subsection R307-842-2(4)[~~ of this section~~].

(4) Re-certification.

(a) To maintain certification in a particular discipline, a certified individual shall apply to and be re-certified by the director in that discipline by the director either:

(i) Every three [~~3~~] years if the individual completed a training course with a course test and hands-on assessment; or

(ii) Every five [~~5~~] years if the individual completed a training course with a proficiency test.

(b) An individual shall be re-certified if the individual successfully completes the appropriate accredited refresher training course and submits a valid copy of the appropriate refresher training course completion certificate. For the supervisor, inspector, or risk assessor disciplines, if more than three [~~3~~] years but less than four [~~4~~] years have passed since certification or re-certification for an individual that completed an initial or a refresher training course with a course test and hands-on assessment, or if more than five [~~5~~] years but less than six [~~6~~] years have passed since certification or re-certification for an individual that completed an initial or a refresher training course with a proficiency test, then the individual must also pass the certification exam in the appropriate discipline offered by the director. During the time period when the individual is not certified by the director, that individual cannot perform any regulated work activities that requires individual certification.

(c) Individuals applying for re-certification must submit the appropriate fees in accordance with the current Department of Environmental Quality Fee Schedule.

(5) Certification of firms.

(a) All firms which perform or offer to perform any of the lead-based paint activities or renovations described in Section R307-842-3 shall be certified by the director.

(b) A firm seeking certification shall submit to the director a letter attesting that the firm shall only employ appropriately certified employees to conduct lead-based paint activities, and that the firm and its employees shall follow the work practice standards in Section R307-842-3 for conducting lead-based paint activities.

(c) From the date of receiving the firm's letter requesting certification, the director shall have 90 days to approve or disapprove the firm's request for certification. Within that time, the director shall respond with either a certificate of approval or a letter describing the reasons for disapproval.

(d) The firm shall maintain all records pursuant to the requirements in Section R307-842-3.

(e) Firms may apply to the director for certification to engage in lead-based paint activities[~~pursuant to this section~~].

(f) Firms applying for certification or re-certification must submit the appropriate fees in accordance with the current Department of Environmental Quality Fee Schedule.

(6) Suspension, revocation, and modification of certifications of individuals engaged in lead-based paint activities.

(a) The director may, after notice and opportunity for hearing, suspend, revoke, or modify an individual's certification if an individual has:

(i) Obtained training documentation through fraudulent means;

(ii) Gained admission to and completed an accredited training program through misrepresentation of admission requirements;

(iii) Obtained certification through misrepresentation of certification requirements or related documents dealing with education, training, professional registration, or experience;

(iv) Performed work requiring certification at a job site without having proof of certification;

(v) Permitted the duplication or use of the individual's own certificate by another;

(vi) Performed work for which certification is required, but for which appropriate certification has not been received;

(vii) Failed to comply with the appropriate work practice standards for lead-based paint activities [~~at~~] in Section R307-842-3; or

(viii) Failed to comply with federal, state, or local lead-based paint statutes or regulations.

(b) In addition to an administrative or judicial finding of violation[~~, for purposes of this section only,~~] execution of a consent agreement in settlement of an enforcement action constitutes evidence of a failure to comply with relevant statutes or regulations.

(7) Suspension, revocation, and modification of certifications of firms engaged in lead-based paint activities.

(a) The director may, after notice and opportunity for hearing, suspend, revoke, or modify a firm's certification if a firm has:

(i) Performed work requiring certification at a job site with individuals who are not certified;

(ii) Failed to comply with the work practice standards established in Section R307-842-3;

(iii) Misrepresented facts in its letter of application for certification to the director;

(iv) Failed to maintain required records; or

(v) Failed to comply with federal, state, or local lead-based paint statutes or regulations.

(b) In addition to an administrative or judicial finding of violation[~~, for purposes of this section only,~~] execution of a consent agreement in settlement of an enforcement action constitutes evidence of a failure to comply with relevant statutes or regulations.

R307-842-3. Work Practice Standards for Conducting Lead-Based Paint Activities: Target Housing and Child-Occupied Facilities.

(1) Effective date, applicability, and terms.

(a) All lead-based paint activities shall be performed pursuant to the work practice standards[~~ contained in this section~~].

(b) [~~When~~] If performing any lead-based paint activity described by the certified individual as an inspection, lead[~~-~~] hazard screen, risk assessment, or abatement, a certified individual must perform that activity in compliance with the appropriate requirements [~~below~~].

(c) Documented methodologies that are appropriate[~~ for this section~~] are found in the following: the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, the EPA Guidance on Residential Lead-Based Paint, Lead-Contaminated Dust, and Lead-Contaminated Soil, the EPA Residential Sampling for Lead: Protocols for Dust and Soil Sampling (EPA report number 7474-R-95-001), and other equivalent methods and guidelines.

(d) [~~Clearance~~] Action levels [~~are~~] appropriate for the purposes of[~~ this section~~] Section R307-842-3 may be found in the EPA Guidance on Residential Lead-Based Paint, Lead-Contaminated Dust, and Lead Contaminated Soil or other equivalent guidelines.

(2) Inspection.

(a) An inspection shall be conducted only by a person certified by the director as an inspector or risk assessor and, if conducted, must be conducted according to the procedures in this [~~paragraph~~] subsection.

(b) [~~When~~] If conducting an inspection, the following locations shall be selected according to documented methodologies and tested for the presence of lead-based paint:

(i) In a residential dwelling and child-occupied facility, each component with a distinct painting history and each exterior component with a distinct painting history shall be tested for lead-based paint, except those components that the inspector or risk assessor determines to have been replaced after 1978, or to not contain lead-based paint; and

(ii) In a multi-family dwelling or child-occupied facility, each component with a distinct painting history in every common area, except those components that the inspector or risk assessor determines to have been replaced after 1978, or to not contain lead-based paint.

(c) Paint shall be sampled in the following manner:

(i) The analysis of paint to determine the presence of lead shall be conducted using documented methodologies which incorporate adequate quality control procedures; [~~and/~~] or

(ii) All collected paint chip samples shall be analyzed according to[~~ paragraph~~] Subsection R307-842-3(6)[~~ of this section~~] to determine if they contain detectable levels of lead that can be quantified numerically.

(d) The certified inspector or risk assessor shall prepare an inspection report which shall include the following information:

(i) Date of each inspection;

(ii) Address of building;

(iii) Date of construction;

(iv) Apartment numbers, [~~(~~]if applicable[~~)~~];

(v) Name, address, and telephone number of the owner or owners of each residential dwelling or child-occupied facility;

(vi) Name, signature, and certification number of each certified inspector [~~and/~~] or risk assessor conducting testing;

(vii) Name, address, and telephone number of the certified firm employing each inspector [~~and/~~] or risk assessor, if applicable;

(viii) Each testing method and device and[~~/or~~] sampling procedure employed for paint analysis, including quality control data and, if used, the serial number of any x-ray fluorescence (XRF) device;

(ix) Specific locations of each painted component tested for the presence of lead-based paint; and

(x) The results of the inspection expressed in terms appropriate to the sampling method used.

(3) Lead hazard screen.

(a) A lead hazard screen shall be conducted only by a person certified by the director as a risk assessor.

(b) If conducted, a lead hazard screen shall be conducted as follows:

(i) Background information regarding the physical characteristics of the residential dwelling or child-occupied facility and occupant use patterns that may cause lead-based paint exposure to one or more children age six [~~6~~] years and under shall be collected;

(ii) A visual inspection of the residential dwelling or child-occupied facility shall be conducted to:

(A) Determine if any deteriorated paint is present; and

(B) Locate at least two dust sampling locations;

(iii) If deteriorated paint is present, each surface with deteriorated paint, which is determined, using documented methodologies, to be in poor condition and to have a distinct painting history, shall be tested for the presence of lead;

(iv) In residential dwellings, two composite dust samples shall be collected, one from the floors and the other from the windows, in rooms, hallways, or stairwells where one or more children, age six [~~6~~] and under, are most likely to come in contact with dust; and

(v) In multi-family dwellings and child-occupied facilities, in addition to the floor and window samples required in[~~ paragraph~~] Subsection R307-842-3(3)(b)(iv)[~~ of this section~~], the risk assessor shall also collect composite dust samples from common areas where one or more children, age six [~~6~~] and under, are most likely to come into contact with dust.

(c) Dust samples shall be collected and analyzed in the following manner:

(i) All dust samples shall be taken using documented methodologies that incorporate adequate quality control procedures; and

(ii) All collected dust samples shall be analyzed according to[~~ paragraph~~] Subsection R307-842-3(6)[~~ of this section~~] to determine if they contain detectable levels of lead that can be quantified numerically.

(d) Paint shall be sampled in the following manner:

(i) The analysis of paint to determine the presence of lead shall be conducted using documented methodologies which incorporate adequate quality control procedures; [~~and/~~] or

(ii) All collected paint chip samples shall be analyzed according to[~~ paragraph~~] Subsection R307-842-3(6)[~~ of this section~~] to determine if they contain detectable levels of lead that can be quantified numerically.

(e) The risk assessor shall prepare a lead hazard screen report, which shall include the following information:

(i) The information required in a risk assessment report as specified in[~~ paragraph~~] Subsection R307-842-3(4)[~~ of this section~~], including[~~ paragraphs~~] Subsections R307-842-3(4)(k)(i) through R307-842-3(4)(k)(xiv), and excluding[~~ paragraphs~~] Subsections R307-842-3(4)(k)(xv) through R307-842-3(4)(k)(xviii)[~~ of this section~~]. Additionally, any background information collected pursuant to[

~~paragraph~~] Subsection R307-842-3(3)(b)(i)[~~ of this section~~] shall be included in the lead hazard screen report; and

(ii) Recommendations, if warranted, for a follow-up risk assessment, and as appropriate, any further actions.

(4) Risk assessment.

(a) A risk assessment shall be conducted only by a person certified by the director as a risk assessor and, if conducted, must be conducted according to the procedures[~~ in this paragraph~~].

(b) A visual inspection for risk assessment of the residential dwelling or child-occupied facility shall be undertaken to locate the existence of deteriorated paint, assess the extent and causes of the deterioration, and other potential lead-based paint hazards.

(c) Background information regarding the physical characteristics of the residential dwelling or child-occupied facility and occupant use patterns that may cause lead-based paint exposure to one or more children age six [~~6~~] years and under shall be collected.

(d) The following surfaces which are determined, using documented methodologies, to have a distinct painting history, shall be tested for the presence of lead:

(i) Each friction surface or impact surface with visibly deteriorated paint; and

(ii) All other surfaces with visibly deteriorated paint.

(e) In residential dwellings, dust samples, [~~(~~]either composite or single-surface samples,[~~)~~] from the interior window sills [~~sill(s)~~] and floor shall be collected and analyzed for lead concentration in all living areas where one or more children, age six [~~6~~] and under, are most likely to come into contact with dust.

(f) For multi-family dwellings and child-occupied facilities, the samples required in[~~ paragraph~~] Subsection R307-842-3(4)(d)[~~ of this section~~] shall be taken. In addition, interior window sill and floor dust samples, [~~(~~]either composite or single-surface samples,[~~)~~] shall be collected and analyzed for lead concentration in the following locations:

(i) Common areas adjacent to the sampled residential dwelling or child-occupied facility; and

(ii) Other common areas in the building where the risk assessor determines that one or more children, age six [~~6~~] and under, are likely to come into contact with dust.

(g) For child-occupied facilities, interior window sill and floor dust samples, [~~(~~]either composite or single-surface samples,[~~)~~] shall be collected and analyzed for lead concentration in each room, hallway, or stairwell utilized by one or more children, age six [~~6~~] and under, and in other common areas in the child-occupied facility where one or more children, age six [~~6~~] and under, are likely to come into contact with dust.

(h) Soil samples shall be collected and analyzed for lead concentrations in the following locations:

(i) Exterior play areas where bare soil is present;

(ii) The rest of the yard, meaning [~~(i.e.,~~] non-play areas,[~~)~~] where bare soil is present; and

(iii) Dripline or [~~/~~]foundation areas where bare soil is present.

(i) Any paint, dust, or soil sampling or testing shall be conducted using documented methodologies that incorporate adequate quality control procedures.

(j) Any collected paint chip, dust, or soil samples shall be analyzed according to[~~ paragraph~~] Subsection R307-842-3(6)[~~ of this section~~] to determine if they contain detectable levels of lead that can be quantified numerically.

(k) The certified risk assessor shall prepare a risk assessment report which shall include the following information:

(i) Date of assessment;

(ii) Address of each building;

(iii) Date of construction of buildings;

(iv) Apartment number, [~~(~~]if applicable[~~)~~];

(v) Name, address, and telephone number of each owner of each building;

(vi) Name, signature, and certification number of the certified risk assessor conducting the assessment;

(vii) Name, address, and telephone number of the certified firm employing each certified risk assessor, if applicable;

(viii) Name, address, and telephone number of each recognized laboratory conducting analysis of collected samples;

(ix) Results of the visual inspection;

(x) Testing method and sampling procedure for paint analysis employed;

(xi) Specific locations of each painted component tested for the presence of lead;

(xii) All data collected from on-site testing, including quality control data and, if used, the serial number of any XRF device.

(xiii) All results of laboratory analysis on collected paint, soil, and dust samples;

(xiv) Any other sampling results;

(xv) Any background information collected pursuant to[~~ paragraph~~] Subsection R307-842-3(4)(c)[~~ of this section~~];

(xvi) To the extent that they are used as part of the lead-based paint hazard determination, the results of any previous inspections or analyses for the presence of lead-based paint, or other assessments of lead-based paint-related hazards;

(xvii) A description of the location, type, and severity of identified lead-based paint hazards and any other potential lead hazards; and

(xviii) A description of interim controls [~~and/~~]or abatement options for each identified lead-based paint hazard and a suggested prioritization for addressing each hazard. If the use of an encapsulant or enclosure is recommended, the report shall recommend a maintenance and monitoring schedule for the encapsulant or enclosure.

(5) Abatement.

(a) An abatement shall be conducted only by an individual certified by the director, and if conducted, shall be conducted according to the procedures[~~ in this paragraph~~].

(b) A certified supervisor is required for each abatement project and shall be onsite during all work site preparation and during the post-abatement cleanup of work areas. At all other times when abatement activities are being conducted, the certified supervisor shall be onsite or available by telephone, pager or answering service, and able to be present at the work site in no more than two [~~2~~] hours.

(c) The certified supervisor and the certified firm employing that supervisor shall ensure that all abatement activities are conducted according to the requirements[~~ of this section~~] and all other federal, state, and local requirements.

(d) A certified firm must notify the director of lead-based paint abatement activities as follows:

(i) Except as provided in[~~ paragraph~~] Subsection R307-842-3(5)(d)(ii)[~~ of this section~~], the director must be notified [~~prior to~~] before conducting lead-based paint abatement activities. The original notification must be received by the director at least five [~~5~~] business days before the start date of any lead-based paint abatement activities;

(ii) Notification for lead-based paint abatement activities required in response to an elevated blood lead level (EBL) determination, or federal, state, tribal, or local emergency abatement order should be received by the director as early as possible before, but must be received no later than the start date of the lead-based paint abatement activities. Should the start date [~~and/~~]or location provided to the director change, an updated notification must be received by the director on or before the start date provided to the director. Documentation showing evidence of an EBL determination or a copy of the federal, [~~/~~]state, [~~/~~]tribal, or [~~/~~]local emergency abatement order must be included in the written notification to take advantage of this abbreviated notification period;

(iii) Except as provided in[~~ paragraph~~] Subsection R307-842-3(5)(d)(ii)[~~ of this section~~], updated notification must be provided to the director for lead-based paint abatement activities that will begin on a date other than the start date specified in the original notification, as follows:

(A) For lead-based paint abatement activities beginning [~~prior to~~] before the start date provided to the director an updated notification must be received by the director at least five [~~5~~] business days before the new start date included in the notification; and

(B) For lead-based paint abatement activities beginning after the start date provided to the director an updated notification must be received by the director on or before the start date provided to the director;

(iv) Except as provided in[paragraph] Subsection R307-842-3(5)(d)(ii)[of this section], updated notification must be provided to the director for any change in location of lead-based paint abatement activities at least five [5] business days [prior to] before the start date provided to the director;

(v) Updated notification must be provided to the director [when] if lead-based paint abatement activities are canceled, or [when] if there are other significant changes including, but not limited to, [when] if the square footage or acreage to be abated changes by more than 20%. This updated notification must be received by the director on or before the start date provided to the director, or if work has already begun, within 24 hours of the change;

(vi) The following must be included in each notification:

(A) Notification type such as [(]original, updated, or cancellation[)];

(B) Date when lead-based paint abatement activities will start;

(C) Approximate [D]date when lead-based paint abatement activities will end; [(approximation using best professional judgment);]

(D) Firm's name, Utah lead-based paint firm certification number, address, and telephone number;

(E) Type of building such as [(e.g.,] single family dwelling, multi-family dwelling, [and/]or child-occupied facilities[) on/] in which abatement work will be performed;

(F) Property name, [(]if applicable[)];

(G) Property address including apartment or unit numbers, [number(s) (]if applicable[)] for abatement work;

(H) Documentation showing evidence of an EBL determination or a copy of the federal, [/]state, [/]tribal, or [/]local emergency abatement order, if using the abbreviated time period as described in[paragraph] Subsection R307-842-3(5)(d)(ii)[of this section];

(I) Name and Utah lead-based paint individual certification number of the project supervisor;

(J) Approximate square footage or [/] acreage to be abated;

(K) Brief description of abatement activities to be performed; and

(L) Name, title, and signature of the representative of the certified firm who prepared the notification;

(vii) Notification of lead-based paint abatement projects must be submitted electronically or written, using the forms provided by the Utah Division of Air Quality. [must be accomplished using any of the following methods: Written notification, or electronically using the Utah Division of Air Quality electronic notification system. Written notification can be accomplished using either the sample form titled "Lead-Based Paint Abatement Project Notification" or similar form containing the information required in paragraph (5)(d)(vi) of this section. All written notifications must be delivered by United States Postal Service, fax, commercial delivery service, hand delivery, or by email on or before the applicable date. Instructions and sample forms can be obtained from the Utah Division of Air Quality Lead-Based Paint Program web site;]

(viii) Lead-based paint abatement activities shall not begin on a date[,] or at a location other than that specified in either an original or updated notification, in the event of changes to the original notification; and

(ix) No firm or individual shall engage in lead-based paint abatement activities, as defined in Section R307-840-2, [prior to] before notifying the director of such activities according to the requirements[of this paragraph].

(e) A written occupant protection plan shall be developed for all abatement projects and shall be prepared according to the following procedures:

(i) The occupant protection plan shall be unique to each residential dwelling or child-occupied facility and be developed [prior to] before the abatement. The occupant protection plan shall describe the measures and management procedures that will be taken during the abatement to protect the building occupants from exposure to any lead-based paint hazards; and

(ii) A certified supervisor or project designer shall prepare the occupant protection plan.

(f) Containing the work area. Before beginning the abatement activity, the firm must isolate the work area so that no dust or debris leaves the work area while the abatement is being performed. In addition, the firm must maintain the integrity of the containment by ensuring that any plastic or other impermeable materials are not torn or displaced, and taking any other steps necessary to ensure that no dust or debris leaves the work area while the abatement is being performed. The firm must also ensure that containment is installed in such a manner that it does not interfere with occupant and worker egress in an emergency.

(i) Interior abatement. The firm must:

(A) Remove all objects from the work area, including furniture, rugs, and window coverings, or cover them with plastic sheeting or other impermeable material with all seams and edges taped or otherwise sealed;

(B) Close and cover all duct openings in the work area with taped-down plastic sheeting or other impermeable material;

(C) Close windows and doors in the work area. Doors must be covered with plastic sheeting or other impermeable material and sealed with duct tape or equivalent. Doors used as an entrance to the work area must be covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area;

(D) Cover the floor surface, including installed carpet, with taped-down plastic sheeting or other impermeable material in the work area six [~~6~~] feet beyond the perimeter of surfaces undergoing abatement or a sufficient distance to contain the dust, whichever is greater. Floor containment measures may stop at the edge of the vertical barrier [~~when~~] if using a vertical containment system consisting of impermeable barriers that extend from the floor to the ceiling and are tightly sealed at joints with the floor, ceiling, and walls; and

(E) Use precautions to ensure that all personnel, tools, and other items, including the exterior of containers of waste, are free of dust and debris before leaving the work area.

(ii) Exterior abatement. The firm must:

(A) Close all doors and windows within 20 feet of the abatement. On multi-story buildings, close all doors and windows within 20 feet of the abatement on the same floor as the abatement, and close all doors and windows on all floors below that are the same horizontal distance from the abatement;

(B) Ensure that doors within the work area that will be used while the job is being performed are covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area;

(C) Cover the ground with plastic sheeting or other disposable impermeable material extending ten [~~10~~] feet beyond the perimeter of surfaces undergoing abatement or a sufficient distance to collect falling paint debris, whichever is greater, unless the property line prevents ten [~~10~~] feet of such ground covering. Ground containment measures may stop at the edge of the vertical barrier [~~when~~] if using a vertical containment system; and

(D) If the abatement will affect surfaces within ten [~~10~~] feet of the property line, the lead-based paint firm must erect vertical containment or equivalent precautions in containing the work area to ensure that dust and debris from the abatement does not contaminate adjacent buildings or migrate to adjacent properties. Vertical containment or equivalent extra precautions in containing the work area may also be necessary in other situations [~~in order~~] to prevent contamination of other buildings, other areas of the property, or adjacent buildings or properties.

(g) The work practices listed [~~below~~] shall be restricted during an abatement as follows:

(i) Open-flame burning or torching of lead-based paint is prohibited;

(ii) Machine sanding or grinding or abrasive blasting or sandblasting of lead-based paint is prohibited unless used with High Efficiency Particulate Air (HEPA) exhaust control which removes particles of 0.3 microns or larger from the air at 99.97% or greater efficiency;

(iii) Dry scraping of lead-based paint is permitted only in conjunction with heat guns or around electrical outlets or [~~when~~] if treating defective paint spots totaling no more than two [~~2~~] square feet in any one room, hallway, or stairwell or totaling no more than 20 square feet on exterior surfaces; and

(iv) Operating a heat gun on lead-based paint is permitted only at temperatures below 1,100 degrees Fahrenheit.

(h) Waste from abatement.

(i) Waste from the abatement activity must be contained to prevent releases of dust and debris before the waste is removed from the work area for storage or disposal. If a chute is used to remove waste from the work area, it must be covered.

(ii) At the conclusion of each work day and at the conclusion of the abatement, waste that has been collected from the abatement must be stored under containment, in an enclosure, or behind a barrier that prevents release of dust and debris out of the work area and prevents access to dust and debris.

(iii) [~~When~~] If the firm transports waste from the abatement, the firm must contain the waste to prevent release of dust and debris.

(i) If conducted, soil abatement shall be conducted in one of the following ways:

(i) If the soil is removed:

(A) The soil shall be replaced by soil with a lead concentration as close to local background as practicable, but no greater than 400 ppm; and

(B) The soil that is removed shall not be used as top soil at another residential property or child-occupied facility; or

(ii) If soil is not removed, the soil shall be permanently covered, as defined in Section R307-840-2.

(j) The following post-abatement clearance procedures shall be performed only by a certified inspector or risk assessor:

(i) Following an abatement, a visual inspection shall be performed to determine if deteriorated painted surfaces [~~and/~~]or visible amounts of dust, debris, or residue are still present. If deteriorated painted surfaces or visible amounts of dust, debris, or residue are present, these conditions must be eliminated [~~prior to~~] before the continuation of the clearance procedures;

(ii) Following the visual inspection and any post-abatement cleanup required by[~~ paragraph~~] Subsection R307-842-3(5)(h)(i)[~~ of this section~~], clearance sampling for lead in dust shall be conducted. Clearance sampling may be conducted by employing single-surface sampling or composite sampling techniques;

(iii) Dust samples for clearance purposes shall be taken using documented methodologies that incorporate adequate quality control procedures;

(iv) Dust samples for clearance purposes shall be taken a minimum of one [~~1~~] hour after completion of final post-abatement cleanup activities;

(v) The following post-abatement clearance activities shall be conducted as appropriate based upon the extent or manner of abatement activities conducted in or to the residential dwelling or child-occupied facility:

(A) After conducting an abatement with containment between abated and unabated areas, one dust sample shall be taken from one interior window sill and from one window trough, [~~(~~]if present,[~~)~~] and one dust sample shall be taken from the floors of each of no less than four rooms, hallways, or stairwells within the containment area. In addition, one dust sample shall be taken from the floor outside the containment area. If there are less than four rooms, hallways, or stairwells within the containment area, then all rooms, hallways, or stairwells shall be sampled;

(B) After conducting an abatement with no containment, two dust samples shall be taken from each of no less than four rooms, hallways, or stairwells in the residential dwelling or child-occupied facility. One dust sample shall be taken from one interior window sill and window trough, [~~(~~]if present,[~~)~~] and one dust sample shall be taken from the floor of each room, hallway, or stairwell selected. If there are less than four rooms, hallways, or stairwells within the residential dwelling or child-occupied facility, then all rooms, hallways, or stairwells shall be sampled; and

(C) Following an exterior paint abatement, a visible inspection shall be conducted. All horizontal surfaces in the outdoor living area closest to the abated surface shall be found to be cleaned of visible dust and debris. In addition, a visual inspection shall be conducted to determine the presence of paint chips on the dripline or next to the foundation below any exterior surface abated. If paint chips are

present, they must be removed from the site and properly disposed of, according to all applicable federal, state, and local requirements;

(vi) The rooms, hallways, or stairwells selected for sampling shall be selected according to documented methodologies;

(vii) The certified inspector or risk assessor shall compare the residual lead level, [~~(~~]as determined by the laboratory analysis,[~~)~~] from each single surface dust sample with clearance levels in[~~paragraph~~] Subsection R307-842-3(5)(h)(viii)[~~ of this section~~] for lead in dust on floors, interior window sills, and window troughs or from each composite dust sample with the applicable clearance levels for lead in dust on floors, interior window sills, and window troughs divided by half the number of subsamples in the composite sample. If the residual lead level in a single surface dust sample equals or exceeds the applicable clearance level or if the residual lead level in a composite dust sample equals or exceeds the applicable clearance level divided by half the number of subsamples in the composite sample, the components represented by the failed sample shall be recleaned and retested; and

(viii) The clearance levels for lead in dust are ten [~~10~~] ug/ft^2 for floors, 100 ug/ft^2 for interior window sills, and 400 ug/ft^2 for window troughs.

(ix) Occupants of the home shall not be allowed into the abatement work area until clearance dust sample results are received by the inspector or risk assessor and are found to be acceptable according to dust-lead clearance level standards.

(k) In a multi-family dwelling with similarly constructed and maintained residential dwellings, random sampling for the purposes of clearance may be conducted provided:

(i) The certified individuals who abate or clean the residential dwellings do not know which residential dwelling will be selected for the random sample;

(ii) A sufficient number of residential dwellings are selected for dust sampling to provide a 95% level of confidence that no more than 5% or 50 of the residential dwellings, [~~(~~]whichever is smaller[~~)~~] in the randomly sampled population exceed the appropriate clearance levels; and

(iii) The randomly selected residential dwellings shall be sampled and evaluated for clearance according to the procedures found in[~~ paragraph~~] Subsection R307-842-3(5)(h)[~~ of this section~~].

(l) An abatement report shall be prepared by a certified supervisor or project designer no later than 30 business days after receiving the results of final clearance testing and all soil analyses, [~~(~~]if applicable[~~)~~]. The abatement report shall include the following information:

(i) Start and completion dates of abatement;

(ii) The name and address of each certified firm conducting the abatement and the name of each supervisor assigned to the abatement project;

(iii) The occupant protection plan prepared pursuant to[~~ paragraph~~] Subsection R307-842-3(5)(e)[~~ of this section~~];

(iv) The name, address, and signature of each certified risk assessor or inspector conducting clearance sampling and the date of clearance testing;

(v) The results of clearance testing and all soil analyses, [~~(~~]if applicable,[~~)~~] and the name of each recognized laboratory that conducted the analyses; and

(vi) A detailed written description of the abatement, including abatement methods used, locations of rooms [~~and/~~] or components where abatement occurred, reason for selecting particular abatement methods for each component, and any suggested monitoring of encapsulants or enclosures.

(6) Collection and laboratory analysis of samples. Any paint chip, dust, or soil samples collected pursuant to the work practice standards[~~ contained in this section~~] shall be:

(a) Collected by persons certified by the director as an inspector or risk assessor; and

(b) Analyzed by a laboratory recognized by EPA pursuant to Section 405(b) of TSCA as being capable of performing analyses for lead compounds in paint chip, dust, and soil samples.

(7) Composite dust sampling. Composite dust sampling may only be conducted in the situations specified in[~~ paragraphs~~] Subsections R307-842-3(3) through R307-842-3(5)[~~ of this section~~]. If such sampling is conducted, the following conditions shall apply:

(a) Composite dust samples shall consist of at least two subsamples;

(b) Every component that is being tested shall be included in the sampling; and

(c) Composite dust samples shall not consist of subsamples from more than one type of component.

(8) Determinations.

(a) Lead-based paint is present:

(i) On any surface that is tested and found to contain lead equal to or in excess of 1.0 milligrams per square centimeter or equal to or in excess of 0.5% by weight; and

(ii) On any surface like a surface tested in the same room equivalent that has a similar painting history and that is found to be lead-based paint.

(b) A paint-lead hazard is present:

(i) On any friction surface that is subject to abrasion and where the lead dust levels on the nearest horizontal surface underneath the friction surface, such as [~~(e.g.,~~] the window sill or floor,[~~)~~] are equal to or greater than the dust hazard levels identified in the definition of "Dust-lead hazard" in Section R307-840-2;

(ii) On any chewable lead-based paint surface on which there is evidence of teeth marks;

(iii) Where there is any damaged or otherwise deteriorated lead-based paint on an impact surface that is caused by impact from a related building component [~~(~~]such as a door knob that knocks into a wall or a door that knocks against its door frame[~~)~~]; and

(iv) If there is any other deteriorated lead-based paint in any residential building or child-occupied facility or on the exterior of any residential building or child-occupied facility.

(c) A dust-lead hazard is present in a residential dwelling or child-occupied facility:

(i) In a residential dwelling on floors and interior window sills [~~when~~] if the weighted arithmetic mean lead loading for all single surface or composite samples of floors and interior window sills are equal to or greater than ten [~~10~~] ug/ft^2 for floors and 100 ug/ft^2 for interior window sills, respectively;

(ii) On floors or interior window sills in an unsampled residential dwelling in a multi-family dwelling, if a dust-lead hazard is present on floors or interior window sills, respectively, in at least one sampled residential unit on the property; and

(iii) On floors or interior window sills in an unsampled common area in a multi-family dwelling, if a dust-lead hazard is present on floors or interior window sills, respectively, in at least one sampled common area in the same common area group on the property.

(d) A soil-lead hazard is present:

(i) In a play area [~~when~~] if the soil-lead concentration from a composite play area sample of bare soil is equal to or greater than 400 parts per million; or

(ii) In the rest of the yard [~~when~~] if the arithmetic mean lead concentration from a composite sample [~~(~~]or arithmetic mean of composite samples[~~)~~] of bare soil from the rest of the yard, meaning [~~(i.e.,~~] non-play areas,[~~)~~] for each residential building on a property is equal to or greater than 1,200 parts per million.

(9) Recordkeeping. All reports or plans required [~~in this section~~] shall be maintained by the certified firm or individual who prepared the report for no fewer than three [~~3~~] years. The certified firm or individual also shall provide copies of these reports to the building owner who contracted for its services.

R307-842-4. Lead-Based Paint Activities Requirements.

Lead-based paint activities, as defined in Section R307-840-2, shall only be conducted according to the procedures and work practice standards contained in Section R307-842-3[~~ of this rule~~]. No individual or firm may offer to perform or perform any lead-based paint activity as defined in Section R307-840-2, unless certified to perform that activity according to the procedures in Section R307-842-2.

R307-842-5. Work Practice Requirements for Lead-Based Paint Hazards.

Applicable certification, occupant protection, and clearance requirements and work practice standards are found in Rule R307-842 and in regulations issued by HUD at 24 CFR Part 35, Subpart R. The work practice standards in those regulations do not apply [~~when~~] if treating paint-lead hazards of less than:

([~~a~~]1) Two square feet of deteriorated lead-based paint per room or equivalent;[~~,~~]
([~~b~~]2) Twenty square feet of deteriorated paint on the exterior building;[~~,~~] or
([~~c~~]3) Ten percent of the total surface area of deteriorated paint on an interior or exterior type of component with a small surface area.

KEY: paint, lead-based paint, lead-based paint abatement
Date of Last Change: [September 1, 2021] 2026
Notice of Continuation: October 2, 2024
Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(i)

ITEM 6

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Commissioner

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-046-26

M E M O R A N D U M

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

THROUGH: Jazmine Lopez, Rules Coordinator

FROM: Alyssa Higham, Environmental Scientist

DATE: September 23, 2026

SUBJECT: PROPOSE FOR PUBLIC COMMENT: Amend Rules R307-309. Nonattainment and Maintenance Areas for PM10 and PM2.5: Fugitive Emissions and Fugitive Dust; and R307-205 Emission Standards: Fugitive Emissions and Fugitive Dust.

Utah's population growth and increasing need for housing and infrastructure have made locally sourced aggregate materials, including sand, gravel, and crushed stone, critical to the state's economic development. As residential and commercial development increases and the need for new aggregate operations grows, neighboring communities face greater impacts from fugitive dust emissions, which can affect air quality, quality of life, and agricultural productivity. Because these impacts are shaped by climatic conditions, geography, and site-specific operational practices, addressing fugitive dust requires a coordinated and consistent effort among state agencies, industry representatives, local governments, and community stakeholders. To support this effort, the Division of Air Quality established the Aggregate Operations Working Group to identify and evaluate strategies for reducing the effects of fugitive dust from aggregate operations on surrounding communities.

House Bill 378 (H.B. 378), Fugitive Dust Mitigation Amendments (2026 General Session), was enacted as the result of stakeholder discussions within that working group. Amendments to rules R307-309, Nonattainment and Maintenance Areas for PM10 and PM2.5: Fugitive Emissions and Fugitive Dust, and R307-205, Emission Standards: Fugitive Emissions and Fugitive Dust, are necessary to incorporate statutory provisions enacted by this bill regarding signage requirements at fugitive dust facilities. These rule revisions are also the result of continued stakeholder engagement with the Aggregate Operations Working Group.

Per H.B. 378, “fugitive dust facilities,” defined in code as a fugitive dust source larger than one-quarter acre that the division requires to complete a fugitive dust control plan, are required to post clear, visible signage at facility or site entrances. This signage shall identify company contact information for direct community dust complaints, as well as the division’s information for submitting general complaints and dust concerns.

Rule R307-309 applies to all fugitive dust sources greater than one-quarter acre located in PM_{10} and $PM_{2.5}$ nonattainment and maintenance areas, including aggregate operations, bulk material handling operations, construction sites, and mining activities. As all of these sources are required to submit fugitive dust control plans, the signage requirement will apply broadly in PM nonattainment and maintenance areas. In addition to signage requirements, rule R307-309 has also been amended to clarify record-keeping requirements and establish an expectation for revising fugitive dust control plans when dust control measures are followed, yet dust emissions continue to exceed applicable opacity standards.

Rule R307-205 applies to statewide fugitive dust sources that are outside of PM_{10} and $PM_{2.5}$ nonattainment and maintenance areas. Under rule R307-205, submission of fugitive dust control plans is not required. Because H.B. 378 defines a "fugitive dust facility" as a facility required by the division to submit a fugitive dust control plan, the signage requirement added to rule R307-205 will only apply to sources that meet this definition. Therefore, this amendment will only impact sources in PM attainment areas that are required to submit fugitive dust control plans either through an approval order permit or a temporary relocation authorization.

Other amendments to rule R307-205 are as follows:

1. Include opacity requirements that mirror those in rule R307-309, which gives the division a compliance mechanism to address fugitive dust generated from statewide sources.

2. Remove the allowance for pre-1971 sources to generate fugitive emissions up to 40% opacity. These sources are expected to have installed controls to capture fugitive emissions and will be expected to meet 20% opacity requirements in parity with other sources.

3. Modernize language regarding best practices for dust control on roads.

These rule amendments went through an Advanced Notice of Proposed Rulemaking, during which they were posted publicly on the division’s website for a 30-day public review period. Comments received were taken into consideration when drafting the versions of rules R307-309 and R307-205 ultimately presented here.

Recommendation: Staff recommend the Board approve the amendments to rules R307-309, Nonattainment and Maintenance Areas for PM10 and PM2.5: Fugitive Emissions and Fugitive Dust, and R307-205, Emission Standards: Fugitive Emissions and Fugitive Dust, for a 30-day public comment period.

State of Utah
Administrative Rule Analysis
Revised May 2026

NOTICE OF SUBSTANTIVE CHANGE	
TYPE OF FILING: Amendment	**Filing ID: OFFICE USE ONLY**
Rule or section number:	**R307-309**
Date of previous publication (only for CPRs):	

1. Agency Information

Title catchline:	Environmental Quality, Air Quality
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state and zip:	Salt Lake City, UT 84114-4820

2. Contact Persons

Name:	**Phone:**	**Email:**
Alyssa Higham	385-414-3390	alyssahigham@utah.gov
Jazmine Lopez	801-536-4050	jazminelopez@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:

R307-309. Nonattainment and Maintenance Areas for PM10 and PM2.5: Fugitive Emissions and Fugitive Dust

B. Purpose of the new rule or reason for the change:

Amendments to Rule R307-309 are necessary to incorporate signage requirements for fugitive dust facilities required by H.B. 378 from the 2026 General Session. Per H.B. 378, “fugitive dust facilities,” defined as fugitive dust sources larger than one-quarter acre that the Division of Air Quality requires to complete a fugitive dust control plan, must post clear, visible signage at facility entrances. The purpose of this signage requirement is to establish direct contact between community members and industry sources having the potential to generate fugitive dust that directly impacts local communities.

C. Summary of the new rule or change:

This amendment adds language to Rule R307-309 under H.B. 378 to require informational signage at fugitive dust sources. Section R307-309-13 details how posted signage shall be clearly visible, shall identify company contact information for direct community dust complaints as well as the Division’s information for submitting general complaints and dust concerns.

The amendment also expands language in Section R307-309-12 about record-keeping requirements to clarify compliance for sources and enable more effective enforcement from Division staff.

4. Legislative Action Information

A. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
B. If yes, any bill number and session:	HB 378 (2026 General Session)

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

There are no anticipated cost or savings to the state budget because this amendment does not require the state to change any operating practices.

B. Local governments:

There is no anticipated impact to local governments, therefore, no costs or savings are anticipated.

C. Small businesses ("small business" means a business employing 1-49 persons)**:**

All dust sources in PM maintenance and nonattainment areas covered by Rule R307-309 meet H.B. 378's definition of "fugitive dust facilities," defined as sources larger than one-quarter acre that the Division requires to have a fugitive dust control plan, and therefore must comply with the new signage requirement. According to Division data on fugitive dust control plans submitted between 2022 and July 2026, approximately 1,100 sources in PM maintenance and nonattainment areas have active and ongoing projects and meet the definition of a fugitive dust facility and will be affected by this rule revision.

This rule change will result in a minor negative fiscal impact to small businesses, specifically fugitive dust facilities that operate 0.25 acres or larger. Data was not able to be collected regarding the number of employees at fugitive dust facilities across the state. However, this rule will impact small and non-small businesses equally. Each source will be required to display informational signage, estimated at $200 per business for a 3'x4' aluminum fence-mounted sign.

There will be no additional cost of compliance with this rule change beyond the signage requirement. $200 was multiplied by the 1,100 sources to calculate the total initial fiscal year impact in Section 6 of this rule analysis form. This fiscal cost will be spread between both small and non-small businesses. The number of new dust sources in PM maintenance and nonattainment areas submitting fugitive dust control plans each year varies widely, so the cost for FY2028-FY2031 could not be accurately estimated. However, the future total annual fiscal cost is not expected to exceed that of the initial FY2027 cost to bring existing sources into compliance.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons)**:**

All dust sources in PM maintenance and nonattainment areas covered by Rule R307-309 meet H.B. 378's definition of "fugitive dust facilities" defined as sources larger than one-quarter acre that the Division requires to have a fugitive dust control plan, and therefore must comply with the new signage requirement. According to Division data on fugitive dust control plans submitted between 2022 and July 2026, approximately 1,100 sources in PM maintenance and nonattainment areas have active and ongoing projects and meet the definition of a fugitive dust facility and will be affected by this rule revision.

This rule change will result in a minor negative fiscal impact to non-small businesses, specifically fugitive dust facilities that operate 0.25 acres or larger. Data was not able to be collected regarding the number of employees at fugitive dust facilities across the state. However, this rule will impact small and non-small businesses equally. Each source will be required to display informational signage, estimated at $200 per business for a 3'x4' aluminum fence-mounted sign.

There will be no additional cost of compliance with this rule change beyond the signage requirement. $200 was multiplied by the 1,100 sources to calculate the total initial fiscal year impact in Section 6 of this rule analysis form. This fiscal cost will be spread between both small and non-small businesses. The number of new dust sources in PM maintenance and nonattainment areas submitting fugitive dust control plans each year varies widely, so the cost for FY2028-FY2031 could not be accurately estimated. However, the future total annual fiscal cost is not expected to exceed that of the initial FY2027 cost to bring existing sources into compliance.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an ***agency***)**:**

There is no anticipated impact to persons other than small businesses, non-small businesses, state, or local government entities, therefore, no costs or savings are anticipated.

F. Compliance costs for affected persons:

All fugitive dust facilities greater than 0.25 acres in the PM maintenance and nonattainment areas covered by Rule R307-309 are required to display informational signage. This is estimated as a one-time cost at $200 per source.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	-$220,000	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	-$220,000	inestimable	inestimable	inestimable	inestimable
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Cost	**-$220,000**	**$0**	**$0**	**$0**	**$0**
Fiscal Benefits	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Benefits	**$0**	**$0**	**$0**	**$0**	**$0**
Net Fiscal Benefits	**-$220,000**	**$0**	**$0**	**$0**	**$0**

7. Regulatory Impact Analysis Approval

The Commissioner of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:	☒

B. Summary of reasonable alternatives or modifications:

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-2-104	Section 19-2a-108	

10. Incorporation by Reference Information

Incorporation by Reference (if this rule incorporates more than two items by reference, please include additional tables)**:**

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*)**:**

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*)**:**

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	12/01/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.)**:**		
Date:	**Time** (hh:mm AM/PM)**:**	**Place** (physical address or URL)**:**
11/23/2026	11:00AM - 12:00PM	A public hearing is set for Monday, November 23, 2026. Further details may be found below. The hearing will be cancelled should no request for one be made by November 19, 2026, at 10 AM MT. The final status of the public hearing will be posted on November 19, 2026, after 10 AM MT. The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment Interested Persons can participate in person or electronically, via the internet. In Person: MASOB 195 N. 1950 W. Salt Lake City, UT, 84116, First Floor, Air Quality Board Room Virtual Attendance: Time zone: America/Denver Google Meet joining info: Video call link: https://meet.google.com/nvi-ickv-uog Or dial: (US) +1 929-324-1432 PIN: 792 119 356#

To the agency: If more than one hearing is planned to take place, continue to add rows.

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	01/06/2027

13. Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. The office may return incomplete forms to the agency, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.			
Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	**Date:**	09/21/2026

R307. Environmental Quality, Air Quality.
R307-309. Nonattainment and Maintenance Areas for PM10 and PM2.5: Fugitive Emissions and Fugitive Dust.
R307-309-1. Purpose.

[~~This rule~~] Rule R307-309 establishes minimum work practices and emission standards for sources of fugitive emissions and fugitive dust.

R307-309-2. Definitions.

The following additional definitions apply[~~ies~~] to Rule R307-309:

"Material" means sand, gravel, soil, minerals, and other matter that may create fugitive dust.

"Fugitive dust" means particulate matter that becomes airborne from the mechanical or wind-blown disturbance of a material or surface.

"Fugitive dust facility" means a fugitive dust facility as defined in Subsection 19-2a-108(1)(d).

R307-309-3. Applicability.

(1) Rule R307-309 applies to all new or existing sources of fugitive dust one-quarter acre or greater and any sources of fugitive emissions located in PM10 or PM2.5 nonattainment or maintenance plan areas as defined in 40 CFR 81.345 on [~~(~~]July 1, 2011[~~)~~]. Collectively, the PM10 and PM2.5 nonattainment and maintenance plan areas are geographically defined as all regions of Salt Lake and Davis counties; all portions of the Cache Valley; all regions in Weber County west of the Wasatch mountain range; all regions of Utah County; in Box Elder County, from the Wasatch mountain range west to the Promontory mountain range and south of Portage; and in Tooele County, from the northernmost part of the Oquirrh mountain range to the northern most part of the Stansbury mountain range and north of Route 199.

(2) Exemptions.

(a) Agriculturally derived fugitive dust sources, including agricultural or horticultural activities specified in Subsections 19-2-114(1)[-] through 19-2-114(3) are exempt from[~~ the provisions of~~] Rule R307-309.

(b) Any activity subject to Rule R307-307, Road Salting and Sanding, is exempt from Rule R307-309.

R307-309-4. Fugitive Emissions.

(1) Fugitive emissions from any source shall not exceed 15% opacity.

(2) Opacity observations of fugitive emissions from stationary sources shall be conducted in accordance with EPA Method 9.

(3) For intermittent sources and mobile sources, opacity observations shall be conducted using Method 9; however, the requirement for observations to be made at 15 second intervals over a six-minute period shall not apply. The number of observations and the time period shall be determined by the length of the intermittent or mobile source operation.

R307-309-5. General Requirements for Fugitive Dust.

(1) Except as provided in Subsection R307-309-5(3), opacity caused by fugitive dust shall not exceed:

(a) 10% at the property boundary; and

(b) 20% on site.

(2) Any person owning or operating a new or existing source of fugitive dust one-quarter acre or greater in size shall submit a fugitive dust control plan to the director in accordance with Section R307-309-6.

(3) Opacity in Subsection R307-309-5(1) shall not apply when the wind speed exceeds 25 miles per hour if the owner or operator has implemented, and continues to implement, the accepted fugitive dust control plan in Section R307-309-6, record-keeping, as required in Section R307-309-12, and administers one or more of the following contingency measures:

(a) [~~P~~]pre-event watering;
(b) [~~H~~]hourly watering;
(c) [~~A~~]additional chemical stabilization; or
(d) [~~C~~]cease or reduce fugitive dust producing operations to the extent practicable.
(4) Wind speed shall be measured by an anemometer.
(5) Opacity observations of fugitive dust from any source shall be measured at the densest point of the plume.
(a) For mobile sources, visible emissions shall be measured at a point not less than 1/2 vehicle length behind the vehicle and not less than 1/2 the height of the vehicle.
(b) Opacity observations of emissions from stationary sources shall be measured in accordance with EPA Method 9.
(c) For intermittent sources, opacity observations shall be conducted using Method 9; however, the requirement for observations to be made at 15 second intervals over a six-minute period shall not apply. The number of observations and the time period shall be determined by the length of the intermittent or mobile source operation.

R307-309-6. Fugitive Dust Control Plan.
(1) Any person owning or operating a new or existing source of fugitive dust, including storage, hauling or handling operations, clearing or leveling of land one-quarter acre or greater in size, earthmoving, excavation, moving trucks or construction equipment over cleared land one-quarter acre or greater in size or access haul roads, or demolition activities including razing homes, buildings, or other structures, shall submit a fugitive dust control plan on a form provided by the director or another format approved by the director.
(a) A fugitive dust control plan that has been submitted to and accepted by the director [~~prior to~~] before December 3, 2012, will fulfill the requirements of Section R307-309-6 for that source.
(2) Activities regulated by Rule R307-309 shall not commence before the fugitive dust control plan is approved by the director.
(a) Successful completion of the web-based division-sponsored fugitive dust control plan tool shall constitute plan approval.
(b) Hard copy fugitive control plan submissions must be reviewed and approved by the director [~~prior to~~] before commencing activities regulated by Rule R307-309.
(3) Sources with an existing fugitive dust control plan who make site modifications that result in emission changes shall submit an updated fugitive dust control plan.
(4) Minimum fugitive dust control plan requirements. At a minimum, a fugitive dust control plan must include the following requirements as they apply to a source:
(a) Backfilling.
(i) Stabilize backfill material when not actively handling.
(ii) Stabilize backfill material during handling.
(iii) Stabilize soil at completion of backfilling activity.
(iv) Stabilize material while using pipe padder equipment.
(b) Blasting.
(i) Stabilize surface soils where drills, support equipment, and vehicles will operate.
(ii) Stabilize soil during blast preparation activities.
(iii) Stabilize soil after blasting.
(c) Clearing.
(i) Stabilize surface soils where support equipment and vehicles will operate.
(ii) Stabilize disturbed soil immediately after clearing and grubbing activities.
(iii) Stabilize slopes at completion of activity.
(d) Clearing forms, foundations, and slabs.
(i) Use water, sweeping, and vacuum to clear.
(e) Crushing.
(i) Stabilize surface soils where support equipment and vehicles will operate.

(ii) Stabilize material before, during, and after crushing.
(iii) Traffic mileage or speed controls.
(iv) Minimize transfer height.
(f) Cut and fill.
(i) Stabilize surface soils where support equipment and vehicles will operate.
(ii) Pre-water soils.
(iii) Stabilize soil during and after cut activities.
(g) Demolition-implosion.
(i) Stabilize surface area where support equipment and vehicles will be operated.
(ii) Stabilize demolition debris immediately following blast and safety clearance.
(iii) Stabilize and clean the surrounding area immediately following blast and safety clearance.
(h) Demolition-mechanical and manual.
(i) Stabilize surface areas where support equipment and vehicles will operate.
(ii) Stabilize demolition debris during handling.
(iii) Stabilize debris following demolition.
(iv) Stabilize the surrounding area following demolition.
(i) Disturbed soil.
(i) Limit disturbance of soils where possible.
(ii) Stabilize and maintain stability of all disturbed soil throughout the construction site.
(j) Hauling materials.
(i) Limit visible dust opacity from vehicular operations.
(ii) Stabilize materials during transport on site.
(iii) Clean wheels and undercarriage of haul trucks [~~prior to~~] before leaving the construction site.
(k) Paving subgrade preparation.
(i) Stabilize adjacent disturbed soils following paving activities by applying water, chemical stabilizer, [~~and/~~]or synthetic cover.
(l) Sawing and cutting materials.
(i) Limit visible emissions using water or vacuum.
(m) Screening.
(i) Stabilize surface soils where support equipment and vehicles will operate.
(ii) Pre-treat material [~~prior to~~] before screening.
(iii) Stabilize material during screening.
(iv) Stabilize material and surrounding area immediately after screening.
(v) Minimize transfer height.
(n) Staging areas.
(i) Limit visible dust opacity from vehicular operations.
(ii) Stabilize staging area soils during use.
(iii) Stabilize staging area soils at project completion.
(o) Stockpiling.
(i) Stabilize stockpile materials during and after handling.
(ii) Stabilize surface soils where support equipment and vehicles will operate.
(p) Trackout prevention and cleanup.
(i) Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
(q) Traffic on unpaved routes and parking areas.
(i) Stabilize surface soils where support equipment and vehicles will operate.
(r) Trenching.
(i) Stabilize surface soils where trenching equipment, support equipment, and vehicles will operate.
(ii) Stabilize soils after trenching.
(s) Truck loading.

(i) Empty the loader bucket slowly and keep the loader bucket close to the truck to minimize the drop height while dumping.

(ii) Stabilize surface soils where support equipment and vehicles will operate.

(5) The fugitive dust control plan must include contact information, site address, total area of disturbance, expected start and completion dates, identification of dust suppressant, and plan certification by signature of a responsible person.

(6) If the Division of Air Quality determines that a fugitive dust control plan has been followed, yet fugitive dust emissions from any fugitive dust facility still exceed the standards of Subsection R307-309-5(1), the operator of a fugitive dust facility shall be asked to make revisions to the dust plan and submit the revised plan to the Division within 10 business days.

R307-309-7. Storage, Hauling, and Handling of Aggregate Materials.

Any person owning, operating, or maintaining a new or existing material storage, handling, or hauling operation shall prevent, to the maximum extent possible, and in accordance with Section R307-309-6, material from being deposited onto any paved road other than a designated deposit site. Any such person who deposits materials that may create fugitive dust on a public or private paved road shall clean the road promptly using methods that do not exceed the opacity requirements of Subsection R307-309-5(1).

R307-309-8. Construction and Demolition Activities.

Any person engaging in clearing or leveling of land with an area of one-quarter acre or more, earthmoving, excavating, construction, demolition, or moving trucks or construction equipment over cleared land or access haul roads shall prevent, to the maximum extent possible, and in accordance with Section R307-309-6, material from being deposited onto any paved road other than a designated deposit site. Any such person who deposits materials that may create fugitive dust on a public or private paved road shall clean the road promptly.

R307-309-9. Roads.

(1) Any person responsible for construction or maintenance of any existing road or having right-of-way easement or possessing the right to use the same whose activities result in fugitive dust from the road shall minimize fugitive dust to the maximum extent possible and in accordance with Section R307-309-6. Any such person who deposits materials that may create fugitive dust on a public or private paved road shall clean the road promptly.

(2) Unpaved Roads. Any person responsible for construction or maintenance of any new or existing unpaved road shall prevent, to the maximum extent possible, the deposit of material from the unpaved road onto any intersecting paved road during construction or maintenance. Any person who deposits materials that may create fugitive dust on a public or private paved road shall clean the road promptly.

R307-309-10. Mining Activities.

(1) In addition to the requirements under Sections R307-309-1 through R307-309-6, fugitive dust, construction activities, and roadways associated with mining activities are regulated under[~~the provisions of~~] Section R307-309-10.

(2) Any person who owns or operates a mining operation shall minimize fugitive dust as an integral part of site preparation, mining activities, and reclamation operations.

(3) The fugitive dust control measures to be used shall include:

(a) [~~P~~]periodic watering of unpaved roads[~~ or~~];

(b) [~~U~~]use of chemical stabilizers on unpaved roads[~~ or~~];

(c) [~~P~~]paving of roads[~~,~~];

(d) [~~I~~]immediate removal of coal, rock minerals, soil, and other dust-forming debris from roads and frequent scraping and compaction of unpaved roads to stabilize the road surface[~~,~~];

(e) [~~R~~]restricting the speed of vehicles in and around the mining operation[~~,~~];

(f) [~~R~~]revegetating, mulching, or otherwise stabilizing the surface of all areas adjoining roads that are a source of fugitive dust[~~.~~];

(g) [~~R~~]restricting the travel of vehicles on other than established roads[~~.~~];

(h) [~~E~~]enclosing, covering, watering, or otherwise treating loaded haul trucks and railroad cars, to minimize loss of material to wind and spillage[~~.~~];

(i) [~~S~~]substitution of conveyor systems for haul trucks and covering of conveyor systems when conveyed loads are subject to wind erosion[~~.~~];

(j) [~~M~~]minimizing the area of disturbed land[~~.~~];

(k) [~~P~~]prompt revegetation of regraded lands[~~.~~];

(l) [~~P~~]planting of special windbreak vegetation at critical points in the permit area[~~.~~];

(m) [~~C~~]control of dust from drilling, using water sprays, hoods, dust collectors, or other controls approved by the director[~~.~~];

(n) [~~R~~]restricting the areas to be blasted at any one time[~~.~~];

(o) [~~R~~]reducing the period of time between initially disturbing the soil and revegetating or other surface stabilization[~~.~~];

(p) [~~R~~]restricting fugitive dust at spoil and coal transfer and loading points[~~.~~]; or

(q) [~~C~~]control of dust from storage piles through use of enclosures, covers, or stabilization and other equivalent methods or other techniques as determined necessary by the director and upon concurrence by EPA.

R307-309-11. Tailings Piles and Ponds.

(1) In addition to the requirements under Sections R307-309-1 through R307-309-6, fugitive dust, construction activities, and roadways associated with tailings piles and ponds are regulated under[~~ the provisions of~~] Section R307-309-11.

(2) Any person owning or operating an existing tailings operation where fugitive dust results from grading, excavating, depositing, or natural erosion or other causes in association with such operation shall take steps to minimize fugitive dust from such activities. Such controls shall include:

(a) [~~W~~]watering[~~ or~~];

(b) [~~C~~]chemical stabilization[~~ or~~];

(c) [~~S~~]synthetic covers[~~ or~~];

(d) [~~V~~]vegetative covers[~~ or~~];

(e) [~~W~~]wind breaks[~~ or~~];

(f) [~~A~~]a combination of Subsections R307-309-11(2)(a)[~~-~~] through R307-309-11(2)(e);

(g) [~~M~~]minimizing the area of disturbed tailings;

(h) [~~R~~]restricting the speed of vehicles in and around the tailings operation; or

(i) [~~O~~]other techniques which may be approvable by the director and upon concurrence by EPA.

R307-309-12. Record Keeping.

All sources subject to Subsections R307-309-5(2) and R307-309-5(3) shall maintain records for two years demonstrating compliance with Rule R307-309 and shall include the following components:

(1) document implementation and maintenance of control measures utilized from Subsection R307-309-6(4), including frequency or date of application or installation; and

(2) document contingency measures used as a result of wind events detailed in Subsection R307-309-5(3).

These records shall be available to the director upon request.

R307-309-13. Fugitive Dust Facility Signage Requirements

A fugitive dust facility must post informational signage as required by Subsection 19-2a-108(2):

(1) at an entryway to the fugitive dust facility that is clearly readable from the nearest public access point; and

(2) that includes the following information:

(a) the name of the facility or site;

(b) a permit identification number;
(c) a state business or entity identification number;
(d) the contact information for the facility manager or owner responsible for dust control matters; and
(e) contact information for the Utah Division of Air Quality that directs the public to information on fugitive dust and a place to submit dust complaints.

KEY: air pollution, fugitive dust
Date of Last Change: [~~August 4, 2017~~] 2026
Notice of Continuation: October 2, 2024
Authorizing, and Implemented or Interpreted Law: 19-2-101; 19-2-104; 19-2-109, 19-2a-108

State of Utah
Administrative Rule Analysis
Revised May 2026

NOTICE OF SUBSTANTIVE CHANGE	
TYPE OF FILING: Amendment	**Filing ID: OFFICE USE ONLY**
Rule or section number:	**R307-205**
Date of previous publication (only for CPRs):	

1. Agency Information

Title catchline:	Environmental Quality, Air Quality
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state:	Salt Lake City, UT
Mailing address:	PO Box 144820
City, state and zip:	Salt Lake City, UT 84114-4820

2. Contact Persons

Name:	**Phone:**	**Email:**
Alyssa Higham	385-414-3390	alyssahigham@utah.gov
Jazmine Lopez	801-536-4050	jazminelopez@utah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:

R307-205. Emission Standards: Fugitive Emissions and Fugitive Dust

B. Purpose of the new rule or reason for the change:

Amendments to Rule R307-205 are necessary to incorporate signage requirements for fugitive dust facilities required by H.B. 378 from the 2026 General Session. Per H.B. 378, “fugitive dust facilities,” defined as fugitive dust sources larger than one-quarter acre that the Division of Air Quality requires to complete a fugitive dust control plan, must post clear, visible signage at facility entrances. The purpose of this signage requirement is to establish direct contact between community members and industry sources having the potential to generate fugitive dust that directly impacts local communities.

C. Summary of the new rule or change:

This amendment adds language to Rule R307-205 under H.B. 378 to require informational signage at fugitive dust sources . Section R307-205-11 details how posted signage shall be clearly visible, shall identify company contact information for direct community dust complaints as well as the Division’s information for submitting general complaints and dust concerns.

Other revisions include the addition of opacity requirements for fugitive dust in Section R307-205-5. This is to reinforce the expectation of effective dust control from statewide dust sources, and to enable more effective enforcement from Division staff.

Language in Section R307-205-4 was modernized to remove the different opacity requirement for sources constructed on or before April 25, 1971.

Lastly, language in Section R307-205-8 was modernized to more closely reflect best practices for dust control on roadways.

4. Legislative Action Information

A. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
B. If yes, any bill number and session:	HB 378 (2026 General Session)

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

There are no anticipated cost or savings to the state budget because this amendment does not require the state to change any operating practices.

B. Local governments:

There is no anticipated impact to local governments, therefore, no costs or savings are anticipated.

C. Small businesses ("small business" means a business employing 1-49 persons)**:**

Under these revisions to Rule R307-205, statewide dust sources in PM attainment areas that meet H.B. 378's definition of "fugitive dust facilities," defined as sources larger than one-quarter acre that the Division requires to have a fugitive dust control plan, must comply with the new signage requirement. According to Division data on fugitive dust control plans submitted between 2022 and July 2026, approximately 370 sources in PM attainment areas have active and ongoing projects and meet the definition of a fugitive dust facility and will be affected by this rule revision. This is likely an overestimate, as fugitive dust control plan submissions by dust sources in attainment areas of the state can be voluntary.

This rule change will result in a minor negative fiscal impact to small businesses, specifically fugitive dust facilities that operate 0.25 acres or larger. Data was not able to be collected regarding the number of employees at fugitive dust facilities across the state. However, this rule will impact small and non-small businesses equally. Each source will be required to display informational signage, estimated at $200 per business for a 3'x4' aluminum fence-mounted sign.

There will be no additional cost of compliance with this rule change beyond the signage requirement. $200 was multiplied by the 370 sources to calculate the total initial fiscal year impact in Section 6 of this rule analysis form. This fiscal cost will be spread between both small and non-small businesses. The number of new dust sources in PM attainment areas required to submit fugitive dust control plans each year varies widely, so the cost for FY2028-FY2031 could not be accurately estimated. However, the future total annual fiscal cost is not expected to exceed that of the initial FY2027 cost to bring existing sources meeting the definition of "fugitive dust facility" in H.B. 378 into compliance.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons)**:**

Under these revisions to Rule R307-205, statewide dust sources in PM attainment areas that meet H.B. 378's definition of 'fugitive dust facilities," defined as sources larger than one-quarter acre that the Division requires to have a fugitive dust control plan, must comply with the new signage requirement. According to Division data on fugitive dust control plans submitted between 2022 and July 2026, approximately 370 sources in PM attainment areas have active and ongoing projects and meet the definition of a fugitive dust facility and will be affected by this rule revision. This is likely an overestimate, as fugitive dust control plan submissions by dust sources in attainment areas of the state can be voluntary.

This rule change will result in a minor negative fiscal impact to non-small businesses, specifically fugitive dust facilities that operate 0.25 acres or larger. Data was not able to be collected regarding the number of employees at fugitive dust facilities across the state. However, this rule will impact small and non-small businesses equally. Each source will be required to display informational signage, estimated at $200 per business for a 3'x4' aluminum fence-mounted sign.

There will be no additional cost of compliance with this rule change beyond the signage requirement. $200 was multiplied by the 370 sources to calculate the total initial fiscal year impact in Section 6 of this rule analysis form. This fiscal cost will be spread between both small and non-small businesses. The number of new dust sources in PM attainment areas required to submit fugitive dust control plans each year varies widely, so the cost for FY2028-FY2031 could not be accurately estimated. However, the future total annual fiscal cost is not expected to exceed that of the initial FY2027 cost to bring existing sources meeting the definition of "fugitive dust facility" in H.B. 378 into compliance.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an ***agency***)**:**

There is no anticipated impact to persons other than small businesses, non-small businesses, state, or local government entities, therefore, no costs or savings are anticipated.

F. Compliance costs for affected persons:

Each dust source larger than one-quarter acre that the Division requires to have a fugitive dust control plan in PM attainment areas are required to display informational signage. This is estimated as a one-time cost at $200 per source.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	-$74,000	inestimable	inestimable	inestimable	inestimable
Non-Small Businesses	-$74,000	inestimable	inestimable	inestimable	inestimable
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Cost	**-$74,000**	**$0**	**$0**	**$0**	**$0**
Fiscal Benefits	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Benefits	**$0**	**$0**	**$0**	**$0**	**$0**
Net Fiscal Benefits	**-$74,000**	**$0**	**$0**	**$0**	**$0**

7. Regulatory Impact Analysis Approval

The Commissioner of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:	☒

B. Summary of reasonable alternatives or modifications:

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-2-104	Section 19-2a-108	

10. Incorporation by Reference Information

Incorporation by Reference (if this rule incorporates more than two items by reference, please include additional tables)**:**

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*)**:**

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*)**:**

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	12/01/2026

B. A public hearing (optional) will be held (The public may request a hearing by submitting a written request to the agency, as outlined in Section 63G-3-302 and Rule R15-1.)**:**		
Date:	**Time** (hh:mm AM/PM)**:**	**Place** (physical address or URL)**:**
11/23/2026	10:00AM - 11:00AM	A public hearing is set for Monday, November 23, 2026. Further details may be found below. The hearing will be cancelled should no request for one be made by November 19, 2026, at 10 AM MT. The final status of the public hearing will be posted on November 19, 2026, after 10 AM MT. The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notices-archive/air-quality-rule-plan-changes-open-public-comment Interested Persons can participate in person or electronically, via the internet. In Person: MASOB 195 N. 1950 W. Salt Lake City, UT, 84116, First Floor, Air Quality Board Room Virtual Attendance: Time zone: America/Denver Google Meet joining info: Video call link: https://meet.google.com/vwb-etvq-xbj Or dial: (US) +1 470-328-5826 PIN: 908 835 551#

To the agency: If more than one hearing is planned to take place, continue to add rows.

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	01/06/2027

13. Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. The office may return incomplete forms to the agency, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.			
Agency head or designee and title:	Bryce C. Bird, Director, Division of Air Quality	**Date:**	09/21/2026

R307. Environmental Quality, Air Quality.
R307-205. Emission Standards: Fugitive Emissions and Fugitive Dust.
R307-205-1. Purpose.

Rule R307-205 establishes minimum work practices and emission standards for sources of fugitive emissions and fugitive dust for sources located in all areas in the state except those listed in Section IX, Part H of the [~~s~~]State [~~i~~]Implementation [~~p~~]Plan or located in a PM10 or PM2.5 nonattainment or maintenance area.

R307-205-2. Applicability.

Rule R307-205 applies statewide to all sources of fugitive emissions and fugitive dust, except for agriculturally derived fugitive dust and agricultural or horticultural activities specified in Subsections 19-2-114(1) through 19-2-114(3) and any source listed in Section IX, Part H of the [~~s~~]State [~~i~~]Implementation [~~p~~]Plan or located in a PM10 or PM2.5 nonattainment or maintenance area.

R307-205-3. Definitions.

The following definitions apply[~~ies~~] to Rule R307-205:

"Material" means sand, gravel, soil, minerals, or other matter that may create fugitive dust.

"Fugitive dust" means particulate matter that becomes airborne from the mechanical or wind-blown disturbance of a material or surface.

"Fugitive dust facility" means a fugitive dust facility as defined in Subsection 19-2a-108(1)(d).

R307-205-4. Fugitive Emissions.

[~~Fugitive emissions from sources which were constructed on or before April 25, 1971, shall not exceed 40% opacity.~~]- Fugitive emissions from sources [~~constructed or modified after April 25, 1971,~~] shall not exceed 20% opacity.

R307-205-5. Fugitive Dust.

(1) Except as provided in Subsection R307-205-5(2), opacity caused by fugitive dust shall not exceed:

(a) 10% at the property boundary; and

(b) 20% on site.

(2) Opacity limitations in Subsection R307-205-5(1) shall not apply when the wind speed exceeds 25 miles per hour if the owner or operator administers one or more of the following contingency measures and maintains record-keeping of measures used:

(a) pre-event watering;

(b) hourly watering;

(c) additional chemical stabilization; or

(d) cease or reduce fugitive dust producing operations to the extent practicable.

(3) Wind speed shall be measured by an anemometer.

(4) Opacity observations of fugitive dust from any source shall be measured at the densest point of the plume.

(a) For mobile sources, visible emissions shall be measured at a point not less than 1/2 vehicle length behind the vehicle and not less than 1/2 the height of the vehicle.

(b) Opacity observations of emissions from stationary sources shall be measured in accordance with EPA Method 9.

(c) For intermittent sources, opacity observations shall be conducted using Method 9; however, the requirement for observations to be made at 15 second intervals over a six-minute period shall not apply. The number of observations and the time period shall be determined by the length of the intermittent or mobile source operation.

[~~(1) Storage and Handling of Materials. Any person owning, operating, or maintaining a new or existing material storage, handling, or hauling operation shall minimize fugitive dust from such an~~

~~operation. Such control may include the use of enclosures, covers, stabilization, or other equivalent methods or techniques as approved by the director.~~

~~(2) Construction and Demolition Activities.~~

~~(a) Any person engaging in clearing or leveling of land greater than one-quarter acre in size, earthmoving, excavation, or movement of trucks or construction equipment over cleared land greater than one-quarter acre in size or access haul roads shall take steps to minimize fugitive dust from such activities. Such control may include watering and chemical stabilization of potential fugitive dust sources or other equivalent methods or techniques approved by the director.~~

~~(b) The owner or operator of any land area greater than one-quarter acre in size that has been cleared or excavated shall take measures to prevent fugitive particulate matter from becoming airborne. Such measures may include:~~

~~(i) planting vegetative cover;~~

~~(ii) providing synthetic cover;~~

~~(iii) watering;~~

~~(iv) chemical stabilization;~~

~~(v) wind breaks; or~~

~~(vi) other equivalent methods or techniques approved by the director.~~

~~(c) Any person engaging in demolition activities including razing homes, buildings, or other structures or removing paving material from roads or parking areas shall take steps to minimize fugitive dust from such activities. Such control may include watering and chemical stabilization or other equivalent methods or techniques approved by the director.~~]

R307-205-6. Storage, Hauling, and Handling of Materials.

Any person owning, operating, or maintaining a new or existing material storage, handling, or hauling operation greater than one-quarter acre in size shall minimize fugitive dust from such an operation to the opacity limits set in Subsection R307-205-5(1). Such control may include the use of enclosures, covers, stabilization, or other equivalent methods or techniques as approved by the director.

R307-205-7. Construction and Demolition Activities.

(1) Any person engaging in clearing or leveling of land greater than one-quarter acre in size, earthmoving, excavation, or movement of trucks or construction equipment over cleared land greater than one-quarter acre in size or access haul roads shall take steps to minimize fugitive dust from such activities to the opacity limits set in Subsection R307-205-5(1). Such control may include watering and chemical stabilization of potential fugitive dust sources or other equivalent methods or techniques approved by the director.

(2) The owner or operator of any land area greater than one-quarter acre in size that has been cleared or excavated shall take measures to prevent fugitive particulate matter from becoming airborne. Such measures may include:

(a) planting vegetative cover;

(b) providing synthetic cover;

(c) watering;

(d) chemical stabilization;

(e) wind breaks; or

(f) other equivalent methods or techniques approved by the director.

(3) Any person engaging in demolition activities including razing homes, buildings, or other structures or removing paving material from roads or parking areas shall take steps to minimize fugitive dust from such activities. Such control may include watering and chemical stabilization or other equivalent methods or techniques approved by the director.

R307-205-[6]8. Roads.

[~~(1) The director may require persons owning, operating, or maintaining any new or existing road, or having right-of-way easement or possessory right to use the same, to supply traffic count~~

~~information as determined necessary to ascertain whether or not control techniques are adequate or additional controls are necessary.~~

~~(2) Any person who deposits materials that may create fugitive dust on a public or private paved road shall clean the road promptly.~~]

(1) Any person responsible for construction or maintenance of any existing road or having right-of-way easement or possessing the right to use the same whose activities result in fugitive dust from the road shall minimize fugitive dust to the maximum extent possible. Any such person who deposits materials that may create fugitive dust on a public or private paved road shall clean the road promptly.

(2) Unpaved Roads. Any person responsible for construction or maintenance of any new or existing unpaved road shall prevent, to the maximum extent possible, the deposit of material from the unpaved road onto any intersecting paved road during construction or maintenance. Any person who deposits materials that may create fugitive dust on a public or private paved road shall clean the road promptly.

R307-205-[~~7~~]9. Mining Activities.

(1) Fugitive dust, construction activities, and roadways associated with mining activities are regulated under Section R307-205-[~~7~~]9 and not by Sections R307-205-[~~5~~]7 and R307-205-[~~6~~]8.

(2) Any person who owns or operates a mining operation shall minimize fugitive dust as an integral part of site preparation, mining activities, and reclamation operations.

(3) The fugitive dust control measures to be used may include:

(a) periodic watering of unpaved roads;

(b) chemical stabilization of unpaved roads;

(c) paving of roads;

(d) prompt removal of coal, rock minerals, soil, and other dust-forming debris from roads and frequent scraping and compaction of unpaved roads to stabilize the road surface;

(e) restricting the speed of vehicles in and around the mining operation;

(f) revegetating, mulching, or otherwise stabilizing the surface of all areas adjoining roads that are a source of fugitive dust;

(g) restricting the travel of vehicles on other than established roads;

(h) enclosing, covering, watering, or otherwise treating loaded haul trucks and railroad cars, to minimize loss of material to wind and spillage;

(i) substitution of conveyor systems for haul trucks and covering of conveyor systems when conveyed loads are subject to wind erosion;

(j) minimizing the area of disturbed land;

(k) prompt revegetation of regraded lands;

(l) planting of special windbreak vegetation at critical points in the permit area;

(m) control of dust from drilling, using water sprays, hoods, dust collectors, or other controls approved by the director;

(n) restricting the areas to be blasted at any one time;

(o) reducing the period between initially disturbing the soil and revegetating or other surface stabilization;

(p) restricting fugitive dust at spoil and coal transfer and loading points;

(q) control of dust from storage piles through use of enclosures, covers, or stabilization and other equivalent methods or techniques as approved by the director; or

(r) other techniques as determined necessary by the director.

R307-205-[~~8~~]10. Tailings Piles and Ponds.

(1) Fugitive dust, construction activities, and roadways associated with tailings piles and ponds are regulated under Section R307-205-[~~8~~]10 and not by Sections R307-205-[~~5~~]7 and R307-205-[~~6~~]8.

(2) Any person owning or operating an existing tailings operation where fugitive dust results from grading, excavating, depositing, or natural erosion or other causes in association with such operation shall take steps to minimize fugitive dust from such activities. Such controls may include:

(a) watering;
(b) chemical stabilization;
(c) synthetic covers;
(d) vegetative covers;
(e) wind breaks;
(f) minimizing the area of disturbed tailings;
(g) restricting the speed of vehicles in and around the tailings operation; or
(h) other equivalent methods or techniques which may be approvable by the director.

R307-205-11. Fugitive Dust Facility Signage Requirements

A fugitive dust facility must post informational signage as required by Subsection 19-2a-108(2):

(1) at an entryway to the fugitive dust facility that is clearly readable from the nearest public access point; and

(2) that includes the following information:

(a) the name of the facility or site;

(b) a permit identification number;

(c) a state business or entity identification number;

(d) the contact information for the facility manager or owner responsible for dust control matters; and

(e) contact information for the Utah Division of Air Quality that directs the public to information on fugitive dust and a place to submit dust complaints.

KEY: air pollution, fugitive emissions, mining, tailings
Date of Last Change: [~~December 3, 2025~~] 2026
Notice of Continuation: October 2, 2024
Authorizing, and Implemented or Interpreted Law: 19-2-101; 19-2-104; 19-2-109; 19-2a-108

ITEM 7

Air Toxics

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Commissioner

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQA-662-26

M E M O R A N D U M

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: September 3, 2026

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – August 2026

Asbestos Demolition/Renovation NESHAP Inspections	14
Asbestos AHERA Inspections	4
Asbestos State Rules Only Inspections	23
Asbestos Notification Forms Accepted	195
Asbestos Telephone Calls	355
Asbestos Individuals Certifications Approved	77
Asbestos Company Certifications	6
Asbestos Alternate Work Practices Approved	8
Lead-Based Paint (LBP) Inspections	4
LBP Notification Forms Approved	5
LBP Telephone Calls	26
LBP Letters Prepared and Mailed	0
LBP Courses Reviewed/Approved	0
LBP Course Audits	0
LBP Individual Certifications Approved	27
LBP Firm Certifications	20

Notices of Violation Sent	0
Compliance Advisories Sent	4
Warning Letters Sent	5
Settlement Agreements Finalized	3
Penalties Agreed to:	
Alliance Design and Construction LLC/Jamison Cody McArthur	$3,350.00
Asbestos Abatement of Utah/John Hoskins	$1,563.75
Granite School District/Alan Rice and Jeremy Casper	$1,500.00
Total:	$6,413.75

Compliance

State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Tim Davis
Commissioner

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQC-1137-26

M E M O R A N D U M

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: September 5, 2026

SUBJECT: Compliance Activities – August 2026

ACTIVITIES:

Activity	Monthly Total
Inspections	84
On-Site Stack Test & CEM Audits	44
Stack Test & RATA Report Reviews	48
Emission Report Reviews	24
Temporary Relocation Request Reviews	8
Fugitive Dust Control Plan Reviews	141
Soil Remediation Report Reviews	0
Open Burn Permits Issued	0
Miscellaneous Inspections[1]	40
Complaints Received	70
Wood Burning Complaints Received	0
Breakdown Reports Received	2
Compliance Actions Resulting from a Breakdown	0
VOC Inspections (Gas station vapor recovery)	0
Warning Letters Issued	1
Notices of Violation Issued	0
Compliance Advisories Issued	17
No Further Action Letters Issued	5
Settlement Agreements Reached	2
Penalties Assessed	$4,726

[1]Miscellaneous inspections include, e.g., surveillance, complaint, on-site training, dust patrol, smoke patrol, open burning, etc.

SETTLEMENT AGREEMENTS:

Party	Amount
Price River Energy, LLC	$4,143
Four Point Resources, LLC	$583

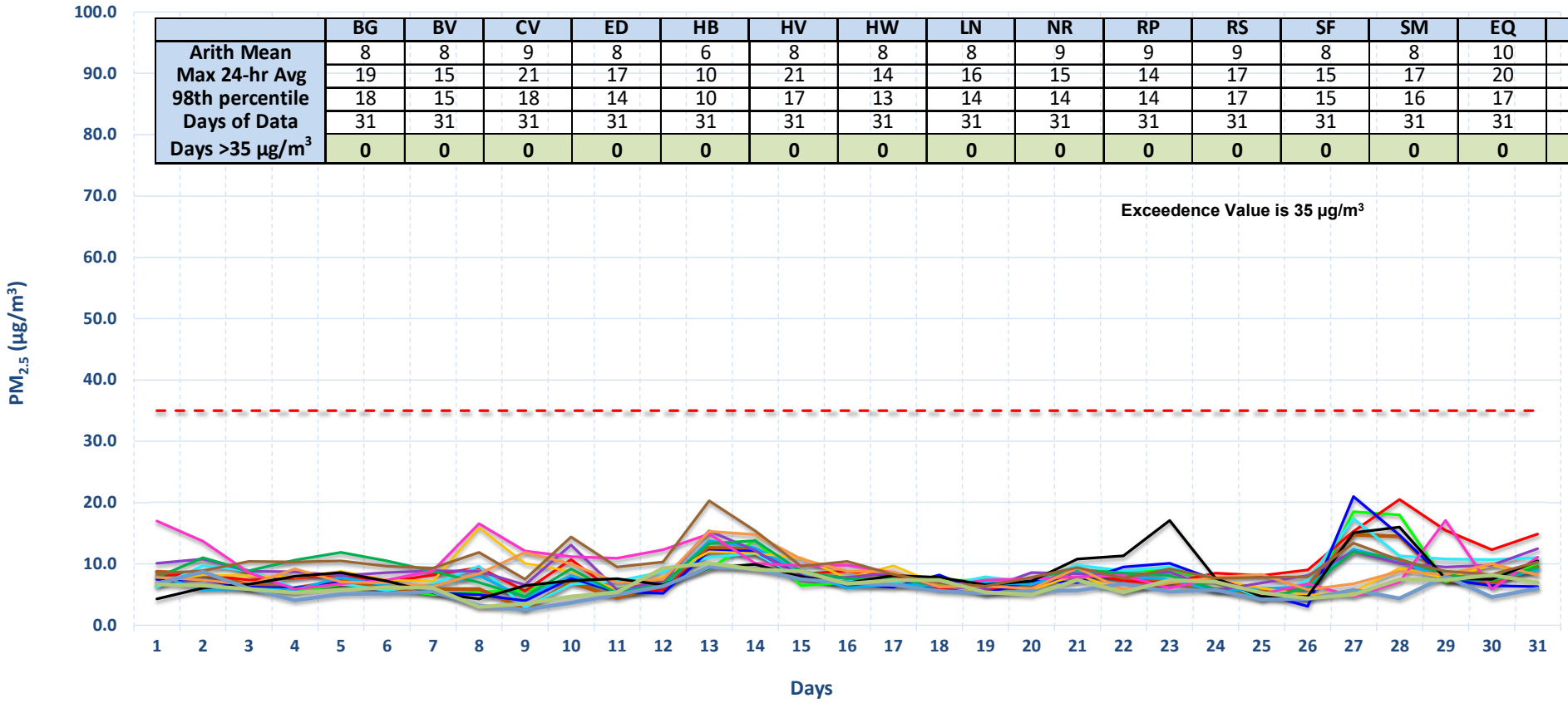
UNRESOLVED NOTICES OF VIOLATION:

Party	Date Issued
Citation Oil and Gas (in administrative litigation)	01/15/2020
Uinta Wax Operating (formerly CH4 Finley)	07/24/2020
Finley Resources	09/15/2022
Holcim/Amrize	12/19/2023
Holcim/Amrize	03/27/2024
Holcim/Amrize	08/02/2024
CKC Operations, LLC	02/18/2025
Bedrock Sand & Gravel	05/21/2025
Ash Grove Cement (2)	10/30/2025

Monitoring

Utah 24-Hr $PM_{2.5}$ Data July 2026

	BG	BV	CV	ED	HB	HV	HW	LN	NR	RP	RS	SF	SM	EQ	V4
Arith Mean	8	8	9	8	6	8	8	8	9	9	9	8	8	10	6
Max 24-hr Avg	19	15	21	17	10	21	14	16	15	14	17	15	17	20	10
98th percentile	18	15	18	14	10	17	13	14	14	14	17	15	16	17	9
Days of Data	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31
Days >35 µg/m³	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

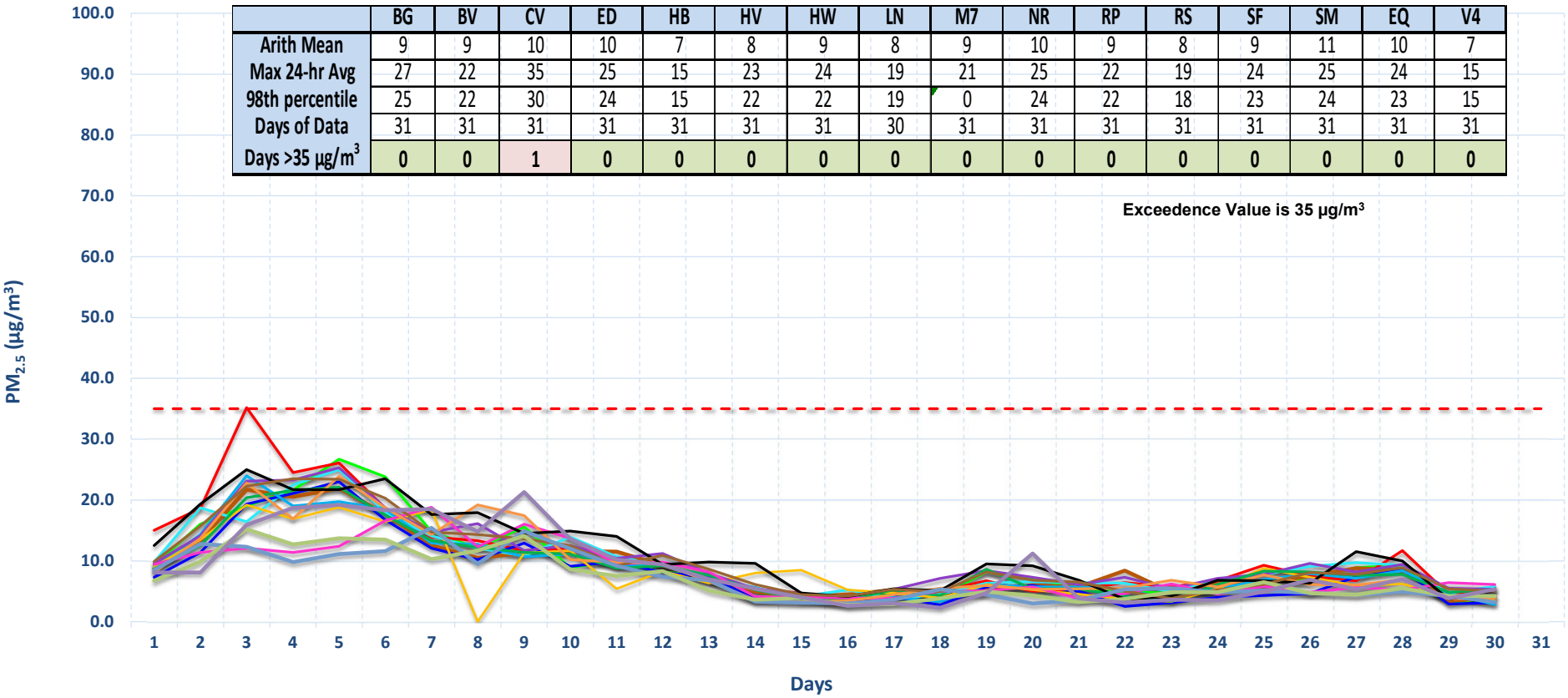


Brigham City
Bountiful
Copperview
Erda
Harrisville
Hawthorne
Lindon
Near road
Rose Park
Roosevelt
Spanish Fork
Smithfield
Environmental Quality *
Vernal
24-hr Exceedence Value is 35 µg/m3
Heber

* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-Hr $PM_{2.5}$ Data August 2026

	BG	BV	CV	ED	HB	HV	HW	LN	M7	NR	RP	RS	SF	SM	EQ	V4
Arith Mean	9	9	10	10	7	8	9	8	9	10	9	8	9	11	10	7
Max 24-hr Avg	27	22	35	25	15	23	24	19	21	25	22	19	24	25	24	15
98th percentile	25	22	30	24	15	22	22	19	0	24	22	18	23	24	23	15
Days of Data	31	31	31	31	31	31	31	30	31	31	31	31	31	31	31	31
Days >35 µg/m³	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0



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Moab

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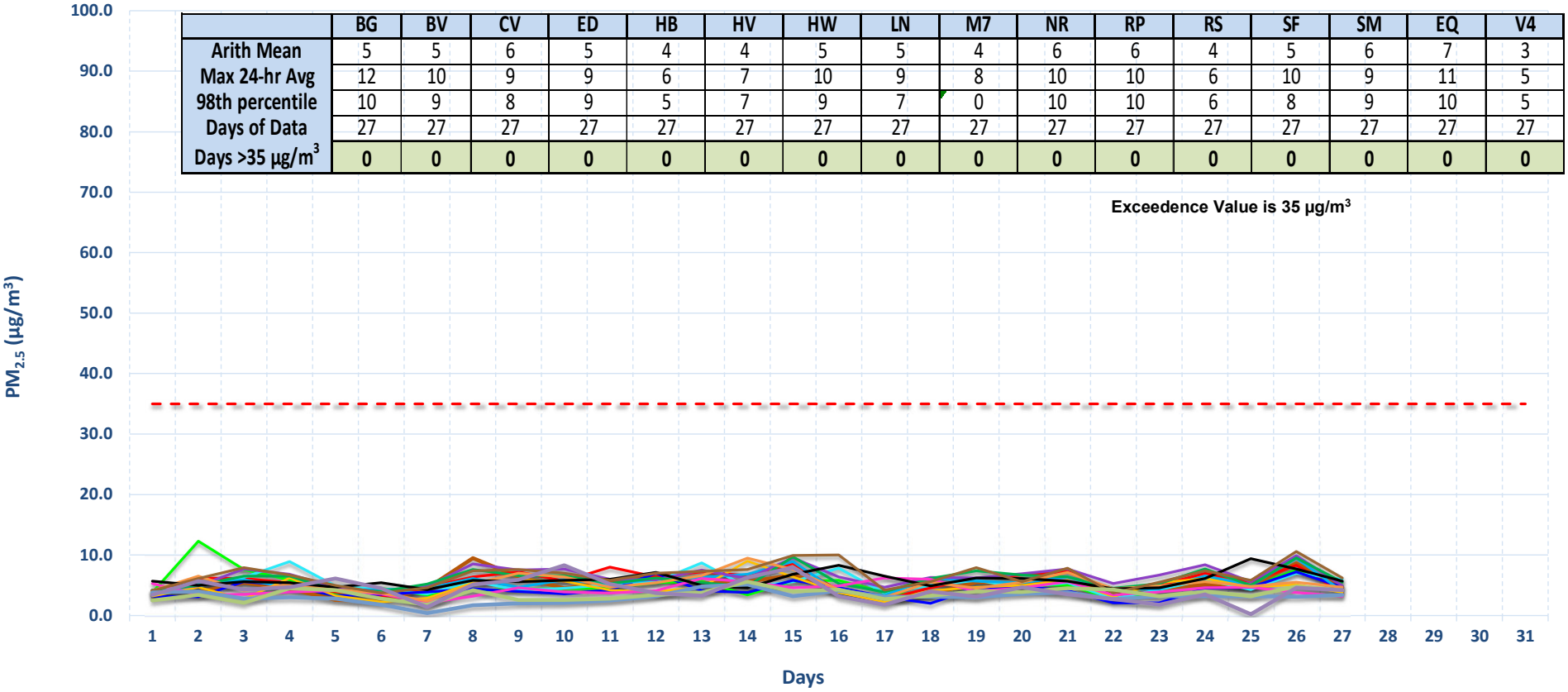
Utah 24-Hr $PM_{2.5}$ Data September 2026

	BG	BV	CV	ED	HB	HV	HW	LN	M7	NR	RP	RS	SF	SM	EQ	V4
Arith Mean	5	5	6	5	4	4	5	5	4	6	6	4	5	6	7	3
Max 24-hr Avg	12	10	9	9	6	7	10	9	8	10	10	6	10	9	11	5
98th percentile	10	9	8	9	5	7	9	7	0	10	10	6	8	9	10	5
Days of Data	27	27	27	27	27	27	27	27	27	27	27	27	27	27	27	27
Days >35 µg/m³	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



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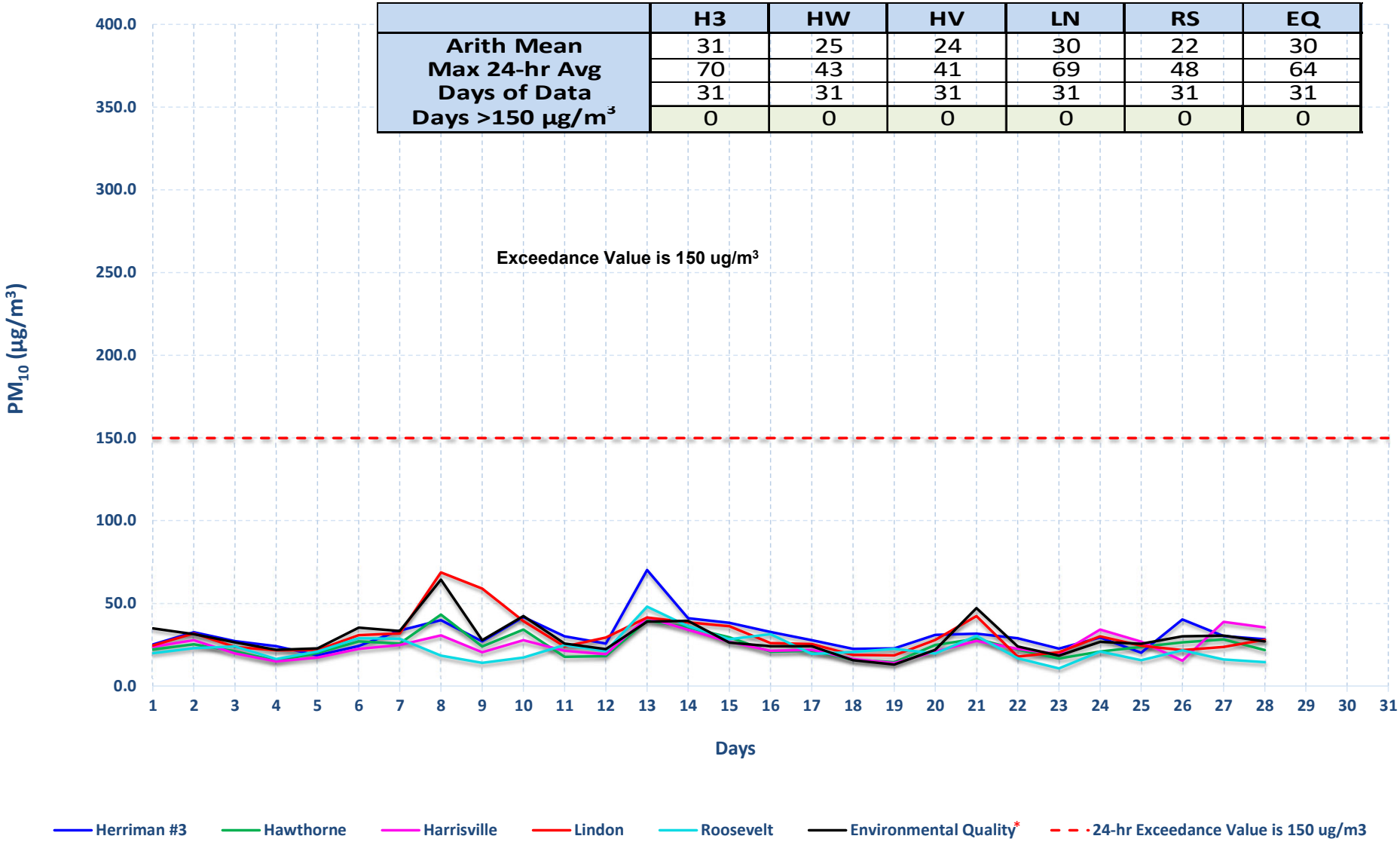
Vernal
24-hr Exceedence Value is 35 µg/m3
Heber
Moab

* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-hr PM_{10} Data July 2026

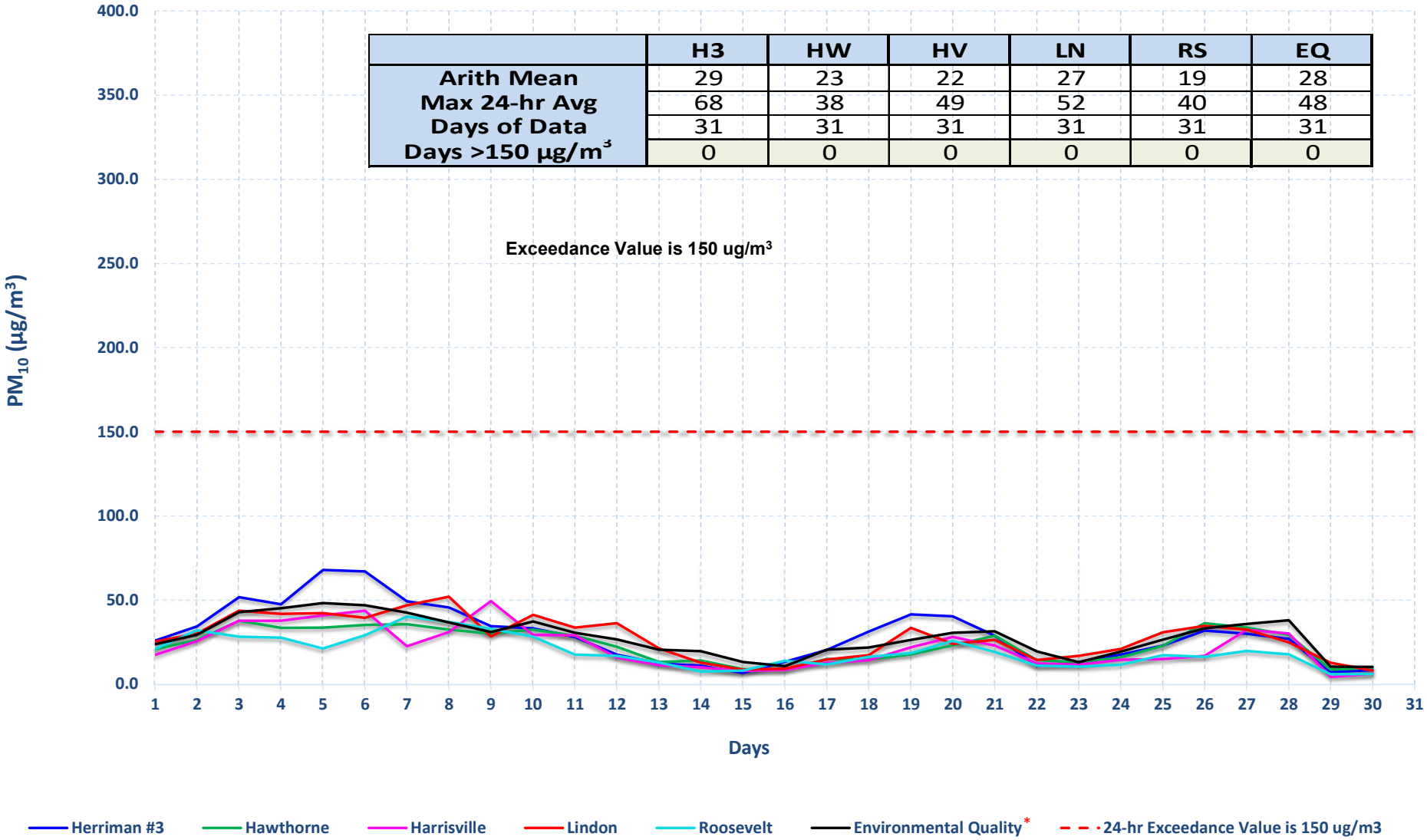
	H3	HW	HV	LN	RS	EQ
Arith Mean	31	25	24	30	22	30
Max 24-hr Avg	70	43	41	69	48	64
Days of Data	31	31	31	31	31	31
Days >150 µg/m³	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-hr PM_{10} Data August 2026

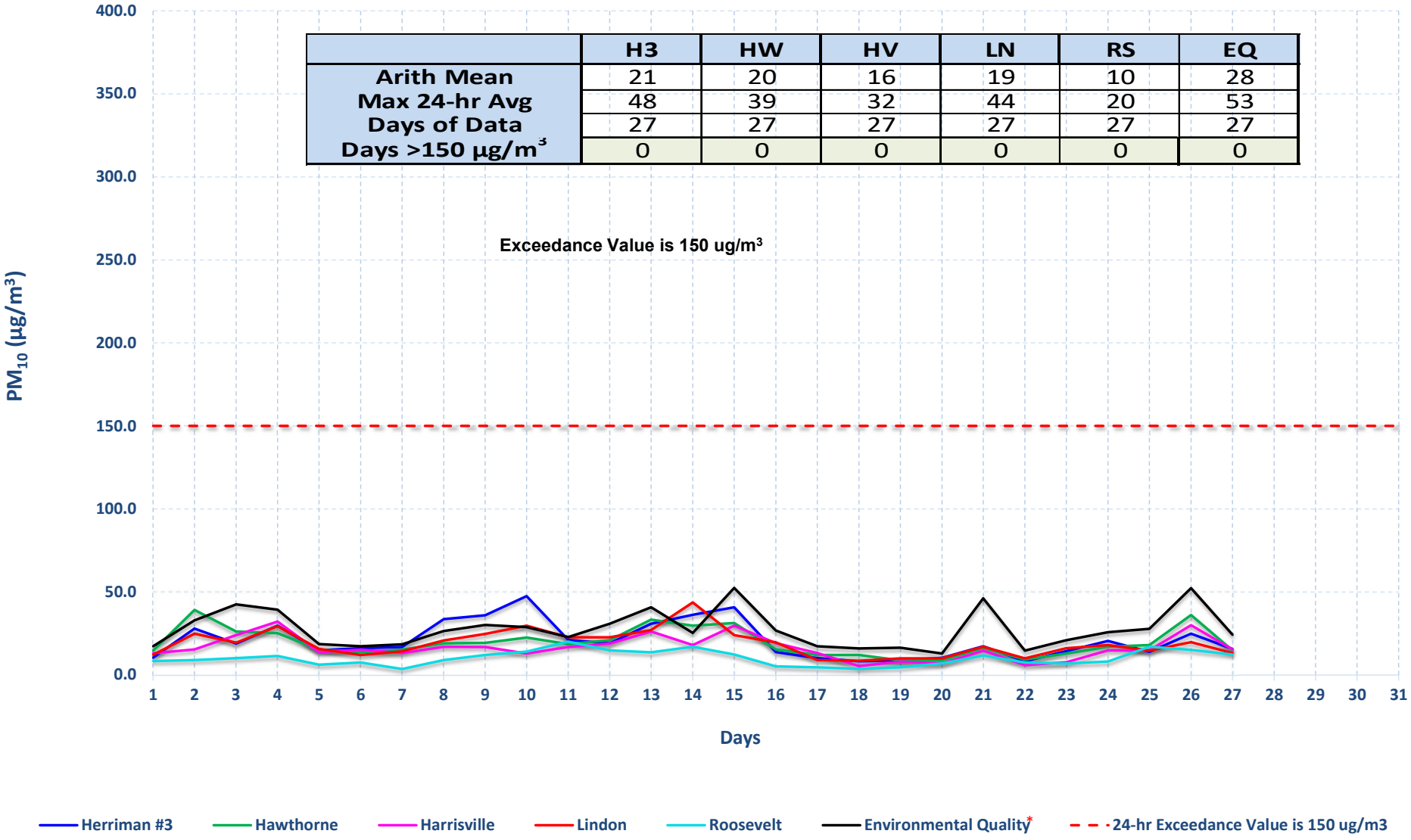
	H3	HW	HV	LN	RS	EQ
Arith Mean	29	23	22	27	19	28
Max 24-hr Avg	68	38	49	52	40	48
Days of Data	31	31	31	31	31	31
Days >150 µg/m³	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Utah 24-hr PM_{10} Data September 2026

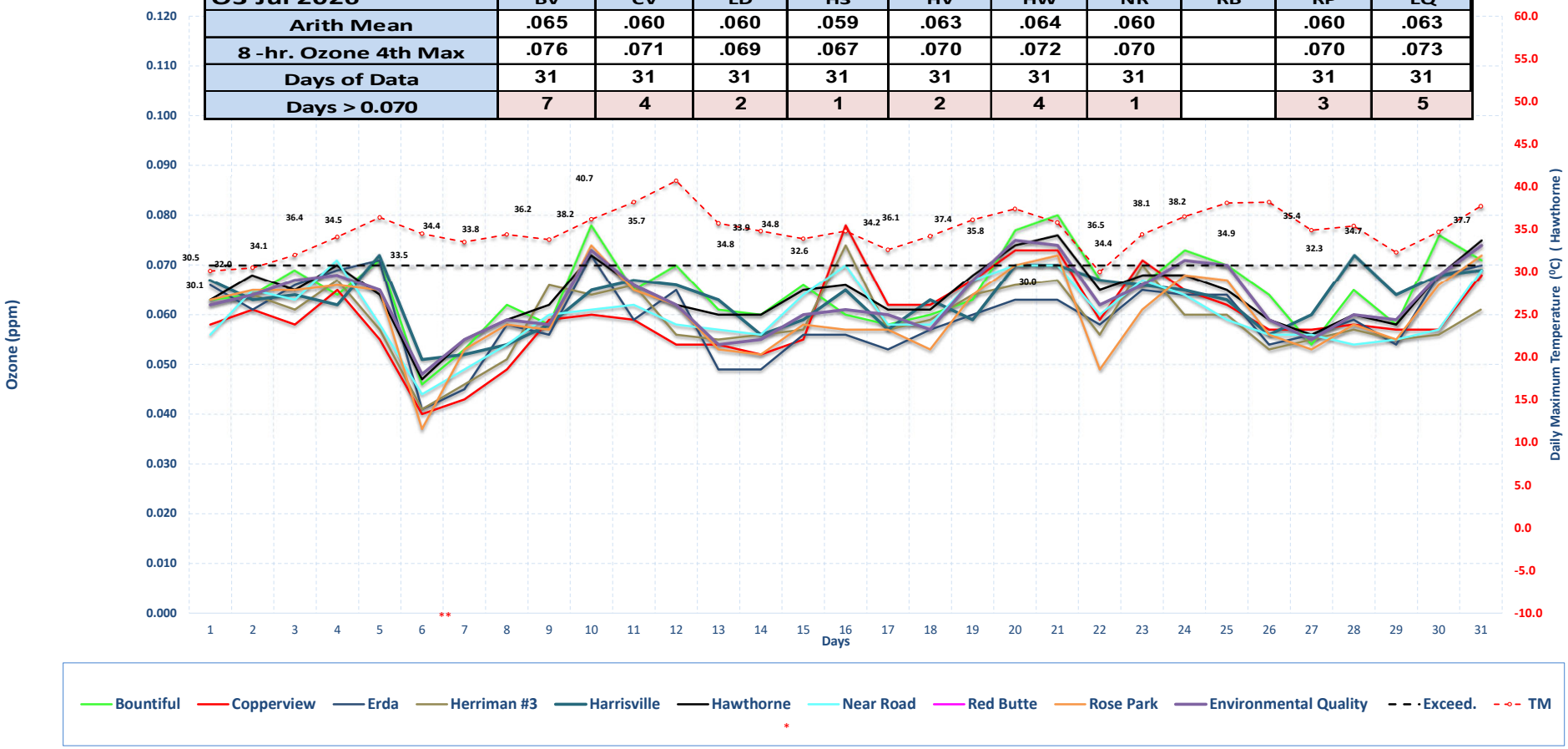
	H3	HW	HV	LN	RS	EQ
Arith Mean	21	20	16	19	10	28
Max 24-hr Avg	48	39	32	44	20	53
Days of Data	27	27	27	27	27	27
Days >150 µg/m³	0	0	0	0	0	0



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

Highest 8-hr Ozone Concentration & Daily Maximum Temperature July 2026

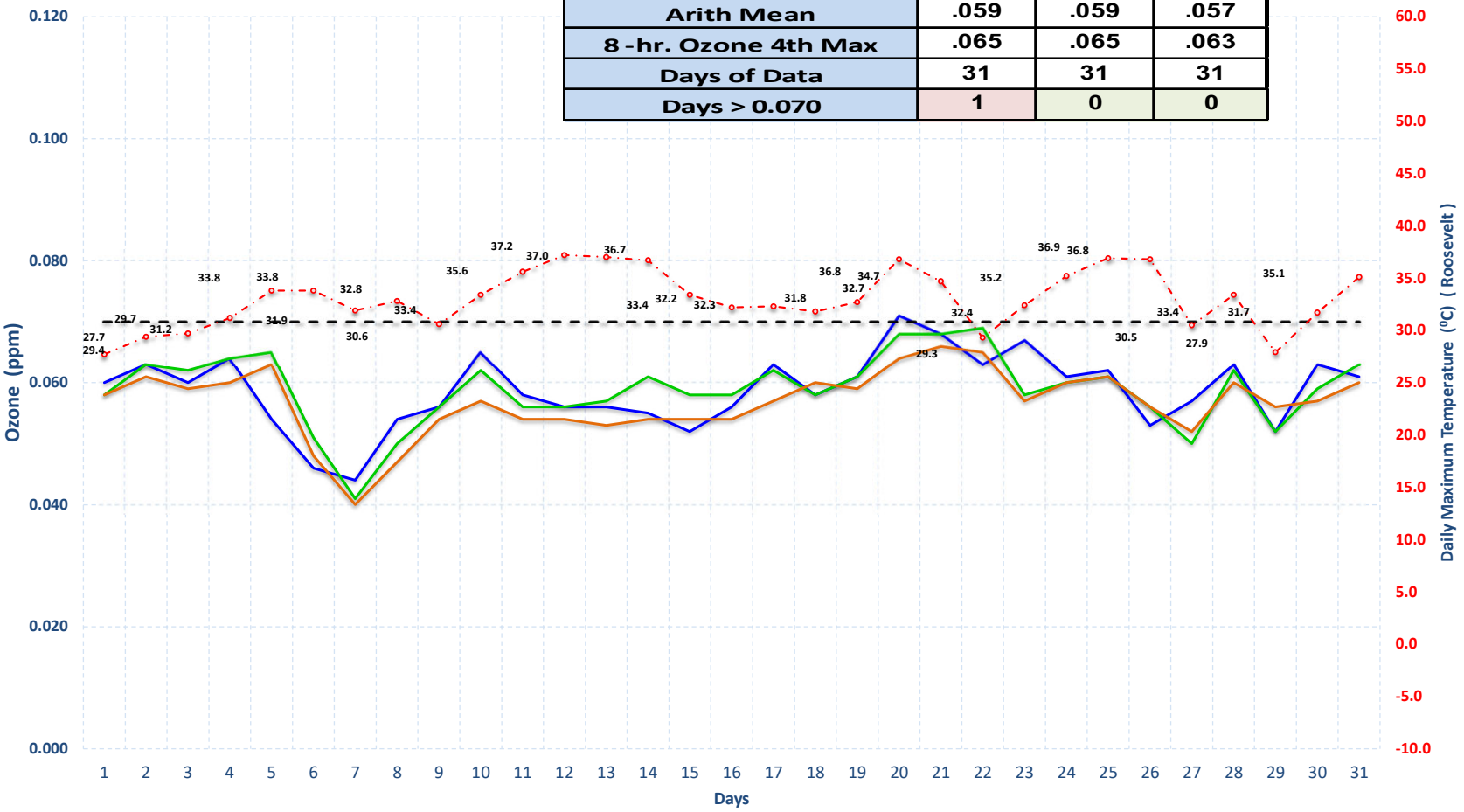
O3 Jul 2026	BV	CV	ED	H3	HV	HW	NR	RB	RP	EQ
Arith Mean	.065	.060	.060	.059	.063	.064	.060		.060	.063
8 -hr. Ozone 4th Max	.076	.071	.069	.067	.070	.072	.070		.070	.073
Days of Data	31	31	31	31	31	31	31		31	31
Days > 0.070	7	4	2	1	2	4	1		3	5



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)
** Controlling Monitor

Highest 8-hr Ozone Concentration & Daily Maximum Temperature July 2026

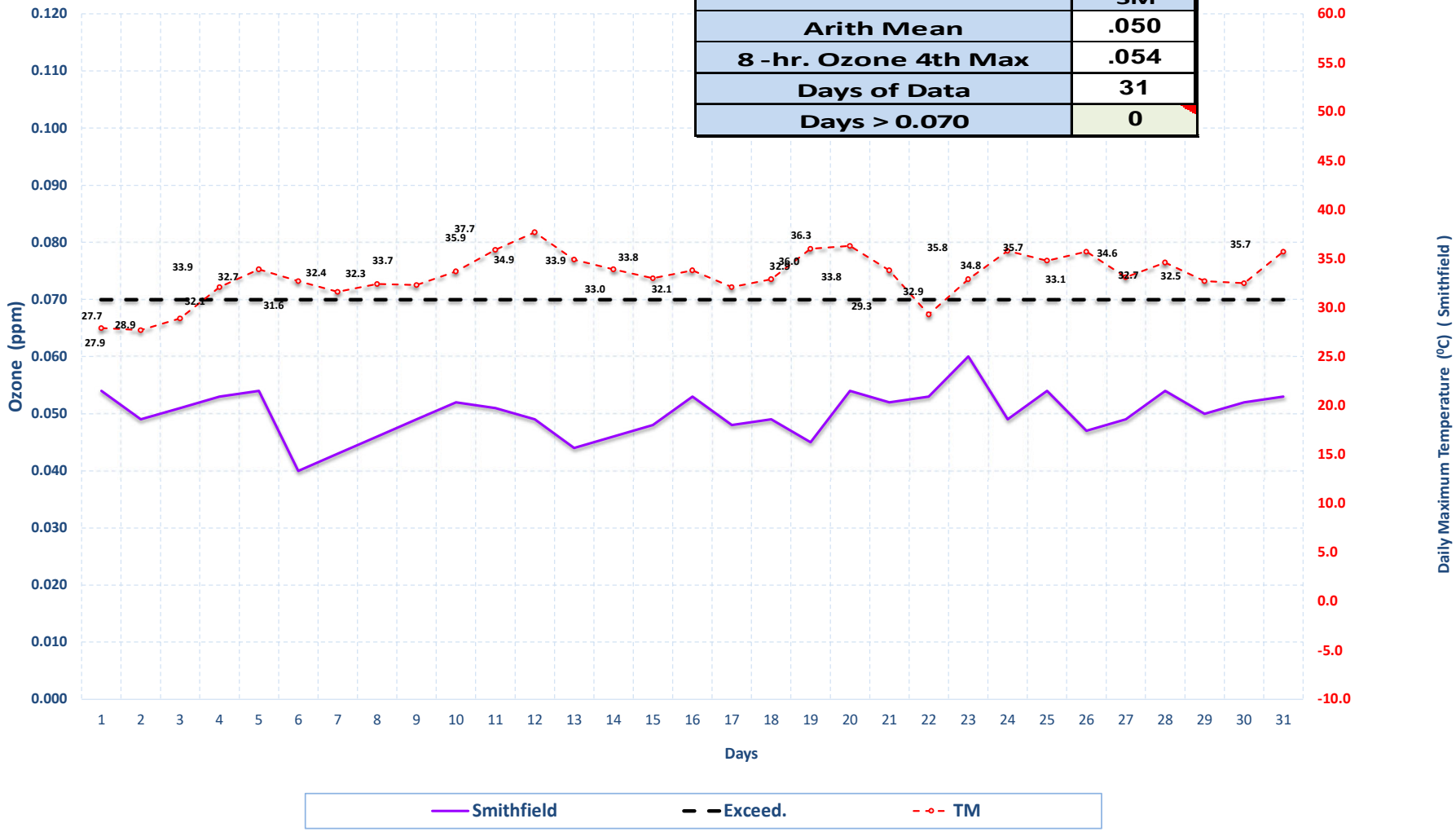
	P2	RS	V4
Arith Mean	.059	.059	.057
8 -hr. Ozone 4th Max	.065	.065	.063
Days of Data	31	31	31
Days > 0.070	1	0	0



Price #2 | Roosevelt | Vernal | Exceed. | TM

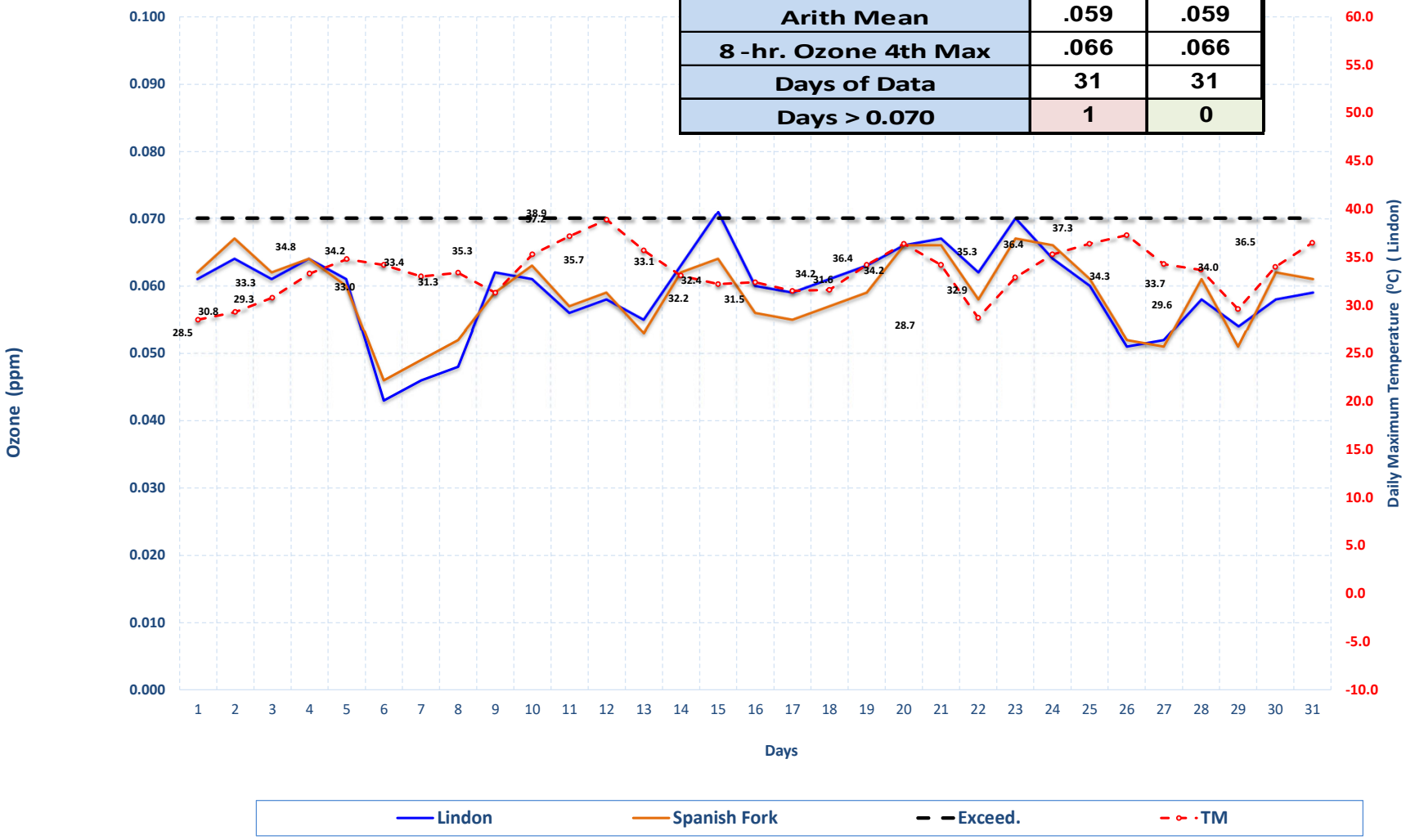
Highest 8-hr Ozone Concentration & Daily Maximum Temperature July 2026

	SM
Arith Mean	.050
8 -hr. Ozone 4th Max	.054
Days of Data	31
Days > 0.070	0



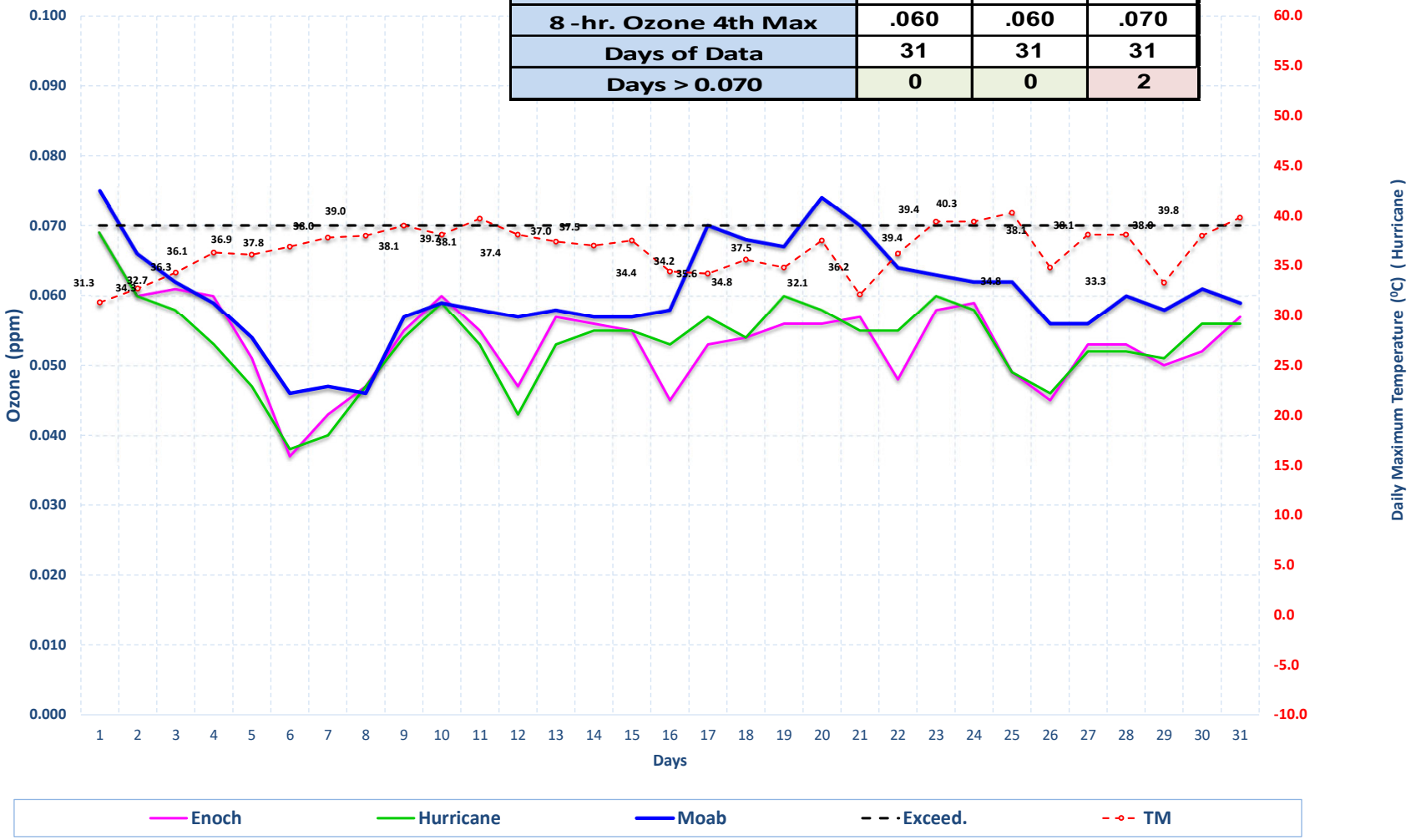
Highest 8-hr Ozone Concentration & Daily Maximum Temperature July 2026

	LN	SF
Arith Mean	.059	.059
8 -hr. Ozone 4th Max	.066	.066
Days of Data	31	31
Days > 0.070	1	0



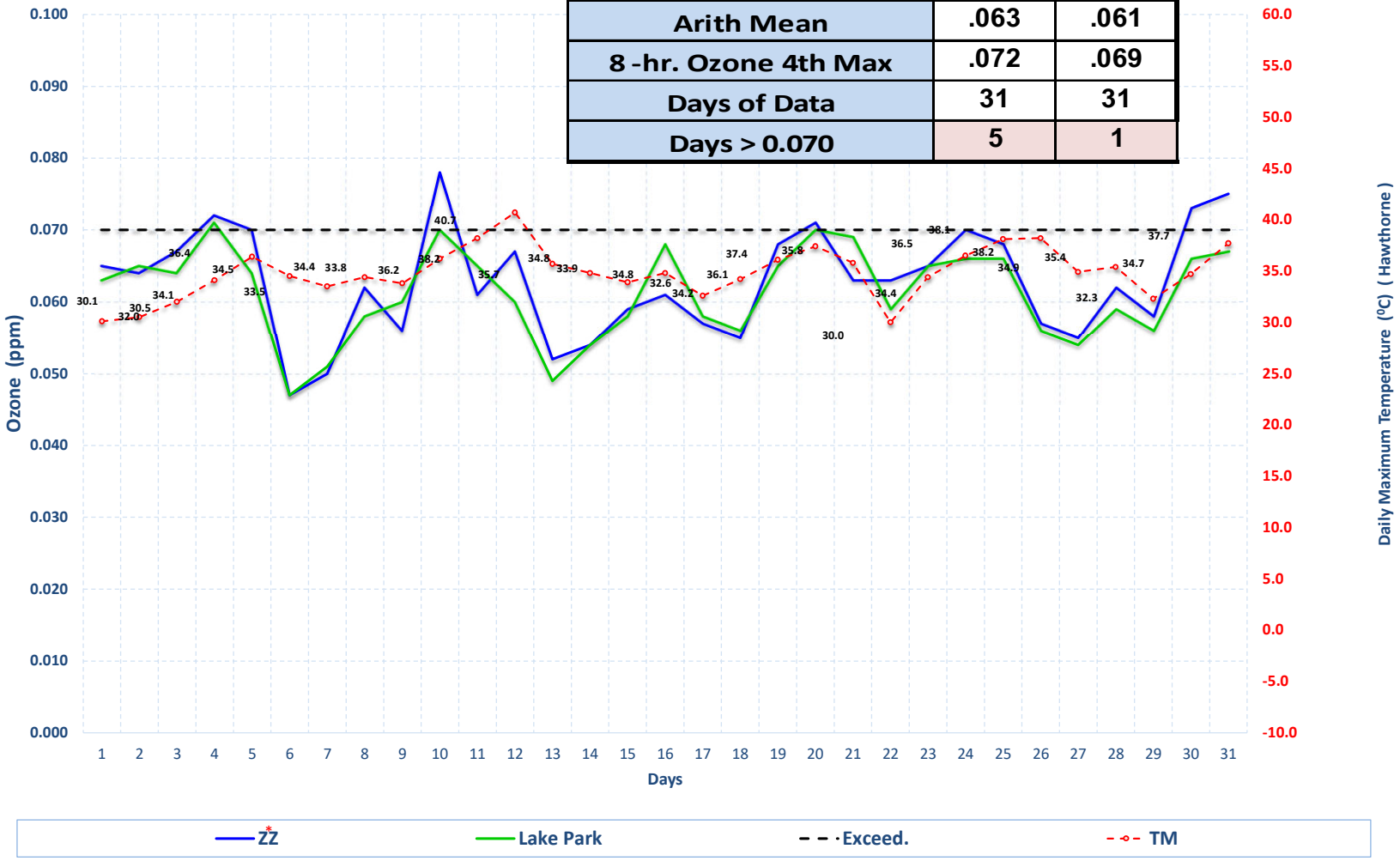
Highest 8-hr Ozone Concentration & Daily Maximum Temperature July 2026

	EN	HC	M7
Arith Mean	.053	.053	.060
8 -hr. Ozone 4th Max	.060	.060	.070
Days of Data	31	31	31
Days > 0.070	0	0	2



Highest 8-hr Ozone Concentration & Daily Maximum Temperature July 2026
Stations Monitoring the Inland Port Development

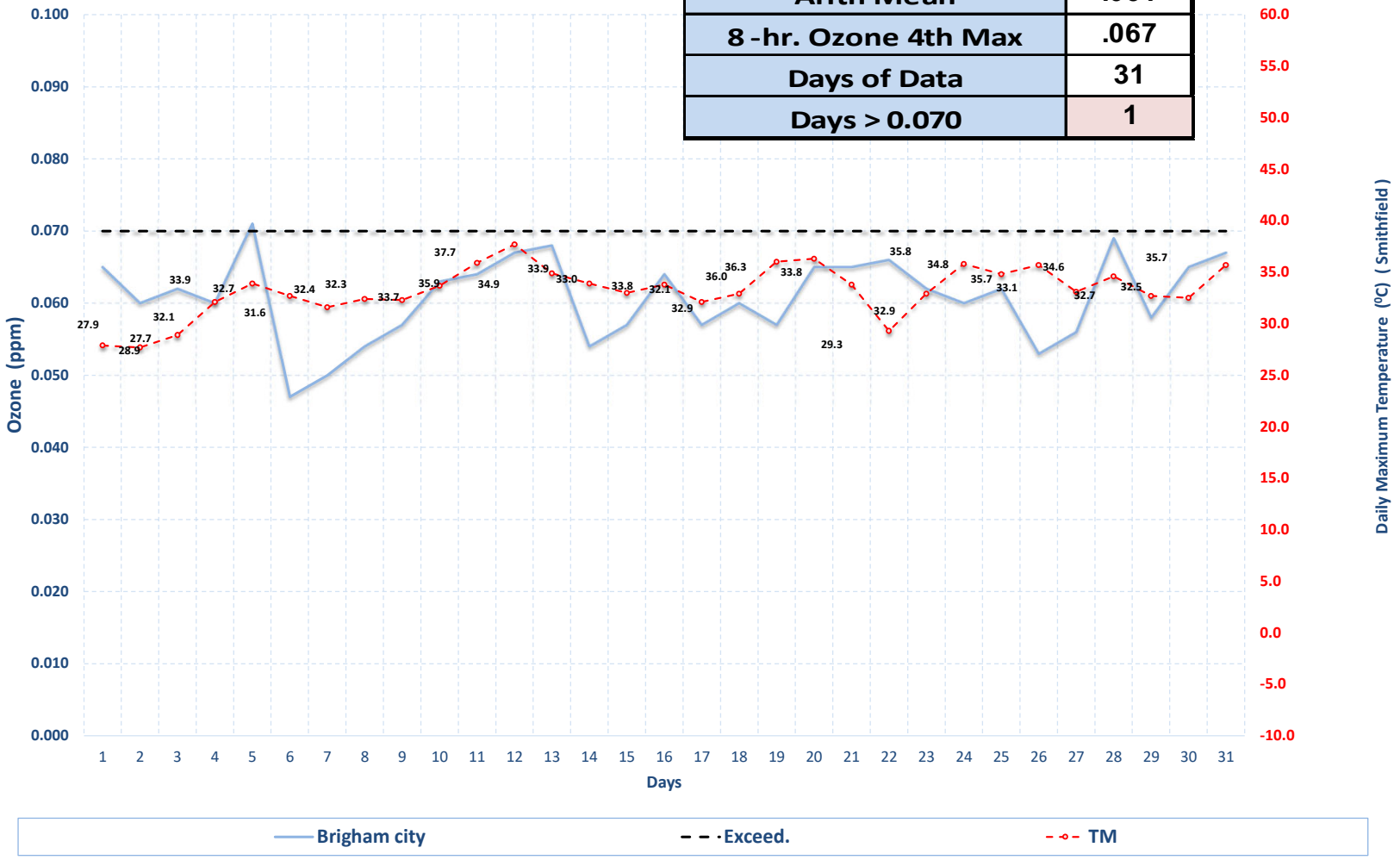
	ZZ	LP
Arith Mean	.063	.061
8 -hr. Ozone 4th Max	.072	.069
Days of Data	31	31
Days > 0.070	5	1



* **ZZ** is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named **IP**

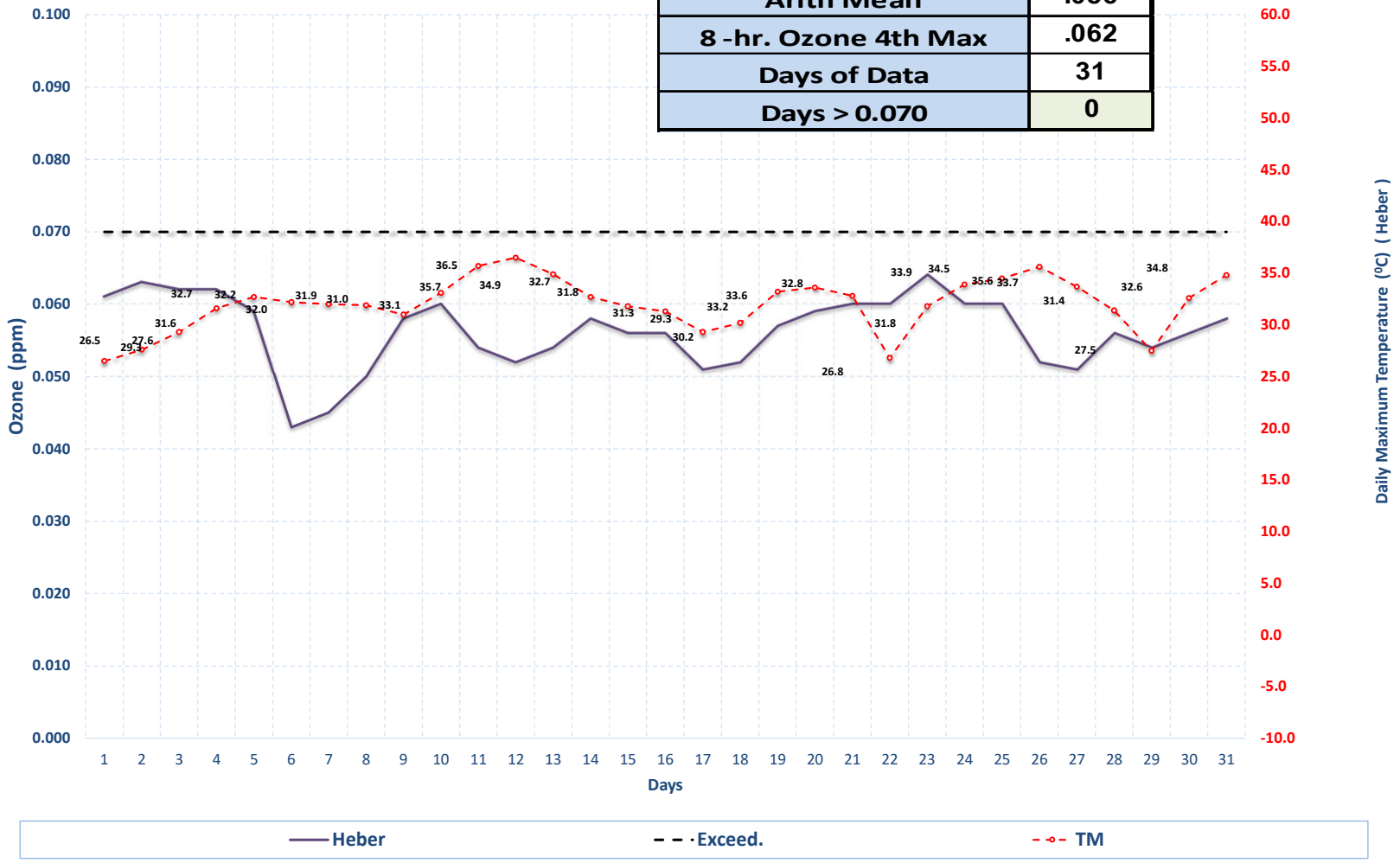
Highest 8-hr Ozone Concentration & Daily Maximum Temperature July 2026

	BG
Arith Mean	.061
8 -hr. Ozone 4th Max	.067
Days of Data	31
Days > 0.070	1



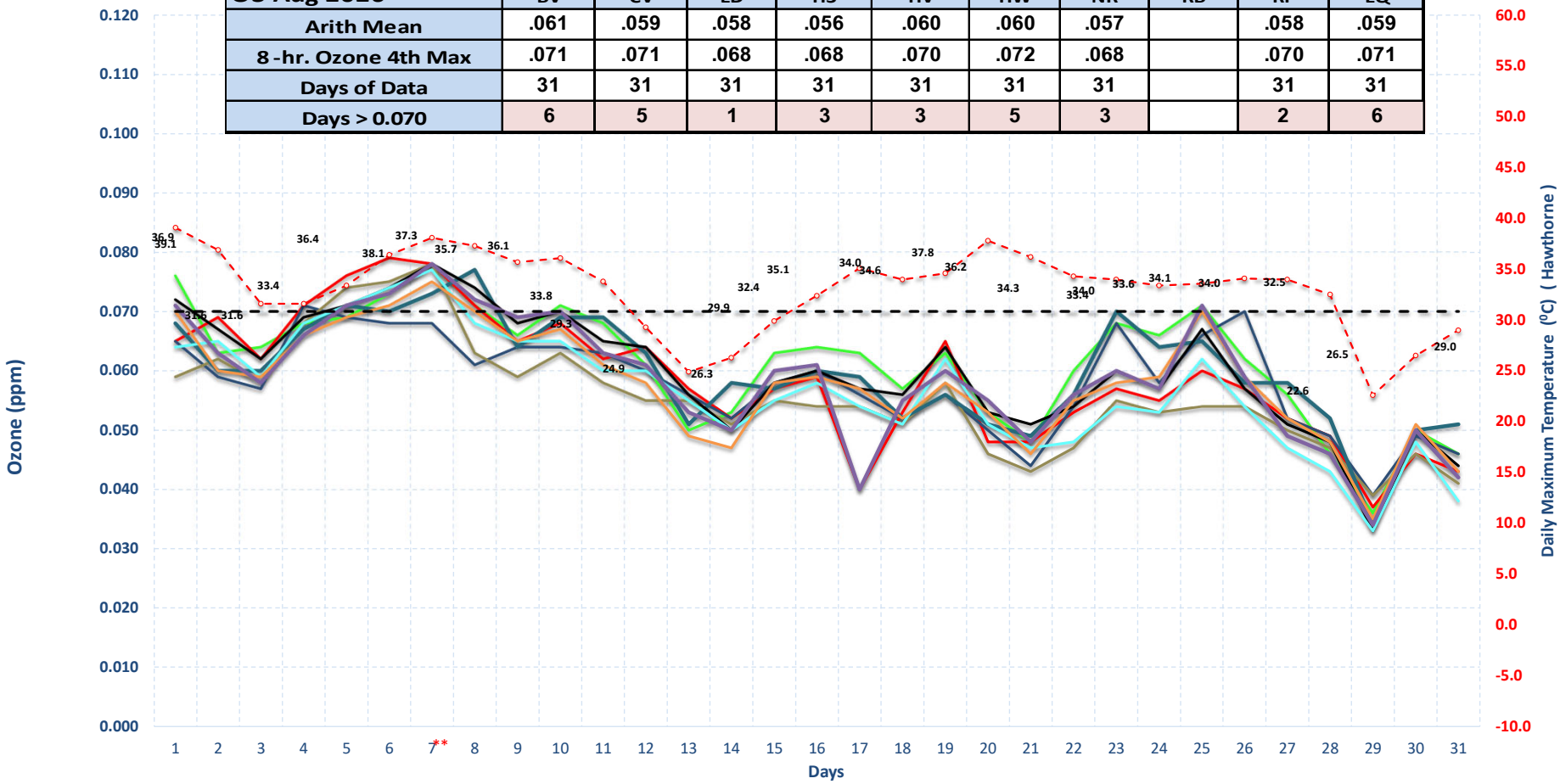
Highest 8-hr Ozone Concentration & Daily Maximum Temperature July 2026

	HB
Arith Mean	.056
8 -hr. Ozone 4th Max	.062
Days of Data	31
Days > 0.070	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature August 2026

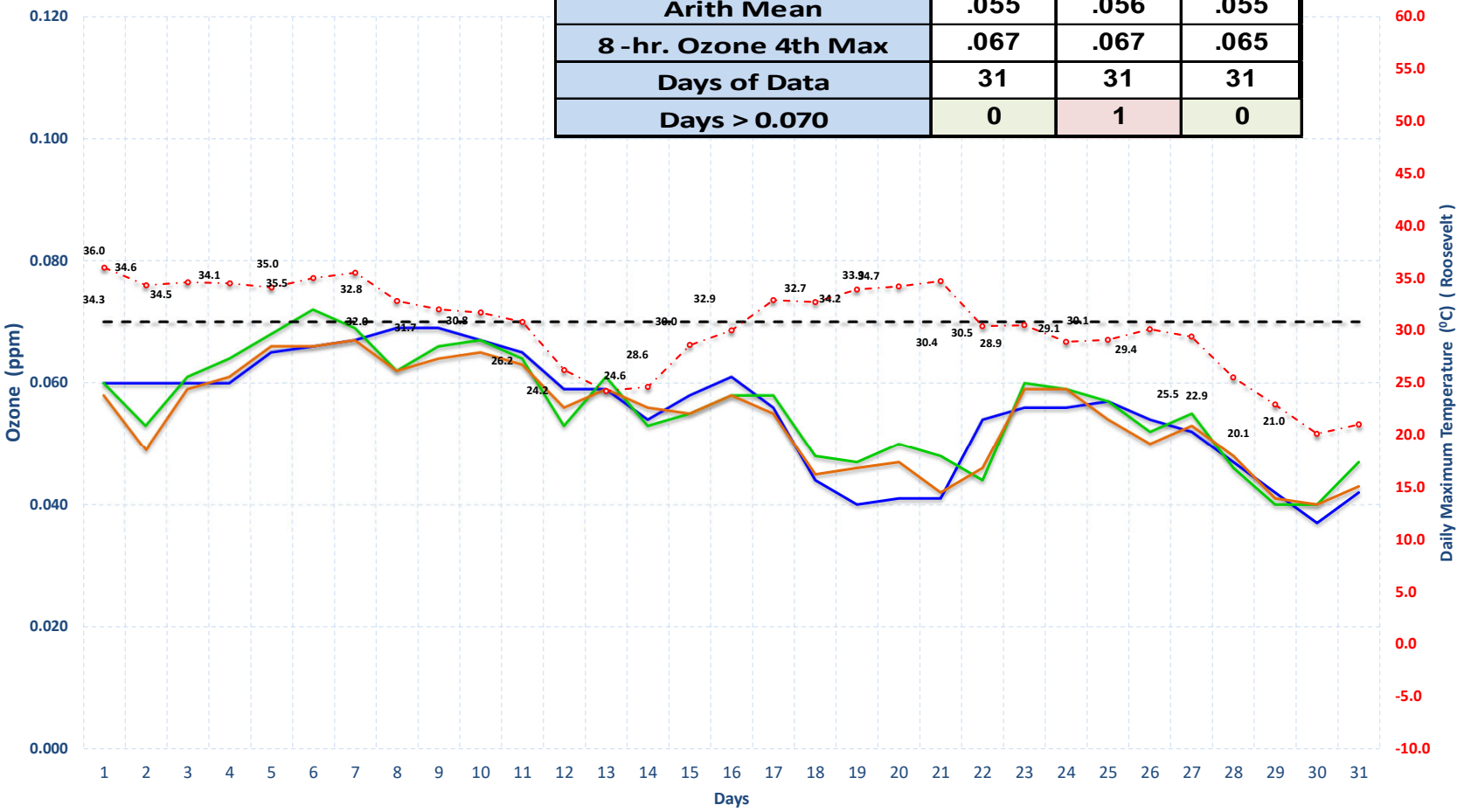
O3 Aug 2026	BV	CV	ED	H3	HV	HW	NR	RB	RP	EQ
Arith Mean	.061	.059	.058	.056	.060	.060	.057		.058	.059
8 -hr. Ozone 4th Max	.071	.071	.068	.068	.070	.072	.068		.070	.071
Days of Data	31	31	31	31	31	31	31		31	31
Days > 0.070	6	5	1	3	3	5	3		2	6



* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)
** Controlling Monitor

Highest 8-hr Ozone Concentration & Daily Maximum Temperature August 2026

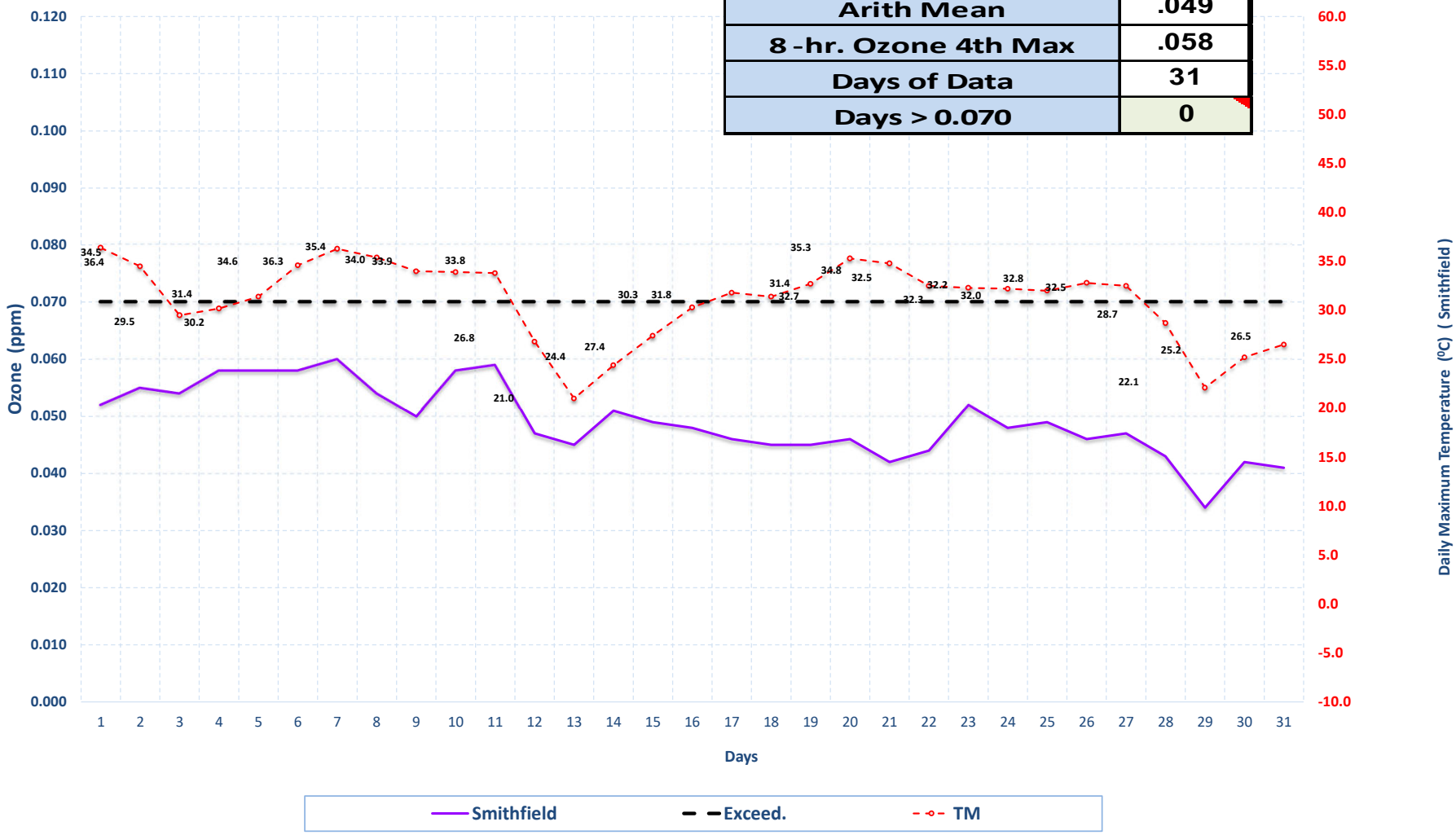
	P2	RS	V4
Arith Mean	.055	.056	.055
8 -hr. Ozone 4th Max	.067	.067	.065
Days of Data	31	31	31
Days > 0.070	0	1	0



Price #2 | Roosevelt | Vernal | Exceed. | TM

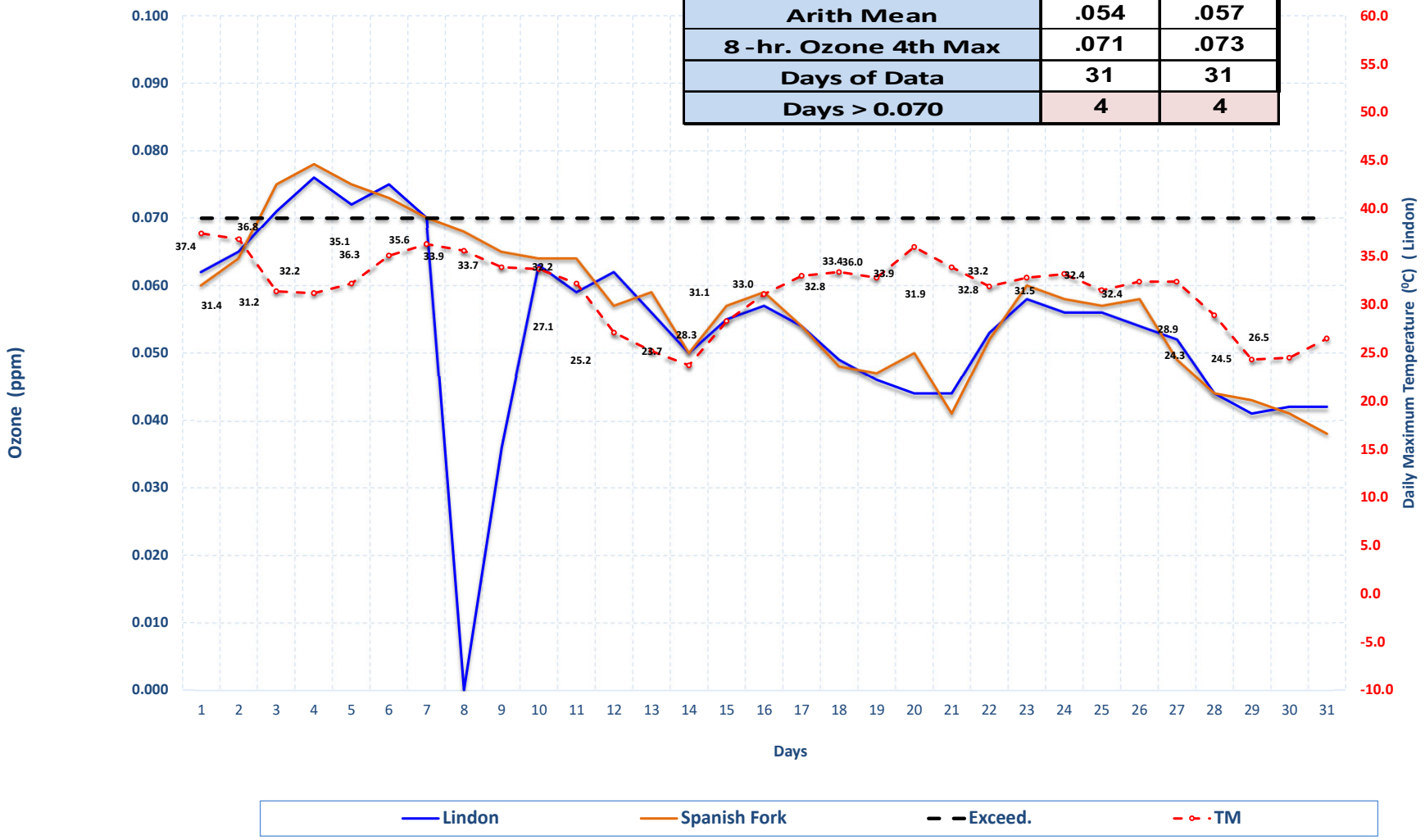
Highest 8-hr Ozone Concentration & Daily Maximum Temperature August 2026

	SM
Arith Mean	.049
8 -hr. Ozone 4th Max	.058
Days of Data	31
Days > 0.070	0



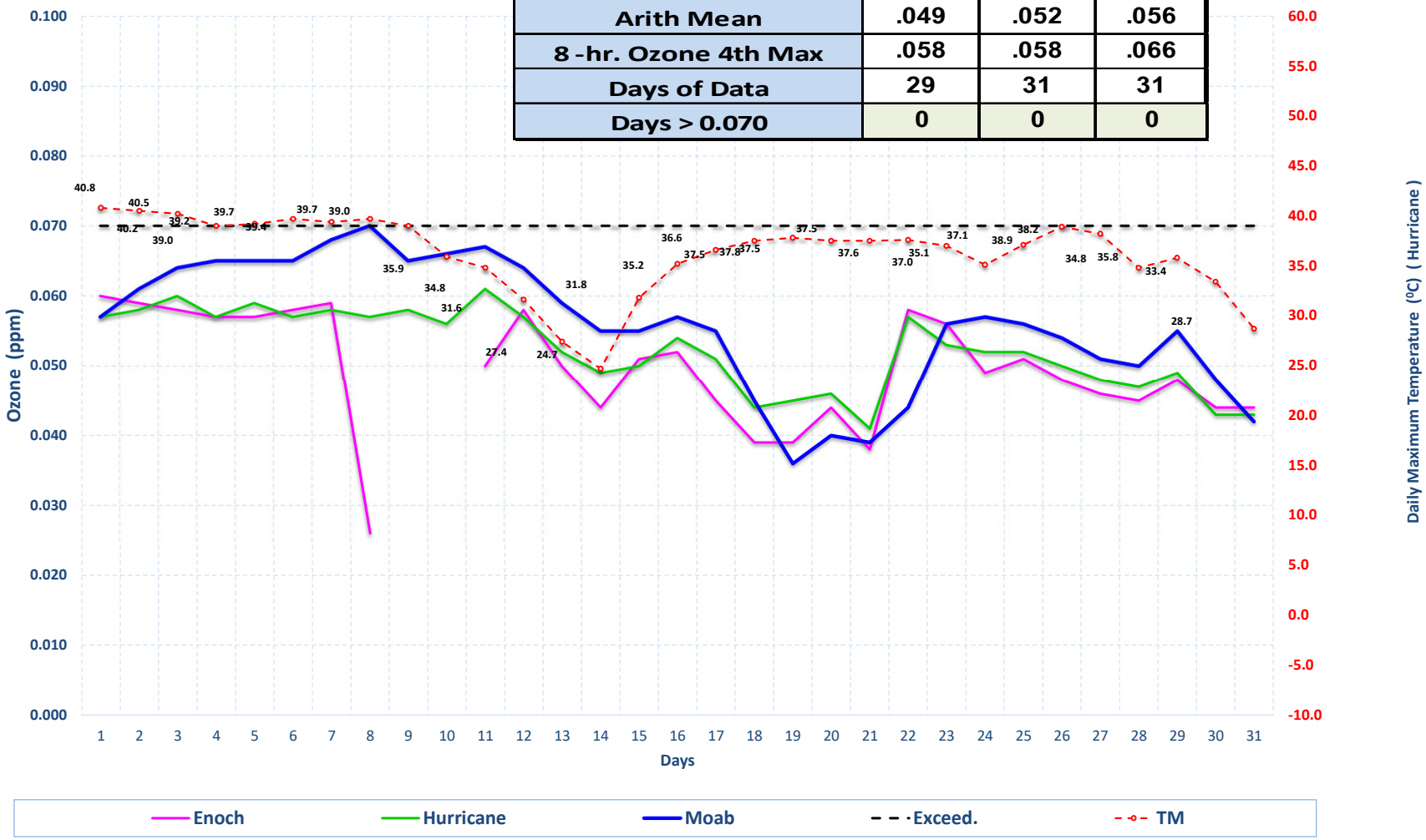
Highest 8-hr Ozone Concentration & Daily Maximum Temperature August 2026

	LN	SF
Arith Mean	.054	.057
8 -hr. Ozone 4th Max	.071	.073
Days of Data	31	31
Days > 0.070	4	4



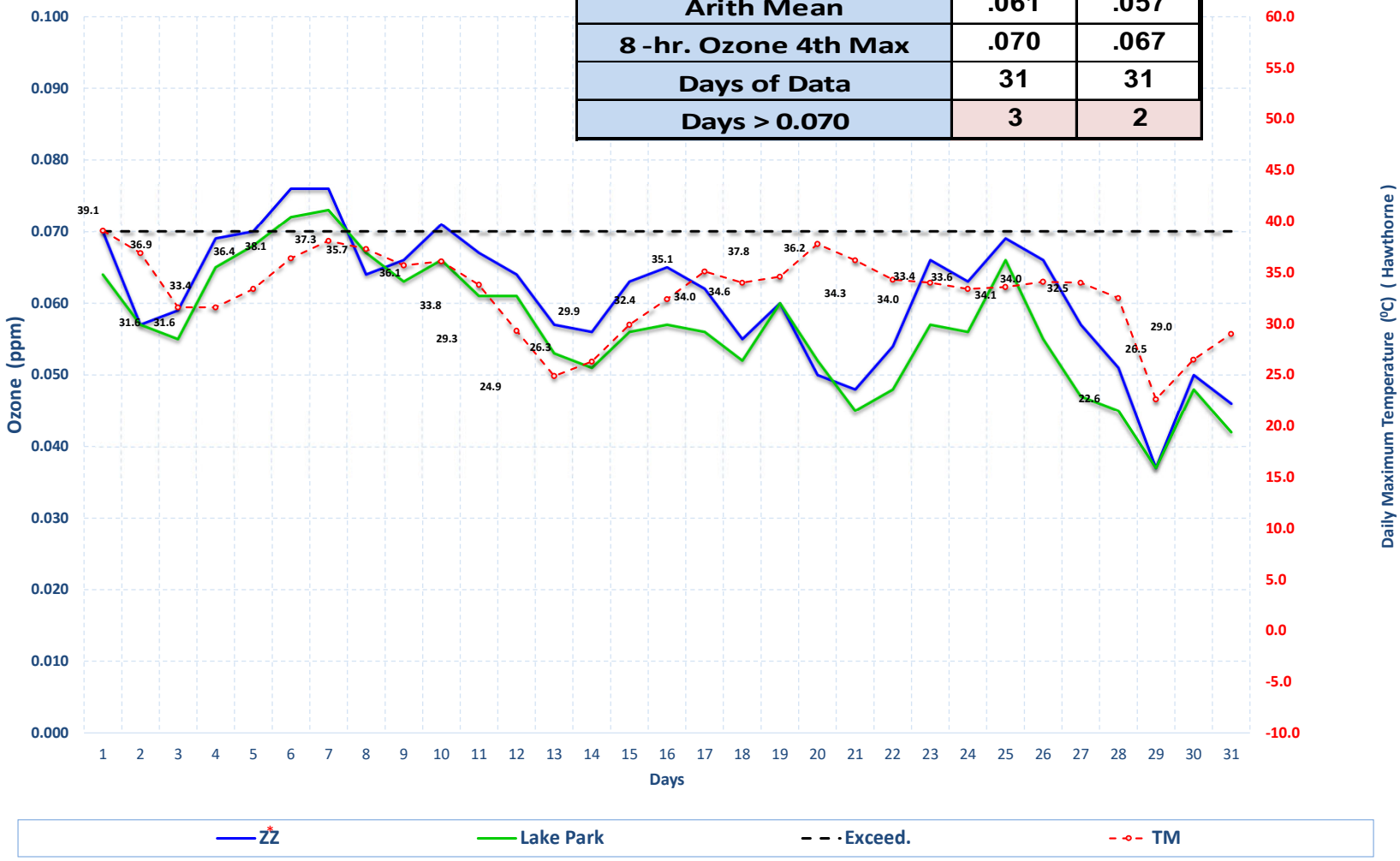
Highest 8-hr Ozone Concentration & Daily Maximum Temperature August 2026

	EN	HC	M7
Arith Mean	.049	.052	.056
8 -hr. Ozone 4th Max	.058	.058	.066
Days of Data	29	31	31
Days > 0.070	0	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature August 2026
Stations Monitoring the Inland Port Development

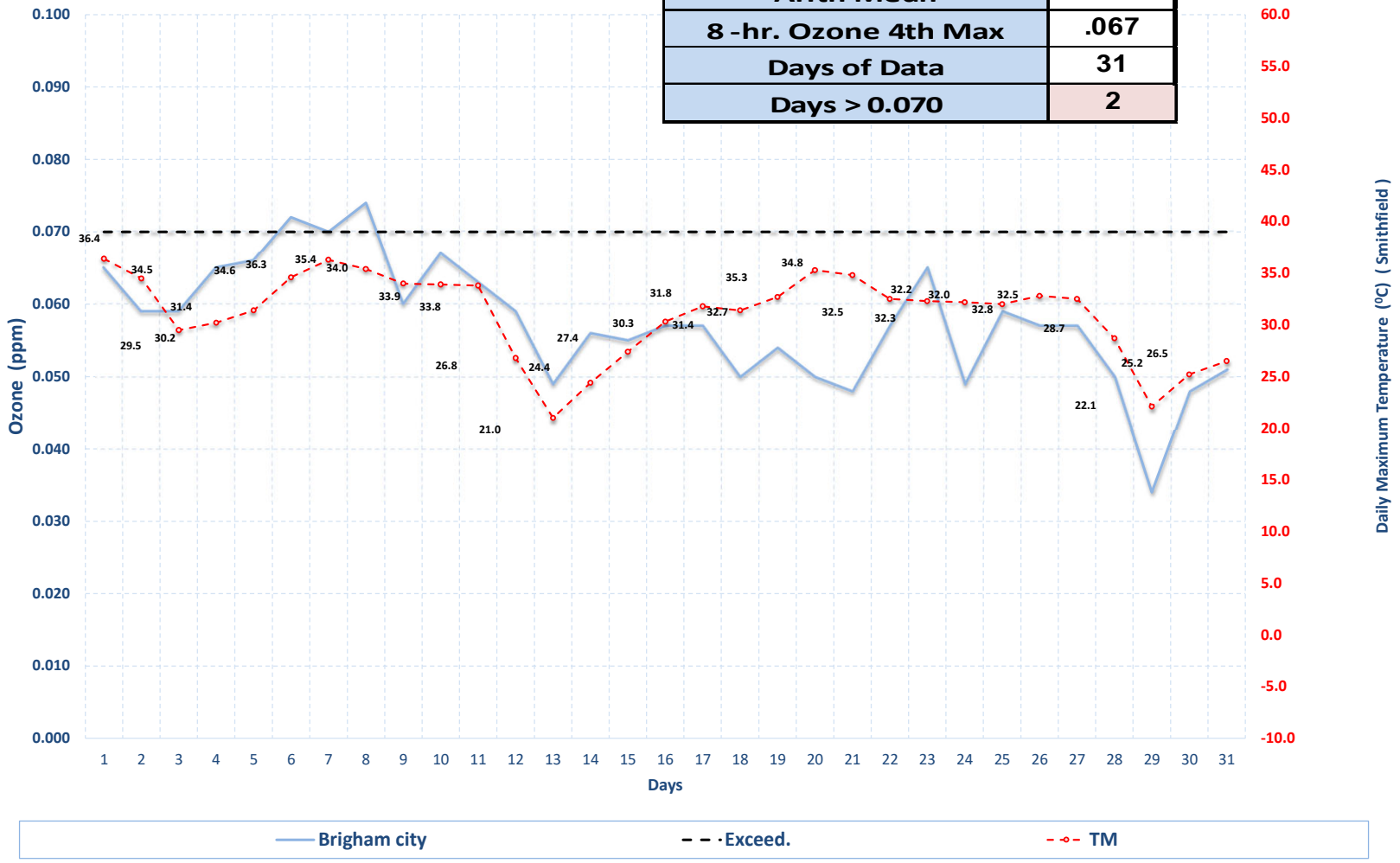
	ZZ	LP
Arith Mean	.061	.057
8 -hr. Ozone 4th Max	.070	.067
Days of Data	31	31
Days > 0.070	3	2



* **ZZ** is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named **IP**

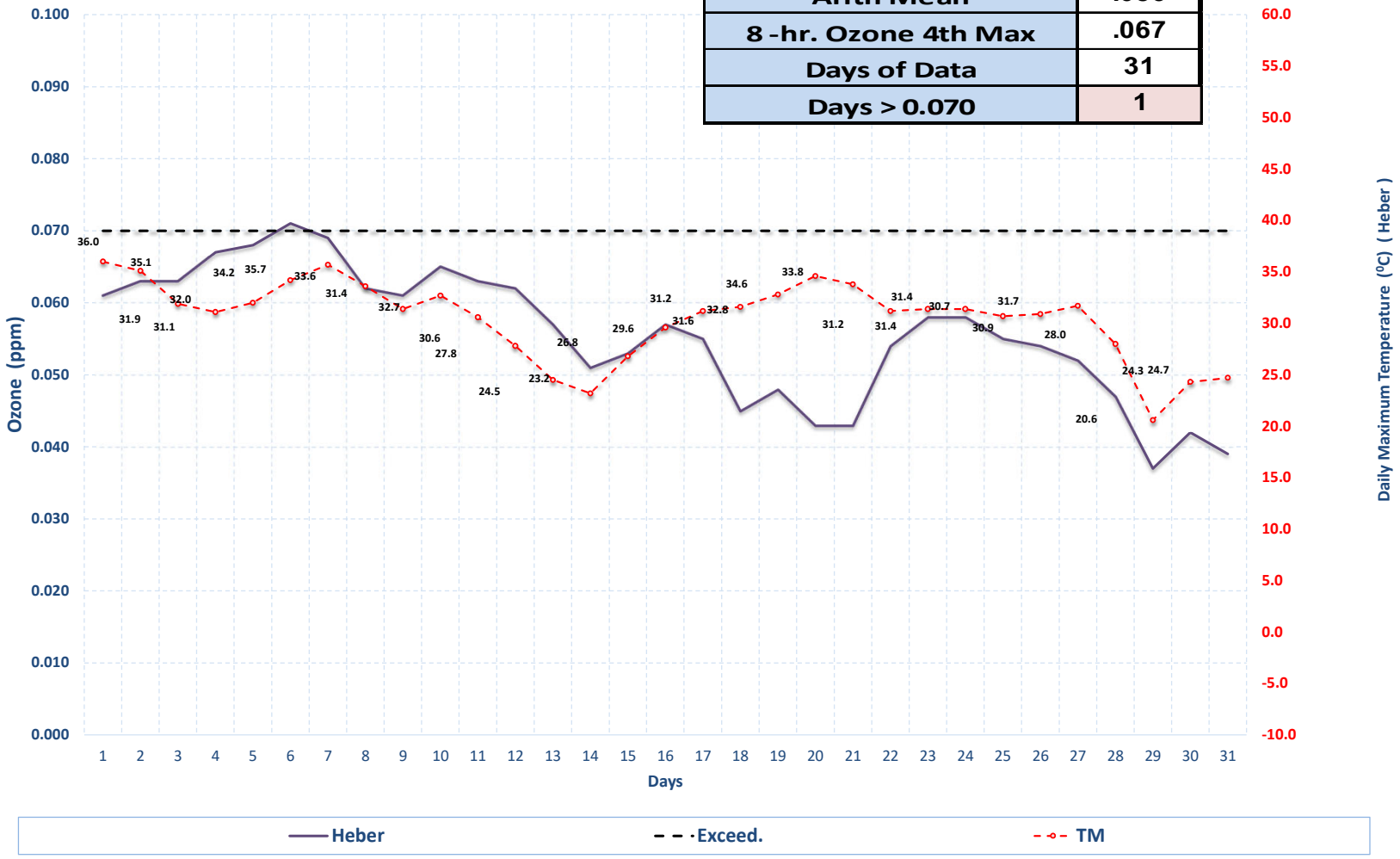
Highest 8-hr Ozone Concentration & Daily Maximum Temperature August 2026

	BG
Arith Mean	.057
8 -hr. Ozone 4th Max	.067
Days of Data	31
Days > 0.070	2



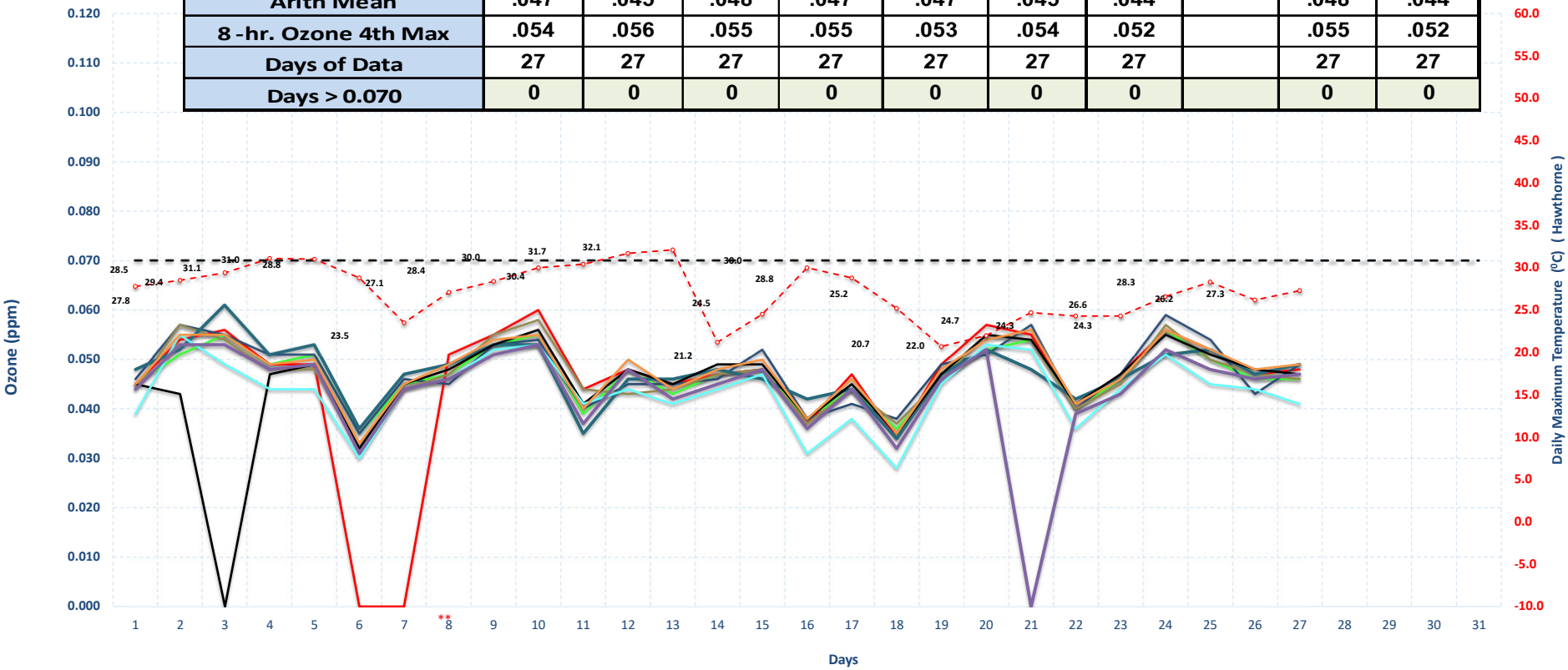
Highest 8-hr Ozone Concentration & Daily Maximum Temperature August 2026

	HB
Arith Mean	.056
8 -hr. Ozone 4th Max	.067
Days of Data	31
Days > 0.070	1



Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2026

O3 Sep 2026	BV	CV	ED	H3	HV	HW	NR	RB	RP	EQ
Arith Mean	.047	.045	.048	.047	.047	.045	.044		.048	.044
8 -hr. Ozone 4th Max	.054	.056	.055	.055	.053	.054	.052		.055	.052
Days of Data	27	27	27	27	27	27	27		27	27
Days > 0.070	0	0	0	0	0	0	0		0	0



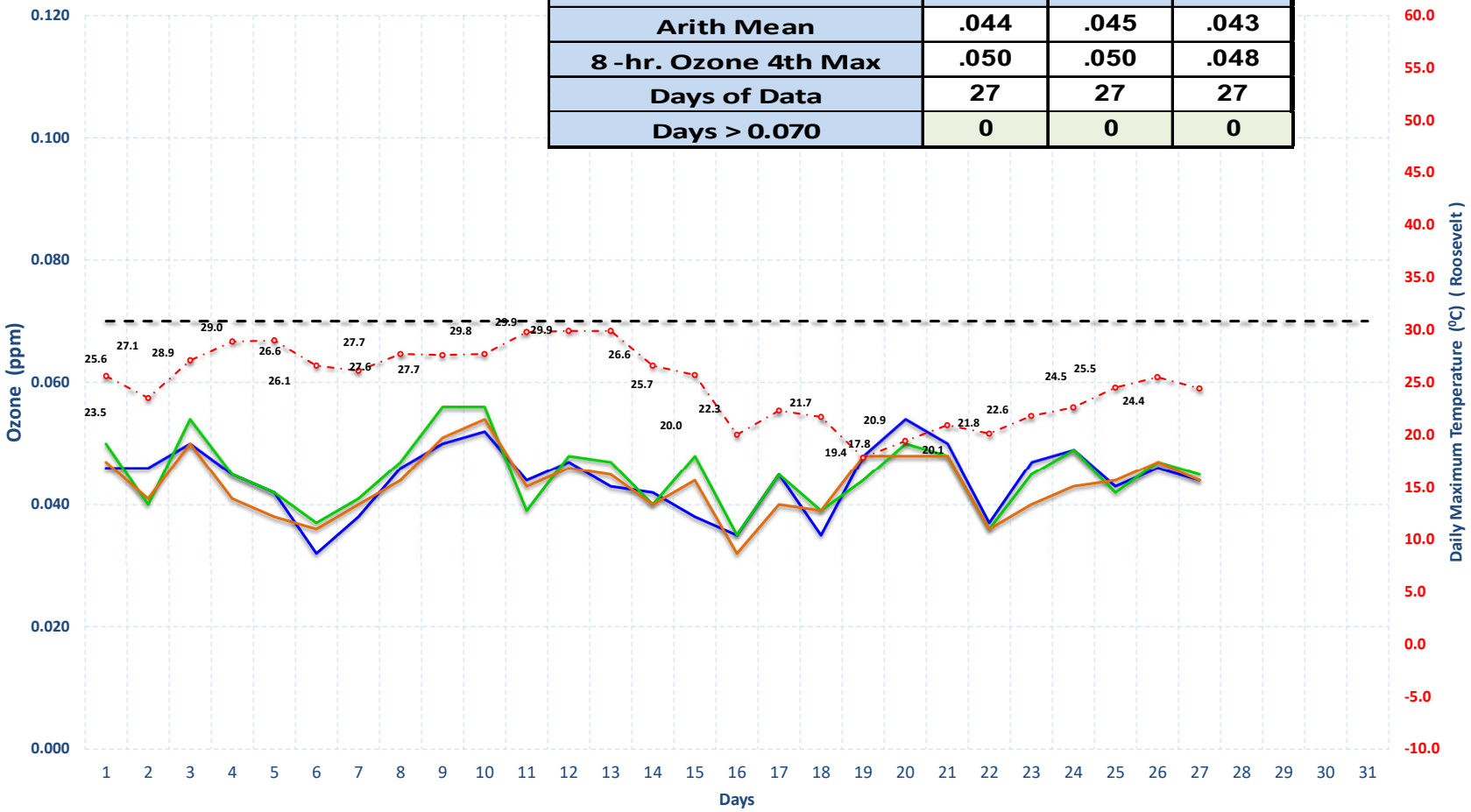
Bountiful — Copperview — Erda — Herriman #3 — Harrisville — Hawthorne — Near Road — Red Butte — Rose Park — Environmental Quality — Exceed. * TM

* Environmental Quality (**EQ**) previously named Technical Support Center (**TSC**)

** Controlling Monitor

Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2026

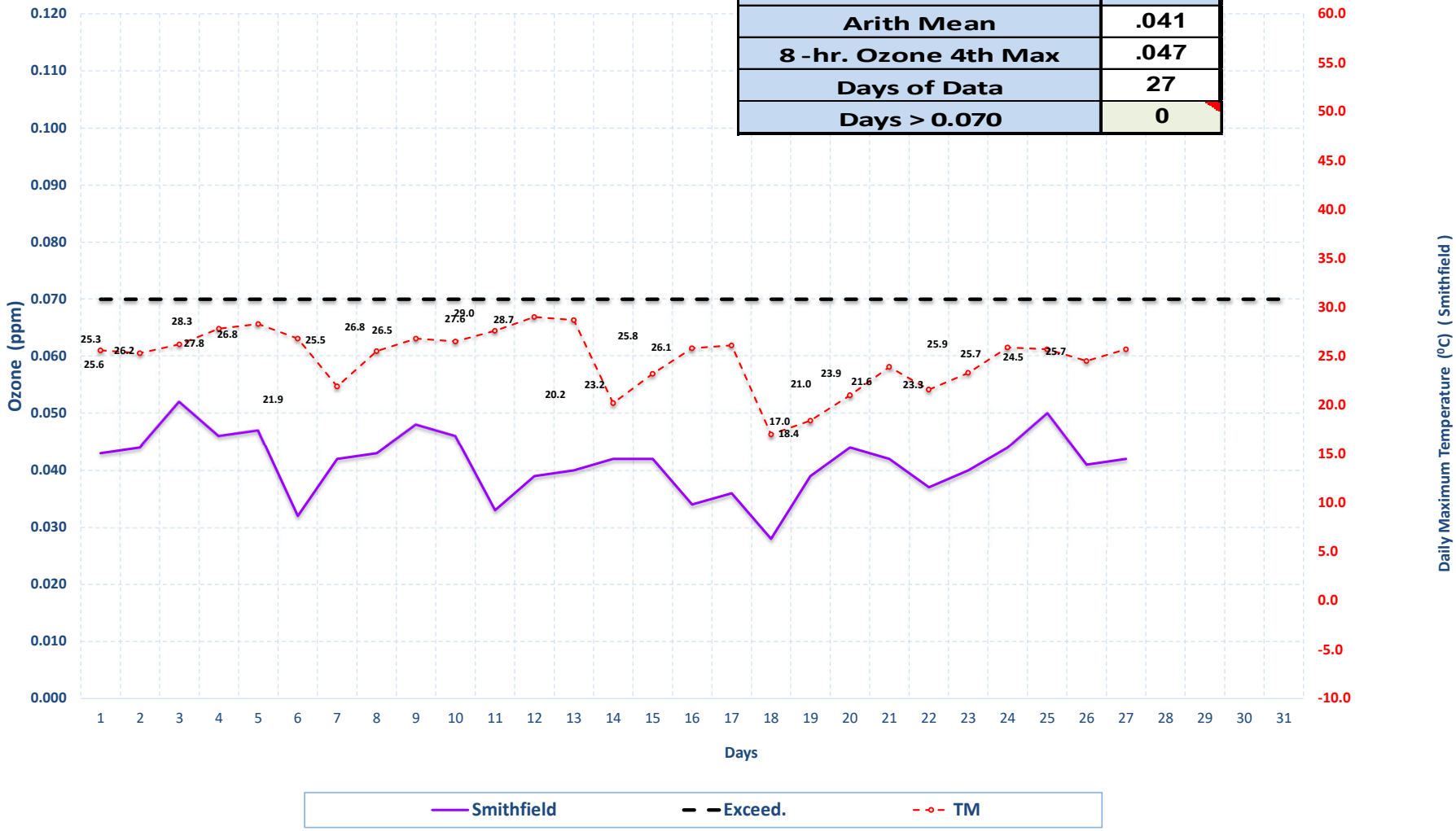
	P2	RS	V4
Arith Mean	.044	.045	.043
8 -hr. Ozone 4th Max	.050	.050	.048
Days of Data	27	27	27
Days > 0.070	0	0	0



Price #2 | Roosevelt | Vernal | Exceed. | TM

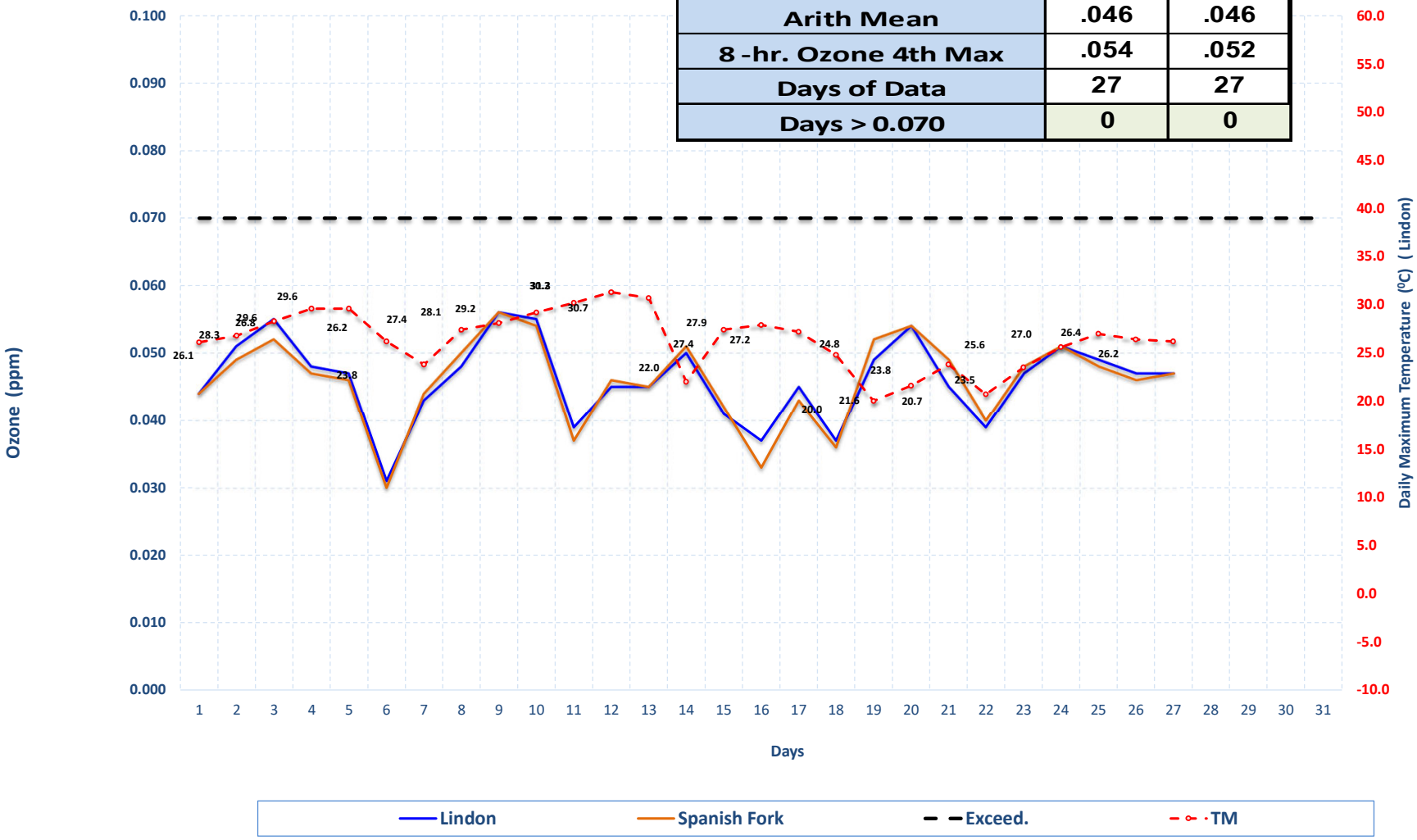
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2026

	SM
Arith Mean	.041
8 -hr. Ozone 4th Max	.047
Days of Data	27
Days > 0.070	0



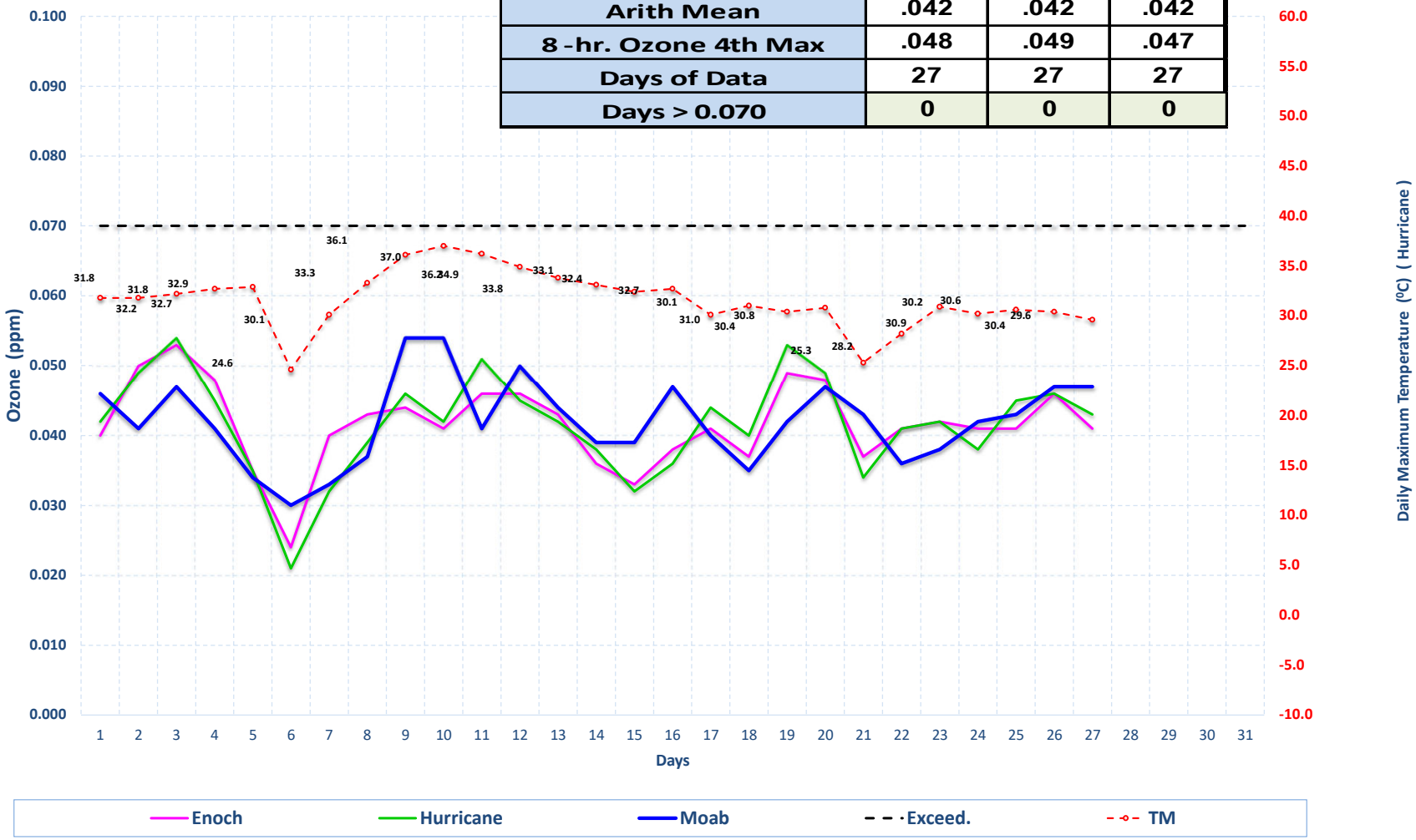
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2026

	LN	SF
Arith Mean	.046	.046
8 -hr. Ozone 4th Max	.054	.052
Days of Data	27	27
Days > 0.070	0	0



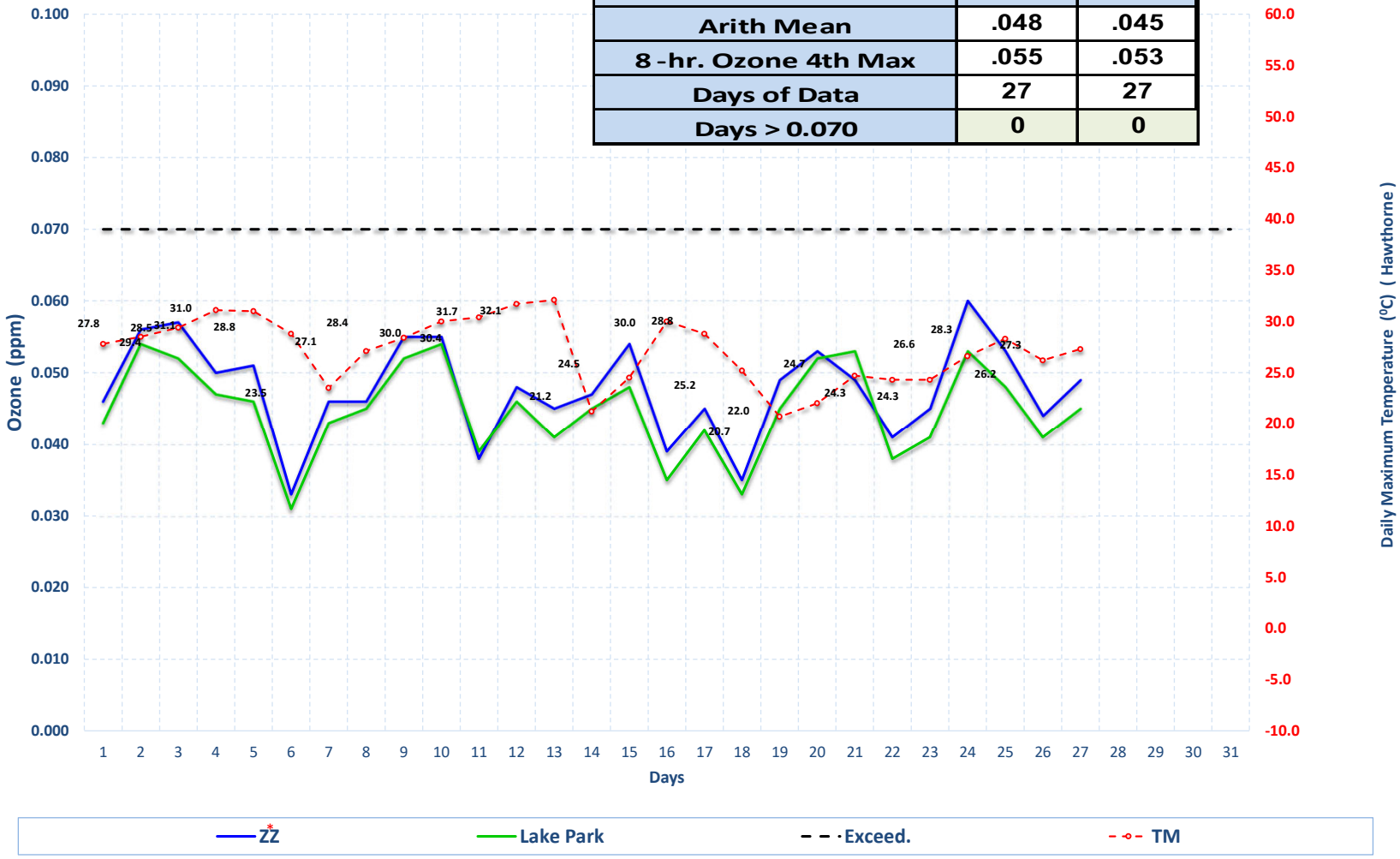
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2026

	EN	HC	M7
Arith Mean	.042	.042	.042
8 -hr. Ozone 4th Max	.048	.049	.047
Days of Data	27	27	27
Days > 0.070	0	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2026
Stations Monitoring the Inland Port Development

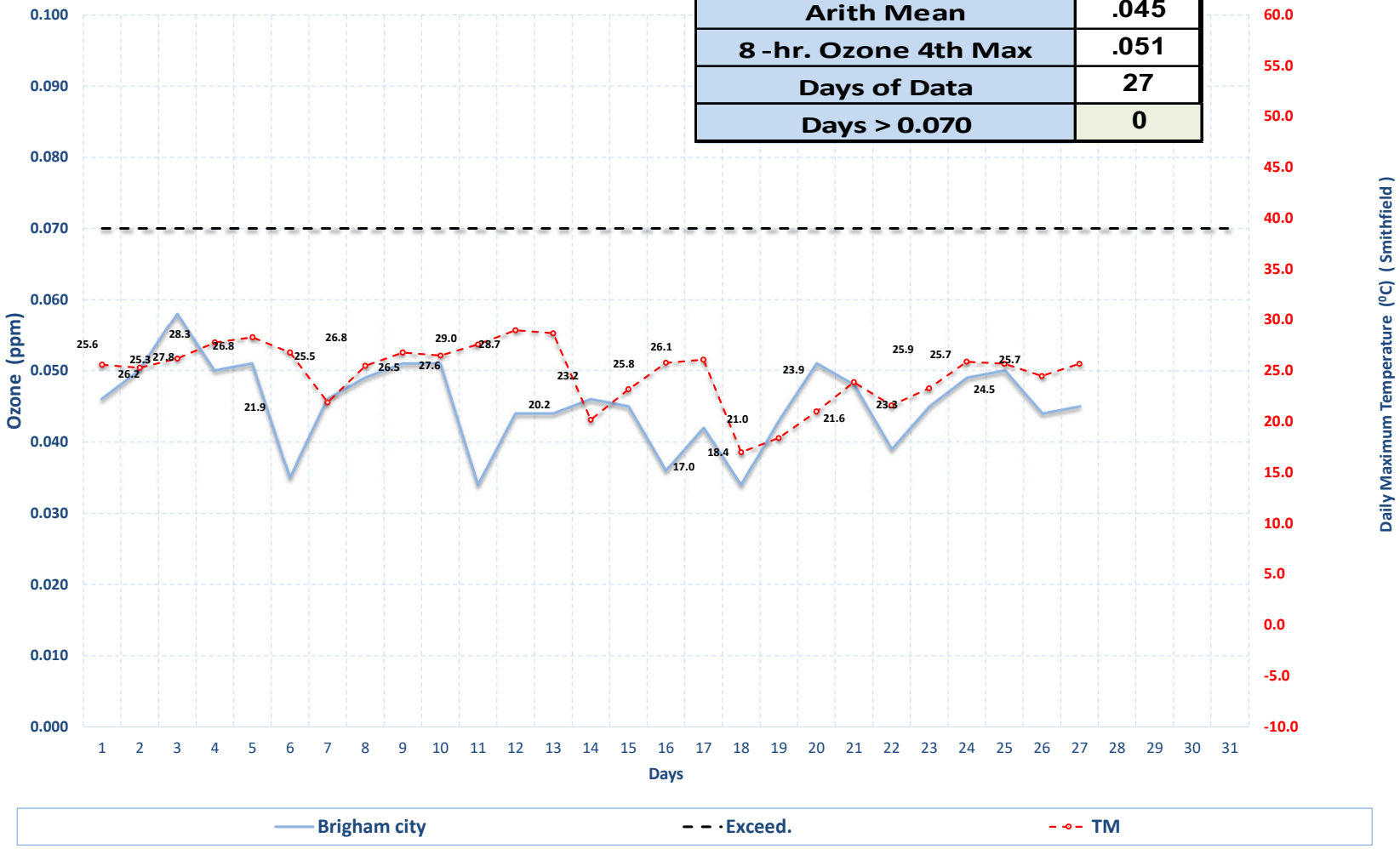
	ZZ	LP
Arith Mean	.048	.045
8 -hr. Ozone 4th Max	.055	.053
Days of Data	27	27
Days > 0.070	0	0

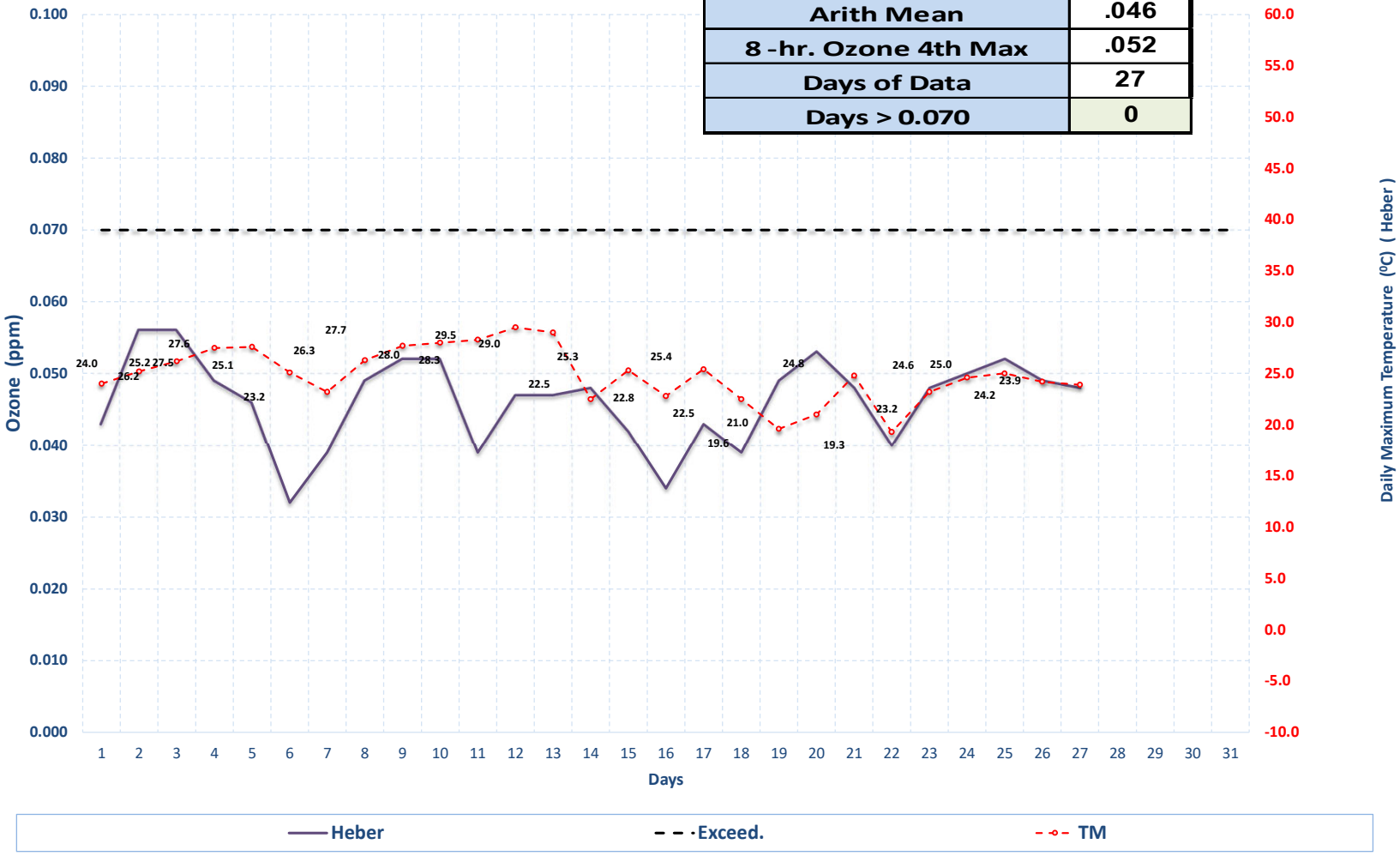


* **ZZ** is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named **IP**

Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2026

	BG
Arith Mean	.045
8 -hr. Ozone 4th Max	.051
Days of Data	27
Days > 0.070	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2026

	HB
Arith Mean	.046
8 -hr. Ozone 4th Max	.052
Days of Data	27
Days > 0.070	0