

STATE OF OKLAHOMA



DEPARTMENT OF ENVIRONMENTAL QUALITY

INFORMATION STATEMENT ON DEMOLITION / RENOVATION OF STRUCTURES

FEDERAL REGULATIONS (40 CFR, PART 61, SUBPART M - NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHA)) REQUIRE EACH OWNER OR OPERATOR OF A DEMOLITION / RENOVATION OPERATION TO NOTIFY THE ENVIRONMENTAL PROTECTION AGENCY (EPA) OR THEIR DELEGATED REPRESENTATIVE (ODEQ) OF THEIR INTENT TO PERFORM A DEMOLITION / RENOVATION. THEY MUST ALSO HAVE INSPECTED THE FACILITY (SEE DEFINITION) TO BE DEMOLISHED / RENOVATED FOR THE PRESENCE OF ASBESTOS AND SUBMIT THE PROPER NOTIFICATIONS AT LEAST 10 WORKING DAYS PRIOR TO PERFORMING THE DEMOLITION / RENOVATION.

IF NO ASBESTOS IS FOUND, THEN A NEGATIVE DECLARATION MUST BE MADE, ADDRESSING 61.145(a), (b), AND (c)(1-5) OF THE 40 CFR. IF ASBESTOS IS PRESENT IN THE FACILITY, IT MUST BE HANDLED AS SET FORTH IN 40 CFR, PART 61.145 AND DEMOLITION MAY NOT PROCEED UNTIL ALL REQUIREMENTS OF THE REGULATION HAVE BEEN MET.

The building inspection should be performed by a person that meets the training requirements of the Federal ASHERA Act (Public Law 1012-637) and be licensed in Oklahoma as an AHERA Inspector.

Definitions:

Demolition - The wrecking or taking out of any load-supporting structural member of a facility.

Renovation - means the alteration of any facility component.

Facility - means any institutional, commercial, public, industrial, or residential structure, installation, or building (including any building containing condominiums or any building containing individual dwelling units operated as a residential cooperative but excluding privately owned residential structures having four or fewer dwelling units); any ship; and any active or inactive waste disposal site.

Structural member- means any load-supporting member of a facility such as beams and walls.

Owner or Operator - any person who owns, leases, operates, controls or supervises the facility being demolished or renovated.