

**CALIFORNIA CONTRACTORS STATE LICENSE BOARD
APPROVED FINAL TEXT**

**Title 16, Division 8
Article 3. Classification**

Add Section 832.22 as follows:

§832.22. Class C-22 – Asbestos Abatement Contractor.

(a) An asbestos abatement contractor performs abatement, including containment, encapsulation, or removal, and disposal of asbestos containing construction materials, as defined in Section 6501.8 of the Labor Code, in and on buildings and structures. All work performed and all documentation prepared by an asbestos abatement contractor shall be done in accordance with regulations and requirements of the Division of Occupational Safety and Health (DOSH) of the Department of Industrial Relations.

(b) The Board shall not issue an asbestos abatement contractor license unless the applicant or contractor is duly registered with DOSH pursuant to Section 6501.5 of the Labor Code or has an active application for registration in process with DOSH. All holders of the C-22 – asbestos abatement contractor classification shall have completed DOSH registration training requirements, as contained in Title 8, California Code of Regulations, Section 1529.

(c) Within 90 days after the asbestos abatement contractor license is issued, the contractor shall submit to the Board proof that he or she is duly registered with DOSH pursuant to Section 6501.5 of the Labor Code.

No asbestos abatement work shall be performed nor documentation prepared until the contractor has submitted proof of his or her DOSH registration to the Board.

Failure of a licensee to provide proof of current registration with DOSH within 90 days after issuance shall result in the automatic suspension of the license or removal of the C-22 – asbestos abatement contractor classification at the end of the 90 days.

(d) Every applicant for the C-22 – asbestos abatement contractor classification must have had, within the last 10 years immediately preceding the filing of the application, not less than four years of experience performing asbestos abatement duties as a journeyman, foreman, supervising employee, or contractor working for or as any of the following:

(1) A licensed contractor who holds the C-22 – asbestos abatement contractor classification or the asbestos certification, as defined in Section 7058.5 of the Code, and DOSH registration;

(2) A contractor who provides asbestos abatement services and is licensed in another state or federal jurisdiction;

(3) A utility company operating under the laws of a state or federal regulatory agency;

(4) A division of a state or the federal government; or

(5) The armed forces of the United States.

(e) The Board shall require as a condition precedent to the renewal of an asbestos abatement contractor license that the licensee have on file proof of current registration with DOSH pursuant to Section 6501.5 of the Labor Code.

(f) This classification does not include any addition to or alteration, repair, or rehabilitation of the permanently retained portions of such buildings and structures. Hazardous substance removal and remediation, as defined in Section 7058.7 of the Code, are specifically not included in this classification.

Note: Authority cited: Sections 7008 and 7059, Business and Professions Code.
Reference: Sections 7058, 7058.5, 7058.7, and 7059, Business and Professions Code; and Sections 6501.5 and 6501.8, Labor Code.

Add Section 833 as follows:

§833. Asbestos Classification and Certification Limitations and Examination Requirement.

(a) The C-22 – asbestos abatement contractor classification shall operate as a stand-alone specialty contractor classification for asbestos abatement work, notwithstanding any other classification held by the licensed contractor.

(b) No general building contractor, as defined in Section 7057 of the Code, shall contract for any project that includes asbestos abatement work unless the general building contractor holds the C-22 – asbestos abatement contractor classification or the asbestos certification, as defined in Section 7058.5 of the Code, and DOSH registration or unless the general building contractor subcontracts with an appropriately licensed contractor.

(c) The asbestos certification, as defined in Section 7058.5 of the Code, shall operate in conjunction with other classification(s) held by the licensed contractor. No licensed contractor who holds the asbestos certification shall contract for any project that includes asbestos abatement work in a trade for which the contractor is not licensed, unless the licensee also holds the C-22 – asbestos abatement contractor classification.

(d) The Registrar may waive the trade examination, pursuant to Section 7065.3 of the Code, for the C-22 – asbestos abatement contractor classification for a licensed contractor who holds the asbestos certification, as defined in Section 7058.5 of the Code, upon application and conclusive showing by the licensee that he or she possesses not less than four years journey-level experience in the C-22 – asbestos abatement contractor classification within the last 10 years immediately preceding the filing of the application. The licensee shall have obtained the asbestos certification after having passed the written asbestos certification examination and shall have held the asbestos certification in active and good standing throughout the four-year experience period at a minimum.

Note: Authority cited: Sections 7008 and 7059, Business and Professions Code.
Reference: Sections 7057, 7058, 7058.5, 7059, and 7065.3, Business and Professions Code.

NOTICE-PUBLICATION REGULATIONS SUBMISSION (See instructions on reverse)

RESUBMITTAL

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2014-0128-14	REGULATORY ACTION NUMBER 2014-1223-03 SR	EMERGENCY NUMBER
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ENDORSED FILED IN THE OFFICE OF

2014 DEC 30 PM 2:03

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

For use by Office of Administrative Law (OAL) only

NOTICE	REGULATIONS
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2014 DEC 23 AM 11:49
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY
DCA - Contractors State License Board

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Class C-22 Asbestos Abatement Class & Rqmts	TITLE(S) 16	FIRST SECTION AFFECTED 832.22	2. REQUESTED PUBLICATION DATE February 7, 2014
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Betsy Figueira	TELEPHONE NUMBER (916) 255-3369	FAX NUMBER (Optional) (916) 255-6335
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2014 02	PUBLICATION DATE 2/7/2014	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) C-22 Asbestos Abatement Contractor / Limitations & Exam Rqmts	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2014-1023-035
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 832.22 and 833
TITLE(S) 16	AMEND
	REPEAL

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input checked="" type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
May 20, 2014 - June 5, 2014

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) January 1, 2015
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input checked="" type="checkbox"/> Other (Specify) Awet Kidane, Director, Department of Consumer Affairs		

7. CONTACT PERSON

Betsy Figueira	TELEPHONE NUMBER (916) 255-3369	FAX NUMBER (Optional) (916) 255-6335	E-MAIL ADDRESS (Optional) betsy.figueira@cslb.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Stephen P. Sands</i>	DATE December 16, 2014
TYPED NAME AND TITLE OF SIGNATORY Stephen P. Sands, Registrar	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 30 2014

Office of Administrative Law