

**Working Group Meeting #1
Proposed Amended Rule 1403 -
Asbestos Emissions from Demolition/Renovation Activities**



**May 25, 2018
SCAQMD Headquarters**

Diamond Bar, CA

AGENDA

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

➤ Background

- ✓ Common ACM Encountered
- ✓ Health Effects

➤ Rule Applicability

- ✓ Current Requirements

➤ Issues encountered

➤ Rule Development Goals

➤ Potential Revisions

- ✓ Notification
- ✓ Sampling
- ✓ Surveys
- ✓ Applicability

➤ Tentative Schedule



BACKGROUND

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- Intended to minimize exposure to asbestos fibers from demolition/renovation activities
- Originally adopted October 1989; amended several times since
 - ✓ Align with Federal requirements (40 CFR Part 61, Subpart M)
 - ✓ Provide rule clarifications
 - ✓ Rule enhancements



COMMON ACM ENCOUNTERED

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- ✓ Ceilings and drywall components
- ✓ Flooring and roofing
- ✓ Pipe, Insulation, HVAC insulation
- ✓ Various industrial applications

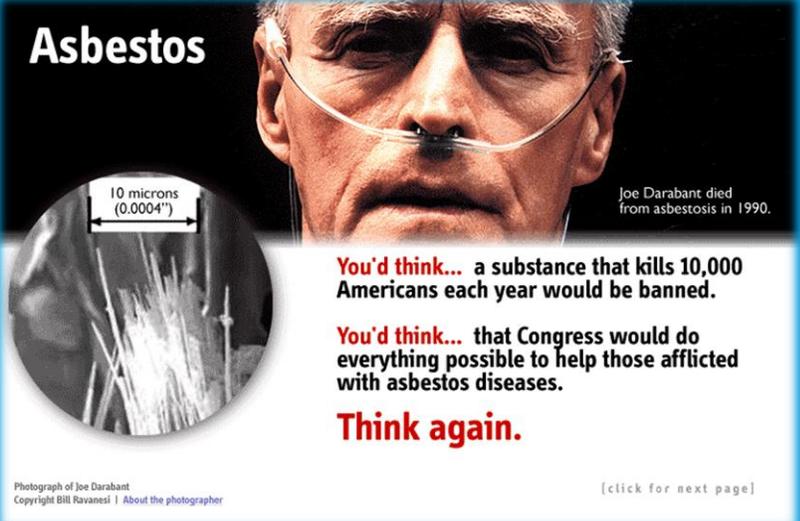


HEALTH RISKS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- ✓ Asbestosis – inflammation & scarring of the lung tissue
- ✓ Lung Cancer
- ✓ Mesothelioma – cancer of the pleural or lung lining(s)
- ✓ Pleural plaques
- ✓ Cancer of the esophagus, stomach, colon, & pancreas

* **Smoking increases this risk substantially**



Asbestos

10 microns (0.0004")

Joe Darabant died from asbestosis in 1990.

You'd think... a substance that kills 10,000 Americans each year would be banned.

You'd think... that Congress would do everything possible to help those afflicted with asbestos diseases.

Think again.

Photograph of Joe Darabant
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RULE APPLICABILITY

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

➤ Covers owners and operators of any:

- ✓ Demolition or renovation activity, and the associated disturbance of asbestos containing material
- ✓ Asbestos storage facility
- ✓ Active waste disposal site



➤ Affected facilities include:

- ✓ Any person who owns, leases, operates, controls or supervises the demolition and/or renovation activities at the facility being demolished or renovated. This includes property owners.



CURRENT REQUIREMENTS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- **Survey/inspect for the presence of asbestos**
 - ✓ Notification
 - > 1% ACM
 - 10 working day notification before beginning work with limited exceptions
- **Work practices / Removal procedures**
 - ✓ Five (5) procedures (HEPA, glove bag, wetting, dry, or approved alternative)
 - ✓ Handling procedures (packaging, labeling, signage, markings, etc.)
- **Waste disposal**
 - ✓ Transportation & landfill requirements
- **Rule 1403 also applies to single family dwellings**

ISSUES ENCOUNTERED

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- **Incomplete sampling and surveys**
- **Inadequate number of samples, composite sampling**
- **Lack of a Chain of Custody on samples**
- **Uncertainty with lab results (PLM vs. more stringent analysis)**
- **Misapplication of the Planned Renovation**

ISSUES ENCOUNTERED

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- **Unrevised start/end dates of Notifications**
- **Suspicious use of Emergency Notifications**
- **Information is lacking on Notifications**
- **Inadequate recordkeeping & on-site availability of records**

RULE DEVELOPMENT GOALS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- **Rule 1403 has not been amended since October 5, 2007**
 - ✓ Seek to clarify any ambiguities since these amendments
- **Clarify and streamline rule language**
 - ✓ Clarify areas of uncertainty or language
 - ✓ Clarify applicability of the rule
 - ✓ Remove obsolete language, correct typographical errors
 - ✓ Review & update rule definitions
 - ✓ Seek opportunities to streamline rule requirements

POTENTIAL REVISIONS - APPLICABILITY

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- ✓ Clarify rule is applicable to property and facility site owners
- ✓ Clarify that rule is applicable to persons, as defined in the rule, preparing all documents required by Rule 1403
- ✓ Clarify that rule is applicable to contractors, sub contractors, and owners/operators of demolition/renovation
- ✓ Clarify definitions in the rule for facility, person, owner, owner-operator of renovation/demolition activity



POTENTIAL REVISIONS - NOTIFICATIONS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- ✓ Use only the Online Web Application
 - Remove sections referencing paper notification
- ✓ Clarification: Notifications shall be completed & submitted by person doing the actual work
- ✓ Require the Certified Asbestos Consultant (CAC) contact information on the notification
- ✓ Require copy of Survey with notification
- ✓ Provide schedule of intended operations along with the Notification



POTENTIAL REVISIONS - SAMPLING

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- ✓ 3 slide mounts required for PLM
- ✓ Minimum 3 samples for each suspected ACM
 - AHERA requirements
- ✓ If asbestos result is less than 1.0% by PLM:
 - CAC may assume material is ACM and, thus, subject to Rule 1403 or perform a more precise analysis
 - Homogenous sampling



SCAQMD GUIDELINES FOR ASBESTOS SITE CLEAN-UPS RULE 1403 PROCEDURE 5 PLANS

Procedure 5 Plans are required for any of the following asbestos removal projects of ACM or nonfriable Class II ACM, but not limited to:

- Request to remove asbestos after a renovation or non-barring demolition activity – R1403(d)(1)(C)(i)(ii)
- Clean-up of an Associated Disturbance of Asbestos¹ – R1403(d)(1)(C)(i)(v)
- Use an alternative combination of techniques and/or engineering controls for removing asbestos – R1403(d)(1)(D)(v)(v)
- Use a pre-approved specific combination of techniques and/or engineering controls for removing asbestos – R1403(d)(1)(D)(v)(v), and
- Removal of asbestos that has suffered damage from fire, explosion, or natural disaster – R1403(d)(1)(D)(v)(v)

Examples of asbestos abatement projects requiring Approved Alternative Procedure 5 plans are, but not limited to:

- Request for using power tools to remove asbestos inside modified enclosures
- Clean-up of any spill or improperly removed, handled or disposed ACM, nonfriable Class II ACM or ACWM
- Operation abatement of Class II nonfriable ACM using mechanical methods
- Decontamination of living or working areas (requiring a clearance level of 0.01 f/cc)
- Demolition of "red tag" buildings (structurally unsound)
- Clean-up of ACM deterioration, failure or damage due to building settling, weathering, seismic events, improper maintenance practices, impacted during building operations, etc.
- Clean-up of ACM, ACWM, and asbestos contaminated soil from crawlspaces or any site, and
- Clean-up of buried ACM or ACWM from landfills, waste sites, grading operations, etc.

To obtain plan approval, file the plan, survey and notification to **909-396-3342**. For after hours emergency submissions file the above information and call **909-396-3342** to request expedited approval by an Asbestos Supervisor. A verbal approval may be issued in most emergency cases. Mail the signed original plan, survey and notification to AQMD postmarked within 48 hours of AQMD approval. For additional information, call **909-396-3729** or **909-396-2318**.

Plans should include the following attachments prior to AQMD review:

- **Notification form** with scheduled project dates (plan will not be approved without a contractor notification)
- **Site survey inspection report** documenting the cause of the asbestos disturbance, extent of site contamination, and the CAC's observations, findings and recommendations²
- Sample(s) chain of custody and the lab analysis report must be included as part of the formal survey report
- Site map, plot plan, or drawing, showing street names and sensitive receptors
- Photographs (if available) with identifying notations to assist in evaluating the project
- List of companies and contacts involved in the asbestos clean-up project
- List of AQMD permitted equipment to be used in the project including serial and permit numbers
- Signature of the California Certified Asbestos Consultant (CAC) that prepared the plan, and
- CEQA Applicability Form 400 for any demolition, excavation or site grading activity exceeding 20,000 sq ft.

Plans should be brief, in outline form and not more than four pages long (in most cases) but should include the:

- Scope of the overall project
- Asbestos material(s) at the site, its condition, type, amount and specific location(s) within the site
- Absence or project stages with dates and time lines
- Provisions for site preparation and control, prevention of contamination migration, include ingress/egress zones
- Engineering work practices and asbestos emission controls
- Procedures for work area clean-up and/or decontamination after bulk removal
- Provisions for handling, storing, transporting and disposal of the asbestos containing waste
- Air monitoring type(s) and clearance level to be achieved, and
- Type and amount of asbestos remaining on site (if any) to be removed or managed in place and by whom³

Per R1403(d)(1)(D)(v)(v) – "No person shall use a Procedure 5 Approved Alternative without complying with all of the conditions and limitations set forth therein."

¹Associated disturbance of asbestos is defined in Rule 1403(b)(3) as any disturbing or pulverizing of ACM or nonfriable Class II ACM, or generation of asbestos dusts from ACM or nonfriable Class II ACM.

²AQMD requires agreement or clearance for schools.

³After proper consultation with the California Air Resources Board (CARB), the California Department of Industrial Relations (DIR) and the Department of Public Health (DPH).

⁴Removal of loose ACM and ACWM remains on site in a separate project not covered by the plan approval.

TENTATIVE SCHEDULE

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

- **Working Group Meeting #1 May 25, 2018**
- **(Additional) Working Group Meetings As Needed**
- **Public Workshop August 29, 2018**
- **SSC November 16, 2018**
- **Public Hearing December 7, 2018**

COMMENTS & QUESTIONS

Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

➤ **For more information, questions, or comments:
Please contact:**

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