

# Asbestos NESHAP Regulations

## Demolition and Renovation Projects

40 CFR, 61 Subpart M | Rule 370 § 301.9

The purpose of this help sheet is to provide practical information to anyone planning a demolition or renovation of a facility.

Please note the information provided in this help sheet does not cover all asbestos NESHAP requirements. Please ensure you fully read, understand, and comply with all applicable regulations as you are still subject to the entirety of all applicable rules.



## What is Regulated?

The asbestos NESHAP regulation and Maricopa County Rule 370 apply to all structures, installations or buildings that are or ever were:

- Institutional
- Commercial
- Public
- Industrial
- Residential\*

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

## ! Avoid Common Violations

- Double check the Asbestos Hazard Emergency Response Act (AHERA) certified building inspector sampled all materials that will be disturbed.
- Submit an asbestos NESHAP notification and pay the fee at least 10 working days prior to commencement of work.
- Keep a copy of the survey on site during all demolition and renovation activities.
- Update the asbestos NESHAP notification if any changes occur.
- Submit the waste shipment record (WSR) to the landfill with the asbestos-containing waste material (ACWM).
- Notify MCAQD if the signed WSR is not received from the landfill within 45 days.



## Asbestos Surveys

- Hire an AHERA certified building inspector to survey all building materials.
- A survey is valid for five years. If any new material(s) are installed after the survey date, they must be surveyed prior to any demolition or renovation activity.
- The survey should identify the type and amount of asbestos present in the facility.
- Samples must be sent to a national voluntary laboratory accreditation program (NVLAP) accredited laboratory.
- Any material found to be greater than one percent (1%) asbestos is considered asbestos-containing material (ACM).
- The AHERA inspector will prepare a report which identifies ACMs into three categories:
  - Regulated Asbestos-Containing Material (RACM)
  - Category I Non-Friable Asbestos-Containing Material (CAT I)
  - Category II Non-Friable Asbestos-Containing Material (CAT II)



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### Submitting a NESHAP Notification

#### For a Demolition:

Whether ACM is found at a facility or not, all demolition activities require an asbestos NESHAP notification and fee payment. The notification and payment must be submitted 10 working days before any demolition activities occur.

#### For a Renovation:

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

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

All asbestos NESHAP notification forms and payments are submitted electronically through the AQD Online Portal. Visit [Maricopa.gov/1820](https://maricopa.gov/1820) for step-by-step instructions.

### Definitions

**Demolition** — 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.

**Renovation** — Altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component. Operations in which load-supporting structural members are wrecked or taken out are demolitions.



### Helpful Resources

**Additional Asbestos Information:**  
[bit.ly/MCAQD-Asbestos](https://bit.ly/MCAQD-Asbestos)

**Maricopa County Rule 370:**  
[bit.ly/MCAQD-R370](https://bit.ly/MCAQD-R370)

**EPA Regulations:**  
[bit.ly/MCAQD-40CFR61M](https://bit.ly/MCAQD-40CFR61M)

### Need Help?

The Maricopa County Air Quality Department is available to answer questions and conduct courtesy site visits.

 Asbestos NESHAP Hotline: 602-506-6708

 Email: [Asbestos@maricopa.gov](mailto:Asbestos@maricopa.gov)

 To report a potential violation of air quality regulations, please call 602-372-2703.