FACT SHEET

Office of Compliance Assistance and Pollution Prevention
September 2014

Understanding the Asbestos Notification Requirements for Facility Demolition and Renovation Activities

Introduction

As a contractor, it is very important that you are aware of and in compliance with the asbestos notification requirements. Depending on the nature of the demolition or renovation project, Ohio's rules may require an asbestos survey (a thorough inspection to determine the presence of asbestos), proper notification, specific work practices and proper disposal of asbestos-containing material. Non-compliance may mean violations and a penalty for your business and customers. The focus of this fact sheet is the notification requirement for demolition and renovation activities.

Demolition and renovation activities at a facility

A facility is any institutional, commercial, public or industrial structure, or any operation involving the 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 may also be considered a facility.

> In 2013, an Ohio property owner was fined $15,000 for failing to complete an asbestos notification.

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

What's the difference between demolishing a facility and renovating it?

> Burning a facility is allowed only in very limited circumstances. See our fact sheet, "*Burning Down the House*" for more information.
>
> ***epa.ohio.gov/portals/41/sb/publications/burninghouse.pdf***

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 by burning it. You renovate a facility when you alter (other than remove load supporting structure) any part of that facility in any other manner. Renovation also includes disturbing, 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;
- homes which are demolished as part of an urban renewal/public safety project, a highway construction project or a project to develop a shopping mall;
- an apartment which is an integral part of a commercial facility; and
- homes or other adjacent buildings being demolished on adjoining pieces of property within on calendar year.

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 commercial 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. In addition, if the residential structure was ever a business then it remains subject to Ohio EPA's asbestos notification rules.

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 present**.

**** IMPORTANT ****

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

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 (building debris) or 35 cubic feet off facility components.

Ohio EPA has developed one notification form that is used for either demolition or renovation activities. The notification must be sent by mail (postmarked) or hand-delivered at least 10 working days (Monday-Friday including holidays) before demolition or renovation can begin. The notification form goes to either the Ohio EPA district office or local air pollution control office in your area. Contact information can be found at ***epa.ohio.gov/dapc/atu/asbestos.aspx***. 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:

An asbestos survey must be performed in order to for a notification to be considered complete.

- 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.

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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.

Please note that a change in type of operation to be performed (i.e. renovation becoming a demolition operation) requires the submittal of a new original notification and observance of the 10 working day waiting period.

Who is responsible for submitting a notification?

Usually the asbestos abatement contractor submits the notification, however, the owner of the building or the demolition/renovation contractor can also submit the notification. Regardless who submits the notification, all parties can be cited in violation if no or an inadequate notification is submitted.

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 at 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 ***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?

For more information about the asbestos requirements, including notification, record keeping, waste handling, shipment and emission controls, visit the ***epa.ohio.gov/dapc/AirPollutionControl.aspx*** for a copy of the regulations. If you need help completing the notification form, contact the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (800) 329-7518 or at ***epa.ohio.gov/ocapp***.

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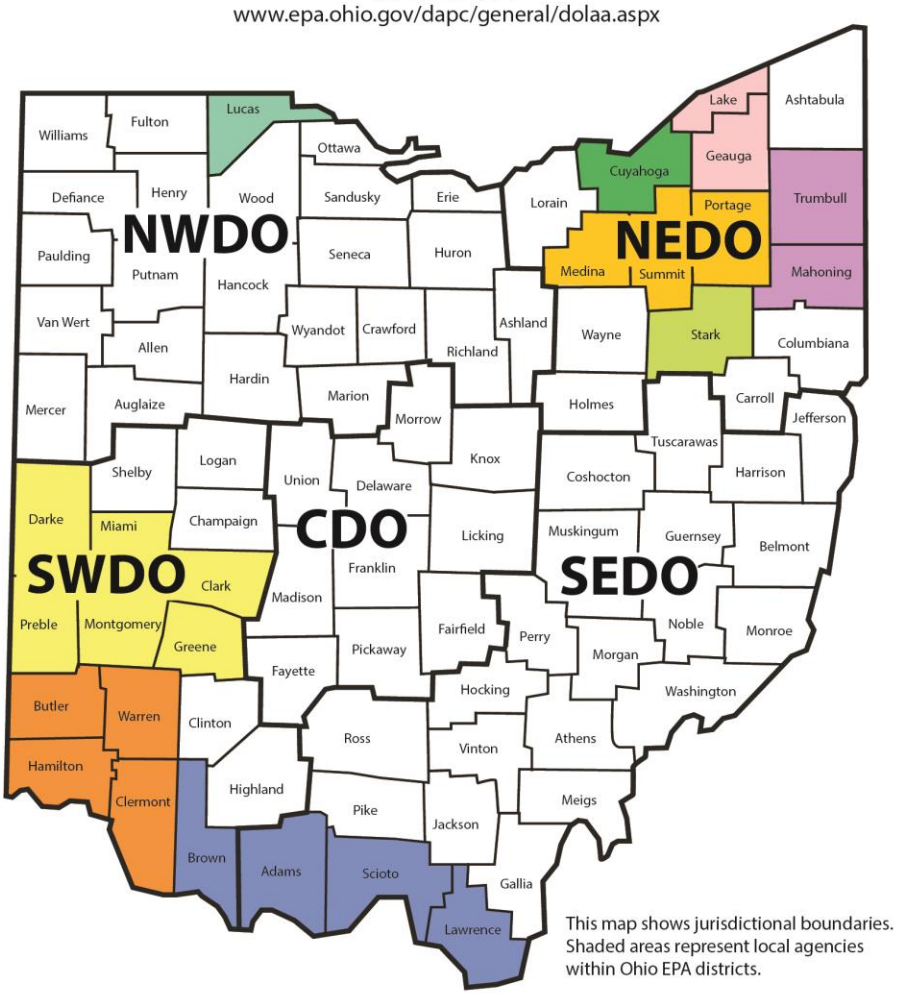
Local Air Pollution Control Agencies

Division of Air Pollution Control
Ohio EPA, Central Office
(614) 644-2270
www.epa.ohio.gov/dapc/general/dolaa.aspx



This map shows jurisdictional boundaries. Shaded areas represent local agencies within Ohio EPA districts.

OhioEPA

CDO 01
Central District Office
50 West Town Street, Suite 700
Columbus, OH 43215
(614) 728-3778 FAX (614) 728-3898
www.epa.ohio.gov/cdo/

SEDO 06
Southeast District Office
2195 Front St.
Logan, OH 43138
(740) 385-8501 FAX (740) 385-6490
www.epa.ohio.gov/sedo/

NEDO 02
Northeast District Office
2110 E. Aurora Rd,
Twinsburg, OH 44087
(330) 963-1161 FAX (330) 487-0769
www.epa.ohio.gov/nedo/

NWDO 03
Northwest District Office
347 North Dunbridge Rd.
Bowling Green, OH 43402
(419) 352-8461 FAX (419) 352-8468
www.epa.ohio.gov/nwdo/

SWDO 05
Southwest District Office
401 E. Fifth St.
Dayton, OH 45402-2911
(937) 285-6357 FAX (937) 285-6249
www.epa.ohio.gov/swdo/

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Akron Regional Air Quality Management District
Fairway Center, 1867 W Market St
Akron, OH 44313
(330) 375-2480 FAX (330) 375-2402
www.araqmd.org/

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

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Portsmouth Local Air Agency
605 Washington St., Third Floor
Portsmouth, OH 45662
(740) 353-5156 FAX (740) 353-3638
www.portsmouthoh.org/health/air-division

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

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Regional Air Pollution Control Agency
Public Health Dayton & Montgomery Cnty.
117 South Main St.
Dayton, OH 45422-1280
(937) 225-4435 FAX (937) 225-3486
www.rapca.org/

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City of Toledo
Division of Environmental Services
348 South Erie Street
Toledo, OH 43604
(419) 936-3015 FAX (419) 936-3959
www.toledo.oh.gov/services/public-utilities/environmental-services/

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Southwest Ohio Air Quality Agency
250 William Howard Taft Road
Cincinnati, OH 45219-2660
(513) 946-7777 FAX (513) 946-7778
www.southwestohioair.org/

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Lake County General Health District
Air Pollution Control *
33 Mill Street
Painesville, OH 44077
(440) 350-2543 FAX (440) 350-2548
www.lcghd.org

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Mahoning-Trumbull APC Agency *
345 Oak Hill Ave., Suite 200
Youngstown, OH 44502
(330) 743-3333 FAX (330) 744-1928
www.ychd.com/services/airpollution.aspx

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