ASBESTOS

DEMOLITION AND RENOVATION REGULATIONS

40 CFR 61 Subpart M
Rule 370 § 301.9

Maricopa County
AIR QUALITY
DEPARTMENT

TERMS AND DEFINITIONS

From 40 CFR 61.141

Asbestos: The asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite and actinolite-tremolite

Category I Nonfriable Asbestos-Containing Material (Cat I Nonfriable ACM): Asbestos-containing packings, gaskets, resilient floor covering and asphalt roofing products containing more than one percent (1%) asbestos

Category II Nonfriable Asbestos-Containing Material (Cat II Nonfriable ACM): Any material, excluding Category I nonfriable ACM, containing more than one percent (1%) asbestos that is not considered friable

Demolition (demo): The wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility

Facility: Any institutional, commercial, public, industrial or residential structure, installation or building (including any structure, installation or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; or any active or inactive waste disposal site

Friable: Any material containing more than one percent (1%) asbestos that, when dry, can be crumbled, pulverized or reduced to powder by hand pressure

Regulated Asbestos-Containing Material (RACM): (a) Friable asbestos material, (b) Category I nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting or abrading, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized or reduced to powder by the forces expected to act on the material in the course of demolition or renovations operations regulated by this subpart

Renovation (reno): Altering a facility or one or more facility components in any way, including the stripping or removal of regulated asbestos-containing material (RACM) from a facility component

* Operations in which load-supporting structural members are wrecked or taken out are demolitions.

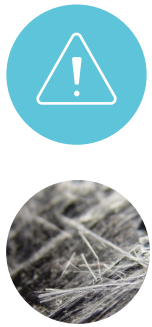
WHAT IS ASBESTOS?

Asbestos is a naturally-occurring mineral fiber used in many building materials. Asbestos is an inexpensive additive that can be used to help improve heat, water and electrical resistance, as well as sound absorption.

Asbestos is regulated under the National Emission Standards for Hazardous Air Pollutants (NESHAP) program under 40 CFR 61 Subpart M and under the Maricopa County Air Pollution Control Regulations Rule 370 §301.9.

WHY IS ASBESTOS REGULATED?

Asbestos can pose serious health risks when inhaled or otherwise ingested. The small, rod-like fibers can be released if improperly disturbed and can cause damage to the lungs, including cancer and several respiratory illnesses. Asbestosis is a condition where the lungs develop scar tissue and are no longer able to carry out the functions of unscarred lung tissue, resulting in breathing difficulties. Lung cancer can be caused by exposure to asbestos. Mesothelioma is a cancer of the tissue that lines the lungs and can spread to other organs. Typically the effects of asbestos exposure do not become apparent until 20-30 years after exposure.



DISCLAIMER

The information presented here is a guideline and does not cover all of the asbestos NESHAP requirements. For further details, contact the Maricopa County Asbestos NESHAP Program at (602) 506-6708 or Asbestos@mail.maricopa.gov.

IS MY PROJECT REGULATED?

The Federal EPA asbestos NESHAP regulation applies to all facilities that are or ever were an institutional, commercial, public, industrial or residential structure, installation or building. The regulations also apply to apartment, townhome and condominium complexes of greater than four units as well as pipelines. A single residential building with four or fewer dwelling units is exempt from these regulations.

ASBESTOS SURVEYS

No more than 12 months before work is scheduled to occur, a thorough inspection must be completed by a currently certified Asbestos Hazard Emergency Response Act (AHERA) certified building inspector. This survey will identify the type and amount of asbestos present in a facility. Samples will be taken of the materials that will be impacted by demo/reno and sent to a National Voluntary Laboratory Accreditation Program (NVLAP) accredited laboratory to be analyzed. Any material found to be greater than one percent (1%) asbestos is considered asbestos-containing material (ACM).

The AHERA certified building inspector will prepare a report which separates ACMs into three categories:

1. Regulated Asbestos-Containing Material (RACM)
2. Category I Non-Friable Asbestos-Containing Material (CAT I)
3. Category II Non-Friable Asbestos-Containing Material (CAT II)

A single residential building with four or fewer dwelling units is exempt from these regulations.

SUBMITTING A NESHAP NOTIFICATION

Demolition

Whether ACM is found at a facility or not, all demolition activities require a 10-day NESHAP demolition notification form and fee. The notification and fee must be postmarked or hand delivered to the Maricopa County Air Quality Department at least 10 working days prior to commencement of any demolition activity.

Renovation

If the renovation requires removal or disturbance of RACM at or above threshold amounts, a 10-day NESHAP renovation notification form and fee are required. The EPA regulated threshold RACM amounts are:

- 260 linear feet (pipes)
- 160 square feet
- 35 cubic feet (off-facility components)

The notification and fee must be postmarked or hand-delivered to the Maricopa County Air Quality Department at least 10 working days prior to commencement of renovation activity.

The **owner** and **operator** are responsible for proper asbestos removal, transportation and disposal.

Notification forms are available at: **Maricopa.gov/1701/Asbestos**

ASBESTOS ABATEMENT PRACTICES

When disturbing RACM at or above threshold amounts:

1. Employees must maintain current AHERA worker certification and be trained in asbestos abatement work.
2. At least one supervisor who is an AHERA certified asbestos contractor/ supervisor must be on site during all abatement activities.
3. A viewing device must be available at facilities where RACM is being abated, which allows an inspector to observe the renovation without entering the containment area.
4. RACM must be adequately wet using water amended with a surfactant while being removed and bagged.
5. All RACM must be contained in transparent, leak-tight wrapping and properly labeled with the name of the site owner or operator and the name and address of the location that generated the RACM.
6. Ensure there are no visible emissions when removing or transporting ACM.

Ensure that you obtain a dust control permit if the project will also disturb one-tenth (0.10) of an acre or more of land.

DISPOSAL OF ASBESTOS-CONTAINING WASTE

All asbestos-containing waste material (ACWM) must be transported to a landfill that accepts ACWM. A waste shipment record (WSR) describing the waste must accompany the material to the landfill. The landfill will send a signed copy of the WSR to the abatement contractor.

RECORDKEEPING

Keep a copy of the asbestos report and the notification on site at all times during demolition and renovation work. Keep all records for at least two years after the completion of the project.

A copy of the current AHERA worker certification and color photo identification must be available on site at all times for all workers during abatement work.

A copy of the current AHERA/ASHARA contractor/supervisor certification and color photo identification must be available on site at all times for the contractor/supervisor(s) during abatement.

The waste shipment records (WSR) must be kept for at least two years. This includes the signed copies from the landfill.

LOCATIONS

Central Permit Intake Office
3800 N. Central Avenue, Suite 1400
Phoenix, AZ 85012
602.506.6010

One Stop Shop
501 N. 44th Street, Suite 200
Phoenix, AZ 85008
602.372.1071

Phoenix City Hall
200 W. Washington Street
Phoenix, AZ 85003
602.526.6120

CONTACT

Maricopa County Asbestos NESHAP Hotline
602.506.6708
Asbestos@mail.maricopa.gov

Business Assistance Office
602.506.5102
AQBusinessAssistance@mail.maricopa.gov

Air Quality Complaint Line:
602.372.2703

ADDITIONAL INFORMATION

Maricopa.gov/1701/Asbestos