



ASBESTOS

DEMOLITION AND RENOVATION REGULATIONS

40 CFR, 61 Subpart M
Rule 370 § 301.9



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 to 30 years after exposure.



The information presented here is a guideline and does not cover all asbestos NESHAP requirements. Contact the Maricopa County Asbestos NESHAP Program at 602-506-6708 or Asbestos@maricopa.gov for more information.

IS MY PROJECT REGULATED?

The Federal Asbestos NESHAP regulations and Maricopa County Rule 370 applies to all structures, installations, or buildings that are or ever were institutional, commercial, public, industrial, or residential. The regulations apply to apartment, town home, and condominium complexes that have greater than four units, as well as pipelines. A single owner-occupied residential parcel containing four or less detached dwelling units is exempt from these regulations.



ASBESTOS SURVEYS

A thorough inspection must be completed by an Asbestos Hazard Emergency Response Act (AHERA) certified building inspector to identify the type and amount of asbestos present in a facility. Samples of the materials that will be impacted by demolition or renovation must be taken 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). Asbestos surveys are valid for five years, unless new materials are installed in the facility between the date the facility was surveyed and the date when the demolition and/or renovation activity will occur. All new materials must be inspected by an AHERA certified building inspector.

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 owner-occupied residential parcel containing four or less detached dwelling units is exempt from these regulations.



SUBMITTING A NESHAP NOTIFICATION

Demolition

Whether or not ACM is found at a facility, all demolition activities require submission of an asbestos NESHAP notification form and fee payment. The notification and fee payment must be submitted at least 10 working days before the operations begin. The 10 working day period begins when the notification and payment are received by MCAQD (not including weekends).

Renovation

If the renovation requires removal or disturbance of RACM at or above the listed thresholds, an asbestos NESHAP notification form and fee payment are required. The EPA regulated threshold RACM amounts for renovation are:

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

All asbestos NESHAP notification forms and fee payments must be submitted electronically through the AQD Online Portal. Visit Maricopa.gov/1820 for step-by-step instructions.

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



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 which allows an inspector to observe the renovation without entering the containment area must be available at facilities where RACM is being abated.
- 4 All 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 Employees must ensure there are no visible emissions when removing or transporting ACM.



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

Always keep a copy of the asbestos report and the notification on site during demolition and renovation work. Keep all records, including the WSR and signed copies from the landfill, 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 always available on site for all workers during abatement work.

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



LOCATION

Air Quality Department Permit Intake Office

301 W. Jefferson St., Suite 410
Phoenix, AZ 85003
602-506-6010



CONTACT

Maricopa County Asbestos NESHAP Hotline

602-506-6708
Asbestos@maricopa.gov

Business Assistance Unit

602-506-5102
AQBusinessAssistance@maricopa.gov

Air Quality Complaint Line:

602-372-2703



ADDITIONAL INFORMATION

Maricopa.gov/1701