

FEDERAL ASBESTOS NESHAP REGULATION GUIDANCE FOR DEMOLITION PROJECTS

BACKGROUND

The San Luis Obispo County Air Pollution Control District (APCD) implements the asbestos National Emission Standards for Hazardous Air Pollutants Regulation (NESHAP). Before you begin your demolition project, this regulation requires that you must first:

- 1) Inspect the area for Asbestos Containing Materials (ACM). This inspection must be performed by a Certified Asbestos Consultant (CAC).
- 2) Submit the written notification, asbestos report, and applicable fees to the APCD at least ten (10) working days prior to demolition or ACM removal.
- 3) Any ACM identified that may be disturbed during demolition must be removed prior to disturbance by a Licensed Asbestos Contractor, and must follow all of the requirements listed in the asbestos NESHAP regulation.
- 4) **It is strongly recommended that your asbestos inspection be completed during the planning stages of your project in order to avoid costly delays and change orders.**

The NESHAP defines the term demolition as "the wrecking or taking out" of any load-supporting structural member of a facility or the intentional burning of any facility. For example, a roof tear off would not be considered a demolition. However, a roof and truss/support removal is a demolition.

EXEMPTION DETERMINATION

To determine if the project is exempt from the NESHAP Regulation call or email the APCD for a determination:

Structures Exempt from the Asbestos NESHAP

- Residential, **single** structure having four (4) or fewer dwelling units

Structures Subject to the Asbestos NESHAP (not exempt)

- Any structure that does not conform to the exemption, above, including:
 - **Two or more residential structures** as part of a single project
 - Any structure being used as a fire department training burn,
 - Any commercial structure, including a single family residence used for or a part of a commercial use
 - Any government owned structure,
 - Any residential structure that is part of "public housing",
 - Any structure that was previously subject to the regulation regardless of its current use or function.

COMPLIANCE DETERMINATION

If your structure is subject to the asbestos NESHAP, you must submit a written notification of demolition and renovation to the APCD at least 10 working days prior to performing such work. This notification shall also include the asbestos inspection report that was prepared by a certified asbestos consultant and the appropriate fees. Both documents must be submitted whether or not asbestos is present.

The APCD will issue the local planning agency an email certifying compliance with the Asbestos NESHAP once the notification is received and compliance is verified. If the structure is exempt from the asbestos NESHAP the APCD will issue the local agency a letter or email certifying the exemption. The ten working day notification period can be waived if the structure is an ordered demolition in danger of collapse or if an emergency situation is present. **These instances must be pre-approved in writing by the APCD.**

For copies of notification forms, contractor lists, and other asbestos information visit the APCD website:

www.slocleanair.org

ANY QUESTIONS?

PLEASE CALL THE APCD COMPLIANCE AND ENFORCEMENT SECTION AT: 781-5912