

# OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY



## Asbestos / NESHAP Regulations

The Clean Air Act (CAA) requires EPA to develop and enforce regulations to protect the general public from exposure to airborne contaminants that are known to be hazardous to human health. EPA established the National Emission Standards for Hazardous Air Pollutants (NESHAP) under the authority of Section 112 of the CAA, and asbestos was one of the first hazardous air pollutants regulated. The Asbestos NESHAP is found in 40 CFR Part 61, Subpart M and DEQ has the delegated responsibility to regulate this NESHAP in Oklahoma.

The two most encountered standards in the Asbestos NESHAP regulated by DEQ are demolition and renovation, and waste disposal.

### Demolition and Renovation

The standards for demolition and renovation are found in 40 CFR 61.145. The Asbestos NESHAP applies to commercial, industrial and institutional facilities. It requires asbestos inspections prior to demolition, DEQ notification before work begins, and assurance that asbestos emissions will be properly controlled during work. The Asbestos NESHAP does not apply to demolition of residential buildings containing four or fewer dwelling units, unless the project is for a commercial or public purpose.

### When Do I Have to Notify DEQ?

Notice must be given to DEQ for all demolitions, involving commercial, industrial and institutional facilities and more than four residential buildings. However, you do not have to notify DEQ:

- For renovations when the quantity of regulated asbestos-containing material to be disturbed is less than 260 linear feet on pipes, 160 square feet on other facility components, or 35 cubic feet in areas that could not be previously measured at a facility, or
- If the demolition/renovation does not involve a facility as defined in 40 CFR 61.141.

### Waste Disposal

The standards for active waste disposal sites are found in 40 CFR 61.154. The Asbestos NESHAP specifies that no visible emissions can be discharged to the outside air from the collection, processing, transport and disposal of asbestos-containing waste materials (ACWM).

DEQ's Land Protection and Air Quality Divisions issue permits with requirements related to the disposal of asbestos and which landfills are allowed to accept ACWM. The Land Protection Division also has regulations pertaining to asbestos disposal.



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## Facilities Subject to the Asbestos NESHAP

A facility subject to the NESHAP can be any institutional, commercial or industrial structure, installation, or building. Examples include, but are not limited to:

- All public, commercial, industrial or institutional structures;
- Active or inactive asbestos waste disposal sites;
- Residential buildings with more than four units;
- Single family homes to be burned for training purposes;
- Two or more single family homes on a single site to be demolished or renovated for commercial purposes; and,
- Bridges.

## Additional Information and Contacts

There are many more standards required under the Asbestos NESHAP. Extensive information is available on the DEQ website asbestos page:

<https://www.deq.ok.gov/air-quality-division/compliance-enforcement/asbestos/>

Asbestos NESHAP Regulations:

<https://www.epa.gov/asbestos/overview-asbestos-national-emission-standards-hazardous-air-pollutants-neshap>

EPA Asbestos Webpage:

<http://www.epa.gov/asbestos/>

NESHAP Renovation/Demolition Notification Form:

[https://www.deq.ok.gov/wp-content/uploads/air-division/Form\\_100-960\\_word.docx](https://www.deq.ok.gov/wp-content/uploads/air-division/Form_100-960_word.docx)

### Oklahoma Department of Labor, Asbestos Division (405) 521-6100

- Information for OSHA Regulations pertaining to the handling of asbestos.
- When handling demolition or renovation of school (K-12) structures, contractors should be aware of additional requirements under the federal Asbestos Hazard Emergency Response Act. The Oklahoma Department of Labor, Asbestos Division handles this function.
- All contractors who remove asbestos materials must be licensed by the Oklahoma Department of Labor.

### DEQ's Land Protection Division (405) 702-5100

Information regarding which landfills are allowed to accept asbestos or asbestos-containing materials.

### DEQ's Air Quality Division (405) 702-4100

Information pertaining to demolition and renovation regulations, including asbestos removal from facilities and facility components.