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GOVERNOR

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**ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

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MEMORANDUM

TO: DEP Staff, for dissemination

FROM: Rebecca Goodman, Secretary, Energy and Environment Cabinet *RWG*

DATE: March 26, 2020

Re: COVID-19, State of Emergency  
Method 9 and Asbestos Certification/Accreditation Renewals

As a result of the current COVID-19 emergency and pursuant to the authority delegated to me pursuant to KRS Chapter 39A and the Governor's Executive Orders, having been duly advised by the staff of the Department for Environmental Protection (DEP), I am implementing the following provisions.

- The DEP shall temporarily grant a limited grace period for EPA Reference Method 9 (M9) certifications that expired on or after March 1, 2020. The grace period will last until July 1, 2020. The grace period shall apply to existing certified personnel conducting M9 observations, for purposes of performing routine monitoring of visible emissions, as required by the monitoring and recordkeeping conditions of an air permit issued by the Division for Air Quality (DAQ). While those certifications will technically expire, DAQ will take the grace period into consideration during inspections. The grace period for personnel with expired certifications does not apply to visible emissions testing conducted as a compliance demonstration pursuant to a requirement in a federal regulation, such as an NSPS or NESHAP, and does not apply to any visible emissions testing conducted to demonstrate initial compliance with any new emission source pursuant to 401 KAR 51:017, 51:052, or 59:005.
- Due to the recent cancellations and postponements of required EPA training courses for asbestos accreditation, the DEP shall temporarily grant a limited grace period for required proof of training for accreditation renewals. While an accreditation renewal cannot be issued without the updated proof of training, the DEP is granting a grace period for licenses that expire after January 1, 2020. The grace period will last until July 1, 2020. While those accreditations will expire, DAQ will take the grace period into consideration during inspections. Additionally, asbestos abatement contractors seeking to update their

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Company Certifications will be temporarily granted a limited grace period to list supervisor(s) whose individual accreditations have expired after January 1, 2020, until July 1, 2020, on the company certifications. Those supervisor accreditations will technically expire, but DAQ will take the grace period into consideration during inspections and when adding supervisors to the certificate. Note: There are online refresher training courses available from vendors that are acceptable as proof of training for accreditation renewal.