

RULE 1206. ASBESTOS REMOVAL, RENOVATION, AND DEMOLITION
(Adopted & Effective 11/15/17)

(a) APPLICABILITY

Except as otherwise provided in Section (b), this rule is applicable to owners and operators of any renovation or demolition operation.

(b) EXEMPTIONS

(1) The provisions of this rule shall not apply to:

(i) The renovation of a facility involving the disturbance of any combination of building materials in any consecutive 365-day period totaling less than 100 square feet on facility components, and less than 20 cubic feet for materials removed from facility components where the area could not be measured prior to removal, stripping, or disturbance.

(ii) Renovation or demolition operations conducted:

(A) at a residential building or structure that contain four or fewer dwelling units.

(B) at a single mobile, manufactured, or modular home. The relocation of one residential mobile, manufactured, or modular home by its owner and resident is not considered a demolition operation.

Subsection (b)(1)(ii) does not apply to: 1) a group of residential structures meeting the definition of an installation, even when there are four or fewer dwelling units in each building; or 2) a residential structure(s), including mobile, manufactured, or modular structures, used for any institutional, commercial, public, or industrial purpose.

(iii) Renovation or demolition operations conducted on recreational vehicles.

(iv) The movement or relocation of mobile, manufactured, or modular structures that are immediately ready for road travel, when they can be easily relocated or moved without disturbance of a structural member.

(2) The provisions of Subsection (d)(1) and (d)(3) shall not apply to any renovation or demolition operation where suspect materials are presumed to be regulated asbestos-containing material (RACM) and handled and disposed of as RACM.

(3) The provisions of Subsections (d)(1) and (f)(1) through (f)(7) shall not apply to emergency demolition operations.

(4) The provisions of Sections (e), (f) and (g) shall not apply to renovation operations in which the amounts of RACM, as documented in the facility survey, to be removed, stripped, or disturbed at a facility in any one consecutive 365-day period measure (or will measure during a calendar year, for planned renovations) less than 100 square feet on facility components, and less than 20 cubic feet removed from facility components where the area could not be measured prior to removal, stripping, or disturbance.

(5) The provisions of Sections (f) and (g) shall not apply to demolition operations in which the amounts of RACM, as documented in the facility survey, to be removed, stripped, or disturbed at a facility in any one consecutive 365-day period measure less than 100 square feet on facility components, and less than 20 cubic feet removed from facility components where the area could not be measured prior to removal, stripping, or disturbance.

(c) **DEFINITIONS**

For the purposes of this rule, the following definitions shall apply:

(1) **“Abrading”** means to rub or wear away by means of mechanical action or friction.

(2) **“Adequately Wet”** means sufficiently mixed with a liquid or penetrated by a liquid to prevent the release of particulate matter. If visible emissions are observed coming from RACM, then the RACM has not been adequately wet. However, the absence of visible emissions coming from RACM is not sufficient evidence of being adequately wet.

(3) **“Asbestos”** means the asbestiform variety of six naturally occurring hydrated silicate minerals; these include chrysotile, the asbestiform member of the serpentine group, and five minerals of the amphibole group: (1) crocidolite, the asbestiform variety of riebeckite, (2) amosite, the asbestiform variety of cummingtonite-grunerite, (3) anthophyllite asbestos, (4) actinolite asbestos, and (5) tremolite asbestos.

(4) **“Asbestos-Containing Materials (ACM)”** means any material that contains more than one percent asbestos including Friable ACM, Category I Nonfriable ACM and Category II Nonfriable ACM.

(5) **“Asbestos-Containing Waste Material (ACWM)”** means any waste that contains or is contaminated with RACM generated by a facility subject to this rule. ACWM includes, but is not limited to, RACM stripped or removed from a facility or a facility component, any materials, soils, and/or debris contaminated with RACM including equipment and clothing, RACM waste and filters from control devices, particulate asbestos material, RACM slurries, bags, packages and containers that previously contained RACM.

(6) **“ACWM Disposal Site”** means any location where ACWM has been abandoned, buried, covered, deposited, or stored. This term includes locations with ACWM where the original source and date of generation cannot be determined.

(7) **“Category I Nonfriable ACM”** means asbestos-containing packings, gaskets, resilient floor coverings, and asphalt roofing products, that when dry cannot be crumbled, or reduced to powder by hand pressure, and that contain more than one percent asbestos.

(8) **“Category II Nonfriable ACM”** means any material, excluding Category I Nonfriable ACM, that when dry cannot be crumbled, pulverized, or reduced to powder by hand pressure, and that contains more than one percent asbestos.

(9) **“Clear Leak-Tight Wrapping”** means a clear or translucent bag that allows for visual confirmation that the RACM inside a bag is kept adequately wet in situations where wetting is required.

(10) **“Cutting”** means to penetrate with a sharp-edged instrument and includes sawing, but does not include shearing, slicing, or punching.

(11) **“Demolition Operation”** means 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.

(12) **“District”** means the San Diego County Air Pollution Control District.

(13) **“Emergency Demolition Operation”** means any demolition under order of a federal, state, or local government agency when such order is issued for a structurally unsound facility in danger of imminent collapse.

(14) **“Emergency Renovation Operation”** means an unplanned renovation operation resulting from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard. This includes, but is not limited to:

- (i) Renovations due to fire, water, or earthquake damage; or
- (ii) An unanticipated discovery of RACM during renovation, demolition, or construction activity; or
- (iii) The conversion of previously nonfriable asbestos containing material to friable material during the course of a renovation; or
- (iv) Operations necessary to protect equipment from damage.

(15) **“EPA”** means the United States Environmental Protection Agency.

(16) **“Facility”** means 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; and any ACWM disposal site.

(17) **“Facility Component”** means any part of a facility and includes equipment located at a facility.

(18) **“Facility Survey”** means a thorough inspection for asbestos of the affected facility or part of a facility where the renovation or demolition operation will occur.

(19) **“Friable ACM”** means any material that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure and that contains more than one percent asbestos.

(20) **“Glove-Bag System”** means asbestos removal bags designed to form a leak-tight enclosure around ACM being removed. The system includes internal sleeves for arms and hands for workers removing ACM.

(21) **“Grinding”** means to reduce to powder or small fragments and includes mechanical chipping or drilling.

(22) **“Group”** means more than one.

(23) **“Installation”** means any group of buildings or structures (including mobile, manufactured or modular structures) that are under the control of a common owner or operator that are:

(i) on a contiguous parcel of land; or

(ii) not on the same contiguous parcel of land when they are involved in a coordinated project.

(24) **“Leak-tight”** means that solids, dust, or liquids cannot escape or leak out.

(25) **“Locked”** means securely closed and able to be opened only with a key, biometric access, or access code.

(26) **“Mobile Home”** or **“Manufactured Home”** means a residential structure that is:

(i) transportable in one or more sections,

(ii) built on a permanent chassis, and

(iii) designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and contains one or more of the following: plumbing, heating, air conditioning, or electrical systems.

(27) **“Mobile, Manufactured, and Modular Structures”** means any institutional, commercial, public, industrial or residential structure, installation, or building that:

(i) is transportable in one or more sections,

(ii) has a permanent chassis, a foundation, or any other load supporting structure, and

(iii) contains one or more of the following required utilities: plumbing, heating, air conditioning, or electrical systems.

(28) **“Modular Home”** means a mobile or manufactured home that is prefabricated and that is not built on a permanent chassis.

(29) **“Nonscheduled Renovation Operation”** means a renovation operation necessitated by the routine failure of equipment or facility components associated with a planned renovation, which is expected to occur within a calendar year based on past operating experience, but for which an exact date cannot be predicted.

(30) **“Outside Air”** means the air outside of containment areas, buildings or structures.

(31) **“Owner or Operator”** means any person, business, association, organization, or entity that owns, leases, operates, controls, or supervises the facility being renovated or demolished; or any person, business, association, organization, or entity that conducts, controls, or supervises the renovation or demolition operation; or both.

(32) **“Particulate Asbestos Material”** means finely divided particles of asbestos or a material containing asbestos.

(33) **“Planned Renovation Operation”** means a renovation, or a number of such operations, in which the amount of RACM that will be removed or stripped within a calendar year can be predicted. Individual nonscheduled renovations are included if a number of such operations can be predicted to occur during a calendar year based on operating experience.

(34) **“Poor Condition”** means the binding of a material is losing its integrity. Evidence of being in poor condition includes, but is not limited to, peeling, cracking, exfoliating, fragmenting, weathering, being broken into smaller pieces, or crumbling of the material.

(35) **“Recreational Vehicles”** means a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy that is built on a single chassis and is immediately ready for road travel by being self-propelled, truck-mounted, or permanently towable on the highways without a permit.

(36) **“Regulated Asbestos-Containing Material (RACM)”** means:

(i) Friable ACM;

(ii) Category I Nonfriable ACM that is in poor condition or has become friable;

(iii) Category I Nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading;

(iv) Category II Nonfriable ACM that is in poor condition, or has a probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material while onsite at the facility where the renovation or demolition operations occur; or

(v) Any ACM that contains more than one percent asbestos and has been damaged by fire.

(37) **“Related Handling Operations”** means any cutting, disjointing, stripping or removal of any suspect material associated with the wrecking or taking out of any load supporting structural member associated with a demolition.

(38) **“Remove”** means to take out ACM or facility components that contain or are covered with ACM from a facility.

(39) **“Renovation Operation”** means altering a facility or any facility components in any way, including the stripping or removal of RACM from a facility or facility component, or the removal of ACWM from a facility.

(40) **“Resilient Floor Covering”** means asbestos containing floor tile, including, but not limited to, asphalt and vinyl floor tile, and sheet vinyl floor covering.

(41) **“Start Date”** means, for a renovation operation, the first date that RACM is removed or when operations or site preparation work begins that would break up, dislodge, or similarly disturb RACM. The start date of a demolition operation is the first day that a load bearing structural member of a facility is wrecked or taken out, including the intentional burning of a facility, along with any related handling operations.

(42) **“Strip”** means to take RACM off any part of a facility or facility component.

(43) **“Structural Member”** means any load-supporting member of a facility including, but not limited to, beams, load supporting walls, headers, joists, posts, rafters, or any non-load supporting members including, but not limited to, ceilings and non-load supporting walls.

(44) **“Suspect Material”** means any material with a propensity to contain:

- (i) RACM;
- (ii) Category I Nonfriable ACM;
- (iii) Category II Nonfriable ACM; or

(iv) Building materials that have a history of manufacture involving asbestos, including, but not limited to: floor tiles, floor mastics and adhesives, linoleum, sheet vinyl flooring, paper backing on sheet vinyl flooring, thermal paper products, roofing materials (tiles, asphalt, putty, felts, mastics), fireproofing, siding and siding shingles, furnace and boiler components, furnace and stove vents, walls and floors and ceilings around furnaces and boilers, air ducts and air duct connections, duct wrap, insulating materials, packings, gaskets, wallboard materials (including tape, joint compounds, and texturing compounds), plaster, stucco, ceiling tiles, acoustic tiles, spray on acoustic ceiling material, concrete pipes, and pipe insulation.

(45) **“Visible Emissions”** means any emission, or evidence of emissions, including, but not limited to: dust, debris, particles, or fibers coming from any RACM or ACWM that are visually detectable without the aid of instruments. Visible emissions include, but are not limited to, any RACM or ACWM found outside of contained work areas or outside the containers specified by Subsection (g)(4).

(46) **“Waste Generator”** means any owner or operator of a facility covered by this rule whose act or process produces ACWM.

(47) **“Waste Shipment Record”** means the shipping document, required to be originated and signed by the waste generator, used to track and substantiate the disposition of ACWM.

(48) **“Working Day”** means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

(49) **“Wrecking Operation”** means any disturbance of building materials associated with an emergency demolition.

(50) **“Wrecking or Taking Out”** means the removal of a facility structural member with the intent to destroy a facility or facility structural member. Altering or re-supporting a facility structural member is not considered wrecking or taking out.

(d) FACILITY SURVEY REQUIREMENTS

(1) Except as provided in Subsection (d)(3) below, prior to commencement of renovation or demolition operations and prior to submitting the notifications required by Section (e), a facility survey shall be performed to determine the presence or absence of ACM, regardless of the age of the facility. Suspect materials that will be removed, stripped, or disturbed by the renovation or demolition operations shall be sampled and analyzed for asbestos content. Once the renovation or demolition notification has been submitted, the facility survey shall be made immediately available to the District upon request.

(2) A complete copy of the facility survey shall be maintained onsite for the duration of the renovation and/or demolition operation, and shall be made available to the District upon request. An electronic version of the facility survey is acceptable.

(3) For emergency demolition operations, a facility survey to determine the presence or absence of ACM shall be completed prior to the removal of any debris and within two working days of when the structure is no longer in danger of imminent collapse. The Air Pollution Control Officer may grant an extension on a case by case basis, provided the extension request is received by the District prior to the removal of any debris. All suspect materials shall be sampled and analyzed for asbestos content, or shall be assumed to be RACM. The facility survey shall be maintained onsite for the duration of the emergency demolition operation and shall be made available to the District upon request.

(4) Persons conducting facility surveys shall have taken and passed a current EPA-approved Building Inspector Course.

(5) The facility survey shall be documented in writing with the following information:

(i) Facility information including the name of the building (if any), the building address and the building owner's address and telephone number;

(ii) Information about the person conducting the facility survey including his/her name and title, the name, address and telephone number of the company the person works for, and a written statement of the qualifications of the person who conducted the facility survey demonstrating compliance with Subsection (d)(4);

(iii) The date(s) that the facility survey was conducted;

(iv) A listing, location, and percent content of asbestos of all suspect materials sampled and analyzed or assumed to be RACM;

(v) The name, address and telephone number of the laboratory performing analyses of the samples for asbestos content;

(vi) A statement of the qualifications of the laboratory that conducted the analyses, demonstrating compliance with Section (h);

(vii) A list of the test methods used to determine asbestos content, demonstrating compliance with Section (h).

(e) NOTIFICATION REQUIREMENTS

(1) Notifications. Each owner or operator of a renovation or demolition operation to which this rule applies shall notify the District, in writing, with District-approved notification forms. The notification forms shall be filled out completely and accurately. Notification forms that are inaccurate or missing information are invalid and will be rejected.

(2) Submittal of Notifications. Notifications shall be electronically received, postmarked, or delivered at the District office.

(3) Effective Date of Notifications. The effective date of the notification is the date of receipt of the notification at the District office, or the date of the notification postmark if the notification is received by the District no later than three working days from the postmark date.

(4) Payment. All notifications shall be fully paid in accordance with District Rule 40 – Permit and Other Fees, within one working day of the effective date of the notification. If payment is not received prior to the close of business of the next working day after the effective date of the notification, the notification will be invalid and shall be rejected.

(5) Timing of Notifications

(i) Renovation or Demolition Operation. Unless otherwise stated in Subsections (e)(5)(ii) and (e)(5)(iii) below, notification forms shall be submitted no later than 10 working days prior to the start of the renovation or demolition operation. Work may begin on the eleventh day after 10 working days have passed from the effective date of the notification.

(ii) Planned Renovation – Annual Notification. Notifications shall be submitted by December 17 of the year preceding the calendar year for which notice is being given for planned renovation activities where the amount of RACM to be removed, stripped or disturbed totals 100 square feet or more on facility components, or 20 cubic feet or more from facility components where the area could not be measured prior to removal, stripping, or disturbance.

(iii) Emergency Renovation or Emergency Demolition. Notifications shall be submitted and approved by the District prior to the close of business of the next working day after the start of any emergency renovation or emergency demolition.

(6) Cancellations. A cancellation notice shall be received by the District by noon on the working day prior to the notification start date of the renovation or demolition operation. Refunds of asbestos notification fees shall be issued, less a \$60 cancellation fee, only if a cancellation notice is received by the District by noon on the working day prior to the notification start date of the renovation or demolition operation. A refund will not be issued if the notice of cancellation is received by the District on or after the notification start date.

(7) Notification Information Requirements. All notifications shall include, at a minimum, the following information:

(i) The name and company of the person completing the notification form.

(ii) The type of notice (i.e., whether the notice is an original notification, a revision to an existing notification, including the type of revision, or a cancellation of an existing notification).

- (iii) Type of operation (i.e., whether the operation(s) is a renovation, demolition, emergency renovation, emergency demolition, or planned renovation).
- (iv) The facility name, address, building number, suite number, room number, city, state, and zip code.
- (v) The facility owner's name, address, city, state, zip code, contact person and title, and phone number.
- (vi) The removal contractor's name, address, city, state, zip code, contractor's license number, contact person and title, and phone number.
- (vii) The demolition contractor's name, address, city, state, zip code, contractor's license number, contact person and title, and phone number.
- (viii) A description of the facility, including the number of floors, the number of dwelling units, age of the facility, and the past and present use of the facility.
- (ix) Scheduled start and completion dates of renovation operations and/or of demolition operations.
- (x) The work practices, equipment, and engineering controls to be used in demolition operations.
- (xi) Description of procedures to be followed in the event that unexpected RACM is found or any Category I Nonfriable ACM or Category II Nonfriable ACM becomes crumbled, pulverized, broken into smaller pieces, or reduced to powder.
- (xii) The name, address, city, state, zip code, contact person and title, and phone number of the waste transporter for all demolition debris containing no asbestos.
- (xiii) The name, address, city, state, zip code, and phone number of the waste disposal site for all demolition debris containing no asbestos.
- (xiv) For emergency demolition operations, the name, title, and authority of the federal, state or local government representative who has ordered the demolition, the date the order was issued, and the date on which the demolition was ordered to begin. A copy of the order shall be attached to the notification.
- (xv) For emergency renovation operations, the date and hour that the emergency occurred, a description and photos of the sudden unexpected event, and an explanation of how the event caused an unsafe condition, or would cause equipment damage.
- (xvi) A certification that at least one person trained in accordance with Subsection (f)(8) will supervise the stripping and removal described by this notification.

(xvii) Information about the individual conducting the facility survey including: name, company, title, mailing address and phone number, and the certification number for the EPA-approved Building Inspector Course passed by the individual.

(xviii) The condition of each ACM identified by the facility survey to be removed, stripped, or disturbed, or a statement that no ACM to be disturbed by renovation or demolition operations has been identified at the facility.

(xix) The procedure(s), including analytical methods, used to detect the presence of RACM, Category I Nonfriable ACM, and Category II Nonfriable ACM.

(xx) For all ACM to be removed, stripped, or disturbed, the categorization of each material containing more than one percent asbestos as friable ACM, Category I Nonfriable ACM, or Category II Nonfriable ACM.

(xxi) A description of the facility components containing ACM to be removed, stripped, or disturbed.

(xxii) An estimate for the total amount of ACM to be removed, stripped, or disturbed from the facility including the surface area in square feet on other facility components, or volume in cubic feet if square footage cannot be established in the course of renovation or demolition operations regulated by this rule.

(xxiii) The specific work practices, equipment, and engineering controls that will be used to remove each ACM.

(xxiv) The name, address, city, state, zip code, contact person and title, and phone number of the waste transporter for all ACWM.

(xxv) The name, address, city, state, zip code, and phone number of the waste disposal site for all ACWM.

(8) Expirations of Notifications for Renovation and Demolition Projects. Notifications for renovation and demolition projects shall expire within 365 days from the effective date of the original notification. If a renovation or demolition project is to exceed 365 days, a new notification must be submitted to the District no later than 10 working days prior to expiration, in accordance with the requirements in this section.

(9) Revisions to Current Notifications. A revised notification form, along with associated fees, shall be received by the District when any of the following conditions arise:

(i) Change in Quantity of Asbestos. An increase in the quantity of RACM by 20 percent or more from the notified amount (including planned renovation notifications) shall be reported to the District. A revised notification shall be received before the removal of RACM exceeds 20 percent of the amount originally notified to be removed.

(ii) Postponed Start Date. A delay in the start date of any renovation or demolition operation shall be reported to the District by a revised written notification as soon as the information becomes available and before the original start date.

(iii) Earlier Start Date. A change in the start date of any renovation or demolition operation to an earlier start date shall be reported to the District, in writing, no later than 10 working days prior to the start of any renovation or demolition operation.

(f) **PROCEDURES FOR ASBESTOS EMISSION CONTROL**

Each owner or operator of a renovation or demolition operation to which this rule applies shall comply with the following procedures:

(1) Remove all RACM from a facility being renovated or demolished before starting any activity that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal. For a demolition operation, cementitious based Category II Nonfriable ACM shall be removed. RACM does not need to be removed before demolition if:

(i) The RACM is Category I Nonfriable ACM that is not in poor condition and is not friable; or

(ii) The RACM is Category II Nonfriable ACM that is not in poor condition and will not become crumbled, pulverized, or reduced to powder. This includes, but is not limited to, paint or electric wire insulation; or

(iii) It is on a facility component that is encased in concrete or other similarly hard material, and the materials will not become crumbled, pulverized, or reduced to powder, and the material is adequately wet whenever exposed during demolition; or

(iv) It was not accessible for testing and was, therefore, not discovered until after demolition began and, as a result of the demolition, the material cannot be safely removed. If not removed for safety reasons, the exposed RACM and any asbestos-contaminated debris must be treated as ACWM and kept adequately wet at all times until disposed of.

(2) When a facility component that contains, is covered with or is coated with RACM is being taken out of the facility as a unit or in sections:

(i) All RACM exposed during cutting or disjoining operations shall be adequately wet; and

(ii) Each unit or section must be carefully lowered to the floor or to ground level by not dropping, throwing, sliding, or otherwise damaging or disturbing the RACM.

(3) When RACM is stripped from a facility component while it remains in place at the facility, the RACM must be kept adequately wet during the stripping operation.

(i) In renovation operations, wetting is not required if:

(A) The owner or operator has obtained prior written approval from the District based on a written application that wetting to comply with this paragraph would unavoidably damage equipment or present a safety hazard. A copy of the District's written approval shall be kept at the worksite and made available for inspection; and

(B) The owner or operator uses one of the following emission control methods:

(1) A local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping and removal of the asbestos materials. The system must exhibit no visible emissions to the outside air and be designed and operated in accordance with the requirements in 40 CFR, Part 61, Section 61.152; or

(2) A glove-bag system designed and operated to contain the particulate asbestos material produced by the stripping of the asbestos materials; or

(3) All RACM is contained by clear leak-tight wrapping prior to dismantlement.

(ii) In renovation operations where wetting would result in equipment damage or a safety hazard, and the methods allowed in Subsection (f)(3)(i)(B) cannot be used, another method may be used after obtaining written approval from the District based upon a determination that it is equivalent to wetting in controlling emissions or to the methods allowed in Subsection (f)(3)(i)(B). A copy of the District's written approval shall be kept at the worksite and made available for inspection.

(4) After a facility component covered with, coated with, or containing RACM has been taken out of the facility as a unit or in sections pursuant to Subsection (f)(2), it shall be stripped or contained in clear leak-tight wrapping, except as described in Subsection (f)(5). If stripped, either:

(i) The RACM must be kept adequately wet during stripping while carefully lowering each section to the floor and to the ground level, while not dropping, throwing, sliding, or otherwise damaging or disturbing the RACM that would exhibit visible emissions; or

(ii) A local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping shall be used. The system shall not exhibit any visible emissions to the outside air and shall be designed and operated in accordance with the requirements in 40 CFR, Part 61, Section 61.152.

(5) For large facility components such as reactor vessels, large tanks and steam generators, but not beams (which must be handled in accordance with Subsections (f)(2) thru (f)(4)), the RACM is not required to be stripped if the following requirements are met:

(i) The component is removed, transported, stored, disposed of, or reused without disturbing or damaging the RACM; and

(ii) The component is encased in a clear leak-tight wrapping; and

(iii) The clear leak-tight wrapping is labeled according to Subsection (g)(5) during all loading and unloading operations and during storage.

(6) For all RACM, including material that has been removed or stripped:

(i) The material must be kept adequately wet until collected and contained or treated in preparation for disposal in accordance with Section (g).

(ii) RACM contained in clear leak-tight wrapping that has been removed in accordance with Subsections (f)(3)(i)(B)(3) and (f)(4) need not be wetted.

(iii) The material must be carefully lowered to the ground and floor by not dropping, throwing, sliding, or otherwise damaging or disturbing the material.

(iv) The material must be transported to the ground in clear leak-tight wrapping via leak-tight chutes or containers if it has been removed or stripped more than 50 feet above ground level and was not removed as units or in sections. The receptacle (e.g., truck bed or dumpster) and the connection to the leak-tight chutes must also be made leak-tight.

(7) When the temperature at the point of wetting is below 32°F (0°C), as determined by a documented calibrated thermometer:

(i) The owner or operator need not comply with Subsections (f)(2)(i) and (f)(3).

(ii) The owner or operator shall remove facility components containing, coated with, or covered with RACM as units or in sections to the maximum extent possible pursuant to Subsection (f)(2)(ii).

(iii) During periods when wetting operations are suspended due to freezing temperatures, the owner or operator must record the temperature in the area containing the facility components at the beginning, middle, and end of each workday and keep daily temperature records available for inspection by the District during normal business hours at the renovation or demolition site. The owner or operator shall retain the temperature records for at least three years.

(8) No RACM shall be stripped, removed, or otherwise handled or disturbed at a facility regulated by this rule unless:

(i) At least one onsite representative (such as a supervisor, a management-level person, or other authorized representative) has successfully completed and passed an EPA-approved Asbestos Contractor Supervisor Course pursuant to the Asbestos Hazard Emergency Response Act (AHERA).

(ii) Annually, the trained onsite representative shall successfully complete an EPA-approved Asbestos Contractor Supervisor Refresher Course. Evidence that the required training has been completed and is current shall be posted and made available to the District upon request at the renovation or demolition site. An electronic version of the current certificate of completion is acceptable, provided that it is made available during the inspection.

(iii) The trained onsite representative shall have a federal or state government issued photo identification card onsite, which shall be made available for inspection upon request by the District.

(9) During emergency demolitions, all portions of the facility that may contain suspect materials shall be kept adequately wet during the wrecking operation.

(10) If a facility is to be demolished by intentional burning, all ACM shall be removed in accordance with this rule prior to burning.

(11) All asbestos renovation operation containment areas shall have transparent view ports installed, with at least one on each wall side that faces an open area or window, to allow clear viewing of the asbestos removal operations from outside the containment area. A view port is not required if the containment area is located where the only open area is through a three stage decontamination.

(g) WASTE HANDLING AND DISPOSAL

(1) All ACWM shall be kept adequately wet until sealed in leak-tight containers or clear leak-tight wrapping.

(2) Asbestos waste from control devices shall be mixed thoroughly with water to form a slurry.

(3) No visible emissions shall be discharged to the outside air from collection, mixing, wetting, and handling of ACWM.

(4) After wetting, all ACWM shall be sealed in leak-tight containers or clear leak-tight wrapping and must remain adequately wet. Materials that will not fit into containers without additional breaking shall be placed into clear leak-tight wrapping.

(5) The containers or wrapping specified in Subsection (g)(4) shall be labeled using warning labels specified by federal OSHA or Cal/OSHA under 29 CFR 1926.1101(k)(8)(iii) or 8 CCR 1529(k)(8)(C), respectively, printed in letters of sufficient size and contrast so as to be readily visible and legible.

(6) Containers and wrapping specified in Subsection (g)(4) shall be kept in secured areas such that the public cannot come into contact with ACWM. A secured area includes, but is not limited, to fully enclosed and locked storage containers or similar enclosures. Areas marked with only warning signs around containers and wrapping specified in Subsection (g)(4) are not considered secure areas.

(7) ACWM in containers or wrapping to be transported off the facility site must be properly labeled with the name and address of the waste generator and the location at which the waste was generated.

(8) For facilities demolished where the ACM is not removed prior to demolition according to Subsections (f)(1)(i) through (iv), or for emergency demolitions, ACWM shall be kept adequately wet at all times after demolition and kept wet during handling and loading for transport to a disposal site. ACWM covered by this paragraph does not have to be sealed in leak-tight containers or clear leak-tight wrapping for transport off site.

(9) All ACWM shall be deposited as soon as is practical by the waste generator at:

(i) A waste disposal site operated in accordance with the provisions of 40 CFR, Part 61, Section 61.154; or

(ii) An EPA-approved site that converts RACM and ACWM into non-asbestos (asbestos-free) material according to the provisions of 40 CFR, Part 61, Section 61.155.

(10) Vehicles used to transport ACWM during the loading and unloading of waste shall be marked so that the signs are visible and comply with requirements of all agencies having jurisdiction, including federal OSHA and Cal/OSHA. The signs must be displayed in such a manner and location so as to be readily visible and legible.

(11) Waste shipment records shall be maintained for all ACWM transported off the facility site. Such records shall include all of the following information:

(i) The name, address, and telephone number of the waste generator;

(ii) The name and address of the District;

(iii) The approximate quantity of ACWM in cubic yards;

(iv) The name and telephone number of the disposal site operator;

(v) The name and physical site location of the disposal site;

(vi) The date transported;

(vii) The name(s), address(es), and telephone number(s) of the transporter(s);
and,

(viii) A certification that the contents of the consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.

(12) A copy of the waste shipment record, described in Subsection (g)(11), shall be provided to the disposal site owners or operators at the same time as the ACWM is delivered to the disposal site.

(13) For waste shipments where a copy of the waste shipment record, signed by the owner or operator of the designated disposal site, is not received by the waste generator within 35 days of the date the waste was accepted by the initial transporter, the waste generator shall contact the transporter and/or the owner or operator of the designated disposal site to determine the status of the waste shipment.

(14) The waste generator shall report in writing to the District if a copy of the waste shipment record, signed by the owner or operator of the designated waste disposal site, is not received by the waste generator within 45 days of the date the waste was accepted by the initial transporter. The report shall include the following information:

(i) A copy of the waste shipment record for which a confirmation of delivery was not received; and

(ii) A cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.

(15) A copy of all waste shipment records, including a copy of the waste shipment record signed by the owner or operator of the designated waste disposal site, shall be retained by the waste generator for at least three years.

(16) All records required by this Section (g) shall be made available to the District within five working days of a request.

(h) TEST METHODS

(1) The asbestos content shall be analyzed by a laboratory certified by the National Voluntary Laboratory Accreditation Program (NVLAP). The asbestos content analysis, referenced in Subsections (d)(1) and (d)(3), shall be conducted in accordance with methods specified in Appendix E, Subpart E, 40 CFR, Part 763 – “Interim Method for the Determination of Asbestos in Bulk Insulation Samples” (EPA-600/M4-82-020 Dec. 1982) as modified by “Method for the Determination of Asbestos in Bulk Building Materials” (EPA/600/R-93/116 July 1993). In addition, the following requirements shall apply:

- (i) For layered systems, except drywall tape and joint compound used to cover joints, nail holes, and cracks, each distinct layer shall be analyzed as a separate material for determining compliance with this rule. Joint compound used as a skim coat for texturing is an add-on material and shall be treated as a separate material.
 - (ii) If the material in the layered system has deteriorated such that the layers are indistinguishable and can no longer be sampled or tested separately, a bulk or composite sample shall be used.
- (2) Other test methods which are determined to be equivalent to the test methods specified in this rule and approved, in writing, by the Air Pollution Control Officer and EPA may be used in place of the test methods specified in this rule.