



# San Joaquin Valley Unified Air Pollution Control District

## COMPLIANCE ASSISTANCE BULLETIN

July 2006

### ASBESTOS REQUIREMENTS for DEMOLITION and RENOVATIONS

The San Joaquin Valley Air Pollution Control District (District) Rule 4002 requires compliance with the *National Emission Standards for Hazardous Air Pollutants* (NESHAP) regulation, 40 CFR, Part 61, Subpart M developed by the Unified States Environmental Protection Agency (EPA). The purpose of this bulletin is to provide an overview of the NESHAP notification, inspection and emission control requirements as they relate to asbestos.

### SUMMARY

For any renovation or demolition of a regulated facility, you must do the following:

- **INSPECT:** Conduct a thorough asbestos inspection of the facility before:

Any renovation in which more than 160 square feet or more of building materials, or 260 linear feet or more of pipe insulation, will be disturbed at a regulated facility, or

Any demolition at a regulated facility. (See page 2 for the definition of demolition)

**Regulated facilities** (Facilities subject to the NESHAP) include all commercial building, residential buildings with more than four dwelling units, other structures and non-portable equipment. A single family dwelling or residential buildings with four or fewer units may be exempt, depending on its past use and future use of the property. The EPA has extensive policy on the NESHAP applicability to these structures. Contact the District to determine if your project is regulated.

- **ASBESTOS ABATEMENT:** If asbestos-containing material (ACM) is discovered, which will be disturbed during a renovation or demolition, they must be removed prior to those projects under most circumstances. Also, Cal-OSHA and Cal-EPA hazardous waste regulations apply in most cases.
- **NOTIFY:** Submit a complete asbestos notification form to the District for any regulated asbestos abatement project or demolition, 10 working days before the activity begins.

A *regulated asbestos abatement project* is one in which at least 160 Square feet of regulated asbestos-containing building materials (RACM) or 260 linear feet of asbestos-containing pipe insulation is disturbed.

*Regulated demolitions* are demolitions of “facilities” described above. Notification is required for any regulated demolition, whether or not asbestos is present.

- **FEES:** Pursuant to District Rule 3050, fees must be submitted to the District with all regulated renovations and demolitions notifications. Notifications received without the appropriate fee will be considered incomplete.

**DEMOLITION PERMIT RELEASE FORM:** Any demolition (regulated or not), for which a building department demolition permit is applicable, requires a completed Demolition Permit Release form. Building officials will require an approved copy of this form, signed by the District, prior to the issuance of a building department demolition permit.

### **SOME DEFINITIONS: 61.141**

1. **FACILITIES** - Facilities subject to the rule include “all structures, installations, buildings and equipment, except for a single family dwelling (SFD) or a residential building with more than four dwelling units. However SFD or building with four or fewer units is also subject to the regulation if:
  - a. It has been used for, or is being removed to be replaced by a non-residential use, or
  - b. It is to be used as a training burn exercise.
  - c. Sites with more than one such building remodeled or demolished are always regulated.
2. **DEMOLITION** - In addition to the total destruction of a structure, demolitions include “the removal of any structural load-bearing member from a facility together with any related handling operations or the intentional burning of a building” (training burns conducted by a fire fighting agency only). Also, the separation of a structure from its foundation prior to relocation is a demolition.
3. **RENOVATION** - means “altering a facility or one or more facility components in any way, including the stripping or removal 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.
4. **NON-FRIABLE ACM**
  - a. **Category I non-friable** is “asbestos-containing packing, gaskets, resilient floor covering and asphalt roofing products containing more than 1 percent asbestos as determined by PLM testing that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.”
  - b. **Category II non-friable ACM** is “any ACM, excluding Category 1 ACM, containing more than 1 percent asbestos as determined by PLM testing, that when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.”
5. **RACM - include:**
  - a. **Friable ACM**, which is any material containing more than 1 percent asbestos, as determined by Polarized Light Microscopy (PLM) testing, which, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.
  - b. **Category I nonfriable ACM** that is in poor condition and “has become friable” or “that has or will be subjected to sanding, grinding, cutting, or abrading.”
  - c. **Category II nonfriable 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.

### **INSPECTION: 61.145 (a)**

**An asbestos inspection must be performed by the owner or operator prior to:**

- a. Any regulated demolition.
- b. Any renovation activity in which more than 160 square feet of building material or 260 linear feet of pipe insulation will be disturbed. An inspection is not necessary, however, if the material to be disturbed is stipulated to be asbestos containing and will be removed in accordance with the NESHAP.

Cal-OSHA regulations in the California Labor Code, 9021.5 through 9021.8, require that asbestos-consulting services (inspections) shall be performed by a person who is certified by Cal-OSHA, and who has taken and passed an EPA-approved Building Inspector course and performs the inspection according to the procedures outlined in the course.

**The District requires that inspection reports (surveys) must include:**

- a. A schematic showing the location of all tested materials.
- b. The following data for all asbestos-containing materials:
  1. The amount and description of each material.
  2. Percent asbestos content (10% and below must be point counted).
  3. Whether or not the material is friable.

**A report of the asbestos inspection (survey) must be received with each demolition notification.**

### **NOTIFICATION 61.145 (b)**

**A hard copy of the asbestos notification must be submitted to the District, at least 10 working days prior to:**

- a. Any regulated demolition (see definitions of *demolition* and *facility* above).
- b. Any renovation in which more than 160 Square feet or 260 Linear feet of RACM will be disturbed.

The District notification form and instructions for filling it out are with the bulletin.

**Notifications will not be complete, nor will the 10 working day notice period begin, until all of the required information and fees have been submitted to the District.**

Notifications may be submitted by hand delivery, U.S mail or commercial courier. Facsimile ~~is~~ and e-mails are not acceptable methods of delivery.

## **ASBESTOS ABATEMENT: 61.145 (c)**

Asbestos-containing materials discovered during the inspection process, which will be disturbed during renovation or demolition, must be removed properly prior to the demolition or renovation. Employees engaged in asbestos abatement work must be properly trained and equipped for the work in accordance with Cal-OSHA regulations. The Cal-OSHA and NESHAP regulations have specific work practice requirements to be followed during the removal of these materials. Also, the NESHAP regulation and Cal-EPA have waste handling, transportation and disposal requirements applicable that must be adhered to.

### **SJVUAPCD Rule 3050 (Fees)**

A nonrefundable fee must be paid with each demolition and renovation notification, in accordance with SJVUAPCD Rule 3050, Asbestos Removal Fees, which is attached. Fees for asbestos abatement projects are based on the amount of RACM removed. If a project involves at least 160 square feet, 260 linear feet and/or 35 cubic feet or more of RACM, fees for each quantity of material are determined and added together to arrive at the total fee for the project.

The fee for a demolition notification is \$124.

### **DEMOLITION PERMIT RELEASE FORM**

CH & S Section 19827.5 requires city or county building officials to have proof of compliance with, or exemption from, the asbestos NESHAP notification requirements before they issue demolition permits. In order to facilitate this, the District has developed a Demolition Permit Release form (attached). For facilities subject to the NESHAP, the District will issue a Demolition Permit Release form once it has been properly notified of the work that is to occur. *The Signed release form does not guarantee that asbestos abatement or demolition work is being done properly.* For all demolitions, including facilities exempt from the NESHAP, the applicant must fill out the Demolition Permit Release form and have it signed by the District before obtaining a building department demolition permit. The District allows facsimile transmittal of release forms.

### **RECYCLING/WASTE DISPOSAL**

In addition to waste disposal information about RACM, the asbestos notification must identify any building materials, which will be recycled after removal from a project. The name of the recycling contractor and location of such activity must be identified.

**No asbestos containing or asbestos contaminated material may be recycled.**

If you have any questions, we encourage you to contact one of our three regional offices.

#### **Northern region**

Merced, San Joaquin and  
Stanislaus Counties

4800 Enterprise Way,  
Modesto, CA 95356

(209) 557-6400  
Fax (209) 557-6475

#### **Central Region**

Fresno, Kings and Madera  
Counties

1990 Gettysburg Avenue,  
Fresno, CA 93726

(559) 230-6000  
Fax (559) 230-6062

#### **Southern Region**

Kern and Tulare  
Counties

34946 Flyover Court  
Bakersfield, CA 93308

(661) 392-5500  
Fax (661) 392-5586

# San Joaquin Valley Unified Air Pollution Control District

## ASBESTOS DEMOLITION/RENOVATION NOTIFICATION FORM GENERAL INFORMATION

The Asbestos NESHAP, 40 CFR Part 61, Subpart M, requires written notification of demolition or renovation operations under Section 61.145. The form below may be used to fulfill this requirement. Only complete notification forms are acceptable. Incomplete notification may result in enforcement action.

The notification must be postmarked or delivered no later than ten working days prior to the beginning of the asbestos removal activity (dates specified in section 7) or demolition (dates specified in Section 8). Please submit this form and corresponding fees to the appropriate office:

For Fresno, Madera and Kings Counties:

SJVUAPCD  
Attention: Asbestos Program  
1990 E. Gettysburg Avenue  
Fresno, California 93726

For San Joaquin, Stanislaus and Merced Counties:

SJVUAPCD  
Attention: Asbestos Program  
4800 Enterprise Way  
Modesto, CA 95356

For Tulare and Kern Counties:

SJVUAPCD  
Attention: Asbestos Program  
34946 Flyover Court  
Bakersfield, CA 93308

### INSTRUCTIONS

- Type of Notification:** Check Original if the notification is a first time or original notification; Revised (Dates) if the notification is a revision dates only; Revised (Others) if the notification is a revision of other data (highlight changes); Canceled if the project has been canceled; or "Courtesy" if the activity is not regulated. When submitting a revised notification add a number (starting with the number 1) after "revised" to differentiate between revisions.
- Type of Operation:** Check for facility demolition, ordered demolition, facility renovation, or Emergency renovations.
- Facility Description:** Provide detailed information on the areas being renovated or demolished. If applicable, provide the floor numbers and room numbers where renovations are to be conducted.  
  
Site Location: Provide information needed to locate the site in the event that the address alone is inadequate.  
  
Present Use/Prior Use/Future Use: Describe the primary use of the facility or enter the following: Hospital; School; Public Building; Office; Industrial; University or College; Ship; Commercial; Residence; or Subdivision.
- Is Asbestos Present?** Answer "Yes" or "No" regardless of the amount or type of asbestos.
- Include a complete asbestos report (survey) that accurately depicts amounts, percent, analytical method used
- Approximate Amount of Asbestos including:** (1) Regulated ACM to be removed (including non-friable ACM to be sanded, ground or abraded); (2) Category I/II ACM not removed; and for "courtesy notices" (3) Non-friable ACM to be removed. Enter amounts in square feet or linear feet. Describe volume in cubic feet only if the amount cannot be approximated in square feet or linear feet.
- Removal Dates (MM/DD/YY):** Enter scheduled dates for asbestos removal work. Asbestos removal work includes any activity, including site preparation, which will break up, dislodge or disturb asbestos material.
- Demo/Renovation Dates (MM/DD/YY):** Enter scheduled dates for beginning and ending the planned demolition or renovation.
- FACILITY OWNER INFORMATION:** Enter the name of the site supervisor and contact person for the notification. If additional parties share responsibility for the site, demolition activity, renovations or ACM removal, include complete information (including name, address, contact person and telephone number) below.
- Removal Contractor:** Contractor hired to remove asbestos.
- Other Contractor:** Demolition contractor, general contractor, or any other person, who leases, operates, controls or supervises the site.

12. Description of Planned Demolition or Renovation Work and Method(s) to be Used: Include in this area a description of the demolition and renovation techniques to be used and the types of facility components and materials which will be affected by this work.
13. Description of Engineering Controls and Work Practices to be Used to Prevent Emissions at the Site: Describe the work practices and engineering controls selected to ensure compliance with the requirements of the regulations, including both asbestos removal and waste-handling emission control procedures.
14. ACWM Transporter(s): Enter the names, addresses, contact persons and telephone numbers of the persons or companies responsible for transporting ACM from the removal site to the waste disposal site. If the removal contractor or owner is the waste transporter, state "same as owner" or "same as removal contractor." If additional parties are responsible include complete information on an additional sheet submitted with the form.
15. ACWM Disposal Site: Identify the waste disposal site, including the complete name, location and telephone number of the facility. If ACM is to be disposed of at more than one site, provide complete information on an additional sheet submitted with the form.
16. Recycling of Waste Material (No ACM may be recycled): Identify the site, including the complete name, location and telephone number of the facility, where any material is to be taken for recycling.
17. If Demolition Ordered by a Government Agency, Please Identity the Agency: Provide the name of the responsible official, title and agency, authority under which the order was issued, the dates of the order and the dates of the ordered demolition. A copy of the order shall be attached to the notification.
18. For Emergency Renovation: Provide the date and time of the emergency, a description of the event and a description of unsafe conditions, equipment damage or financial burden resulting from the event. The information should be detailed enough to evaluate whether a renovation falls within the emergency exception.
19. Description of Procedures to be Followed in the Event that Unexpected Asbestos is Found or Previously Nonfriable Asbestos Material Becomes Crumbled, Pulverized, or Reduced to Powder: provide adequate information to demonstrate that appropriate actions have been considered and can be implemented to control asbestos emissions adequately, including at a minimum, conformance with applicable work practice standards.
20. Certification of Presence of Trained Supervisor: The notifier must certify that a person trained in asbestos-removal procedures will supervise the demolition or renovation. The supervisor is responsible for the activity on-site. Evidence that the supervisor has completed the training must be available for inspection during normal business hours.
21. Verification: Please certify the accuracy and completeness of the information provided by signing and dating the notification form.

# San Joaquin Valley Unified Air Pollution Control District

## Asbestos Notification

Operator Project #	Postmark Date	Received Date	Fee Received \$	District Notification #				
Completed by:		Company:		Phone:				
<b>1. TYPE OF NOTIFICATION:</b>	Original <input type="checkbox"/>	Revised (Dates) <input type="checkbox"/>	Revised (Others) <input type="checkbox"/> (Highlight Changes)	Canceled <input type="checkbox"/> Courtesy <input type="checkbox"/>				
<b>2. TYPE OF OPERATION:</b>	Demo <input type="checkbox"/>	Ordered Demo <input type="checkbox"/>	Renovation <input type="checkbox"/>	Emergency Renovation <input type="checkbox"/>				
<b>3. FACILITY DESCRIPTION:</b> (Include building name, number, and floor or room number)								
Building Name:			Lease Name:					
Address:			City:	County:				
Site Location on property:								
<b>Is demolition in preparation for construction?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		Building Size:	Sq Ft	Number of Floors: Age:				
Present Use:		Prior Use:		Future Use:				
<b>4. IS ASBESTOS PRESENT:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>SURVEY COMPLETED:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TO BE CONDUCTED								
<b>5. A COPY OF THE INSPECTION REPORT WITH PROCEDURE, INCLUDING ANALYTICAL METHOD USED TO DETECT THE PRESENCE OF ASBESTOS MATERIAL MUST BE INCLUDED WITH THIS NOTIFICATION.</b>								
<b>6. Approximate amount of asbestos, including:</b> 1. Regulated ACM to be removed. 2. Category I/II ACM not removed. 3. Non-friable ACM to be removed.		(1) RACM to be removed	Friable ACM (<1%)	(2) Non-friable ACM not to be removed Category I Category II	(3) Non-friable ACM to be removed (Courtesy) Category I Category II			
Pipes (Linear Feet)								
Surface Area (Square Feet)								
Volume (Cubic Feet-If Lnft Or Sqft Could Not Be Measured)								
<b>ASBESTOS REMOVED FROM</b>		Surfaces: <input type="checkbox"/> Yes <input type="checkbox"/> No		Pipes: <input type="checkbox"/> Yes <input type="checkbox"/> No	Components: <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>AMOUNT OF EACH TYPE OF ASBESTOS (in square feet)</b>		Acoustic ceiling	Sheet Vinyl	Insulation	Fire Proofing	Ducting	Stucco	Mastic
Floor Tile (VAT)	Dry Wall	Plaster	Transite	Roofing	Others (Describe)			
<b>7. REMOVAL DATES:</b> (MM/DD/YY)			Start:	Complete:				
<b>8. DEMO/RENOVATION DATES</b> (MM/DD/YY)			Start:	Complete:				
<b>9. FACILITY OWNER INFORMATION:</b>								
Address:				City:		State:		Zip:
Contact:			Telephone:		Site Supervisor:			
<b>10. REMOVAL CONTRACTOR:</b> <span style="float: right;"><b>CAL-OSHA REGISTRATION #:</b></span>								
Address:				City:		State:		Zip:
Contact:			Telephone:		Site Supervisor:			
<b>11. OTHER CONTRACTOR:</b> <span style="float: right;"><b>CSLB LICENSE #:</b></span>								
Address:				City:		State:		Zip:
Contact:			Telephone:		Site Supervisor:			

<b>12. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHOD(S) TO BE USED:</b>			
<b>13. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT ASBESTOS EMISSIONS AT THE SITE:</b>			
<b>14. ACWM WASTE TRANSPORTER:</b>			
Address:	City:	State:	Zip:
Contact:	Telephone:		
<b>15. ACWM WASTE DISPOSAL SITE:</b>			
Address:	City:	State:	Zip:
Contact:	Telephone:		
<b>16. RECYCLING OF WASTE MATERIAL (<u>NO ACM MAY BE RECYCLED</u>):</b>			
Name:			
Location:	City:	State:	Zip:
Contact:	Telephone:		
<b>17. DEMOLITION ORDERED BY A GOVERNMENT AGENCY; identify the agency, attach copy of the order)</b>			
Name:	Title:		Authority:
Date of order (MM/DD/YY):		Date order to begin: (MM/DD/YY):	
<b>18. FOR EMERGENCY RENOVATIONS:</b>			
<b>GIVE THE NAME AND PHONE NUMBER OF THE PERSON DECLARING/AUTHORIZING THE EMERGENCY, DATE AND HOUR OF EMERGENCY AND DESCRIPTION OF THE SUDDEN, UNEXPECTED EVENT:</b>			
<b>EXPLANATION OF HOW THE EVENT CAUSED UNSAFE CONDITIONS OR WOULD CAUSE EQUIPMENT DAMAGE OR AN UNREASONABLE FINANCIAL BURDEN:</b>			
<b>19. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY ON-FRIABLE ASBESTOS MATERIAL BECOMES CRUMBLLED, PULVERIZED, OR REDUCED TO POWDER:</b>			
<b>20. IF RACM IS PRESENT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR., PART 61, SUBPART M) WILL BE ON SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT THE REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION.</b>			
<b>21. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT TO THE BEST OF MY KNOWLEDGE.</b>			
PRINT NAME OF OWNER/OPERATOR	SIGNATURE OF OWNER/OPERATOR	DATE	

*Category I non-friable asbestos-containing material (ACM)* means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1 percent asbestos.

*Category II non-friable ACM* means any material, excluding Category I non-friable ACM, containing more than 1 percent asbestos.

*Regulated asbestos-containing material (RACM)* means (a) Friable asbestos material, (b) Category I nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable 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 operations regulated by this subpart.