

Rule 1403 Frequently Asked Questions (FAQ)

(Updated December 7, 2018)

TABLE OF CONTENTS

1. **PURPOSE AND APPLICABILITY**
 - 1.1 **General Information**
 - 1.2 **Contractors**
 - 1.3 **Owners**
 - 1.4 **Asbestos-Related Complaints and Rule Enforcement**

2. **DEFINITIONS**

3. **REQUIREMENTS FOR DEMOLITION/RENOVATION ACTIVITIES**
 - 3.1 **Survey**
 - 3.1.1 **Is a survey required?**
 - 3.1.2 **Is a survey update/revision required?**
 - 3.1.3 **Who can conduct a survey?**
 - 3.1.4 **Required Information**
 - 3.2 **Notification**
 - 3.2.1 **General Information**
 - 3.2.2 **Is a notification required?**
 - 3.2.3 **Rule 1403 Notification Web Application**
 - 3.2.4 **Time Schedule**
 - 3.2.5 **Changes and Updates**
 - 3.2.6 **Emergency Demolition/Renovation**
 - 3.2.7 **Underground Pipe**
 - 3.3 **Asbestos Removal**
 - 3.4 **Asbestos Disposal**
 - 3.5 **Emergency Situations**
 - 3.5.1 **General Procedures**
 - 3.5.2 **Hazardous Scenarios**
 - 3.5.3 **Non-Hazardous Scenarios**
 - 3.6 **Underground Pipe**
 - 3.6.1 **Survey**
 - 3.6.2 **Notification Procedure**
 - 3.6.3 **Sampling Protocol**
 - 3.6.4 **Removal Procedure**
 - 3.7 **On-Site Proof and Recordkeeping**

4. **WARNING LABELS, SIGNS, AND MARKINGS**

5. [SAMPLING PROTOCOLS](#)

6. [TEST METHODS](#)

6.1 [Analysis Requirements](#)

6.1.1 [Methods](#)

6.1.2 [ACM Determination](#)

6.1.3 [Composite Samples](#)

1. PURPOSE AND APPLICABILITY

1.1 General Information

Was the use of asbestos banned?

In what year was asbestos banned?

The majority of asbestos-containing building materials was never banned. The EPA announced a phased-in ban of most asbestos products, but it was never implemented ([U.S. Federal Bans on Asbestos](#)).

Asbestos has not been banned and is still in use in some USA industries as well as some other countries. However, in the USA, insurance, finance and litigation has virtually eliminated the use of asbestos in building materials.

Where can I find information about asbestos removal or building demolition questions?

You can find the information in the SCAQMD asbestos web page located at: [Asbestos Removal & Demolition \(http://www.aqmd.gov/home/rules-compliance/compliance/asbestos-demolition-removal\)](http://www.aqmd.gov/home/rules-compliance/compliance/asbestos-demolition-removal)

Where can I find the asbestos removal or demolition Notification forms, fees and other information?

At the SCAQMD [Asbestos Removal & Demolition](#) web page:
[Notification Form](#) (For Homeowners submitting notifications for demolition that they will be conducting personally on their detached single family house)
[Notification Fee Information](#)
[Notification Form Instructions](#) (For Homeowners submitting 14-calendar day demolition notifications only; Contractors use the [Rule 1403 Asbestos Notification Web Application](#))

Who can I call about asbestos removal or building demolition questions?

Call the SCAQMD Asbestos Hot Line at (909) 396-2336
Tuesday–Friday, 7:30 am – 5:00 pm

For after-hours emergencies, call 1-800-CUT-SMOG. Leave a message stating the reason for the emergency and that you want an asbestos supervisor to respond to your call.

Do I need an SCAQMD demolition permit or an asbestos permit?

The SCAQMD does not issue permits for demolition or asbestos removal. Rule 1403 requires an electronic Notification to be submitted to the SCAQMD 10 working days (or 14 calendar days) prior to any demolition or removal of more than 100 square feet of asbestos-containing material greater than 1.0% asbestos.

Your city or county may require you to apply for a permit to conduct asbestos removal, renovation or demolition.

The Building and Safety Department told me I need to call you regarding the demolition permit. Is this true?

Yes. California Health and Safety Code 19827.5 prohibits cities from issuing demolition permits until you provide the city with a copy of the demolition Notification that you submitted to the SCAQMD.

Does the SCAQMD send a letter to me or the city verifying that my Notification has been received and that my demolition permit can be issued?

SCAQMD verification is not required per California Health and Safety Code 19827.5, but some cities require that you submit proof of Notification to the SCAQMD before they issue a renovation or demolition permit.

Do you offer financial assistance for asbestos removal?

There is no federal, state or local financial assistance for removing asbestos.

1.2 Contractors

Can anybody remove asbestos from a building if there is less than 100 square feet of asbestos present?

Only asbestos removal contractors listed at The Cal/OSHA Asbestos Registration are allowed to remove asbestos in the State of California.

NOTE: See FAQ regarding homeowner exemption Rule 1403 (j)(9).

I am a contractor; can I remove asbestos if there is less than 100 square feet of it?

Only asbestos removal contractors listed at The Cal/OSHA Asbestos Registration are allowed to remove asbestos in the State of California.

I am a demolition contractor. When we go in to demolish, all asbestos has been surveyed and abatement is complete. If I recognize something containing asbestos, I am required to stop work, isolate the area, and notify the owner, then stabilize, secure, and characterize the area. We do no testing or removal of asbestos because we are not licensed to do so. Therefore, many parts of Rule 1403 do not apply to us. What is the demolition contractor's responsibility in this case?

While the majority of Rule 1403 relates to asbestos abatement, demolition contractors are responsible for reviewing the survey and ensuring that no remaining Asbestos-Containing Material (ACM) are on-site prior to beginning demolition. Also, if demolition activities uncover previously unknown suspect ACM, they are required to stop, secure the site, stabilize the suspect ACM (plastic cover weighted down or other measures to ensure that it does not become more disturbed), and notify the property owner that newly discovered suspect ACM must be assessed by a Certified individual. In addition, there are other rules (Rule 403 – Fugitive Dust, etc.) with which the demolition contractor must comply.

1.3 Owners

Are homeowners required to file a Notification Form for a demolition project?

Yes, but only when the homeowner is performing the house demolition work themselves and has not hired* a contractor.

NOTE: An asbestos survey report and asbestos removal is required prior to any demolition and other Rule 1403 requirements may apply.

*Whenever a contractor participates in the demolition work, the contractor must submit a Demolition Notification.

For renovations, are homeowners exempt from all or part of Rule 1403?

There is an exemption that applies only to the legal owner of the single unit family dwelling (house) who is a permanent resident of this house and is personally performing this house renovation themselves (not employing a contractor or laborer, and not being helped by friends, family or anyone else). See Rule 1403 (j)(9).

There are no exemptions for owners of condominiums, townhouses, or apartments.

NOTE: Other Rule 1403 requirements may apply.

I am a homeowner renovating my house; can I remove the asbestos myself from my house?

Yes, but only if you are the legal owner and a resident of this house (single unit family dwelling), and you are personally performing the asbestos removal (not employing a contractor or laborer, and not being helped by friends, family or anyone else). See Rule 1403 (j)(9).

There are no exemptions for owners of condominiums, townhouses, or apartments.

Due to health hazards and hazardous waste disposal requirements, the SCAQMD does not recommend that homeowners remove asbestos.

NOTE: Rule 1403(f) requirements apply for asbestos waste disposal.

As a homeowner, can I hand carry my Notification to the SCAQMD?

Homeowners may mail in or drop off their Notification in the inbox labeled “Asbestos Notifications” located at the cashier’s window in the lobby at SCAQMD’s Diamond Bar Headquarters, 21865 Copley Dr., Diamond Bar, CA 91765.

As a homeowner, if I want to mail the Notification, where do I send my completed Notification form?

For demolition projects by owners of single-family residences only:

SCAQMD

P.O. Box #55641

Los Angeles, CA 90074-5641

NOTE: Keep copies of your Notification Form for your records, to post at the site, and to obtain a city demolition permit. See California Health and Safety Code 19827.5 and Rule 1403(d)(1)(H).

Can owner-occupants write an authorization letter to presume materials in their home are ACM, indicating they are authorizing materials to be treated as ACM?

No, the property owner may instruct the asbestos consultant as defined in the rule who conducts the survey, or the CAC who prepares the survey report, to assume or presume that the material(s) to be abated are Asbestos-Containing Material (ACM) greater than 1.0% and subject to Rule 1403.

1.4 Asbestos-Related Complaints and Rule Enforcement

How does the SCAQMD respond to activities that aren't notified? If I see suspicious renovation/demolition activity, who do I contact?

If you are concerned with possible asbestos-related hazards as a result of a renovation, remodeling, asbestos removal or demolition activity of a structure, you can file a complaint using the SCAQMD's online Complaints system or by contacting the SCAQMD at 1-800-CUT-SMOG. All complaints are assigned and promptly investigated by field inspectors. Follow-up contact is made by the investigating inspector upon completion of the compliant investigation if the complainant leaves a contact number.

While out in the field or responding to a complaint, an inspector can investigate demolition or asbestos removal activities subject to the federal asbestos NESHAP and provisions of Rule 1403, whether they have been properly notified or not. The SCAQMD looks to the public to alert inspectors to suspicious demolition or renovation activity.

When can I expect an inspector at my site; before, during, or after abatement/demolition?

An inspector may visit your site any time before, during, and/or after renovation/demolition/completion. Inspectors verify compliance with asbestos removal procedures, and confirm that the asbestos was removed prior to demolition or renovation.

2. DEFINITIONS

What is a demolition?

Rule 1403 defines a demolition as the wrecking, or taking out, of any load-supporting structural member, including, but not limited to, the foundation, roof support structures, or any exterior wall of a facility or structure and related handling operations, or the intentional burning of any facility. This means that if you remove as little as one (1) two-by-four from a load-bearing wall, it is considered a demolition. Other examples of load-bearing members include foundation, slab, rafters, porch pillars, etc.

What is a renovation?

Rule 1403 defines renovation as the altering of a facility or the removing or stripping of one or more facility (structure) components in any way, including but not limited to, the stripping or removal of ACM from facility components, retrofitting for fire protection, and the installation or removal HVAC systems.

Would a water distribution system be considered an “installation” per the definition in Rule 1403?

The water distribution system is a Facility Component, which is defined in Rule 1403 as “any part of a facility including foundations and or utility/commodity pipelines.”

3. REQUIREMENTS FOR DEMOLITION/RENOVATION ACTIVITIES

3.1 Survey

3.1.1 Is a survey required?

Do I need to have an asbestos survey prior to any demolition or renovation?

Yes. An asbestos survey report signed by an asbestos consultant as defined in the rule is required prior to any demolition or renovation. See Rule 1403(d)(1)(A).

Do I need to have an asbestos survey before I send a Notification to the SCAQMD?

Yes. An asbestos survey report signed by an asbestos consultant as defined in the rule is required prior to any demolition or renovation. See Rule 1403 (d)(1)(A).

For a building that’s going to be fully demolished, a comprehensive survey is required. Is a limited survey for one unit in an apartment complex sufficient in order to conduct demolition for the other units in the apartment complex, assuming that the other units were built with the same materials?

No, a thorough pre-demolition survey of the apartment complex is required prior to a demolition. All homogenous-suspect materials must be either sampled to determine the asbestos content or assumed to be ACM subject to Rule 1403. The only person that can assume a material is Asbestos-Containing Material (ACM) subject to Rule 1403 is the Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST). If the property owner wishes to forgo the costs of sampling and analysis, they may direct the CAC or CSST to assume materials are ACM subject to Rule 1403 based on the sampling of a single unit. However, all homogenous-suspect materials throughout the building must be addressed, and nothing can be assumed to not contain asbestos.

Is a facility survey by an asbestos consultant required on components of a pipeline network where the owner/operator already knows the material of which the pipe components are made?

Yes, a facility survey is required. Rule 1403 requires that the affected facility or facility components shall be thoroughly surveyed for the presence of asbestos prior to any demolition or renovation activity. The facility or property owner may instruct the Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST) who conducts the survey, or the CAC who prepares the survey report, to assume or presume that the material(s) to be abated are Asbestos-Containing Material greater than 1.0% and subject to Rule 1403.

Is a survey still required when minor repairs are going to be made to a water distribution system?

Yes, a survey is still required. Rule 1403 requires that affected facility or facility components shall be thoroughly surveyed for the presence of asbestos prior to any demolition or renovation activity. The facility or property owner may instruct the Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST) who conducts the survey, or the CAC who prepares the survey report, to assume or presume that the material(s) to be abated are Asbestos-Containing Material greater than 1.0% and subject to Rule 1403.

We have a Pre-Approved Procedure 4 or 5 plan, and we are assuming that all of the suspect material is asbestos. Do we need to have a site-specific survey for each project?

Yes. Rule 1403 requires that affected facility or facility component(s) be thoroughly surveyed for the presence of asbestos by a Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST) prior to any demolition or renovation activity. The survey shall include the inspection,

identification, and quantification of all friable and Class I and Class II nonfriable asbestos-containing material, and any physical sampling of materials.

The exemption for assuming that a material is asbestos can only be exercised by a CAC or CSST, and that exemption only eliminates the requirement for a chain-of-custody with map, identification of the laboratory, statement of labs credentials, and summary of testing methods to identify or quantify any materials containing asbestos.

My house was built in the 1980s or later and I know it has no asbestos; do I still have to have it surveyed?

Yes. Regardless of the date of the building construction, and because of potential unknown renovations, Rule 1403(d)(1)(A) requires an asbestos survey report prior to demolition to determine and verify the absence or presence of asbestos.

Is there an age where the SCAQMD wants surveys to be re-done? Do surveys expire?

The SCAQMD does not have any information indicating that surveys “expire,” but the survey must reflect the current condition of the material. If the condition of any of the materials has changed (removed, damaged, disturbed, deteriorated, etc.), then, at a minimum, an update to the survey would be required. If the condition of any of the materials has not changed, then a new survey would not be required.

Insurance testers say they will not do any testing on a property built after a specific date. Do I have to do a survey regardless of the age of the building?

Yes, a survey is required regardless of the age of the building. There is no date when asbestos in building materials was banned.

Twelve (12) samples were collected for analysis as part of a bidding process involving licensed contractors. Can those 12 samples count as a survey?

If the twelve samples were collected by a Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST), they may be used as part of a survey but not as a survey. Only samples collected by certified persons, or those in training to become a CSST under the direct supervision of a CAC, may collect samples in compliance with Rule 1403.

3.1.2 Is a survey update/revision required?

I want to modify the roof of my house. Do I need to re-do the survey?

No, as long as there has been no change in the material(s) or in the condition of the material(s) previously surveyed.

3.1.3 Who can conduct a survey?

If a building has been deemed asbestos-free by a registered engineer, does a Certified Asbestos Consultant (CAC) need to conduct a survey?

If I'm building a new building and I test the building materials before they are installed, is a CAC still required to conduct a survey after the new building is built?

Yes, the SCAQMD requires a survey of all structures regardless of construction date or asbestos-free certification. In a letter dated August 15, 2016, the EPA stated that “a written stipulation is not a guarantee for compliance purposes,” and “Labels or Material Safety Data Sheets (MSDS) are not required where asbestos fibers have been modified by a bonding agent, coating, binder, or other materials, if the manufacturer can demonstrate that during handling, storing, disposing, processing, or transporting no airborne concentrations of fibers of asbestos in excess of PEL [Permissible Exposure Limits] and/or EL [Excursion Limits] will be released or if asbestos is present in a product in a concentration of less than 1.0 percent.”

Is an inspection deeming a building non-asbestos-containing by a building architect or engineer acceptable for compliance with Rule 1403?

No, only surveys conducted by a Certified Asbestos Consultant (CAC) or by a Certified Site Surveillance Technician (CSST) with a report signed by a CAC are acceptable for compliance with Rule 1403.

Can a Certified Site Surveillance Technician (CSST) make the determination of asbestos content and condition, or presume or assume ACM?

Yes, the Certified Site Surveillance Technician (CSST) is trained to be able to identify homogenous-suspect materials and can presume or assume a material is Asbestos-Containing Material (ACM) subject to Rule 1403.

Can a facility owner treat suspect ACM as ACM and follow Rule 1403 requirements without hiring a CAC/CSST for surveying the facility?

All materials that may be disturbed during a renovation or demolition must be surveyed for the presence of asbestos and asbestos condition by a Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST) prior to any demolition or renovation activity. The survey shall include the inspection, identification, and quantification of all friable and Class I and Class II nonfriable asbestos-containing material and any physical sampling of materials. Only a CAC or CSST can presume or assume a material is Asbestos-Containing Material (ACM) subject to Rule 1403 to be treated as such.

Survey requirements do not apply to an owner-occupant of a residential single-unit dwelling who resides at the property and solely and personally conducts a renovation activity at that dwelling. Survey requirements also do not apply to renovation activities of residential single-unit dwellings in which less than 100 square feet of surface area of ACM are removed or stripped.

Is it acceptable for an employee who is a Cal/OSHA CAC or CSST to perform facility surveys for his/her employer, including signing Chains of Custody (COCs) and issuing survey reports for Rule 1403 compliance purpose?

It is acceptable for a Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST) employed by the property owner to conduct the survey as long the survey report is signed by a CAC in accordance with subparagraph (d)(1)(A) in Rule 1403.

If the size of a renovation is less than 100 square feet, why does the property owner still need to obtain a facility survey conducted by a CAC?

A completed survey performed by a Certified Asbestos Consultant (CAC) or a Certified Site Surveillance Technician (CSST) is required because it ensures that 1) all suspect material that is going to be disturbed or removed in a project are properly assessed, and 2) the sampling requirements in the federal regulation are followed. It is necessary that a survey states who did the survey and contains an actual report or assessment. A laboratory report is not sufficient and does not allow reproducibility of a sample. Although a renovation less than 100 square feet is not notifiable, an inspector can still be made aware of a project if a complaint were to be made about the project and inspect the project. If the inspector finds that there is no survey, the owner or operator will be found in noncompliance with Rule 1403.

3.1.4 Required Information

How detailed should the sketch be to be sufficient?

The sketch of where samples were taken should contain sufficient detail so a compliance inspector can duplicate the sampling. A compliance inspector must be able to go to that exact location as indicated on the sketch, find the identified material, and take his or her own sample for subsequent analysis.

In a survey of a building which has drywall, will the SCAQMD look for sampling of all 3 layers? Maybe the lab does not separate the drywall, the lab does not see the layers, or the drywall sample does not have joint compound in it. Will the SCAQMD only accept a survey that has those 3 layers?

Yes, surveys are reviewed to determine if all building materials with the potential to contain asbestos are sampled. SCAQMD staff know that wall systems traditionally include wall board/joint compound/tape or wall board/plaster or button board/plaster, etc., and expect to see these material combinations represented in the chain of custody and/or laboratory results.

With that said, the asbestos consultant as defined in the rule is trained and experienced in collecting samples of materials that are representative of the building materials that are going to be disturbed or removed during renovation. If the CAC reports that the drywall does not have joint compound to begin with, then the layers will not include joint compound. This is one of the reasons for the SCAQMD to have inspectors, in order to visit sites and make their observations to make sure the materials in the building were properly surveyed.

3.2 Notification

3.2.1 General Information

Who should fill out the Notification?

Who needs to file the Asbestos Removal or Demolition Notification?

The Contractor(s) that will remove asbestos and/or demolish the building. Contractors are required to use the Rule 1403 Asbestos Notifications Web Application to submit Notifications for asbestos removal and/or demolition.

Who is allowed to submit an asbestos notification?

The contractor doing the renovation or demolition is responsible for submitting the notification. This can include employee(s) of the contractor (e.g. office worker), but not individuals or groups hired outside of the contractor company. If the property owner decides to hire a new contractor during the 14-day notification period, the property owner is then subject to another 14-day notification period with the new contractor before renovation or demolition can start. If a facility has its own individual or group that will be doing the renovation or demolition, then the facility can submit the notification. A property owner who resides at a single-family dwelling as an owner-occupant, and solely and personally conducts a demolition at that dwelling, can submit a notification.

Are there due dates for the Notification and fee?

Notifications and associated fees are due 10 working days (or 14 calendar days) before work starts (except for emergencies as defined in Rule 1403).

How is the Notification fee determined?

Notification fees are determined by the size of the project in square feet (see [Fee Information](#)). Removals require fees based on the amount of asbestos to be removed. Demolitions require fees based on the size of the structure, or portion of the structure, being demolished.

What are the Notification fees and where do I find them?

Fees are specified in [SCAQMD Rule 301](#). They are usually updated annually effective July 1. A summary of fee requirements is provided at [Fee Information](#).

Can I submit my Notification without fees?

Notifications submitted without appropriate fees are deemed incomplete and will be returned to sender and referred to the Air Toxics Compliance Unit for investigation. See Rule 301(o) Asbestos Fees.

Notifications have to be submitted by the person performing the renovation or demolition. If that is the case, then this would effectively preclude the property owner from completing and submitting the notification. Will the property owner be civilly liable for the notification if the contractor makes a mistake on the notification?

The contractor doing the renovation or demolition is responsible for submitting the notification because the contractor must provide an on-site supervisor that has the required training to be able to identify material that is suspected of containing asbestos and was not previously identified in the survey, in accordance with subparagraph (d)(1)(G) of Rule 1403. The property owner would not be able to do that. The SCAQMD expects the property owner to be involved in all aspects of the notification so that all their concerns are addressed by the contractor submitting the notification. The property owner should have oversight over the notification submission process so that all information submitted is correct. The property owner is responsible for everything that occurs on their property, including the facility survey. Rule 1403 applies to property owners and contractors. Any notices of violation that are issued are subject to review by our Legal Department, and the property owner's degree of culpability will be taken into account.

Because of unforeseen or emergency events and schedule changes, facilities must be able to submit notifications at any time.

All notifications are now submitted electronically via the Rule 1403 Notification Web Application (Web App). Server data backup and maintenance requires that the Web App be unavailable on the last Friday of the month between 6:00 pm to 1:00 am.

I am a homeowner conducting my own demolition, where do I send my completed Notification form?

SCAQMD
P.O. Box #55641
Los Angeles, CA 90074-5641

NOTE: Keep copies of your Notification Form for your record, to post at the site, and to obtain a city demolition permit. See California Health and Safety Code 19827.5 and Rule 1403(d)(1)(H).

I am a homeowner conducting my own demolition, can I hand carry my Notification to SCAQMD?

SCAQMD strongly recommends that you mail the Notifications to save time, money, reduce traffic and air pollution. However, you can drop the Notification in the inbox labeled "Asbestos Notifications" located at the cashier's window in the lobby at SCAQMD'S Diamond Bar Headquarters.

Are there exceptions to the Notification requirement?

Yes, but only for asbestos removal Notifications.

No Notifications are required for:

- Asbestos removals of less than 100 square feet.*
- Renovations with no asbestos, or asbestos content less than or equal to 1.0%.
- Renovations by owner-occupants of single-family residences

Renovation is defined in Rule 1403 (c)(38) and includes altering, retrofitting or remodeling a building in any way.

* NOTE: Other Rule 1403 requirements such as emissions controls, annual Notification, and recordkeeping apply.

Does the public have access to notifications that were submitted to the SCAQMD? How do I request records of notifications that have been submitted?

Notifications are public documents and can be requested through the SCAQMD Public Records Request program at <http://www.aqmd.gov/nav/online-services/public-records>.

Can facility owners access the notifications web system to view notifications abatement contractors submitted for them?

Currently, only the individual or group that submitted the notification, i.e., the contractor doing the renovation or demolition work, has access to submitted notifications in the Rule 1403 Notification Web Application. To request records of notification, please visit our Public Records page at <http://www.aqmd.gov/nav/online-services/public-records>.

3.2.2 Is a notification required?

Do I need to notify the SCAQMD if I am doing building partition demolition?

Demolition of non-load bearing members (or soft demo), and/or removal of asbestos-free building partitions, do not require Notification. Renovations without asbestos do not require Notification. See Rule 1403(d)(1)(A) survey requirement.

Do I have to notify for a demolition if there is no asbestos?

Yes. All demolitions require Notification to allow inspection and confirmation that there is no asbestos present in the building prior to demolition. See Rule 1403(d)(1)(B).

Do I have to notify for a demolition if I “know” or believe there is no asbestos?

Yes. Although you may think the structure is asbestos-free, Rule 1403(d)(1)(A) requires an asbestos survey report, regardless of the structure age, prior to demolition to determine and verify the absence or presence of asbestos.

I am performing work in which less than 100 square feet of surface area of ACM are being removed or stripped. During the work, I find that more area has to be worked on, now making the surface area of ACM to be removed or stripped meet or exceed 100 square feet. Is a notification required?

If a project that began as one that was less than 100 square feet develops into one that is greater than 100 square feet, a notification is required. Due to the rarity of this type of situation and the fact that the Start Date for the project is in the past, these notifications must be entered and maintained by SCAQMD staff. Please contact SCAQMD staff at the Asbestos Hotline (909) 396-2336 for guidance. If these types of notifications become more common, a software solution may be contemplated.

3.2.3 Rule 1403 Notification Web Application

If the Rule 1403 Notification Web Application is unavailable during regular business hours, how do I submit a notification?

If the Rule 1403 Notification Web Application is unavailable during regular SCAQMD business hours (Tuesday through Friday, 7 am to 5:30 pm), contact SCAQMD staff at the Asbestos Hotline (909) 396-2336 for guidance.

Do I have to submit one notification per USPS address, or can I submit one notification for one project that has multiple addresses, e.g., a building that is shared by multiple businesses?

For renovations or demolitions at multiple contiguous (sharing a wall or property line) addresses all owned by the same property owner, a single notification is allowed. To complete the notification for multiple contiguous addresses all owned by the same property owner, use one address associated with the project as the **Site Address** and include the other addresses in the **Describe Work Location** field of the notification. If the list is too long for the **Describe Work Location** field of the notification, upload a document with the list of contiguous addresses at the **Document Upload** portion of the notification in the Rule 1403 Notification Web Application.

Does the SCAQMD always classify Drywall as friable? When processing a notification, the system already generates it as friable and there is no option to choose nonfriable. We dispose of the waste as nonfriable; is this something we can get cited for? Will you be able to add Drywall (nonfriable) to the notification?

For the purposes of notification that the material will be removed during a renovation, drywall is considered friable because it cannot be removed as a unit. It has to be torn out to be removed and that makes the material friable.

3.2.4 Time Schedule

What's the purpose of the 10 work day waiting period?

Why do I have to wait 10 work days?

Notifications are required to be submitted 10 working-days (14 calendar-days) prior to demolition or renovation in order to provide sufficient time to allow an inspector to include an inspection of the site in their schedule if they see a need.

Is there any way I can do the demolition before the 10 work days have elapsed?

Government Agency-ordered demolitions with proof of a written order, an asbestos survey report, and confirmation that all the asbestos was removed, may be allowed to submit an Ordered Demolition Notification through the Rule 1403 Asbestos Notifications Web Application and are not required to wait 10 work-days.

We have a Pre-Approved Procedure 4 or 5 plan; are we still subject to the 10 working day waiting period before we can abate the asbestos-containing material?

Yes. The 10 working day (or 14 calendar day) waiting period can only be waived in the case of an emergency.

Rule 1403 defines an emergency as a sudden unexpected event that results in unsafe condition, or would cause equipment damage or an unreasonable financial burden. An economic burden alone, without a sudden, unexpected event, does not give rise to conditions that meet this definition.

3.2.5 Changes and Updates

Rule 1403 does not require a notification to be updated when ACM quantity is increased by more than 20% as long as the ACM is already included in an approved Procedure 5 work plan. Is this correct?

This is incorrect. Rule 1403 does require that notifications be updated when there is “a change in the quantity of affected asbestos of 20 percent or more from the notified amount.”

If the abatement is completed before the end date, how soon must the end date be revised on the notification?

In the event that a renovation or demolition is completed ahead of schedule, the SCAQMD shall be notified by providing a notification update in the Rule 1403 Notification Web Application as soon as possible, but no later than the following day.

How do we make changes to the information that is not the start date, end date, or quantity of asbestos-containing material on a notification?

You can send notification updates to Rule1403Notifications@aqmd.gov. In the subject of the email, include the notification number and the address for the project. Put the information that is being changed in the body of the email. This information will be uploaded to the SCAQMD document database which includes

the notification copy-of-record. If the site address or contractor changes, a new notification is required.

Are changes or updates to the schedule of work on a notification subject to a fee?

No, no fee for a change to work schedule is required at this time.

Who can notify the SCAQMD about changes to a notification?

Any employee of the company that submitted the notification, who is authorized by the company to submit notifications and is registered to submit notifications through the Rule 1403 Notification Web Application, is authorized to submit emails modifying those notifications.

3.2.6 Emergency Demolition/Renovation

What is the difference between an emergency renovation and a nonscheduled renovation operation in a planned renovation?

An emergency renovation is not planned and results from a sudden, unexpected event that causes unsafe conditions, whereas a nonscheduled renovation operation is an individual event that cannot be precisely predicted as to their specific nature and time of occurrence, but, based on experience, will occur. Although the exact date and location of the nonscheduled renovation cannot be predicted, it can be anticipated as a matter of routine based on experience. An emergency renovation cannot be predicted and is performed as a consequence of a sudden, unexpected event that causes a public health or safety threat.

My facility deals with failure of pipes, etc. that call for unscheduled, unpredicted renovations. These renovations are often outside of our facilities and can occur 100 miles away from each other. Can these unscheduled, unpredicted renovations qualify for emergency notification, or are they covered by an annual notification for planned renovation activities?

The Planned Renovation (Annual Notification) is only for a renovation operation, or a number of such operations, in which the amount of ACM that will be removed or stripped within a given period of time can be predicted. Unpredictable renovations do not belong in this category. Failures of pipelines may be considered emergency renovations if a sudden unexpected event is the cause of the failure.

Does the SCAQMD notify contractors of the approval status of their emergency notifications that are not Procedure 5 notifications?

When SCAQMD staff becomes aware of an emergency letter that does not satisfy the requirements of Rule 1403, they do make the contractor aware, but, with the exception of Procedure 4 (Dry Removal) or Procedure 5 (Approved Alternative) notifications, not all notifications are reviewed by SCAQMD staff.

How do I obtain approval for an emergency notification requiring a Procedure 4 or Procedure 5 plan during weekends and after hours?

For after-hours or weekend review of significant emergencies posing an imminent threat to public health and safety, the contractor can call the 24-hour Complaint Hotline, 1-800-CUT-SMOG, and leave a message requesting that an asbestos supervisor review an emergency Procedure 4 (Dry Removal) or Procedure 5 (Approved Alternative) notification. There is a standby supervisor monitoring these messages, and staff are available to review Procedure 4 or 5 plans after hours.

We are planning to remove some exterior stucco from a school building. The survey shows that what we are removing is less than 100 square feet and does not require a notification. We start the project and discover that there's termite damage. Now we have to change our scope of work, the surface area of renovation is going to exceed 100 square feet, and we are already halfway into the project. What kind of notification do we need to file and when? How do we prevent the impact on school operations, still make the proper notification, and continue with our work?

If a project that began as one that was less than 100 square feet of renovation develops into one that is greater than 100 square feet, a notification is required. Due to the rarity of this type of situation and the fact that the Start Date for the project is in the past, these notifications must be entered and maintained by SCAQMD staff. Please contact SCAQMD staff at the Asbestos Hotline (909) 396-2336 for guidance. If these types of notifications become more common, a software solution may be contemplated. These types of projects are not considered emergencies, so no emergency letter would be required. A letter from the property owner outlining the change in scope of the project may be required (please consult with Compliance staff).

3.2.7 Underground Pipe

I want to submit a notification that goes for an extended period of time (e.g. a month) and involves removal of transite pipe. How do I address in the notification the situation where during the notification period, additional

transite pipe that was buried and could not be immediately identified, may be found?

Rule 1403 provides for the updating (revision) of notifications for changes in Start Date, End Date and Quantity.

My facility has been notified of a third party excavating near one of our pipelines. The third party accidentally damaged the pipe coating, and the damage is under 100 square feet surface area. Is this activity exempt from notification? Would this event be considered an “unplanned renovation,” and the contractor can assume it is ACM which would require stabilization and proper disposal?

The activity described would not be covered by the 100 square foot exemption in Rule 1403(j)(1). Any damaged or disturbed asbestos-containing material (ACM) is subject to Rule 1403. If there is no disturbance or damage to the suspected material, then removing less than 100 square feet of ACM is allowed without notification, but once it is damaged, then you must notify and handle in accordance with Rule 1403. In addition, no contractor may presume or assume ACM. Only a Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST) can presume or assume a material is ACM subject to Rule 1403 to be treated as such.

If any suspected ACM is damaged, regardless of size, then all activity must cease, the site secured and stabilized, and a CAC must assess the damage and survey the site for the presence and condition of ACM and asbestos-contaminated materials. Once the CAC’s assessment is completed, then notification must occur and an approved Procedure 5 plan be obtained prior to any asbestos clean-up.

3.3 Asbestos Removal

Do I have to remove nonfriable asbestos before I can demolish a building?

Yes. All of the asbestos-containing material greater than 1.0% must be removed prior to demolition to prevent nonfriable materials being rendered friable during the demolition. See Rule 1403(d)(1)(C).

How do I obtain a Procedure 5 pre-approval?

To obtain a pre-approved Procedure 5 (Approved Alternative) plan, submit the Procedure 5 plan through email to Rule1403Notifications@aqmd.gov.

After SCAQMD staff review and approval, the pre-approved Procedure 5 plan is valid for 12 months for use at the facility designated by the plan by the submitting facility or contractor.

Once the Pre-approved Procedure 5 cleanup plan is approved, mail a hard copy of the plan along with the fee payment to:

SCAQMD
P.O. Box #55641
Los Angeles, CA 90074-5641

Can a pre-approved Procedure 5 clean-up plan be applied to removal of friable asbestos-containing material?

No, it is not acceptable to apply a pre-approved Procedure 5 plan to a clean-up of asbestos-containing material (ACM) that is friable or has been made friable. Any clean-up or removal of friable ACM requires a notification to be submitted to the SCAQMD with a Procedure 4 (Dry Removal) or Procedure 5 (Approved Alternative) plan for review and approval prior to the start of any clean-up activity.

Is a pre-approved Procedure 5 plan just facility-specific, or could one pre-approved Procedure 5 apply to one contractor doing the work?

The pre-approved Procedure 5 clean-up plan is facility-, contractor-, and consultant company-specific. The facility contracts with a consultant company to have an asbestos consultant as defined in the rule prepare a generic clean-up plan that addresses one or more type(s) of Asbestos-Containing Material (ACM) that the facility anticipates having to abate within the coming 12 months. The CAC often includes their company as oversight, and for this reason, no other consultant company may use the clean-up plan. Once the generic clean-up plan has been prepared, the facility contracts with an abatement company to submit the generic plan for review and approval. Once the plan is reviewed and approved, the pre-approved Procedure 5 clean-up plan is approved for use at that facility by that abatement contractor.

Rule 1403 does not require a notification to be updated when ACM quantity is increased by more than 20% as long as the ACM is already included in an approved Procedure 5 work plan. Is this correct?

This is incorrect. Rule 1403 does require that notifications be updated when there is “a change in the quantity of affected asbestos of 20 percent or more from the notified amount.”

How detailed or what specific information does the Procedure 5 must have to make it acceptable?

An approved alternative Procedure 5 clean-up plan must address all of the existing requirements of Rule 1403, while also providing detailed instructions on what must be done to address damaged or disturbed Asbestos-Containing Material.

There is no language in Rule 1403 that explains how a contractor can avoid triggering a Procedure 5. We run into emergency plumbing situations all the time that require us to remove drywall quickly to repair a pipe. It seems that some CACs will call the cut a Procedure 5 and some will not.

A contractor can avoid “triggering” a Procedure 5 clean-up by not disturbing or damaging suspect Asbestos-Containing-Material outside of containment under negative pressure. An asbestos consultant as defined in the rule that does not require a Procedure 4 (Dry Removal) or Procedure 5 (Approved Alternative) for ACM that they assess as damaged or disturbed is not in compliance with Rule 1403.

Does the SCAQMD allow a Procedure 5 plan be pre-approved and valid for more than a year? My facility handles ACM coating on pipelines that does not change from site to site or year to year. Having a pre-approved Procedure 5 plan that is valid for use for more than a year would decrease the administrative time and effort but still maintain the same level of compliance and safety.

Very often, a Procedure 5 plan is submitted for pre-approval with no changes from a prior pre-approved plan. Periodic review and renewal ensures that a pre-approved plan still addresses all Rule 1403 requirements.

Cal/OSHA’s 16-hour Operations and Maintenance course enables a worker to perform Cal/OSHA Class III (Maintenance and Repair) and Class IV (Custodial Clean-Up) asbestos-related work with proper personal protection equipment. Does the District have the same policy if the impact is less than 100 square feet and neither a Procedure 4 nor Procedure 5 is used?

Rule 1403 provides an exemption from parts of the rule for projects that are less than 100 square feet of intact material, but this exemption does not include Planned

Renovation activities (please see the definitions for Planned Renovation and Nonscheduled Renovation Operation in the Rule). The parts of Rule 1403 that do not apply to projects less than 100 square feet of intact material are the requirement to notify and the requirement that abatement personnel have the training outlined in subsection (i) Training Requirements. For projects less than 100 square feet of intact material, the Cal/OSHA training requirements control.

3.4 Asbestos Disposal

Does the SCAQMD always classify Drywall as friable? When processing a notification the system already generates it as friable and there is no option to choose non-friable. We dispose of the waste as non-friable. Is this something we can get cited for? Will you be able to add Drywall (nonfriable) to the notification?

Yes, for the purposes of notification that the material will be removed during a renovation, drywall is considered friable because it cannot be removed as a unit, it has to be torn out to be removed and that makes the material friable. Rule 1403 requires that all asbestos-containing waste material be disposed at a landfill permitted to accept asbestos waste.

3.5 Emergency Situations

3.5.1 General Procedures

Having to prepare and file paperwork for a Procedure 5 notification to submit to the SCAQMD delays a clean-up in emergency situations. OSHA requires that a clean-up occurs as soon as possible. How does the SCAQMD address the conflict?

According to Robert Olson, Associate Safety Engineer, Cal/OSHA Asbestos and Carcinogen Control Units, “In the case of a spill or other uncontrolled release of asbestos fibers, what Cal/OSHA requires “ASAP,” is that a regulated area be established, access limited to those persons cleaning up the spill/debris, and effective measures that prevent migration of asbestos fibers out of the regulated area and into adjacent areas where employees may be exposed.” This is similar to what is referred to in Rule 1403 as “secure and stabilize.”

In an event of an emergency, can a pre-approved Procedure 5 plan be applied to multiple locations that are under the same contractor without having to complete and submit a pre-approved plan for each location?

No, every site specific Procedure 4 or 5 Notification must be reviewed and approved prior to the start of activities.

The Pre-Approved Procedure 4 (Dry Removal) or Procedure 5 (Approved Alternative) clean-up plan is a non-site-specific generic clean-up plan that describes the potential abatement of a specific type, or types, of Asbestos Containing Material (ACM). Once this generic plan has been approved, it can be submitted as the clean-up plan when that type of ACM is encountered. Along with the clean-up plan, a survey and the site-specific Notification are required.

3.5.2 Hazardous Scenarios

My house is on fire. Do I need to submit a notification before the fire department arrives to put out the fire?

A pipe has burst in the wall and water is flooding throughout my house. Do I need to submit a notification before the plumber opens up the wall to repair the pipe?

We have discovered an underground pipe that is leaking. Do we need to submit a notification prior to addressing the leak?

No, no notification is required prior to addressing a hazardous situation that is currently happening. Once the immediate hazard has been addressed, the site must be secured, stabilized, and surveyed for the presence and condition of asbestos-containing and asbestos-contaminated materials. If asbestos-containing materials have been disturbed or damaged as a result of, or as part of the response to, the hazardous situation, a Procedure 5 (Approved Alternative) clean-up plan must be submitted and approved prior to asbestos clean-up.

An unintentional fire happens, and it leaves parts of the building, e.g., a wall, part of a roof, intact. When do you have to treat the remaining structure(s) as ACM? When you knock down a remaining wall, is that a demolition?

When the site is to be addressed, it must be inspected by a Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST). All materials must be assessed and their asbestos content determined in accordance with Rule

1403 and NESHAP. If Asbestos-Containing Materials (ACM) have been disturbed, then the CAC who prepares the survey report would recommend a Procedure 4 (Dry Removal) or Procedure 5 (Approved Alternative) clean-up, which must be reviewed and approved by the SCAQMD. If no ACM or Asbestos-Containing Waste Material (ACWM) is found during the survey or after the ACM and/ACWM is abated, a demolition notification is required if one or more load-bearing members will be wrecked or removed. As the remaining walls once held up the roof, or any remaining foundation once held up a wall, a notification is required for the demolition.

What are the procedures for treating ACM when an emergency event like a rainstorm or natural disaster happens in the middle of a renovation or demolition activity?

If an emergency occurs, like a rainstorm or natural disaster, the first priority to be considered is safety. To the extent that it is feasible, keeping safety in mind, the site should be secured and stabilized to prevent disturbance, or further disturbance, of the Asbestos-Containing Material (ACM). Once the emergency has passed and it is safe to do so, a determination must be made regarding whether or not the emergency event caused damage or disturbance, or further damage or disturbance, to the ACM, which requires a reassessment by a Certified Asbestos Consultant or Certified Site Surveillance Technician.

In the event of an emergency or catastrophe, where there is immediate risk to public health and safety, what are the proper procedures to conduct activities, including how to obtain approval for a Procedure 4 or 5 clean-up plan for emergency notifications?

For review during SCAQMD business hours (Tuesday through Friday, 7 am through 5:30 pm) for Procedure 4 (Dry Removal) or Procedure 5 (Approved Alternative) Notifications for disturbed Asbestos Containing Material (ACM) posing an imminent threat to public health and safety, please call the Asbestos Hotline at (909) 396-2336 and ask for a supervisor to review an emergency Procedure 4 or 5 plan.

For after-hours or weekend review of Procedure 4 or 5 Notifications for disturbed Asbestos Containing Material posing an imminent threat to public health and safety, the contractor should call the 24-hour Complaint Hotline, 1-800-CUT-SMOG, and leave a message requesting that an asbestos supervisor review an emergency Procedure 4 or 5 Notification. There is a standby supervisor monitoring these messages, and staff are available to review Procedure 4 or 5 plans after hours.

3.5.3 Non-Hazardous Scenarios

We are planning to remove some exterior stucco from a school building. The survey shows that what we are removing is less than 100 square feet and does not require a notification. We start the project and discover that there's termite damage. Now we have to change our scope of work, the surface area of renovation is going to exceed 100 square feet, and we are already halfway into the project. What kind of notification do we need to file and when? How do we prevent the impact on school operations, still make the proper notification, and continue with our work?

If a project that began as one that was less than 100 square feet of renovation develops into one that is greater than 100 square feet, a notification is required. Due to the rarity of this type of situation and the fact that the Start Date for the project is in the past, these notifications must be entered and maintained by SCAQMD staff. Please contact SCAQMD staff at the Asbestos Hotline (909) 396-2336 for guidance. If these types of notifications become more common, a software solution may be contemplated. These types of projects are not considered emergencies, so no emergency letter would be required. A letter from the property owner outlining the change in scope of the project may be required (please consult with Compliance staff).

3.6 Underground Pipe

3.6.1 Survey

What is the environmental benefit for requiring an above-ground survey for subterranean material that is going to be abated?

The asbestos NESHAP requires that prior to the commencement of the demolition or renovation, a thorough inspection be conducted of the affected facility or part of the facility where the demolition or renovation activity will occur for the presence of asbestos, including Category I and Category II nonfriable asbestos-containing material. The asbestos consultant as defined in the rule is trained and certified to identify suspect Asbestos-Containing Material (ACM), materials which might be overlooked by a non-certified individual. Locations of potentially overlooked suspect ACM include the ground surface above the underground material; thus, an above-ground survey is part of a thorough inspection.

3.6.2 Notification Procedure

I want to submit a notification that goes for an extended period of time (e.g. a month) and involves removal of transite pipe. How do I address in the notification the situation where during the notification period, additional transite pipe that was buried and could not be immediately identified, may be found?

Rule 1403 provides for the updating (revision) of notifications for changes in Start Date, End Date and Quantity.

My facility has been notified of a third party excavating near one of our pipelines. The third party accidentally damaged the pipe coating, and the damage is under 100 square feet surface area. Is this activity exempt from notification? Would this event be considered an “unplanned renovation,” and the contractor can assume it is ACM which would require stabilization and proper disposal?

The activity described would not be covered by the 100 square foot exemption in Rule 1403(j)(1). Any damaged or disturbed asbestos-containing material (ACM) is subject to Rule 1403. If there is no disturbance or damage to the suspected material, then removing less than 100 square feet of ACM is allowed without notification, but once it is damaged, then you must notify and handle in accordance with Rule 1403. In addition, no contractor may presume or assume ACM. Only a Certified Asbestos Consultant (CAC) or Certified Site Surveillance Technician (CSST) can presume or assume a material is ACM subject to Rule 1403 to be treated as such.

If any suspected ACM is damaged, regardless of size, then all activity must cease, the site secured and stabilized, and a CAC must assess the damage and survey the site for the presence and condition of ACM and asbestos-contaminated materials. Once the CAC’s assessment is completed, then notification must occur and an approved Procedure 5 plan be obtained prior to any asbestos clean-up.

3.6.3 Sampling Protocol

What are the procedures for sampling subterranean pipe with insulation that contains asbestos?

The sampling procedures for subterranean pipe with insulation that contains asbestos are the same as for any other suspect Asbestos-Containing Material.

3.6.4 Removal Procedure

What are the procedure requirements for transite pipe removal that is underground?

When the pipe is completely exposed and the asbestos consultant as defined in the rule is able to assess the entire surface of the underground pipe (AHERA discusses being able to touch the entire surface) to determine condition and friability, if the entire surface of the pipe is intact, then the abatement of the pipe is a candidate for Procedure 3 (Adequate Wetting).

If the pipe has not been completely exposed, and the asbestos consultant as defined in the rule is not able to assess the entire surface of the underground pipe (AHERA discusses being able to touch the entire surface) to determine condition and friability, if the entire surface of the pipe cannot be determined to be intact, then the abatement of the pipe must be conducted under Procedure 5 because there must be a clean-up plan to address potential disturbed or damaged Asbestos-Containing Material that has not been revealed.

Is a Procedure 5 plan required for transite pipe or underground pipe if it is intact?

A Procedure 5 plan is not always required. For cases where pipe is completely exposed and the asbestos consultant as defined in the rule is able to assess the entire surface of the underground pipe (AHERA discusses being able to touch the entire surface) to determine condition and friability, if the entire surface of the pipe is intact, then the abatement of the pipe is a candidate for a Procedure 3 (Adequate Wetting) plan. Only if the pipe is damaged or disturbed, or if it is not completely exposed is a Procedure 5 required in order to address the potential of undiscovered damaged or disturbed Asbestos-Containing Material.

Does the SCAQMD allow preapproved plans for removal of transite pipe?

Yes, Rule 1403(d)(1)(D)(i)(V)(2) provides for the pre-approval of specific combinations of techniques and/or engineering controls in writing, which may be used by any person as a Procedure 5 Approved Alternative. These are generic plans that discuss the abatement of one or more types of Asbestos-Containing Material (ACM), and the these pre-approved plans must be reviewed and approved every 12 months. These pre-approved plans are used as the Procedure 5

clean-up plan when the material(s) discussed in the plan must be abated. They are uploaded as part of the site-specific notification along with the survey for that specific site.

Would a Procedure 4 (Dry Removal) or Procedure 5 (Approved Alternative) plan be applicable to transite pipe work that is less than 100 square feet? What requirements in Rule 1403 apply? Is a survey still required?

Surveys are required for all abatement projects no matter the size of the abatement, except for residential single unit dwellings where less than 100 square feet of surface area of ACM will be removed or stripped.

An Approved Procedure 4 or 5 notification would be required for transite pipe work of less than 100 square feet if the survey revealed that any amount of the material was found to be disturbed or damaged.

A pipeline has two flanges and the contractor wants to unbolt at the flanged connections without abating the coating or making the ACM friable; can the contractor proceed with removing the pipe and then take the pipe to a different location to abate the ACM?

Yes. Care must be taken during handling to ensure that ACM is not disturbed during the removal and transport.

3.7 On-Site Proof and Recordkeeping

Are electronic records acceptable?

Yes, electronic records are acceptable.

4. WARNING LABELS, SIGNS, AND MARKINGS

Rule 1403(e)(3)(B) references 29 CFR 1910.145(d)(4), but I thought this requirement applies to signs specific to a site, not for signs used for over-the-road shipments of hazardous waste, which are covered by Title 49. Is this section for waste shipments?

Rule 1403(e)(3)(B) applies to Transportation Vehicles. 29 CFR 1910.145(a)(1) states:

These specifications apply to the design, application, and use of signs or symbols (as included in paragraphs (c) through (e) of this section) that indicate and, insofar

as possible, define specific hazards that could harm workers or the public, or both, or to property damage. These specifications are intended to cover all safety signs except those designed for streets, highways, and railroads. These specifications do not apply to plant bulletin boards or to safety posters.

5. SAMPLING PROTOCOLS

In a survey of a building which has drywall, will the SCAQMD look for sampling of all 3 layers? Maybe the lab does not separate the drywall, the lab does not see the layers, or the drywall sample does not have joint compound in it. Will the SCAQMD only accept a survey that has those 3 layers?

Yes, surveys are reviewed to determine if all building materials with the potential to contain asbestos are sampled. SCAQMD staff know that wall systems traditionally include wall board/joint compound/tape or wall board/plaster or button board/plaster, etc., and expect to see these material combinations represented in the chain of custody and/or laboratory results.

With that said, the asbestos consultant is trained and experienced in collecting samples of materials that are representative of the building materials that are going to be disturbed or removed during renovation. If the CAC reports that the drywall does not have joint compound to begin with, then the layers will not include joint compound. This is one of the reasons for the SCAQMD to have inspectors, in order to visit sites and make their observations to make sure the materials in the building were properly surveyed.

6. TEST METHODS

6.1 Analysis Requirements

6.1.1 Methods

What is the formal laboratory analytical method for point counting?

The procedure for point counting is specified in 40 CFR Part 763 Appendix E to Subpart E, Section 1.7.2.4 “Quantitation of Asbestos Content” and in EPA/600-93/116 “Method for the Determination of Asbestos in Bulk Building Materials,” Section 2.2.5.2.2 “Quantitation of Asbestos Content.”

6.1.2 ACM Determination

Under 10%, you require a 400-point count. If I do a 1,000-point count and it comes out to <1.0%, will you accept that result?

Yes, using 1,000-point count, a more stringent point count method, is acceptable.

Is point counting required for anything less than 1%?

The Environmental Protection Agency Applicability Determination Index (Control Number C112) requires that sample results of less than 10% must be point counted by at least 400-point count method. If PLM reveals trace amounts or <1.0%, then it must be, at a minimum, 400-point counted to verify the sample is <1.0%. In lieu of point counting, the CAC may presume or assume it is ACM and direct that it be abated as such. Compliance staff will not accept surveys which state trace or <1.0% detected that have not been point counted.

If all 3 samples of a material come back from the lab after PLM analysis as non-detect, is the material deemed non-Asbestos-Containing Material?

Yes, if PLM analysis does not detect asbestos, then the material has been determined to be non-ACM and no further testing is required.

6.1.3 Composite Samples

In a survey of a building which has drywall, will the SCAQMD look for sampling of all 3 layers? Maybe the lab does not separate the drywall, the lab does not see the layers, or the drywall sample does not have joint compound in it. Will the SCAQMD only accept a survey that has those 3 layers?

Yes, surveys are reviewed to determine if all building materials with the potential to contain asbestos are sampled. SCAQMD staff know that wall systems traditionally include wall board/joint compound/tape or wall board/plaster or button board/plaster, etc., and expect to see these material combinations represented in the chain of custody and/or laboratory results.

With that said, the asbestos consultant as defined in the rule is trained and experienced in collecting samples of materials that are representative of the building materials that are going to be disturbed or removed during renovation. If the CAC reports that the drywall does not have joint compound to begin with, then the layers will not include joint compound. This is one of the reasons for the SCAQMD to have inspectors, in order to visit sites and make their observations to make sure the materials in the building were properly surveyed.

