

# EPA ASBESTOS NOTIFICATION GUIDANCE DOCUMENT

**PURPOSE:** To serve as a guide to aid the regulated community in completing the notification requirements at 40 CFR Part 61, Subpart M, National Emission Standards for Hazardous Air Pollutants ("NESHAP"s) for asbestos, for demolition and/or renovations. The regulated community remains fully responsible for fulfilling the requirements of the asbestos NESHAP, and any State and local regulations. This guide is not intended to replace or change any part of the regulation.

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From the effective date of December 7, 1995, written notifications of demolition and renovation should be submitted only to the delegated State agencies and not to USEPA, except for those on Indian reservations, which are to be submitted to USEPA. For those State agencies who have re-delegated such authority to a local agency and/or district office, the written notification should be submitted to the address of the State local agency and/or district office with jurisdiction in the county where the project will be located.

### 1. Subject Facilities

- Any institutional, commercial, public, industrial, or residential structure, installation or building, or any ship. Some examples (but not limited to):
  - Bridges
  - Tunnels.
  - Docked ships.
  - A military installation, including dependent housing.
  - A chemical/power plant installation.
  - An indoor shopping mall.
  - An apartment building containing five or more dwelling units.
  - Homes which are part of urban renewal project, highway construction, shopping mall, or other private development (which are not privately owned and held).
  - Certain condominiums, cooperatives, and lofts.
  - A group of residential buildings under the control of the same owner or operator, and part of the same renovation or demolition project (even if the homes are not proximate to each other).
  - A structure undergoing partial demolition.
  - A church, monastery, convent, or rectory.

- A amusement park or State fairgrounds.
  - A jail or prison.
  - A nursing home or home for disabled persons.
  - A parking garage.
  - A farm.
- Non-subject facilities.
  - Some examples:
    - Privately owned homes.
    - A multi-dwelling unit with four or fewer dwelling units.
    - A mobile source.
  - No written notice is required.

- **Determination of a Demolition versus a Renovation.**

- **Demolition**

- An operation is a demolition if the overall project involves the wrecking or taking out of any load-supporting structural members of the facility, whether or not there is regulated asbestos containing materials (RACM) on these members. Any related handling operations (such as clean-up of demolition rubble) or intentional burning of the facility are also subject to this definition.
- Examples of a demolition:
  - Wrecking or taking out building beams or load-supporting walls.
  - Removing the structural steel supports of outdoor pipe racks.
  - Intentional burning, and including intentional burning for fire training.
  - Demolition of part of a building.

- **Ordered demolitions.**

- The facility is structurally unsound and in a danger of imminent collapse, **AND**,
- A State or local government agency has issued a demolition order because the facility is structurally unsound and in danger of imminent collapse.
- The order for demolition under this subpart only applies to the part of the building which is unsound and in danger of collapse. Attached buildings may not be demolished under this order and must be treated as a regular demolition.

- **Renovation.**

- An operation is a renovation if the overall project does not involve the wrecking or taking out of any load-supporting structural member, but does involve altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component.
- Examples of renovation:
  - Scraping friable asbestos off a ceiling.
  - Removing a boiler covered with friable asbestos from the building.
  - Removing pipe covered with RACM from a pipe rack.

- Gross removal of boiler asbestos insulation.
- Glovebag stripping of asbestos pipe wrap.
- Drilling through asbestos ceiling plaster to build a dropped ceiling.
- Removal of soundproofing, ceiling tiles, or plaster containing asbestos.

- **Reportable Quantities of Asbestos-Containing Materials.**

- **Renovations**

- If the amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed equals or exceeds 260 linear feet on pipes, 160 square feet on other facility components or 35 cubic feet off facility components, it is termed a renovation above the "cut-off" and must be reported.
- A planned renovation operation involving individual non-scheduled operations has a reportable quantity of RACM over the cut-off if the combined additive amount of RACM to be removed, stripped, dislodged, cut, drilled, or similarly disturbed in a calendar year of January 1 through December 31 equals or exceeds the above-stated cutoff.
- If an emergency renovation operation has a combined amount of RACM to be removed, stripped, dislodged, cut, drilled, or similarly disturbed as a result of a sudden and unexpected event that equals or exceeds the above-stated cutoff, it must be reported.

- **Demolitions**

- All demolitions of subject facilities must be reported regardless of whether or not the facility contains RACM.

- **Timeliness**

- **Fax notices are entirely unacceptable!** Delivery of the notice must be made by U.S. Postal Service, commercial delivery service or hand delivery.
- Non-emergency Renovations above the cut-off require a notice to be submitted 10 working days before asbestos removal work begins.
- Emergency renovations above the cut-off require notification as early as possible before but no later than the following working day.
- Planned renovations above the cut-off involving individual non-scheduled operations require notification at least 10 working days before the end of the prior calendar year.
- Non-ordered demolitions above the cut-off require a notice to be submitted **10 working days** before asbestos removal work begins. Non-ordered demolitions below the cut-off (including those with no RACM) require a notice to be submitted 10 working days before demolition begins.
- Ordered demolitions require notification as early as possible before but no later than the following working day after demolition has begun.

- **Altering or Updating a Notice.**

- **An operation subject to the asbestos NESHAP regulations must not begin on a date other than the date reported in the written notice or a newly amended written notice.**
  - Update notice, as necessary, including when the amount of affected asbestos changes by at least 20%.
  - If the already notified operation will begin LATER than the reported date:
    - Notify, by telephone, before the original start date, the delegated state or local agency.
    - And, provide a written notice of the new start date before the start date of the original notice.
  - If the already notified operation must begin EARLIER (before) the reported date:
    - Provide a written notice of the new start date postmarked 10 working days before the operation begins.
  - Demolitions under the cut-off must provide a written notice of the new start date at least 10 working days before the start of the demolition.
- **Notice Completion.**
- A notice must be submitted on a form. Contact the state asbestos NESHAP Coordinator for the preferred form.
  - Include the following information in the notice:
    - Indicate if the notice is an original, a revision, or a cancellation.
    - Name, address, phone number of the facility owner, operator, building manager, removal contractor, and any other contractor.
    - Type of operation (demolition, renovation, ordered demolition, emergency renovation, planned renovation).
    - Facility description including any building number, name, complete address or site location, any floor or room number, building size, number of floors, age of building, and prior and present use.
    - Analytical method used to detect the presence of asbestos should state or similarly state, "Bulk Sampling using the method specified at 40 CFR Part 763, Section 1, Polarized Light Microscopy (PLM)" or "Bulk Asbestos Sampling using Polarized Light Microscopy (PLM), (EPA Method 600/M4-82-020, December 1982)".
    - For samples that test under 10% asbestos content: Per the May 8, 1991 Guidance, an owner or operator may (1) elect to assume material to be greater than 1% asbestos, or, (2) require verification by point counting in which the point counting result will supersede the visual estimation. Either choice and result should be stated on the notice when a sample is under 10% asbestos.
    - Estimate amount of RACM to be removed in linear feet (meter), square feet (meters), and /or cubic feet (meters).
    - For **demolitions only**, also estimate the amount of Category I and Category II non-friable materials that will **NOT** be removed prior to demolition. ((Consequently, removing category I material by sanding, grinding, abrading, drilling, or sawing or by inducing friability by

breaking and/or crumbing Category II materials, before demolition, shall be reported as RACM.)

- Demo/Reno - Scheduled starting and completion dates of **asbestos removal work** (including any work that would break up or disturb the materials).
- Planned renovations - report the beginning and ending dates of the operation period.
- Scheduled starting and completion dates of the demolition itself or the entire renovation time frame.
- Description of demolition or renovation work, including methods, techniques, and facility components affected. Some examples:
  - Demolition of storage shed using a bulldozer and a crane. Asbestos-containing boiler to be transferred to another specified site for lining abatement.
  - Renovation of a warehouse for conversion into office space by removal of old-interior non-load supporting walls, removal of all floor tile, and plaster ceilings. Boiler and related piping also to be stripped, removed and replaced.
  - Stripping and removal of ductwork in basement for installation of new ventilation system.
- Description of work practices and engineering controls to be used to comply with the standard including asbestos emission control procedures, and waste-handling procedures. Some examples:
  - Removal of a boiler jacket containing RACM by adequately wetting the exposed RACM, stripping the materials using knives and scrapers, wetting and sealing the RACM in leak-tight containers, labeling with the proper OSHA labels and identification labels, as specified, and disposing the asbestos containing waste at a landfill which fulfills the requirements of Section 61.154 of the asbestos NESHAP.
  - Adequately wetting and stripping piping within a glovebag using knives and wire cutters, sealing in leak-tight containers, labeling each bag with the proper OSHA labels and identification labels, as specified, and disposing of the waste at a landfill which fulfills the requirements of Section 61.154 of the asbestos NESHAP.
- Name, complete address, phone number and contact person of the waste transporter(s).
- Name, location (P.O. boxes must also include a street address or specific location), and phone number of waste disposal site.
- For Ordered Demolitions Only - Attach copy of the official Order along with the date of the Order, the date the demolition was ordered to begin, and the name and title of the State or local government official who ordered the demolition and the authority or statute.
- For Emergency Renovations Only - Include the date, hour, and description of the emergency. Also include a detailed explanation of how this emergency qualifies as an emergency under this

subsection. **\*\*Note: Claimed emergencies will be investigated and fraudulent claims will be subject to the fraud and false statement criminal provisions of 18 U.S.C. Section 1001.** Some examples:

- Capitol City has one train station handling both commuter and Amtrak passengers. A storm damages the station and the water damage causes sprayed-on ceiling insulation to fall off beams onto ceiling tiles and into a high-traffic boarding area below. Emergency renovation is required.
  - A boiler pipe breaks in a hospital. The pipe causes extensive damage to surrounding pipes cutting off heat and hot water to the entire hospital. The plumbing crew will not repair pipes until the asbestos is cleared and abated.
  - Non-emergencies:
    - School renovations to coincide with vacation breaks in NOT an emergency.
    - A demolition in which the financing has been cleared with the banks or a bid has just been accepted by the general contractor does not qualify as an unreasonable financial burden and is NOT an emergency.
  - Describe procedures to be followed should unexpected RACM be discovered or Category II materials become crumbled, pulverized or reduced to powder.
  - Effective November 20, 1991 - A certification that at least one on-site person who is trained in the asbestos NESHAP provisions will supervise any asbestos removal or stripping operations.
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