

PLACER COUNTY AIR POLLUTION CONTROL DISTRICT

110 Maple Street, Auburn, CA 95603 ♦ (530) 745-2330 ♦ Fax: (530) 745-2373
www.placer.ca.gov/apcd

DEMOLITION OR RENOVATION ASBESTOS REQUIREMENTS FACT SHEET

The U.S. Environmental Protection Agency (U.S. EPA) and the California Air Resources Board (CARB) require compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations. This fact sheet is provided to aid compliance with the National Emission Standard for Asbestos (Asbestos NESHAP, 40 CFR, Part 61, Subpart M) for demolition and renovation activities, particularly with the inspection and notification requirements.

Residential Building Exemption from the Asbestos NESHAP Requirements

A permit must be obtained from your local building department for demolition or renovation. The demolition or renovation permit for a residential building which has four or fewer dwelling units and/or out-buildings usually may be issued without the applicant conducting an asbestos inspection or notification, if the applicant declares the project is exempt. For demolitions, the permitting agency must require the applicant to make the declaration in writing, or it may incorporate the applicant's response on the demolition permit application (Health & Safety Code Section 19827.5). Homeowners remain subject to asbestos disposal requirements.

Regulated Facilities Subject to the Asbestos NESHAP Requirements

The demolition or renovation of an Asbestos NESHAP Regulated Facility will require an asbestos inspection and notification to U.S. EPA and CARB for a permit to be issued by your local building department. Demolition projects require notification even if there is no asbestos present. See definition of Regulated Facilities.

- For demolitions or renovations of Asbestos NESHAP Regulated Facilities, the following requirements apply:
 - A thorough asbestos inspection of the facility and testing of materials to determine the presence of asbestos must be conducted by a Cal/OSHA certified asbestos consultant (Cal/OSHA regulations, California Labor Code, 9021.5 through 9021.8).
 - Demolition projects require a NESHAP Notification even if there is no asbestos present.
 - Renovation projects require NESHAP Notification if they involve the disturbance of friable or Regulated Asbestos Containing Material (RACM) meeting or exceeding the minimum of:
 - 260 linear feet on pipes, or
 - 160 square feet on other facility components, or
 - 35 cubic feet, if square feet or lineal feet could not be determined
 - Identified regulated asbestos-containing materials (RACM) **MUST BE REMOVED** if RACM is above the threshold amounts specified above, prior to disturbance, by a Cal/OSHA registered asbestos contractor.
 - 40 CFR 61.19 forbids owners and operators from attempting to circumvent any NESHAP by carrying out an operation in a piecemeal fashion to avoid coverage by a standard that applies only to larger than a specified size.
 - The Notifications are to be submitted 10 working days in advance of any work. The

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original notification form should be sent to: U.S. EPA, Region IX, Enforcement Division (2-1), Attn: Asbestos NESHAP Program, 75 Hawthorne Street, San Francisco, CA 94105. For Placer County demolitions and/or renovations, a copy of the notification must be sent to: California Air Resources Board, Attn: Enforcement Division, Asbestos NESHAP Program, P.O. Box 2815, Sacramento, CA 95812; or faxed to (916) 229-0645. If you have further questions regarding the Asbestos NESHAP Program or notification details, please contact Ahmad Najjar at (916) 229-0349, or via email to aj.najjar@arb.ca.gov.

- Attach to your demolition permit application a copy of the completed notification form(s) that were sent to U.S. EPA and CARB.

Additional Requirements:

- In the event that a project is determined to be exempt from the Asbestos NESHAP, the owner, contractor and subcontractors are not relieved from compliance with other city, county, state and federal laws, statutes and codes, or from obtaining permits for other activities.
- Enforcement action may be taken if the project is found to be subject to the Asbestos NESHAP and not in compliance. The enforcement action may include monetary penalties.
- In the event the activity should become subject to the Asbestos NESHAP during the course of the project, the owner or operator shall stop work and follow 40 CFR 61, 61.145(b) procedures.
- There is no exemption given based on when a building was constructed.

Definitions: (Note: definitions may differ from Building Department usage.)

- ◆ Asbestos containing material (ACM): any material or product that contains more than 1 percent asbestos.
- ◆ Asbestos renovation: the removal of more than 160 square feet, 260 linear feet or 35 cubic feet, if square feet or lineal feet could not be determined, of ACM.
- ◆ Category I non-friable ACM: asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products. (typically pliable materials, including sealants and mastics)
- ◆ Category II non-friable ACM: any other ACM, excluding Cat. I non-friable ACM, that when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure. (typically non-pliable/cementitious materials)
- ◆ Demolition: the wrecking or taking out of any load-supporting structural member (i.e. - load bearing wall) of a facility together with any related handling operations or intentional burning of any facility. *Note: this definition may differ from Building Department usage.
- ◆ Friable ACM: any ACM that when dry, can be crumbled, pulverized, or reduced to powder by normal hand pressure
- ◆ Non-friable ACM: any ACM that when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.
- ◆ Regulated Asbestos Containing Material (RACM): any friable ACM; Category I nonfriable ACM that has become friable; Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading; Category II non-friable ACM that has a high probability of becoming or has become crumbled, pulverized or reduced to powder by the forces expected to act on the material in the course of demolition or renovation.
- ◆ Renovation: altering a facility or one or more facility components in any way, including the

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stripping or removal of RACM from a facility component. Renovations include all activities in which asbestos could be disturbed at a regulated facility, including the clean-up and removal of debris from buildings which have burned. Operations in which load-supporting structural members are wrecked or taken out are demolitions.

- ◆ Regulated Facility: any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units). Any facility that was previously subject to this regulation is not excluded, regardless of its current use or function.

Additional Resources:

- ❖ Information about the Asbestos NESHAP Program administered by the California Air Resources Board, including the Asbestos Notification Form and instructions, can be found at:
<http://www.arb.ca.gov/enf/asbestos/asbestos.htm>
- ❖ More asbestos information from U.S. EPA can be found at:
<http://www2.epa.gov/asbestos>
- ❖ Homeowners exempt from the Asbestos Notification requirements remain subject to asbestos disposal requirements and should contact the Department of Toxic Substance Control (DTSC) at (800) 728-6942, regarding asbestos disposal. This DTSC Fact Sheet provides further information:
https://www.dtsc.ca.gov/PublicationsForms/upload/OAD_FS_Asbestos1.pdf
- ❖ A list of certified asbestos consultants and certified site surveillance technicians can be found at:
http://www.dir.ca.gov/databases/doshcaccsst/caccsst_query_1.html
- ❖ A list of contractors registered with the California Department of Industrial Relations can be found at:
<http://www.dir.ca.gov/databases/doshacru/acrusearch.html>