

# Compliance with Ohio EPA's Asbestos Requirements for Demolition and Renovation Activities



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February 17, 2016

# Representative Gary Scherer

## 92<sup>nd</sup> House District



- Serving his 2nd term in the Ohio House of Representatives.
- House District includes Fayette County, as well as portions of Pickaway and Ross counties.
- Attended Miami University and The Ohio State University, where he obtained a B.S. in accounting.
- Has worked as a CPA throughout his career and has worked for a time as the president of Circleville Oil Company. He has also held majority ownership of Buckeye Tax Professionals since 1997.
- Representative Scherer and his wife of 38 years reside in Circleville. They have three children and eight grandchildren.

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# Overview

Background

Who is subject to these rules

- Exemption
- Demolition
- Renovation

How to comply

- Survey
- Notification
- Fees

Resources

Questions





# Where do these rules come from?

- Ohio Revised Code (laws)
- Ohio Administrative Code (rules)
- National Emission Standard for Hazardous Air Pollutants (federal rules) “NESHAP”
  - 40 CFR Part 61, Subpart M



# Who is subject to these rules?

- Definition of “Facility”
- Definition of “Demolition” and “Renovation”



<http://www.epa.ohio.gov/asbestos>

# What Is a Facility?

- Any structure
  - Institutional, commercial, public, industrial or residential structure, installation, or building
- Any ship
- Any active or inactive waste disposal site



# Residential Building Exemption

- Excludes residential buildings with four or fewer dwelling units
  - Has always only served as a residence and has always only included four or fewer units
- \*Residential buildings which are acquired and demolished as part of an urban renewal project are a facility



# Demolition and Renovation

## Demolition

- Wrecking or removing load-supporting structural member
- Burning



## Renovation

- Altering in any way
- Includes removing regulated asbestos-containing material (RACM)



# What is RACM?

- Friable asbestos (>1% asbestos)
  - Can be crumbled, pulverized, or reduced to powder by hand pressure
  - Already friable or becomes friable during removal or abatement which includes fragmenting to < 4in<sup>2</sup>
- Category I nonfriable that becomes friable (>1% asbestos)
  - Packing, gaskets, resilient floor coverings, & asphalt roofing products
- Category I nonfriable subject to sanding, grinding, cutting, or abrading
- Category II nonfriable likely to become crumbled, pulverized, or reduced to powder during demolition or renovation
  - All materials >1% asbestos that aren't Category I

# Compliance Steps

If structure meets the definition of a facility:

- Determine presence/absence of asbestos
  - asbestos survey (inspection)
- Schedule asbestos abatement (if required)
- Submit notification to Ohio EPA (if required)
- Wait 10 working days
- Perform demolition or renovation (after abatement, if applicable)

# Determine Presence/Absence

- Ohio EPA rules require a thorough inspection by a certified asbestos hazard evaluation specialist.
- The program for obtaining this certification is managed by Ohio Department of Health.
- Locate a licensed asbestos surveyor  
<http://www.odh.ohio.gov/>
- Review Asbestos Report
  - Details Regulated Asbestos Containing Material (RACM) to be removed prior to demolition or renovation

# Schedule Asbestos Abatement

(if required)

- Abatement conducted by licensed specialist
  - Locate a licensed asbestos abatement contractor
    - [Ohio Department of Health](#)
- Ensure proper management and disposal at landfill that is permitted to receive asbestos
  - Landfill List <http://www.epa.ohio.gov/dapc/atu/asbestos.aspx>



# Complete and Submit Notification

- Notification is required for every demolition of a facility!
- Notification is required for renovations of a facility if:
  - The amount of RACM is at least two hundred sixty linear feet on pipes; or
  - The amount of RACM is at least one hundred sixty square feet on other facility components; or
  - The amount of RACM is at least thirty-five cubic feet of facility components where the length or area could not be measured previously
- No notification is required for renovations if the thresholds aren't exceeded or if no asbestos is present.

# Notification Form and Submittal

- Where are the [instructions and notification form](#)?
- Where do I submit the notification?
  - District Offices/Local Agencies [Map](#) for Submitting Demolition/Renovation Notifications
- When can I begin my project?
  - 10 working day waiting period
  - Starts when post-marked, if completed properly
  - Phone and fax notifications not acceptable for original notification; may be acceptable for revisions depending on DO/LAA

# Notification Recommendations

- Use the Ohio EPA Notification of Demolition and Renovation Form!
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- Be careful to submit a complete and approvable, original notification
  - The ten day clock doesn't start until notification is complete

# Ohio EPA's Fees

- Each notification: \$75, if abatement is required
- Asbestos removal: \$3/unit  
(1 unit = any combination of linear feet or square feet equal to 50)
- Asbestos debris: \$4/cubic yard
- Local Air Agencies have different fee structure
  - District Offices/Local Air Agencies Map
- Billed after notification is submitted

- Fact sheets/web page
  - Asbestos web page  
<http://www.epa.ohio.gov/asbestos>
- Asbestos Inspectors
  - District Offices
  - Local Air Agencies Map
- Office of Compliance Assistance & Pollution Prevention
  - Toll-free **confidential** hotline, 800-329-7518
  - Specialists available 8:00-5:00 M-F





# Questions?

Please be patient while we review your questions, we will respond to them shortly.

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