



Air Pollution Control Board

Greg Cox	District 1
Dianne Jacob	District 2
Kristin Gaspar	District 3
Ron Roberts	District 4
Bill Horn	District 5

January 13, 2017

NOTICE OF WORKSHOP

FOR DISCUSSION OF PROPOSED NEW DRAFT RULE 1206 – ASBESTOS REMOVAL, RENOVATION, AND DEMOLITION

The San Diego County Air Pollution Control District (District) will hold a public workshop to present and receive comments on proposed new draft Rule 1206 – Asbestos Removal, Renovation, and Demolition, which is scheduled as follows:

DATE: Thursday, February 23, 2017

TIME: 9:00 a.m. to 11:00 a.m.

PLACE: San Diego County Operations Center
5500 Overland Avenue, First Floor, Room 120
San Diego, CA 92123

Asbestos is a mineral fiber that occurs in rock and soil. Because of its fiber strength and heat resistance, asbestos has been used in a variety of building construction materials for insulation and as a fire retardant. Asbestos has also been used in a wide range of manufactured goods, mostly in building materials (e.g., acoustic ceiling material, pipe insulation, ceiling and floor tiles, vinyl sheet flooring, paper products, roofing shingles, and asbestos cement products), friction products (e.g., automobile clutch, brake, and transmission parts), heat-resistant fabrics, packaging, gaskets, and coatings.

Asbestos fibers may be released into the air by the disturbance of asbestos-containing material during product use, demolition work, building or home maintenance, repair, and remodeling. In general, exposure may occur only when the asbestos-containing material is disturbed or damaged in some way to release particles and fibers into the air. The exposure to asbestos fibers has become widely recognized as a serious health hazard, and the National Institute for Occupational Safety and Health has published that there is no safe level of asbestos exposure. The Environmental Protection Agency has written regulations to limit the exposure to asbestos fibers, specifically during renovations and demolitions. The District enforces these regulations locally through existing Rules 361.140 through 361.156.

The proposed new draft rule more clearly defines terminology, establishes specific facility survey requirements to initially determine the presence or absence of asbestos, clarifies when a renovation or demolition is regulated, details notification and communication requirements with the District, and specifies work practice and waste handling requirements to limit asbestos emissions from building renovation and demolition activities.

OVER

Proposed new draft Rule 1206 would take effect on the date of adoption, at which time existing District Subpart M – National Emission Standards for Asbestos (Rules 361.140 – 361.156) would be repealed. A future hearing date for the consideration of adoption of the draft proposal has not been set, as the District first seeks public comments on the draft new requirements.

The proposed rule is consistent with current federal law and regional regulations, and is expected to improve public health protection. More specifically, proposed new draft Rule 1206 will:

- Lower the rule applicability threshold of asbestos to be removed, stripped, or disturbed at a facility from 160 square feet to 100 square feet.
- Require asbestos containing and covered pipes to be measured in square feet instead of linear feet.
- Require a facility survey to be performed to initially determine the presence or absence of asbestos.
- Require a copy of the facility survey be maintained on the jobsite and submitted along with the initial notification form.
- Clarify specific timing of notifications submitted to the District.
- Provide updated and clarified definitions of terminology used in the rule.
- Specify test methods used to identify the presence of asbestos.
- Update and clarify notification requirements.

A copy of proposed new draft Rule 1206 and the workshop's location map are available at http://www.sdapcd.org/content/sdc/apcd/en/Rule_Development/Workshops.html. The District encourages workshop participants to bring their own copies of the draft rule to the workshop.

If you have questions concerning the draft proposal or wish to submit comments, please contact Matthew Allison at (858) 586-2678 or via e-mail at Matthew.Allison@sdcounty.ca.gov. Comments regarding the proposal may be submitted at the workshop or in writing, no later than 5:00 p.m. Pacific Time, on March 17, 2017.

MPL:AMO:jlm



Air Pollution Control Board

Greg Cox	District 1
Dianne Jacob	District 2
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April 20, 2017

NOTICE OF WORKSHOP

**FOR DISCUSSION OF REVISED DRAFT RULE 1206 –
ASBESTOS REMOVAL, RENOVATION, AND DEMOLITION**

The San Diego County Air Pollution Control District (District) will hold a public workshop to present, discuss, and receive comments on revised draft Rule 1206 – Asbestos Removal, Renovation, and Demolition, which is scheduled as follows:

DATE: Thursday, June 1, 2017

TIME: 9:00 a.m. to 11:00 a.m.

PLACE: San Diego County Operations Center
5500 Overland Avenue, First Floor, Room 120
San Diego, CA 92123

A workshop on the initial draft Rule 1206 was held on February 23, 2017; numerous comments were received. In response to these comments, the District prepared a workshop report and made numerous revisions to the draft rule, which were released for public review on April 20, 2017.

Revised draft Rule 1206 is proposed to take effect on the date of adoption, at which time existing District Subpart M – National Emission Standards for Asbestos (Rules 361.140 – 361.156) would be repealed. However, a future hearing date for the consideration of adoption of the revised draft rule has not been set, as the District first seeks further public input.

The key proposed revisions to the draft rule are summarized below:

Section (b) – Exemptions

- Clarify when residential structures and mobile, manufactured, or modular homes are exempt.
- Clarify that the facility survey is not required if suspect materials are handled and disposed of as RACM.

Section (c) – Definitions

- Clarify the definition of “Suspect Material.”

OVER

Section (d) – Facility Survey Requirements

- Allow owners or operators to make the facility survey available to the District upon request, instead of having to submit it with the notification. Additionally, a clarification was added to state these facility reports must be no more than three years old.
- Allow extensions on a case-by-case basis of facility survey submittals for emergency demolition operations.
- Remove the Cal/OSHA certification requirements for those persons conducting facility surveys.
- Clarify and remove some of the requirements for the facility survey.

Section (e) – Notification Requirements

- Clarify the notification requirements for planned renovations.

Section (h) – Test Methods

- Remove the requirement for point count verification.

Further information is available on the District's website at:

http://www.sdapcd.org/content/sdc/apcd/en/Rule_Development/Workshops.html.

The District encourages workshop participants to bring their own copies of the revised draft rule to the workshop.

If you have questions concerning the draft revised rule or wish to submit comments, please contact Matt Allison at (858) 586-2678 or via e-mail at Matthew.Allison@sdcounty.ca.gov. Comments may be submitted at the workshop or in writing, no later than 5:00 p.m. Pacific Time, on June 23, 2017.

MPL:AMO:jlm

RULE 1206. ASBESTOS REMOVAL, RENOVATION, AND DEMOLITION
(Adopted & Effective *(date of adoption)*)

(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) This rule shall not apply to the following:

(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 for 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) on recreational vehicles.

(C) at mobile, manufactured, or modular structures that are immediately ready for road travel and can easily be relocated or moved without disturbance of a structural member. The relocation of one residential mobile, manufactured, or modular home by its owner and resident is not considered a demolition operation.

This exemption does not apply to residential structures meeting the definition of an installation or to a single residential structure or group of residential structures used for any institutional, commercial, public, or industrial purpose.

(2) The provisions of Subsections (d)(1) and (f)(1) through (f)(7) shall not apply to a facility being demolished under the written order of a federal, state, or local government agency, and considered an emergency demolition as defined in Subsection (c)(14).

(3) The provisions of Sections (e), (f) and (g) shall not apply to renovation operations in which the amounts of regulated asbestos-containing material (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.

(4) 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)”** includes 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) **“Cal/OSHA Certified Asbestos Consultant”** means an asbestos consultant as defined in California Business and Professions Code Section 7181 that is certified by Cal/OSHA pursuant to Section 341.15 of Title 8 of the California Code of Regulations. This includes any person who contracts to provide professional health and safety services relating to ACM, including building inspection, abatement project design, contract administration, sample collection, preparation of asbestos management plans, and clearance air monitoring.

(8) **“Cal/OSHA Certified Site Surveillance Technician”** means a site surveillance technician as defined in California Business and Professions Code Section 7182 that is certified by Cal/OSHA pursuant to Section 341.15 of Title 8 of the California Code of Regulations. This includes any person who acts as an independent onsite representative of a Cal/OSHA Certified Asbestos Consultant who monitors the asbestos abatement activities of others, provides asbestos air monitoring services for area and personnel samples, and performs building surveys and contract administration at the direction of an asbestos consultant.

(9) **“Category I Nonfriable ACM”** means asbestos-containing packings, gaskets, resilient floor coverings, flooring mastics and adhesives, 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.

(10) **“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.

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

(12) **“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.

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

(14) **“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.

(15) **“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:

- (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.

(16) **“EPA”** is the United States Environmental Protection Agency.

(17) **“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.

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

(19) **“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, as required by Section (d).

(20) **“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.

(21) **“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.

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

(23) **“Group”** means more than one.

(24) **“Installation”** means any building or structure or 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.

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

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

(27) **“Mobile Home”** or **“Manufactured Home”** means a residential structure, installation, or building 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.

(28) **“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.

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

(30) **“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 given period based on past operating experience, but for which an exact date cannot be predicted.

(31) **“Outside Air”** means the air outside of buildings or structures.

(32) **“Owner or Operator”** means any person that owns, leases, operates, controls, or supervises the facility being renovated or demolished, or any person that owns, leases, operates, controls, or supervises the renovation or demolition operation, or both.

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

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

(35) **“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.

(36) **“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.

(37) **“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.

(38) **“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.

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

(40) **“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.

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

(42) **“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 day of a demolition operation is the first date 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.

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

(44) **“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.

(45) **“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, paints, wallboard materials (including tape, joint compounds, and texturing compounds), plaster, stucco, ceiling tiles, acoustic tiles, spray on acoustic ceiling material, pipes, and pipe insulation.

(46) **“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).

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

(48) **“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.

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

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

(51) **“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)(4) 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. The facility survey shall be provided when the renovation or demolition notification is submitted to the District.

(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) After the conclusion of the renovation or demolition operation, the owner or operator of such operation shall maintain a copy of the facility survey for a period of three years and shall make that copy available to the District upon request.

(4) 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. All suspect materials shall be sampled and analyzed for asbestos content, or shall be assumed to be ACM. 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.

(5) Persons conducting facility surveys shall be either a Cal/OSHA certified asbestos consultant or a Cal/OSHA certified site surveillance technician, and shall have taken and passed an EPA-approved Building Inspector Course. The facility survey shall conform to the procedures outlined in the EPA-approved Building Inspector Course.

(6) 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)(5);

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

(iv) A listing of all suspect materials sampled and analyzed or assumed to be ACM, a sketch of the location(s) of each suspect material, and the location of each sample taken;

- (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);
- (viii) The amounts and condition of each ACM and/or ACWM identified by the facility survey, or a statement by the person conducting the facility survey that no ACM or ACWM were identified at the facility that will be, or could be, disturbed by the renovation or demolition operations;
- (ix) A categorization of each ACM identified by the facility survey as friable asbestos material, Category I Nonfriable ACM, or Category II Nonfriable ACM; and
- (x) A general description of the condition of the facility including, but not limited to, any known fire or structural damage.

(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 within one working day of 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 no later than 10 working days prior to the start of the calendar year for which notice is being given for planned renovation activities involving nonscheduled renovation operations.

(iii) Emergency Renovation or Emergency Demolition. Notifications shall be submitted and approved by the District within one working day after the start of any emergency renovation or emergency demolition.

(6) Cancellations. Refunds of asbestos notification fees shall be issued, less a \$60 cancellation fee, only if a cancellation notice is received by the District 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 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 Cal/OSHA certification number for certified asbestos consultants or certified site surveillance technicians, 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. All notifications shall be updated 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 shall be reported to the District. A revised notification shall be received before the removal of the increased amount of asbestos.

(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. RACM does not need to be removed before demolition if:

(i) It meets the definition of Category I Nonfriable ACM and the material is not in poor condition; or

(ii) It meets the definition of Category II Nonfriable ACM and there is a low probability the materials will become crumbled, pulverized, or reduced to powder. This includes, but is not limited to, paint or electric wire insulation. Cementitious based Category II Nonfriable ACM shall be removed before the demolition; 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 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 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 leak-tight wrapping; and

(iii) The 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 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 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 RACM, Category I, and Category II Nonfriable 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.

(g) WASTE HANDLING AND DISPOSAL

(1) All ACWM shall be kept adequately wet until sealed in leak-tight containers or 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 wrapping and must remain adequately wet. Materials that will not fit into containers without additional breaking shall be placed into 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, 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 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)(4), 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 dry wall 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.

(iii) If asbestos is present in a material in amounts greater than 1 percent, and equal to or less than 10 percent as determined by Polarized Light Microscopy (PLM) per EPA Method 600/R-93/116 July 1993, the asbestos content shall be verified by point counting technique using PLM per the EPA Method.

(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.