

RULE 270 Asbestos Demolition and Renovation  
(Adopted October 27, 2022)

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**Rule 270****1 GENERAL**

**1.1 Purpose:** To limit the emission of asbestos to the atmosphere and require appropriate work practice standards and waste disposal procedures.

**1.2 Applicability:** This Rule is applicable to all renovations or demolitions and asbestos waste disposal sites within the Butte County Air Quality Management District (District) unless exempted by Section 1.4. This Rule shall become effective on the first day of the month that is more than ninety (90) days after the Environmental Protection Agency (EPA) delegates the Federal Asbestos NESHAP to the District. If the District does not receive delegation of the Federal Asbestos NESHAP, this Rule will not go into effect.

**1.3 Incorporation by Reference:** The provisions of the following sections of the Code of Federal Regulations (CFR) in effect on June 10, 2015, are incorporated herein by reference and made part of the Rules and Regulations of the District.

**1.3.1** 40 CFR 61.142 (Standards for asbestos mills);

**1.3.2** 40 CFR 61.143 (Standards for roadways);

**1.3.3** 40 CFR 61.144 (Standards for manufacturing);

**1.3.4** 40 CFR 61.146 (Standards for spraying);

**1.3.5** 40 CFR 61.147 (Standards for fabricating);

**1.3.6** 40 CFR 61.148 (Standards for insulating materials);

**1.3.7** 40 CFR 61.149 (Standards for waste disposal for asbestos mills);

**1.3.8** 40 CFR 61.151 (Standard for inactive waste disposal sites for asbestos mills and manufacturing and fabricating operations);

**1.3.9** 40 CFR 61.152 (Air-cleaning);

**1.3.10** 40 CFR 61.153 (Reporting); and

**1.3.11** 40 CFR 61.155 (Standard for operations that convert asbestos-containing waste material into non-asbestos (asbestos-free) material).

**1.4 Exemptions**

**1.4.1** This Rule does not apply to:

**1.4.1.1** Renovations or demolitions of single residential buildings as defined in Section 2.41, so long as:

**1.4.1.1.1** The intended use is not for residential property with five or more units;

**1.4.1.1.2** The intended use is not for commercial, institutional, or industrial property;

**1.4.1.1.3** The building was never previously used for commercial, institutional, or industrial purposes;

**1.4.1.1.4** The building is not part of the demolition or renovation of multiple buildings at a single site under the same or common ownership, operation, or control, even if phased over time; or,

- 1.4.1.1.5 The building is not being demolished or renovated as part of a larger demolition/renovation project.
      - 1.4.1.2 Renovations where the total amount of material disturbed is less than 160 square feet (SF), or less than 260 linear feet (LF) (on pipes), or less than 35 cubic feet (CF) (off facility components where the length or area could not be measured previously).
    - 1.4.2 The requirements of Section 3 of this Rule shall not apply to demolitions where the combined amount of Regulated Asbestos Containing Material (RACM) is less than 160 SF, or less than 260 LF (on pipes), or less than 35 CF (off facility components where the length or area could not be measured previously).
    - 1.4.3 The requirements of Section 3 and Section 4.2 of this Rule shall not apply to:
      - 1.4.3.1 Renovations where the combined amount of RACM is less than 160 SF, or less than 260 LF (on pipes), or less than 35 CF (off facility components where the length or area could not be measured previously); or,
      - 1.4.3.2 Re-roofing projects, (not involving the removal of structural members) using a rotating blade roof cutter as defined by Section 2.38, where no more than 5,580 SF of nonfriable asbestos containing materials and contamination with friable asbestos from cutting operations is controlled by adequate wetting.
- 1.5 **Exemptions to the Wetting Requirement:** Isolation by physical barrier, local exhaust ventilation and collection systems, or a glovebag technique may be used instead of wetting to prevent emissions of particulate asbestos materials to outside air when damage to equipment resulting from the wetting would be unavoidable. Upon request and supply of adequate information, the Air Pollution Control Officer (APCO) will determine whether damage to equipment resulting from wetting to comply with the provisions of this paragraph would be unavoidable. Such local exhaust ventilation systems shall maintain the air in the isolated area at a pressure differential of a least minus 0.02 inches of water with respect to the area outside the barrier and shall filter the air from the isolated area with a HEPA filter or equivalent prior to exhausting to the outside air. There shall be no visible emissions to the outside air from such local exhaust ventilation and collection systems.

## 2 DEFINITIONS

- 2.1 **Active Waste Disposal Site:** Any disposal site other than an inactive site.

- 2.2 Adequately Wetted:** Sufficiently mixed or penetrated with liquid to prevent the release of asbestos-containing material. The absence of dust, debris or particles is not sufficient evidence of being adequately wetted.
- 2.3 Administrator:** The term “Administrator” means:
- 2.3.1 Federal Administrator** in CFR 61.149(c)(2), 61.150(a)(4), 61.151(c), 61.152(b)(3), 61.154(d), & 61.155(a); and
- 2.3.2 Air Pollution Control Officer (APCO)** elsewhere, as defined in District Rule 101, Section 4.8.
- 2.4 Asbestos:** Actinolite, amosite, anthophyllite, chrysotile, crocidolite, and tremolite.
- 2.5 Asbestos-Containing Material (ACM):** Asbestos or any material containing more than 1% asbestos, as determined by the method specified in Section 5.1.2.
- 2.6 Asbestos-Containing Waste Material:**
- 2.6.1** Any waste which contains commercial asbestos and is generated by a source subject to the provisions of this Rule, including filters from control devices, asbestos mill tailings, friable asbestos waste material, and bags or containers that previously contained commercial asbestos.
- 2.6.2** Any waste from a demolition or renovation including but not limited to RACM or other materials contaminated with asbestos.
- 2.7 Asbestos Hazard Emergency Response Act (AHERA):** Legislation requiring the cataloging of asbestos containing building materials in schools.
- 2.8 Category I (Cat I) Nonfriable Asbestos-Containing Material:** Asbestos-containing material including but not limited to packings, gaskets, resilient floor coverings, and asphalt roofing products containing more than 1% asbestos, as determined by the method specified in Section 5.1.2.
- 2.9 Category II (Cat II) Nonfriable Asbestos-Containing Material:** Asbestos-containing material as determined by the method specified in Section 5.1.2, excluding Cat I nonfriable asbestos-containing material, that, when dry, and in its present form, cannot be crumbled, pulverized, or reduced to powder by hand pressure.
- 2.10 Certified Asbestos Consultant (CAC):** Any person who contracts to provide professional health and safety services relating to asbestos-containing material. The activities of an asbestos consultant include building inspection, abatement project design, contract administration, sample collection, preparation of asbestos management plans, clearance monitoring, and supervision of site surveillance technicians. A CAC must be certified pursuant to Title 8, California Code of Regulations, Article 2.6, Section 341.15.

- 2.11 Certified Site Surveillance Technician (CSST):** Any person who acts as an independent on-site representative of an asbestos consultant. The site surveillance technician monitors the asbestos abatement activities of others, provides asbestos air monitoring services for area and personal samples, and performs building surveys and contract administration at the direction of an asbestos consultant. A CSST must be certified pursuant to Title 8, California Code of Regulations, Article 2.6, Section 341.15.
- 2.12 Commercial Asbestos:** Any variety of asbestos which is produced by extracting asbestos from asbestos ore.
- 2.13 Completion Date:** The date when all asbestos removing or stripping is finished and all asbestos-containing waste has been properly removed from the project.
- 2.14 Control Device Asbestos Waste:** Any asbestos-containing waste material that is collected in a pollution control device.
- 2.15 Demolition:**
- 2.15.1** The wrecking, taking out, or burning of any load-supporting structural member of any stationary structure or any related removing or stripping of RACM. Operations in which load-supporting structural members are altered or re-supported with no intent to destroy the facility or facility component are renovations.
- 2.15.2** Asbestos abatement in preparation for a demolition is considered part of the demolition.
- 2.16 Destructive Sampling:** Sampling requiring removal of other material to access the concealed suspect asbestos containing material.
- 2.17 Element:** Any boiler, pipe, furnace, duct, tank, reactor, turbine, or structural member.
- 2.18 Emergency Renovation:** A renovation that results from a sudden, unexpected event, applies to the abatement of the immediate hazard, and that, if not immediately attended to:
- 2.18.1** Presents a safety or public health hazard;
- 2.18.2** Is necessary to protect equipment from damage, or
- 2.18.3** Is necessary to avoid imposing an unreasonable financial burden; and,
- 2.18.4** Is not a planned renovation.
- Ultimate approval of the use of this provision is left to the discretion of the APCO. Operations necessitated by non-routine failures of equipment are included.
- 2.19 Facility:** Any institutional, commercial, public, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative); any ship; and any active or inactive waste disposal site. For

purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building.

- 2.20 Facility Component:** Any part of a facility including equipment.
- 2.21 Friable Asbestos-Containing Material:** Asbestos-containing material containing more than 1% asbestos, as determined by the method specified in Section 5.1.2, that can be crumbled, pulverized, or reduced to powder, when dry, by hand pressure.
- 2.22 Glovebag Technique:** A method of stripping or removing RACM in which the material is totally isolated inside a leak-tight bag and then manually removed using gloves which are an integral part of the bag.
- 2.23 HEPA Filter:** A high efficiency particulate air filter capable of filtering 0.3 micron particles with 99.97 percent efficiency.
- 2.24 Inactive Waste Disposal Site:** Any disposal site or portion thereof, where additional asbestos-containing waste material will not be deposited and where the surface is not disturbed by vehicular traffic.
- 2.25 Installation:** Any building or structure or any group of buildings or structures at a single demolition or renovation site that are under the same or common ownership, operation, or control, or which are owned or operated by entities which are under common control.
- 2.26 Leak-Tight:** Any method of containerization that prevents solids, liquids, or particles from escaping or spilling out.
- 2.27 Non-Destructive Sampling:** Sampling of easily accessible suspect asbestos containing material that does not require the removal of other material.
- 2.28 Non-Scheduled Renovation:** A renovation operation necessitated by the routine failure of equipment, which is expected to occur within a given period based on prior experience, but for which an exact date cannot be predicted. For example, an apartment complex which does renovation every year, but does not know when the work will occur, is a non-scheduled renovation.
- 2.29 Ordered Demolition:** The demolition of a stationary structure pursuant to an order of an authorized representative of a state or local governmental agency, issued because that structure is structurally unsound and in danger of imminent collapse.
- 2.30 Outside Air:** The air outside buildings and structures.

- 2.31 Owner or Operator of a Demolition or Renovation:** Any person who owns, leases, operates, controls or supervises the stationary structure being demolished or renovated, or any person who owns, leases, operates, controls or supervises demolition or renovation, or both.
- 2.32 Particulate Asbestos Material:** Finely divided particles of asbestos or asbestos- containing material.
- 2.33 Planned Renovation:** A renovation in which the amount of RACM that will be removed or stripped within a given period of time can be predicted. Operations that are individually non-scheduled are included, provided a number of such operations can be predicted to occur during a given period of time based on operating experience.
- 2.34 Removing:** The taking out, cutting, dislodging, drilling, or similar disturbing of RACM covering or coating on any element from any stationary structure, or portion thereof.
- 2.35 Regulated Asbestos-Containing Material (RACM)**
- 2.35.1** Friable asbestos-containing material;
  - 2.35.2** Cat I nonfriable asbestos-containing material that has or will become friable, or subjected to sanding, drilling, grinding, cutting, or abrading; or,
  - 2.35.3** Cat II nonfriable asbestos-containing material that has a high probability of becoming crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation.
- 2.36 Renovation**
- 2.36.1** Altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component. Operations in which load-supporting structural members are wrecked or permanently taken out are demolitions.
  - 2.36.2** Asbestos abatement in preparation for a renovation is considered part of the renovation.
  - 2.36.3** Covering of acoustic (“popcorn”) ceiling material with drywall, plasterboard, gypsum board, or other similar material is considered a renovation. The total area of ceiling to be covered is considered to be “disturbed”.
- 2.37 Resilient Floor Covering:** Asbestos-containing material comprised of floor tile, including asphalt or vinyl floor tile, or sheet vinyl floor covering.
- 2.38 Rotating Blade Roof Cutter:** An engine powered roof cutting machine with one or more rotating cutting blades, the edges of which are blunt. Equipment with blades having sharp or tapered edges, and/or which does not use a rotating blade,



is used for “slicing” rather than “cutting” the roofing material; such equipment is not included in this definition.

- 2.39 Secured:** Free from danger, loss, or effects of the environment.
- 2.40 Set Up:** Preparation of a structure for stripping or removing of RACM, including but not limited to placement of physical barriers, installation of local exhaust ventilation and collection systems, removal of structural components for the primary purpose of gaining access to RACM, and any activity which would break up the RACM.
- 2.41 Single Residential Building:** A single residential structure comprised of no more than four residential dwelling units, under one roof and on a single parcel of land.
- 2.42 Start Date:** The date disturbance, active removal, or stripping of any regulated asbestos-containing material commences.
- 2.43 Stationary Structure:** Any immobile building, facility, or installation. This includes a group of residential buildings with four or fewer dwelling units owned, managed by, or under control or authority of the same person, persons, or agency, and which is part of a commercial or public project.
- 2.44 Stripping:** The taking off, cutting, drilling, dislodging, or similar disturbing of RACM covering or coating any element of a stationary structure or portion thereof.
- 2.45 Structural Member:**
- 2.45.1** Any load-supporting member, such as beams and load-supporting walls;
  - 2.45.2** Any non-load-supporting member, such as ceilings walls that do not support a load.
- 2.46 Suspect Asbestos Containing Material:**
- 2.46.1** Any material that:
    - 2.46.1.1** Is RACM, Cat I nonfriable, or Cat II nonfriable asbestos-containing material; or
    - 2.46.1.2** Is known to historically contain asbestos.
  - 2.46.2** Suspect asbestos containing material includes, but is not limited to, roofing materials; fireproofing; siding and siding shingles; walls and floors around furnaces; insulation; soundproofing or decorative materials; textured paint; duct wrap; ceiling tiles; acoustical tiles; gypsum wallboard; various plasters, such as patching and joint compounds; resilient floor covering; linoleum backing and floor covering mastics; acoustic ceiling materials; cement pipes and flues; structural concrete/cement products and ceiling or wall texture material.

- 2.47 Visible Emissions:** Any emissions or evidence of emissions, including but not limited to dust, debris, particles, or fibers, which are visually detectable without the aid of instruments, and which are asbestos-containing material. This does not include condensed, uncombined water vapor.
- 2.48 Waste Generator:** Any owner or operator of a source subject to this Rule whose act or process produces asbestos-containing waste material.
- 2.49 Waste Shipment Record:** The shipping document required by the District to be originated and signed by the waste generator. It is used to track and substantiate the disposition of asbestos-containing waste material.
- 2.50 Working Day:** Any day Monday through Friday including holidays.
- 2.51 Wrecking:** The act of damaging and reducing to ruinous state.

### 3 STANDARDS

- 3.1 Demolition and Renovation:** Any owner or operator of a demolition or renovation subject to this Rule shall use the following procedures to prevent emissions of particulate asbestos material from the work area:
- 3.1.1 Activity Prior to Renovation/Demolition:** Prior to commencing the renovation or demolition project, the owner or operator shall conduct the facility survey specified in Section 4.1. The owner or operator shall remove all RACM from a facility being demolished or renovated before any activity that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal. RACM need not be removed before demolition if:
- 3.1.1.1** It is Cat I ACM that is not in poor condition and is not friable;
- 3.1.1.2** It is on a facility component that is encased in concrete or other similarly hard material and is adequately wet whenever exposed during demolition;
- 3.1.1.3** 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 asbestos-containing waste material and kept adequately wet at all times until disposed of; or,
- 3.1.1.4** It is Cat II nonfriable ACM and the probability is low that the material will become crumbled, pulverized, or reduced to powder during demolition.
- 3.1.2 Wetting Requirement:** RACM shall be adequately wetted during stripping or removing.
- 3.1.3 Removal in Sections:** RACM may be removed in units or sections

provided that:

- 3.1.3.1** Any exposed RACM is adequately wetted during any cutting or disjuncting operation; and,
- 3.1.3.2** Each unit or section is carefully lowered to ground level without dropping, throwing, sliding, or otherwise damaging or disturbing the RACM.
- 3.1.4 Removal in Place:** To the extent feasible, the stripping or removal of RACM from a facility component while it remains in place in the facility shall be done:
  - 3.1.4.1** Inside a containment system (as defined by Section 3.1.5 of this Rule); or,
  - 3.1.4.2** Using a glovebag technique designed and operated to contain the particulate asbestos material produced by the stripping or removal of the asbestos material.
- 3.1.5 Containment System:** A containment system shall isolate the area where the asbestos is being removed from the outside air by physical barriers and shall:
  - 3.1.5.1** Be equipped with a local exhaust ventilation and collection system that shall filter the air from the isolated area with a HEPA filter or equivalent prior to exhausting to the outside air;
  - 3.1.5.2** Have a pressure differential of at least minus 0.02 inches of water with respect to the area outside the barrier. The owner or operator shall maintain this pressure differential from the start date to the completion date. This continual pressure differential shall be evidenced by a properly connected, operating, and calibrated pressure gauge; and,
  - 3.1.5.3** Include transparent viewing ports which allow observation, to the extent possible, of all stripping and removing of RACM from outside the barrier. Viewing ports must be accessible and have an unobstructed view of the interior at all times from the setup date to the completion date.
- 3.1.6 Posting:** All points of entry to a demolition or renovation subject to Section 3.1 shall display signs with the following legend (which is easily read by the public). The warning signs shall, at a minimum, conform to the requirements of 20" x 14" upright format signs specified by OSHA and this paragraph.
  - CAUTION
  - ASBESTOS DUST HAZARD
  - AVOID BREATHING DUST
- 3.1.7 Ordered Demolition:** The owner or operator of an ordered demolition shall adequately wet and maintain wet the portion of the structure being demolished that contains RACM during the wrecking operation.
- 3.1.8 Maintenance of Removed RACM-Waste Handling:** All RACM that has been removed or stripped shall be:
  - 3.1.8.1** Kept adequately wetted at all times and transferred into a

- transparent, leak-tight container or bag as soon as feasible;
- 3.1.8.2** When removal or stripping is occurring more than 50 feet above the ground, the transport to the ground can be done via dust-tight chutes, except material removed as units or in sections. When possible the material is to be bagged prior to using the chute;
  - 3.1.8.3** Labeled with the name of the waste generator and the location at which the waste was generated; and,
  - 3.1.8.4** Stored in a secured and locked area until collected for transport to a waste disposal site operated in accordance with the provisions of Section 3.3 of this Rule.
- 3.1.9 On-Site Representative:** No RACM shall be stripped, removed, or otherwise handled and disturbed unless at least one on-site representative, such as a foreman, management-level person, or other authorized representative, trained in the provisions of this Rule as it pertains to demolition, renovation, and the means of compliance, is present during all stripping and removing of RACM. The required training shall, at a minimum, include Asbestos Hazard Emergency Response Act (AHERA) certification, which meets the requirements of 40 CFR 763, Subpart E. Certification documents, shall be on the project site and presented to the District upon request.
- 3.1.10 Intentional Burning:** If demolition is accomplished by intentional burning, all RACM, including Cat I and Cat II nonfriable asbestos-containing material shall be removed before burning.
- 3.1.11 Emergency Renovation:** An emergency renovation shall be approved by the APCO or the EPA Administrator prior to the initiation of work and shall apply only to the abatement of the immediate hazard.
- 3.2 Waste Disposal for Demolition and Renovation:** The owner or operator of any source subject to the provisions of Section 3.1 of this Rule shall meet the following standards:
- 3.2.1** An owner or operator shall either not discharge any visible emissions to the outside air during the collection, packaging, transportation, or disposition of any asbestos containing waste material which is generated by such source or use an alternative emission control and disposal method consistent with 40 CFR 61.150 which has received prior approval from the APCO.
  - 3.2.2** All asbestos-containing waste material shall be deposited, as soon as possible by the waste generator, at waste disposal sites operated in accordance with the provisions of Section 3.3 and shall be labeled with the name of the waste generator and the location at which the waste was generated.
  - 3.2.3** For demolitions where the RACM is not removed prior to demolition pursuant to Sections 3.1.1.1, 3.1.1.2. or 3.1.1.3, the asbestos-containing waste material shall be kept adequately wetted at all times during and after demolition, as well as during handling and loading, and shall be

sealed in leak-tight containers for transport to a disposal site.

**3.2.4** All asbestos-containing waste material shall be properly disposed of in compliance with this Rule within 90 days of the date generated.

**3.2.5** All vehicles used to transport asbestos-containing waste material shall be marked during the loading and unloading of waste. The signs shall be visible and shall:

**3.2.5.1** Be displayed in such a manner that a person can easily read the legend;

**3.2.5.2** Be 20" by 14" upright format signs; and,

**3.2.5.3** Display the following legend in a style and size at equal to one inch Sans Serif, Gothic, or Block. Spacing between any two lines shall be at least equal to the height of the upper of the two lines. The signs shall state:

DANGER

ASBESTOS DUST HAZARD

CANCER AND LUNG DISEASE HAZARD

AUTHORIZED PERSONNEL ONLY

**3.3 Waste Disposal Sites:** The owner of any waste disposal site which accepted waste from sources covered under Section 1.3 (asbestos mills, manufacturing, fabrication, spraying, and conversion facility) or Section 3.1 shall meet the following standards:

**3.3.1** There shall be no visible emissions to the outside air from any waste disposal site subject to this paragraph, except as provided in Section 3.3.5 or Section 3.3.6 of this Rule;

**3.3.2** Warning signs shall be displayed at all entrances and along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material was deposited, at intervals of 330 feet or less. Signs shall be posted in such a manner and location that a person may easily read the legend. The warning signs required by this paragraph shall conform to the requirements of 20" x 14" upright format signs specified by OSHA and this paragraph. The signs shall display the following legend in the lower panel, with letter sizes and styles of a visibility at least equal to those specified below. Spacing between lines shall be at least equal to the height of the upper of the two lines.

ASBESTOS WASTE DISPOSAL SITE

DO NOT CREATE DUST

BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH

Notation

1" Sans Serif, Gothic or Block

3/4" Sans Serif, Gothic or Block

14 Point Gothic

- 3.3.3** The perimeter of the site shall be fenced at all times in a manner adequate to deter access by the general public.
- 3.3.4** Rather than meet the requirement of Section 3.3.1, an owner or operator of an inactive waste disposal site where asbestos-containing waste material has been deposited may elect to meet the requirements of this paragraph or may use an alternative control method for emissions from inactive waste disposal sites which has received prior approval by APCO.
- 3.3.4.1** The asbestos-containing waste material shall be covered with at least six inches of compacted non-asbestos-containing material, and a cover of vegetation shall be grown and maintained on the area adequate to prevent exposure of the asbestos-containing waste material; or,
- 3.3.4.2** The asbestos-containing waste material shall be covered with at least two feet of compacted non-asbestos-containing material and maintained to prevent exposure of the asbestos-containing waste.
- 3.3.5** Rather than meet the requirement of Section 3.3.1 of this Rule, an owner or operator of an active waste disposal site may elect to meet the requirements of Section 3.3.5.1 and Section 3.3.5.2 of this Rule or may use an alternative control method for emissions from active waste disposal sites which has received prior approval by the APCO.
- 3.3.5.1** At the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos-containing waste material which was deposited at the site during the operating day or previous 24-hour period shall be covered with at least six inches of compacted non-asbestos-containing material.
- 3.3.5.2** At the end of each operating day, or at least once every 24-hour period while the disposal site is in continuous operation, the asbestos-containing waste material which was deposited at the site during the operating day or previous 24-hour period shall be covered with a resinous or petroleum-based dust suppression agent which effectively binds dust and controls wind erosion. Such agent shall be used as recommended for the particular dust by the dust suppression agent manufacturer. Other equally effective dust suppression agents may be used upon prior approval by the APCO. For purposes of this section, waste crankcase oil is not considered a dust suppression agent.
- 3.3.6** Within 60 days of a waste disposal site becoming inactive, record a notation on the deed to the facility property and on any other instrument that would normally be examined during a title search; this notation will in perpetuity notify any potential purchaser of the property that:

- 3.3.6.1** The land has been used for disposal of asbestos-containing waste material;
- 3.3.6.2** The survey plot and record of the location of asbestos-containing waste material disposed of within the disposal site have been filed with the District; and,
- 3.3.6.3** The site is subject to 40 CFR Part 61, Subpart M.

## 4 ADMINISTRATIVE REQUIREMENTS

### 4.1 Facility Survey

**4.1.1** Except for ordered demolitions subject to Section 4.1.5, any facility or facility components subject to the requirement to conduct a facility survey pursuant to Section 3.1.1 shall be thoroughly surveyed for the presence of asbestos prior to any demolition or renovation activity. The survey shall include the inspection, identification, determination of condition, and quantification of all friable and Class I or Class II non-friable asbestos containing material, along with the laboratory results of any materials physically sampled.

**4.1.2** A thorough survey shall include, at a minimum, identification of all affected materials (interior and/or exterior) and layers of materials at the facility that are suspect asbestos containing materials. Non-destructive and/or destructive sampling shall be utilized as necessary to produce a thorough survey as determined by the District.

All sampling of suspect materials shall at a minimum be done in accordance with the AHERA sampling protocol (40 CFR 763.86).

#### 4.1.2.1 Friable surfacing materials

**4.1.2.1.1** 1000 SF or less homogenous area (3 sample minimum);

**4.1.2.1.2** 1001 - 5000 SF homogenous area (5 sample minimum; and,

**4.1.2.1.3** Greater than 5000 SF homogenous area (7 sample minimum).

#### 4.1.2.2 Thermal System Insulation (TSI)

**4.1.2.2.1** Pipe runs/continuous TSI: Minimum of 3 samples per each homogenous area;

**4.1.2.2.2** Patched areas: Minimum of 1 sample per each homogenous area  $\leq 6$  LF/SF; and,

**4.1.2.2.3** Fittings or other miscellaneous TSI: in a manner sufficient to determine status (consult the District).

#### 4.1.2.3 Suspect non-friable and miscellaneous materials

**4.1.2.3.1** A minimum of 1 sample per 160 SF/LF or less of homogenous material;

**4.1.2.3.2** A minimum of 2 samples per 161 – 500 SF of homogenous material; and,

**4.1.2.3.3** Greater than 500 SF: in a manner sufficient to determine status (consult the District).

**4.1.3** Any person(s) conducting asbestos surveys shall be either a currently Certified Asbestos Consultant or a currently Certified Site Surveillance Technician and shall have taken and passed an EPA-approved Building Inspector Course and conform to the procedures outlined in the Course.

**4.1.4** The survey shall be documented with the following information:



- 4.1.4.1 The name and address of the facility surveyed. If the survey or work area is limited to specific rooms or areas of the facility, the specific rooms or areas shall be identified;
  - 4.1.4.2 The name, address, and telephone number of the person who conducted the survey;
  - 4.1.4.3 A written statement of the qualifications, or a copy of the current CAC or CSST certification, for the person who conducted the survey;
  - 4.1.4.4 The dates the survey was conducted;
  - 4.1.4.5 A listing of all suspected materials containing any asbestos, a listing of all samples collected, and a floor plan or drawing of where the samples were taken;
  - 4.1.4.6 A floor plan or drawing indicating all areas impacted by the renovation or demolition activity;
  - 4.1.4.7 For materials found to be asbestos containing, list the estimated total quantity, the condition, and its classification (RACM, CAT I, or CAT II);
  - 4.1.4.8 The name, address, and telephone number of any laboratory used to conduct analyses of materials for asbestos content;
  - 4.1.4.9 A statement of qualification of the laboratory which conducted the analyses;
  - 4.1.4.10 A list of the test methods used, demonstrating compliance with Section 5.1 of this rule, including sampling protocols and laboratory methods of analysis, test data, and any other information used to identify or quantify any materials containing asbestos; and,
  - 4.1.4.11 A general description of the condition of the facility, including but not limited to a description of any obvious fire or structural damage.
- 4.1.5 When a stationary structure is demolished under an ordered demolition, the survey must be done after demolition but prior to handling, loading or removal of any demolition debris.
- 4.2 **Notification - Initial:** For any demolition or renovation, a written notification of intention to demolish or renovate shall be provided to the District in the following manner:
- 4.2.1 Delivery of the original notification shall be by the U.S. Postal service, commercial delivery service, electronic media, including email, or fax, or hand delivered by an agent of the owner or operator.
  - 4.2.2 Postmark or delivery of the original plan shall be as follows:
    - 4.2.2.1 At least ten working days prior to commencement of setup for demolition or planned renovation; or
    - 4.2.2.2 At least twenty-four hours prior to commencement of a District approved ordered demolition; or

- 4.2.2.3** As early as possible prior to commencement of a District-approved emergency renovation or ordered demolition; or
- 4.2.2.4** As soon as possible after demolition begins due to burning; or
- 4.2.2.5** At least 10 working days before the end of the calendar year preceding the calendar year for which notice is given for nonscheduled renovation operations.
- 4.2.3** The notification shall be filed in the manner and form prescribed by the District, accompanied by the appropriate plan fee, if any, as specified by District Rule 516. An individual plan shall be submitted for each renovation or demolition area where separate containment systems are required, pursuant to Section 3.1.5, and with a separate setup, start, and completion date.
- 4.2.4** The notification shall include all of the following information:
  - 4.2.4.1** Name, address and telephone numbers of both the owner and the operator of the demolition or renovation.
  - 4.2.4.2** Description of the structure being demolished or renovated, including the address, size, number of floors, location (including building number or name and floor or room number, as applicable), and present and prior use of the structure.
  - 4.2.4.3** Estimate of the approximate amount of RACM to be removed from the structure or portion thereof, in terms of length of pipe in LF, surface area in SF, or volume in CF if the material is not attached to facility components.
  - 4.2.4.4** Estimate of the approximate amount of Cat I and Cat II nonfriable asbestos-containing material that will be removed and the approximate amount that will remain in place.
  - 4.2.4.5** The procedure used, including the analytical laboratory method employed, to locate and identify the presence of RACM and Cat I and Cat II nonfriable asbestos-containing material. A copy of the survey report shall be provided.
  - 4.2.4.6** Scheduled starting date of setup, scheduled starting date of demolition or renovation, and scheduled completion date of demolition or renovation.
  - 4.2.4.7** Description of work practice and engineering controls to be used including emission control procedures for asbestos removal and waste handling.
  - 4.2.4.8** The name and address and location of the waste disposal site where the asbestos-containing waste material will be deposited.
  - 4.2.4.9** A copy of the order to demolish including the name, title, and authority of the state or local governmental representative who has ordered a demolition.

**4.2.4.10** Certification that at least one person, trained as required by Section 3.1.9, will supervise the stripping and removing described in this plan.

**4.2.4.11** For emergency renovations described in Section 2.18, the date and hour that the emergency occurred, a description of the sudden, unexpected event, the name of the person who determined the situation to be an emergency, and an explanation of how the event constitutes an unsafe condition, or would cause equipment damage.

For an emergency demolition/renovation, the APCO may waive the 10-day notification requirement of Section 4.2.2.2, the survey requirements of Section 4.1, and/or the pre-demolition/renovation activity requirements of Section 3.1.1.

**4.2.4.12** Name, address(es) and telephone number(s) of the waste transporter(s).

**4.2.5** An emergency renovation shall include only the amount of RACM that must be removed or stripped as a result of the sudden, unexpected event that necessitated the renovation unless otherwise approved by the District.

**4.2.6** No demolition or renovation shall begin or be completed on a date other than the date contained in the written plan unless the owner or operator submits a written revision in accordance with Section 4.4 of this Rule.

**4.2.7** Whenever a demolition or renovation, subject to Section 3.1, extends 30 days or more beyond the actual date when setup was first commenced, the owner or operator shall report the following, in writing to the District every 30 days:

**4.2.7.1** The amount of RACM removed as of the time of the report.

**4.2.7.2** The amount of RACM remaining to be removed as of the time of the report.

**4.2.8** Upon completion of the demolition or renovation, the owner or operator shall confirm by mail, fax, or electronic media, including email that the work is complete and the notification is closed.

**4.3 Notification – Annual (Nonscheduled Renovations):** The owner or operator of any facility where nonscheduled renovations are expected to occur may meet the requirements of Section 4.2 as follows:

**4.3.1** Estimate, based on past operating experience, the amount of RACM to be disturbed during the calendar year because of routine maintenance or repairs.

**4.3.2** Submit a notification form 10 working days prior to the calendar year for which the plan applies.

- 4.3.3 The notification only covers the minimum amount of RACM removal necessary to conduct the routine maintenance or repairs.
- 4.3.4 The notification shall be accompanied by the appropriate plan fee, if any, as specified by District Rule 516.
- 4.3.5 The amount of RACM provided for in the plan may be revised in accordance with Section 4.4.3.

#### 4.4 Notification – Revisions:

- 4.4.1 Except for work done pursuant to an annual notification (non-scheduled renovation), no demolition or renovation shall begin or be completed on a date other than that specified on the notification, unless the owner or operator notifies the District, using written notice by U.S. Postal Service, a commercial delivery service, hand delivery, or electronic media (including email) as follows:
  - 4.4.1.1.1 **Earlier Start Date:** When a demolition or planned renovation involving the stripping or removal of RACM will begin earlier than the date contained in the most recent plan:
    - 4.4.1.1.1.1 The owner or operator shall provide written notice to the District of the new start date.
    - 4.4.1.1.1.2 The notice shall be submitted to the District at least 10 working days before the new start date.
  - 4.4.1.1.2 **Later Start Date:** When a demolition or planned renovation involving the stripping or removal of RACM will begin later than the date contained in the most recent plan:
    - 4.4.1.1.2.1 The owner or operator shall provide written notice to the District of the new start date.
    - 4.4.1.1.2.2 The notice shall be submitted to the District as soon as possible before, and no later than, the original start date.
  - 4.4.1.1.3 **Completion Date:** When a demolition or planned renovation involving the stripping or removal of RACM will be completed on a date different from that specified in the most recent plan:
    - 4.4.1.1.3.1 The owner or operator shall provide written notice to the District of the new completion date.
    - 4.4.1.1.3.2 If the revised completion date is later than the date being changed, the notification shall be submitted to the District on or prior to the date being changed.

**4.4.1.1.3.3** If the revised completion date is earlier than the date being changed, the notification shall be submitted to the District no later than one working day prior to the actual project completion date. The APCO may approve, in writing, a notification period shorter than one working day prior to the actual project completion date.

**4.4.2** The District shall be notified, in writing, of any change in the scope of work, including any change in the amount of RACM to be disturbed prior to the occurrence of the change.

**4.4.3** For facilities operating under annual notification, if the amount of RACM to be disturbed will exceed the amount of RACM contained in the annual notification, the annual notification shall be revised prior to any work commencing that will exceed the amount of RACM listed in the most recent notification on file.

**4.5 Notification – Waste Disposal Site Excavation:** The owner or operator of any waste disposal site referenced in Section 3.3 shall submit a notification to the District, in writing, at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, the owner or operator shall notify the District of the new start date at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original plan. The notice shall include:

**4.5.1** Scheduled starting and completion dates;

**4.5.2** Reasons for disturbing the waste;

**4.5.3** Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material; and

**4.5.4** Location of any temporary storage site and the final disposal site.

## 5 MONITORING AND RECORDS

### 5.1 Testing Procedures:

**5.1.1 Asbestos Content – Polarized Light Microscopy:** Asbestos content shall be determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy. If the asbestos content is less than 10 percent, verification shall be made using the point counting method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1.7.2.4, Polarized Light Microscopy, Quantification of Asbestos Content.

**5.1.2 Asbestos Content - TEM:** When so indicated, asbestos content shall be determined using the National Institute of Standards and

Technology (NIST) approved Transmission Electron Microscopy (TEM) method.

**5.1.3 Fabric Filters:** The airflow permeability of fabric filters shall be determined by American Society for Testing and Materials (ASTM) method D737-69.

**5.2 Record Keeping:** A person subject to this Rule shall maintain all records required by this Rule at the facility for two years and make the records available for review by the District upon request.

**5.2.1 Demolitions and Renovations:** The owner or operator of a source which is subject to Section 3 shall meet all the following requirements:

**5.2.1.1** All asbestos-containing waste material shall be transported off the facility site. A waste shipment record shall be maintained, including the following information:

**5.2.1.1.1** The name, address, and telephone number of the waste generator;

**5.2.1.1.2** The name and address of the local Air Quality Management District in which the waste was generated;

**5.2.1.1.3** The approximate amount of waste in cubic yards;

**5.2.1.1.4** The name and telephone number of the disposal site operator;

**5.2.1.1.5** The name and physical location of the disposal site;

**5.2.1.1.6** The date transported;

**5.2.1.1.7** The name, address, and telephone number of the transporter(s); and,

**5.2.1.1.8** A certification that the contents of this 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.

**5.2.1.2** Provide a copy of the waste shipment record referenced in Section 5.2.1.1 to the disposal site owner or operator at the same time the asbestos-containing waste material is delivered to the disposal site.

**5.2.1.3** Contact the transporter and/or the owner or operator of the disposal site to determine the status of the waste shipment, if the waste shipment record referenced in Section 3.2.7.1, 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.

**5.2.1.4** Provide a written report to the APCO if a copy of the

waste shipment record referenced in Section 3.2.7.1, signed by the owner or operator of the disposal site, is not received by the waste generator within 45 days of the date the waste was accepted by the initial transporter. The following information shall be included:

**5.2.1.4.1** A copy of the waste shipment record referenced in Section 3.2.7.1 for which a confirmation of delivery was not received; and,

**5.2.1.4.2** A letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.

**5.2.1.5** Retain a copy of all waste shipment records including a copy of the waste shipment record, referenced in Section 5.2.1.1, signed by the owner or operator of the designated waste disposal site.

**5.2.2 Active Waste Disposal Sites:** For all asbestos-containing waste material received, the owner or operator shall:

**5.2.2.1** Maintain waste shipment records, including the following information:

**5.2.2.1.1** The name, address, and telephone number of the waste generator;

**5.2.2.1.2** The name, address, and telephone number of the transporter(s);

**5.2.2.1.3** The quantity of the asbestos-containing waste material in cubic yards;

**5.2.2.1.4** The presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. If this condition exists, report in writing to the District by the following working day. Submit a copy of the waste shipment record along with the report; and,

**5.2.2.1.5** The date of receipt.

**5.2.2.2** Send a copy of the signed waste shipment record to the waste generator as soon as possible and no longer than 30 days after the receipt of the waste.

**5.2.2.3** Upon discovering a discrepancy between the quantity of asbestos-containing waste material noted in the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in

writing to the District. The report shall describe the discrepancy and attempts to resolve it, and a copy of the waste shipment record.

- 5.2.2.4** Maintain, until closure, records of the location, depth and area, and the quantity in cubic yards of asbestos-containing waste material within the disposal site on a map or diagram of the disposal area.
- 5.2.2.5** Upon closure of the facility, submit a copy of records of asbestos waste disposal locations and quantities.