

Understanding the Asbestos Notification Requirements for Facility Demolition and Renovation Activities

Introduction

In 1990, Ohio EPA adopted regulations in Ohio Administrative Code (OAC) 3745-20 for controlling asbestos emissions from demolition and renovation projects. In 2002, these regulations were updated to be consistent with U.S. EPA's National Emission Standard for Hazardous Air Pollutants (NESHAP) standards for asbestos.

The regulations require that contractors do several things, such as provide a notification, conduct thorough inspections to determine the presence of asbestos, follow specific work practices and ensure proper disposal of asbestos-containing material.

As a contractor, it is very important that you are aware of and in compliance with these requirements at your work sites. Non compliance can mean violations and a penalty for your business. The focus of this fact sheet is the notification requirement for demolition and renovation activities.

In 2003, a demolition contractor in Northeast Ohio was fined \$7,000 for failing to complete an asbestos notification.

Demolition and renovation activities at a facility

Under the regulations, you are required to notify Ohio EPA if you are conducting demolition or renovation activities at a facility. A facility is any institutional, commercial, public or industrial structure, or any operation involving the renovation/demolition of multiple residential structures identified by an owner or operator within a scheduled period of time. A ship or any active or inactive waste disposal site is also considered a facility.

The definition of facility also includes some residential structures, such as condominiums or individual dwelling units that are operated as a residential cooperative. Activities at residential buildings that have four or fewer dwelling units do not require notification, unless the units are part of a larger installation, as described later in this fact sheet.

What is the difference between demolishing a facility and renovating it?

Demolition and renovation are defined in the regulations. You demolish a facility when you remove or wreck any load-supporting structural member of that facility or perform any related operations. You also demolish a facility when you



burn it. You renovate a facility when you alter any part of that facility in any other manner. Renovation also includes stripping or removing asbestos from a facility.

If I renovate several two-family units, are the units defined as a facility?

A residential building with four or fewer dwelling units is not considered a facility, unless it is part of a larger installation. Examples of what may be considered part of a larger installation include, but are not limited to:

- an army base;
- company housing;
- apartment or housing complex;



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- homes which are demolished as part of an urban renewal project, a highway construction project or a project to develop a shopping mall; and
- an apartment which is an integral part of a commercial facility.

Do demolition and renovation activities at a private, single-family residence require notification?

For most situations, no. However, if you are converting a single-family home into a nonresidential structure, the renovation requires notification. For example, if someone buys a house and converts it into a store, the renovation must be done in compliance with the asbestos regulations.

**** IMPORTANT ****

All demolitions at a facility require notification, even if no asbestos is present.

What is the asbestos notification process and when is it submitted?

A notification is a written notice of the intent to renovate or demolish. Some contractors are not aware that every demolition project at a facility requires an asbestos notification, regardless of whether asbestos is involved.

The notification requirement is different for facility renovation activities and is dependent upon the amount of regulated asbestos-containing material (RACM) at the site. For renovations, a notification must be submitted if the amount of RACM disturbed exceeds 260 linear feet on pipes, 160 square feet on other facility components or 35 cubic feet off facility components.

Ohio EPA has developed one notification form that is used for either demolition or renovation activities. The form must contain information such as the project's scheduled start and end date, the site location, the names of operators or asbestos removal contractors, methods of removal and the amount of asbestos.

The notification must be sent by mail (postmarked) or hand-delivered at least 10 working days (Monday-Friday excluding weekends) before operations begin. The notification form goes to either the Ohio EPA district office or local air pollution control office in your area. Phone and fax notifications are not acceptable for original notification.

If information in the initial notification changes, you may be required to inform the local office of these changes by phone or fax and send in an amended written notification. The amended notification must be sent no later than one working day following discovery of the change. Examples of changes requiring amended written notification are:

- when the amount of regulated asbestos-containing material affected by the demolition or renovation operations changes by at least 20 percent;
- any deviation in the methods to be used for asbestos removal or disposal;
- any change in the owner or operator;
- any change in the name and location of the selected waste disposal site; and
- any change in dates of asbestos stripping or removal operation or demolition operation.

For an emergency demolition or renovation project, notification must be made as soon as possible but no later than the following day.

Emergency demolition means any demolition operation conducted under a written order issued by a state or local governmental agency because a facility is structurally unsound and in danger of imminent collapse. Emergency renovation means a renovation operation that was not planned but results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden.

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Who is responsible for submitting a notification?

Either the owner of the building or the demolition/renovation contractor can submit the notification. Usually, the two parties decide together who will notify. Either one or both parties can be cited in violation if no or inadequate notification is provided.

What other requirements apply?

It's also important to know that under the Ohio Department of Health (ODH) regulations, you must have a certified asbestos hazard evaluation specialist identify any asbestos-containing material and determine the appropriate asbestos management plan for the site before conducting any renovation or demolition. ODH licenses and certifies companies and individuals involved with asbestos abatement.



For more information, contact the ODH Asbestos Program at (614) 466-0061, or visit the ODH Asbestos Program's website at www.odh.ohio.gov/odhPrograms/dspc/asbes1/asbestos1.aspx.

Where can I take Regulated Asbestos Containing Material?

Ohio EPA's Division of Air Pollution Control's (DAPC) website maintains a list of landfills that are permitted to accept regulated asbestos containing material at www.epa.ohio.gov/dapc/atu/asbestos/asb_land.aspx.

Additional Resources

U.S. EPA Asbestos website www.epa.gov/asbestos/

U.S. Department of Labor, Occupational Safety & Health Administration Asbestos website. www.osha.gov/SLTC/asbestos/index.html

Ohio Department of Health, Asbestos Program website. www.odh.ohio.gov/odhPrograms/dspc/asbes1/asbestos1.aspx

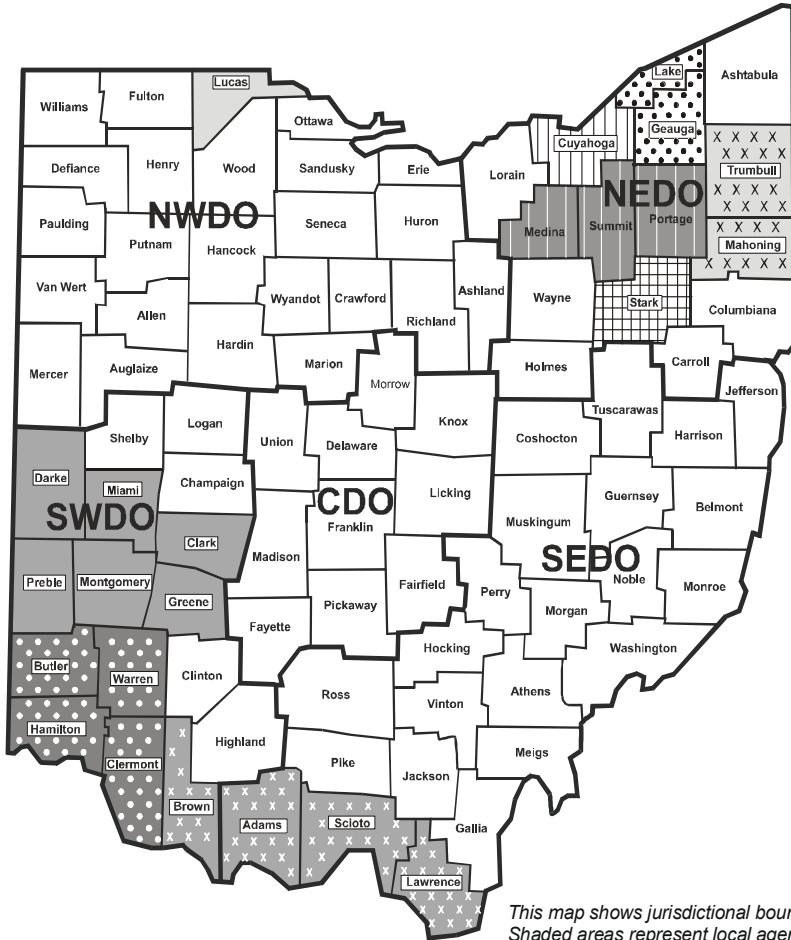
Where can I get more help?

Providing the proper notification is just one of many requirements that contractors must follow when working on job sites that may involve asbestos. However, it is an important first step toward compliance. Ohio EPA's notification form and instructions are available through DAPC's website at www.epa.ohio.gov/dapc/atu/asbestos/asbestos.aspx.

For more information about the asbestos requirements, including notification, record keeping, waste handling, shipment and emission controls, visit the DAPC website for a copy of the regulations. If you have additional questions, contact your district office or local air agency on page four of this fact sheet.

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Asbestos Contact List - District Offices/Local Air Agencies Jurisdiction Map



District Offices

CDO Central District Office
 50 West Town Street, Suite 700
 Columbus, OH 43215
 (614) 728-3778 FAX (614) 728-3898

SEDO Southeast District Office
 2195 Front St.
 Logan, OH 43138
 (740) 385-8501 FAX (740) 385-6490

NEDO Northeast District Office
 2110 E. Aurora Rd.
 Twinsburg, OH 44087
 (330) 425-9171 FAX (330) 487-0769

NWDO Northwest District Office
 347 North Dunbridge Rd.
 Bowling Green, OH 43402
 (419) 352-8461 FAX (419) 352-8468

SWDO Southwest District Office
 401 E. Fifth St.
 Dayton, OH 45402-2911
 (937) 285-6357 FAX (937) 285-6249

Local Air Pollution Control Agencies

Akron Regional Air Quality Management District
 146 South High St, Room 904
 Akron, Ohio 44308
 (330) 375-2480 FAX (330) 375-2402

Cleveland Dept. of Public Health Division of Air Quality
 75 Erieview Plaza, 2nd Floor
 Cleveland, Ohio 44114
 (216) 664-2297 FAX (216) 420-8047

Portsmouth Local Air Agency
 605 Washington St., Third Floor
 Portsmouth, Ohio 45662
 (740) 353-5156 FAX (740) 353-3638

Air Pollution Control Division Canton City Health Dept.
 420 Market Ave. North
 Canton, Ohio 44702-1544
 (330) 489-3385 FAX (330) 489-3335

Regional Air Pollution Control Agency Montgomery County Health Dept.
 117 South Main St.
 Dayton, Ohio 45422-1280
 (937) 225-4435 FAX (937) 225-3486

City of Toledo Division of Environmental Services
 348 South Erie Street
 Toledo, Ohio 43604
 (419) 936-3015 FAX (419) 936-3959

Southwest Ohio Air Quality Agency
 250 William Howard Taft Road
 Cincinnati, Ohio 45219-2660
 (513) 946-7777 FAX (513) 946-7778

Lake County General Health District Air Pollution Control *
 33 Mill Street
 Painesville, Ohio 44077
 (440) 350-2543 FAX (440) 350-2548

Mahoning-Trumbull APC Agency *
 345 Oak Hill Ave., Suite 200
 Youngstown, Ohio 44502
 (330) 743-3333 FAX (330) 744-1928

*Facilities located within these jurisdictions should file air permit applications with Ohio EPA's Northeast District Office (NEDO).