

# Questions and Answers

## 1. What is the purpose of the Asbestos NESHAP Regulation?

The purpose of this regulation is to protect the public health by minimizing the release of asbestos when facilities which have asbestos-containing materials (ACMs) are demolished or renovated.

## 2. What is the difference between demolishing a facility and renovating it?

“Demolition” and “renovation” are defined in the regulation. You “demolish” a facility when you remove or wreck any load-supporting structural member of that facility or perform any related operations; you also “demolish” a facility when you burn it. You “renovate” a facility when you alter any part of that facility in any other manner. Renovation includes stripping or removing asbestos from the facility.

## 3. What is a “facility”?

As defined in the regulation, a “facility” is 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 with four or fewer dwelling units); any ship; or any active or inactive waste disposal site. Any building, structure or installation that contains a loft used as a dwelling is not considered residential. Any structure, installation, or building that was previously subject to the Asbestos NESHAP is not excluded, regardless of its current use or function.

## 4. If I renovate several two-family units, are the units defined as a “facility?”

Residential buildings which have four or fewer dwelling units are not considered “facilities” unless they are part of a larger installation (for example, an army base, company housing, apartment or housing complex, part of a group of houses subject to condemnation for a highway right-of-way, an apartment which is an integral part of a commercial facility, etc.)

## 5. Are mobile homes or mobile structures regulated by the Asbestos NESHAP?

Mobile homes used as single-family dwellings are not subject to Asbestos NESHAP. Mobile structures used for non-residential purposes are subject to NESHAP. Mobile home parks where the owner of the property owns more than 4 units are subject to the NESHAP.

## 6. Are Federal facilities regulated by the Asbestos NESHAP?

Yes

## 7. Are single-family private residences regulated by the Asbestos NESHAP?

No

**8. How much asbestos must be present before the Asbestos NESHAP work practice standards apply to renovation projects?**

Asbestos NESHAP regulations must be followed for all renovations of facilities with at least 260 linear feet of regulated asbestos-containing materials (RACM) on pipes, or 160 square feet of regulated asbestos-containing materials on other facility components, or 35 cubic feet off facility components where the amount of RACM previously removed from pipes and other facility components could not be measured before stripping. These amounts are known as the “threshold” amounts.

**9. How much asbestos must be present before the Asbestos NESHAP work practice standards apply to demolition projects?**

Asbestos NESHAP regulations must be followed for demolitions of facilities with at least 260 linear feet of regulated asbestos-containing materials (RACM) on pipes, 160 square feet of regulated asbestos-containing materials on other facility components, or at least 35 cubic feet off facility components where the amount of RACM previously removed from pipes and other facility components could not be measured before stripping.

However, all demolitions must notify the appropriate regulatory agency, even if no asbestos is present at the site, and all demolitions and renovations are “subject” to the Asbestos NESHAP insofar as owners and operators must determine if and how much asbestos is present at the site.

**10. If a facility is being demolished under an order of a State or local government because the facility is structurally unsound, and therefore unsafe, do all the normal regulations covering demolitions apply?**

No. The regulations which do apply are specified in 40 CF61.145 Paragraphs: (b)(1), (b)(2), (b)(3)(iii), (b)(4).

**11. If a facility is being demolished under an order of a State or local government, must all the debris be treated as asbestos-contaminated waste?**

If, for safety reasons, the RACM in the facility is not removed prior to demolition, the RACM must be kept adequately wet during the wrecking operations. After wrecking, all the contaminated debris must be kept adequately wet until disposal. All contaminated debris which cannot be segregated and cleaned must be disposed of as asbestos waste.

**12. What is a notification?**

A notification is a written notice of intent to renovate or demolish. Notifications must contain certain specified information, including but not limited to, the scheduled starting and completion date of the work, the location of the site, the names of operators or asbestos removal contractors, methods of removal and the amount of asbestos, and whether the operation is a demolition or renovation.

**13. Who is responsible for submitting a notification – the owner of the building which is being demolished or renovated, or the contractor?**

The NESHAP regulation states that either the owner of the building or operator of the demolition or renovation operation can submit the notification. Usually, the two parties decide together who will notify. If neither provide adequate notice, either or both parties can be held liable.

**14. When I notify regarding a demolition, do I give the start date of the demolition or of the asbestos removal? Which date do I use to determine whether I've met the 10-day waiting period?**

For a demolition, the start date is the date that the removal or related activity begins. The demolition start date must be reported. The waiting period should be calculated based on the start date of the removal or the demolition, if no removal is required. The waiting period is necessary to give inspectors time to visit the site before activity begins.

**15. Does the 10-day notification requirement refer to “calendar” days or “working” days?**

The Asbestos NESHAP regulation specifies “working days.” Holidays that fall between Monday and Friday count as “working days.”

**16. When does a notification need to be revised?**

A notification must be revised if information contained in the original notice has changed. For example, you must revise the notification if you change the start date of an operation. If the change relates to the amount of RACM involved, you need only revise the notification if the amount changes by more than 20 percent.

**17. I am demolishing or renovating a relatively new building. Do I still need an asbestos inspection?**

The age of a building does not exclude it from the requirements. A building being demolished or renovated must be inspected regardless of age. Asbestos containing building materials are still made and available. Furthermore, the reuse of materials also increases the possibility that asbestos containing materials may be in a newer building.

**18. Is moving a building regulated by the Asbestos NESHAP?**

Yes, moving a building is considered demolition and requires an asbestos survey and filing of a demolition notification with the appropriate regulatory agency. Moving a portable structure, one that was factory built and designed to be moved, is not subject to the NESHAP. Portable structures being renovated or demolished are subject to the NESHAP.

**19. If a renovation site is abandoned, is the site still regulated by the Asbestos NESHAP?**

Yes. Even after a renovation site is abandoned, it is still regulated by the Asbestos NESHAP.

**20. What ACM materials must be removed prior to a demolition accomplished by burning?**

ALL ACM, both friable and non-friable must be removed prior to a demolition by burning regardless of the amount.

**21. How can I find someone to do the testing?**

You can locate consultants, contractors, and laboratories at:  
[The Asbestos Institute](#)