

**PROPOSED AMENDED RULE 1403. ASBESTOS EMISSIONS FROM
DEMOLITION/RENOVATION
ACTIVITIES**

(a) Purpose

The purpose of this rule is to specify work practice requirements to limit asbestos emissions from ~~building~~ demolition and renovation activities, including the removal and associated disturbance of ~~asbestos-containing materials~~ Asbestos-Containing Material (ACM). The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and ~~clean-up~~ cleanup procedures, and storage, disposal, and landfilling requirements for ~~asbestos-containing waste materials~~ Asbestos-Containing Waste Material (ACWM). All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.

(b) Applicability

This rule, in whole or in part, is applicable to owners and operators, including, but not limited to, property owners, property lessors, asbestos abatement contractors, demolition contractors, general contractors, subcontractors, and asbestos consultants, of any demolition or renovation activity, and the associated disturbance of ~~asbestos-containing material~~ ACM, any asbestos storage facility, or any active waste disposal site.

(c) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) ACTIVE WASTE DISPOSAL SITE is any disposal site that receives, or has received or processed ACWM within the preceding 365 calendar days.
- (2) ADEQUATELY WET is the condition of being sufficiently mixed or penetrated with amended water to prevent the release of particulates or visible emissions. The process by which an adequately wet condition is achieved is by using a dispenser or water hose with a nozzle that permits the use of a fine, low-pressure spray or mist that uses a setting that will not break up the ACM during the wetting operation.

- (3) AMENDED WATER is water to which a chemical wetting agent or surfactant has been added to improve penetration into ACM.
- (4) ASBESTOS is the asbestiform varieties of serpentine (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite (amosite), anthophyllite, actinolite, ~~or~~ and tremolite.
- (5) ASBESTOS CONSULTANT is any person conducting asbestos surveys as specified in subparagraph (d)(1)(A) and required to have the qualifications as specified in clause (d)(1)(A)(iv) or (v).
- ~~(56)~~ ASBESTOS-CONTAINING MATERIAL (ACM) is ~~both friable asbestos-containing material or any material that contains more than one percent (1.0%) asbestos, including friable ACM,~~ Class I nonfriable ~~asbestos-containing material~~ ACM and Class II nonfriable ACM as determined by the provisions in paragraph (h)(2). This includes any material that is presumed or assumed to contain more than one percent (1.0%) asbestos.
- ~~(67)~~ ASBESTOS-CONTAINING WASTE MATERIAL (ACWM) is any waste that contains commercial asbestos and that is generated by a source subject to the provisions of this rule. ACWM includes, but is not limited to, ACM which is friable, has become friable, or has a high probability of becoming friable, or has been subjected to scraping, sanding, grinding, cutting, drilling or abrading, and the waste generated from its disturbance, such as asbestos waste from control devices, filters from control devices, particulate asbestos material, asbestos slurries, bags or containers that previously contained asbestos, used asbestos-contaminated plastic sheeting and clothing, and ~~clean-up~~ clean up equipment waste, such as cloth rags or mop heads.
- ~~(78)~~ ASBESTOS HAZARD EMERGENCY RESPONSE ACT (AHERA) is the act which legislates asbestos-related requirements for schools (40 CFR Part 763, Subpart E).
- ~~(89)~~ ASSOCIATED DISTURBANCE of ACM ~~or Class II nonfriable ACM~~ is any crumbling or pulverizing of ACM ~~or Class II nonfriable ACM~~, or generation of uncontrolled visible debris from ACM ~~or Class II nonfriable ACM~~.
- ~~(910)~~ CLASS I NONFRIABLE ASBESTOS-CONTAINING MATERIAL is ~~material~~ ACM, containing more than one percent ~~(1%)~~ (1.0%) asbestos as determined by paragraph (h)(2), and that, when dry, can be broken, crumbled, pulverized, or reduced to powder in the course of demolition or

renovation activities. Actions which may cause material to be broken, crumbled, pulverized, or reduced to powder include physical wear and disturbance by mechanical force, ~~such as~~ including, but not limited to, scraping, sanding, sandblasting, cutting, drilling or abrading, improper handling or removal or leaching of matrix binders. Class I nonfriable ~~asbestos-containing material—ACM~~ includes, but is not limited to, packings, gaskets, resilient floor covering, fractured or crushed asbestos cement products, cement water pipes, transite materials, mastic, asphalt roofing products, roofing felts, and roofing tiles, ~~cement water pipes and resilient floor covering~~.

- (~~10~~11) CLASS II NONFRIABLE ASBESTOS-CONTAINING MATERIAL is ~~all other material—ACM~~ containing more than one percent (~~1%~~) (1.0%) asbestos as determined by paragraph (h)(2), that is neither friable nor Class I nonfriable.
- (~~11~~12) COMMERCIAL ASBESTOS is any material containing asbestos that is extracted from asbestos ore.
- (~~12~~13) CUTTING is ~~penetrating—the partial or complete penetration into a material with the intent of removing ACM with—using~~ a sharp-edged instrument, and—Cutting includes sawing, but does not include shearing, slicing, or punching.
- (~~13~~14) DEMOLITION is 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 and related handling operations or the intentional burning of any facility.
- (~~14~~15) EMERGENCY DEMOLITION is a demolition ordered by a governmental agency for the purpose of eliminating peril to the safety of persons, property or the environment resulting from hazards such as collapse, fire, crime, disease, ~~or~~ toxic contamination, or other hazard ~~as~~ determined by the Executive Officer.
- (~~15~~16) EMERGENCY RENOVATION is any renovation that was not planned and results from an imminent threat to public health or safety, a sudden unexpected event that results in unsafe conditions, or encountering previously unknown, damaged, or disturbed ACM during demolition or excavation. ~~Such—Sudden unexpected~~ events include, but are not limited to, renovations necessitated by non-routine failures of equipment, earthquake, flood, or fire damage. An ~~economic—unreasonable financial~~

burden alone, ~~without a sudden, unexpected event~~, does not give rise to conditions that meet this definition.

- (~~16~~17) ENCAPSULATION is the treatment of ACM with a material that surrounds or embeds asbestos fibers in an adhesive matrix to prevent the release of fibers, as the encapsulant creates a membrane over the surface (bridging encapsulant) or penetrates the material and binds its components together (penetrating encapsulant).
- (18) END DATE FOR RENOVATION ACTIVITIES is the last day when teardown is complete or, if later, the last day when all accumulated ACWM is removed from the project site. END DATE FOR DEMOLITION ACTIVITIES is the last day when the last load of building waste has left the project site.
- (~~17~~19) ENCLOSED STORAGE AREA means a storage room, drum, roll-off container, other hard-sided container, or fenced area that is designed to be securely closed with a lock when storing ACM.
- (~~18~~20) FACILITY is any institutional, commercial, public, industrial or residential structure, installation, ~~or building~~; any ship or vessel; and any active or inactive waste disposal site. A facility is subject to this rule regardless of its current use, ~~or function~~, age, or date of construction. For example, a facility destroyed by fire, explosion, or natural disaster, including any debris, shall ~~remains~~ subject to this rule's provisions.
- (~~19~~21) FACILITY COMPONENT is any part of a facility, including, but not limited to, foundations, ~~and or~~ utility/commodity pipelines; and equipment such as ~~but not limited to~~ heaters, boilers, Heating, Ventilation, and Air Conditioning systems (HVAC), and motors.
- (~~20~~22) FRIABLE ASBESTOS-CONTAINING MATERIAL is any material containing more than one percent (~~1%~~)(1.0%) asbestos as determined by paragraph (h)(2), that, when dry, can be crumbled, pulverized, or reduced to powder by using hand pressure or lacks fiber cohesion, identified by flaking, blistering, water damage, scrapes, gouges, or other physical damage. Friable ACM may include, but is not limited to, sprayed-on or troweled-on fireproofing, acoustic ceiling material and ceiling tiles, resilient floor covering backing, thermal systems insulation, nonasphalt-saturated roofing felts, asbestos-containing paper and joint compound.
- (~~21~~23) GLOVE BAG is a sealed compartment with attached inner gloves used for handling ACM. When properly installed and used, glove bags provide a

small work area enclosure typically used for small-scale asbestos stripping operations. Information on glove bag installation, equipment, and supplies, and work practices is contained in the Occupational Safety and Health Administration's final rule on occupational exposure to asbestos (~~Appendix G to~~ 29 CFR 1926.1101(g)).

- (~~22~~24) HIGH EFFICIENCY PARTICULATE AIR (HEPA) FILTER is a filter capable of trapping and retaining at least 99.97 percent of all monodispersed particles of 0.3 micrometer in diameter or larger.
- (25) HOMOGENEOUS MATERIAL is material that is similar in color, texture, and apparent or known date of installation.
- (~~23~~26) INSTALLATION is any building or structure, or any group of buildings or structures, at a single demolition or renovation site, that are under the control of the same owner or operator (or owner or operator under central control).
- (~~24~~27) ISOLATED WORK AREA is the immediate ~~enclosed containment~~ area in which the asbestos abatement activity takes place.
- (~~25~~28) LEAK-TIGHT is the condition whereby any contained solids or liquids are prevented from escaping or spilling out.
- (~~26~~29) LOCKED means rendered securely closed and able to be opened only with a key or an access code.
- (~~27~~30) NONSCHEDULED RENOVATION OPERATION is a renovation operation necessitated by the routine failure of equipment, which is expected to occur within a given calendar year based on past operating experience, but for which an exact date cannot be predicted.
- (~~28~~31) OUTSIDE AIR is the air outside of ~~the a~~ facility or outside of ~~the an~~ isolated work area.
- (~~29~~32) OWNER or OPERATOR OF A DEMOLITION OR RENOVATION ACTIVITY is any person who owns, leases, operates, controls or supervises activities at the facility being demolished or renovated; the demolition or renovation operation; or both.
- (33) OWNER-OCCUPANT is a homeowner who occupies a residential single-unit dwelling as a principal place of residence as demonstrated by an approved claim for the homeowner's property tax exemption or the disabled veterans' property tax exemption.
- (~~30~~34) PERSON is any individual, firm, association, organization, partnership, business, trust, corporation, company, contractor, supplier, installer, user

or owner, or any state or local government agency or public district or any other officer or employee thereof. PERSON also means the United States or its agencies to the extent authorized by Federal law.

- (~~31~~35) PLANNED RENOVATION is 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. Individual ~~n~~ Nonscheduled ~~r~~ Renovation ~~o~~ Operations are included if a number of such operations can be predicted to occur during a given period of time based on ~~operating~~ renovation operation experience.
- (~~32~~36) PROJECT is any renovation or demolition activity, including site preparation and ~~clean-up~~ cleanup activity.
- (~~37~~) RECEPTOR is any residences, institutions (e.g., schools, hospitals), industrial, commercial, and office buildings, parks, recreational areas inhabited or occupied by the public at any time, or such other locations as the District may determine that may be occupied by members of the public at any time.
- (~~33~~38) REMOVAL is the taking out of ACM or facility components, including, but not limited to, cutting, drilling, scraping, abrading, grinding, or similarly disturbing ACM or facility components that contain or are covered with ACM from any facility.
- (~~34~~39) RENOVATION is the altering of a facility or the removing or stripping of one or more facility 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 of ~~heating, ventilation, air conditioning~~ (HVAC) systems. ~~Activity~~ Activities involving the wrecking or taking out of one or more load-supporting structural members are defined as demolitions.
- (~~35~~40) RESIDENTIAL SINGLE UNIT DWELLING is a structure that contains only one residential unit. Duplexes, Apartment ~~apartment~~ buildings, townhouses, and condominiums are not residential single unit dwellings.
- (~~36~~41) RESILIENT FLOOR COVERING is asbestos-containing floor tile, including asphalt and vinyl floor tile, and sheet vinyl floor covering containing more than one percent ~~(1%)~~ (1.0%) asbestos as determined by paragraph (h)(2).

- (42) START DATE is the first date the renovation or demolition activities disturb building materials, including, but not limited to, the setting up of containment. This activity does not include staging of equipment.
- ~~(37)~~43) STRIPPING is the taking off of ACM from any part of a facility or facility component.
- ~~(38)~~44) STRUCTURAL MEMBER is any load-supporting member of a facility, such as beams and load-supporting walls; or any nonload-supporting member, such as ceilings and nonload-supporting walls.
- (45) SUPERVISOR is any employee of the owner or operator conducting the demolition or renovation activity who has the required training as specified in subdivision (i).
- (46) SURFACING MATERIAL is material that is sprayed-on, troweled-on, or otherwise applied to surfaces, including, but not limited to, acoustical, plaster, fireproofing materials, texturizing materials, stucco, or other materials on surfaces for acoustical, fireproofing, or other purposes.
- (47) VISIBLE EMISSIONS are any emissions or evidence of emissions coming from asbestos related activities found outside the isolated work area or on-site storage, including, but not limited to, dust, debris, particles, track-out, or fibers, which are visually detectable without the aid of instruments.
- ~~(39)~~48) WASTE GENERATOR is any person who owns or operates a ~~source~~ facility subject to the provisions of this rule ~~according to~~ as specified in subdivision (b), and whose act or process produces ACWM.
- ~~(40)~~49) WASTE SHIPMENT RECORD is the shipping document, required to be originated and signed by the waste generator, used to track and substantiate the disposition of ACWM as specified ~~by~~ in the provisions of subdivision (f).
- ~~(41)~~50) WORKING DAY is Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

(d) Requirements

A person subject to this rule shall prevent emissions of asbestos to the outside air by complying with the following requirements:

(1) Demolition and Renovation Activities

The owner or operator of any demolition or renovation activity shall comply with the following requirements:

(A) Facility Survey

- (i) The affected facility, part of the facility where the demolition or renovation operation will occur, or facility components shall be thoroughly surveyed by an asbestos consultant, meeting the requirements of clause (d)(1)(A)(iv) or (v), for the presence of asbestos prior to any demolition or renovation activity. The survey shall include the onsite inspection, identification, and quantification of all friable, and Class I and Class II ~~non-friable-nonfriable asbestos-containing material~~-ACM, and any physical sampling of materials as specified in subdivision (h). There are no exceptions to this survey requirement based on the date of construction or the age of a facility.
- (ii) A thorough survey shall include, at a minimum, identification of all affected materials at the facility, including but not limited to all layers of flooring materials to the joist level, and all materials in the wall or ceiling cavities as necessary to identify and sample them.
- (iii) The survey shall be documented with the following information:
- (I) The name, address, and telephone number of the person who conducted the survey;
 - (II) A written statement of the qualifications of the ~~person~~-asbestos consultant who conducted the survey, demonstrating compliance with clause (d)(1)(A)(iv) or (v);
 - (III) The dates the facility was visited and the survey was conducted;
 - (IV) A listing of all suspected materials containing any asbestos, a listing of all samples collected, ~~and~~-a sketch ~~of~~ detailed sufficiently to determine where the samples were taken, and a unique code or number delineating each sample on the sketch;
 - (V) A table of all suspected materials tested, the approximate area (in square feet) of each homogeneous material, the asbestos content of each

material tested, and an estimated percentage of the area that is damaged or disturbed;

- ~~(VI)~~ The name, address, and telephone number of any laboratory used to conduct analyses of materials for asbestos content;
 - (VII) A detailed Chain of Custody (COC) document identifying all samples obtained shall, at minimum, satisfy the following:
 - (1) Record the name of the individual collecting the samples, facility name, facility address, and the date samples were obtained;
 - (2) Record the location, type of material, and unique identification number or code for each sample that was obtained; and,
 - (3) Whenever the possession of samples is transferred, both the individual relinquishing the samples and the individual receiving the sample shall sign, print their name legibly, and record the date and time on the COC document.
 - ~~(VIII)~~ A statement of qualification of the laboratory which conducted the analyses, demonstrating compliance with paragraph (h)(2);
 - ~~(IX)~~ A list of the test methods used, demonstrating compliance with subdivision (h), including sampling protocols and laboratory methods of analysis, test data, and any other information used to identify or quantify any materials containing asbestos; and
 - ~~(X)~~ A general description of the condition of the facility, including but not limited to a description of any obvious fire or structural damage.
- (iv) Persons ~~conducting~~ contracted to perform asbestos surveys, ~~in accordance with~~ as specified in subparagraph (d)(1)(A), shall be certified by Cal/OSHA pursuant to regulations required by subdivision (b) of Section 9021.5 of the Labor

Code, and shall have taken and passed an EPA-approved Building Inspector Course and conform to the most recent updated procedures outlined in the Course.

(v) Employees conducting asbestos surveys at their employer's facilities exclusively, as specified in subparagraph (d)(1)(A), shall possess a current and valid certificate from a Cal/OSHA approved AHERA Building Inspector training course.

(B) Notification

The District shall be notified of the intent to conduct any demolition or renovation activity. Complete and correct Notifications shall be submitted by the person performing the renovation or demolition in a District-approved electronic format. ~~format which may include but not be limited to U.S. mail, telephone, facsimile, digital, internet, and e-mail. Telephone, facsimile, digital, and e-mail notifications shall be confirmed with follow-up written notifications to the District postmarked or delivered to the District within 48 hours from submitting the telephone, facsimile, digital, or e-mail notification.~~ No notification shall be considered ~~received~~ submitted unless it is accompanied by the required fee ~~pursuant to~~ in accordance with District Rule 301, as part of the required written notification and has a status of "submitted" in the District Rule 1403 Notification Web Application. Notifications for emergency renovations or emergency demolitions that require immediate attention or during periods when the Web Application is unavailable shall be made by calling (800) CUT-SMOG. Notifications shall be provided ~~in accordance with~~ as specified in the following requirements:

(i) Time Schedule

(I) Demolition or Renovation Activities

The notification shall be submitted to the District no later than 10 working days before any demolition or renovation activities other than emergency demolition, emergency renovation, ~~or~~ and planned renovations involving individual ~~n~~ Nonscheduled ~~r~~ Renovation ~~o~~ Operations begin.

(II) Renovation Activities exclusively involving Underground Pipe Situated in Remote Locations

The notification shall be submitted to the District no later than two (2) working days before any activities begin if the location is more than one-quarter (1/4) mile from nearest Receptor. The distance to the nearest Receptor, the method used to determine the distance, and the person determining the distance shall be included with the survey.

~~(HIII)~~ (HIII) Planned Renovation - Annual Notification

The District shall be notified by December 17 of the year preceding the calendar year for which notice is being given for ~~p~~-Planned ~~r~~-Renovation activities which involve individual ~~n~~-Nonscheduled ~~r~~-Renovation ~~o~~-Operations.

~~(HIV)~~ (HIV) Emergency Demolition or Renovation

The District shall be notified as soon as possible, but prior to any emergency demolition or renovation activity as specified in clauses (d)(1)(B)(iii) and (d)(1)(B)(iv).

(ii) Notification Required Information

All notifications shall include the following information:

- (I) An indication of whether the notice is the original or a revised notification;
- (II) Name, address and telephone number of both the site owner and operator of the facility, at least one supervising person-supervisor, and the asbestos removal contractor, ~~owner or operator~~;
- (III) Address and location of the facility to be demolished or renovated and the type of operation: demolition or renovation;
- (IV) Description of the facility or affected part of the facility to be demolished or renovated, including the size (measured in square meters or square feet), ~~and~~, number of floors), age, and present or prior uses of the facility;

- (V) The specific location of each renovation or demolition at the facility and a description of the facility components or structural members contributing to the ACM to be removed or stripped from the facility;
- (VI) Scheduled project ~~starting~~ and ~~completion~~ end dates of demolition or renovation. ~~Notifications shall also include the ACM removal starting and completion dates for demolition or renovation;~~ Planned ~~r~~ Renovation activities involving individual ~~n~~ Nonscheduled ~~r~~ Renovation ~~o~~ Operations need only include the ~~beginning~~ start and ~~ending~~ dates of the report period ~~as described in~~ as specified in subclause (d)(1)(B)(i)(~~H-III~~);
 - (1) For projects that do not conform to the traditional Monday through Friday work schedule, a Schedule of Work shall be included as part of the notification and updated as soon as the change of schedule is known, but no later than the first work shift when the change of schedule takes effect.
 - (2) For projects that suffer a delay due to events outside their control after the Start Date, including, but not limited to, flood, fire, or earthquake; an updated Schedule of Work shall be submitted as soon as the delay is known, but no later than the start of the work shift that was delayed. A reason for the delay shall be included with the updated Schedule of Work.
- (VII) Brief description of work practices and engineering controls to be used to comply with this rule, including asbestos removal and waste handling emission control procedures;
- (VIII) A separate estimate for each of the amounts of friable, Class I, and Class II nonfriable asbestos-

containing material to be removed from the facility in terms of ~~length of pipe in linear feet, surface area in square feet on other facility components, or volume in cubic feet if off the facility components. The total as equivalent surface area in square feet shall also be reported;~~

- (IX) Name and location of waste disposal site where ACWM will be deposited.
- (X) Description of steps to be followed in the event that unexpected ACM is ~~found~~ discovered ~~or Class II nonfriable asbestos-containing material becomes crumbled, pulverized, or reduced to powder;~~
- (XI) California ~~State~~ Contractors State License Board Certification ~~certification~~ number;
- (XII) Cal/OSHA Registration number - for renovation activities;
- (XIII) Name and location address of off-site storage area for ACWM;
- (XIV) Name, address, Department of Toxic Substances Control (DTSC) Registration Number and expiration date, and telephone number of transporters used to transport ACWM off-site;
- (XV) Procedures, including analytical methods, used to detect the presence of friable and nonfriable asbestos-containing material; ~~and~~
- (XVI) Signed certification that at least one person employed by the renovation or demolition operator who has been trained as required in subparagraph (d)(1)(G) will ~~be supervise~~ supervising the stripping and removal the activities described by this notification;:
- (XVII) Demolition notifications shall also include, if applicable: the name of the renovation operator that removed ACM; the end date for the removal of the ACM; and the quantity of ACM removed; and,
- (XVIII) The name, address, telephone number and, either:

- (1) A valid Cal/OSHA certification number of the person who was contracted to complete the asbestos survey report, and the date of the asbestos survey report; or,
 - (2) A valid Cal/OSHA approved AHERA building inspector certification number of the person employed by the facility who completed the facility survey and the date of the asbestos survey report.
- (iii) Emergency Demolition Additional Information
Notification of all emergency demolition activities shall include the following additional information
 - (I) The agency, name, title, telephone number and authority of the representative who ordered the emergency demolition; and
 - (II) A copy of the order, and the date on which the demolition was ordered to begin.
- (iv) Emergency Renovation Additional Information
Notification of all emergency renovation activities shall include the following additional information:
 - (I) The name and phone number of the responsible manager or authorized person who is in charge of the emergency renovation;
 - (II) The date and approximate hour that the emergency occurred;
 - (III) A description of the ~~sudden, unexpected~~ event that meets the parameters of the definition in paragraph (c)(16);
 - (IV) An explanation of how the event that meets the parameters of the definition in paragraph (c)(16), caused an unsafe condition, or would cause equipment damage or an unreasonable financial burden; and~~;~~
 - (V) A ~~signed~~ letter with a valid signature from the person directly affected by the emergency, such as the property owner or property manager, attesting to

the circumstances of the emergency. The letter shall contain in the signature section the following statement, “I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.” Both the person affected by the emergency and an authorized representative for the renovation contractor shall sign the certification or declaration on the same page. In lieu of a renovation contractor’s signature, the person affected by the emergency shall sign the letter in the presence of a Notary Public and obtain and attach that notary’s certificate of acknowledgement or jurat for the letter’s signing.

(v) Notification Updates

All notifications shall be updated when any of the following conditions arise:

(I) Cancellation

Projects that will not be conducted as notified shall be cancelled prior to midnight of the notified start date.

~~(II)~~ Change in Quantity of Asbestos

A change in the quantity of affected asbestos of 20 percent or more from the notified amount shall be reported to the District by providing a notification revision in the District Rule 1403 Notification Web Application as soon as the information becomes available, but not later than the project end date, unless otherwise specified in an approved Procedure 5.

~~(HII)~~ Later Start~~ing~~ Date

A delay in the start~~ing~~ date of any demolition or renovation activity shall be reported to the District by providing a notification revision in the District Rule 1403 Notification Web Application as soon as the information becomes available, but no later than the original start date.

~~(III)~~ (IV) Earlier Starting Date

A change in the starting date of any demolition or renovation activity to an earlier starting date shall be reported to the District by providing a notification revision in the District Rule 1403 Notification Web Application no later than 10 working days before any demolition or renovation activities begin.

~~(IV)~~ (V) ~~Completion-End~~ Date Change

~~Changes in the completion date shall be reported to the District at least 2 calendar days before the original scheduled completion date.~~ In the event renovations or demolitions are not completed, are delayed, or are completed ahead of schedule, the District shall be notified by providing a notification revision in the District Rule 1403 Notification Web Application as soon as possible, but no later than the following ~~business~~ day.

~~(V)~~ (VI) Planned Renovation Progress Report

Notifications for on-going planned renovation operations in which the scheduled starting and ~~completions-end~~ dates are more than one (1) year apart shall be updated, every year of the operation by December 17, unless the most recent ~~written~~ notification update was postmarked or delivered after October 1 of that year and include the amount of ACM removed and the amount of ACM remaining to be removed.

(C) Asbestos Removal Schedule

Material containing asbestos shall be removed from a facility according to the following schedule:

(i) Burning Demolitions

All ACM and Class II asbestos-containing material shall be removed from a facility prior to any demolition by intentional burning. All demolition by intentional burning shall be performed in accordance with District Rule 444 – Open Burning.

- (ii) Renovations and Non-Burning Demolitions
- (I) All ACM shall be removed from a facility being demolished or renovated before any non-burning demolition or renovation activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal.
- (II) ACM not accessible for testing or not discovered until after the renovation or demolition activities begin may be removed after the start of the renovation or non-burning demolition activities, pursuant to the appropriate procedure in subparagraph (d)(1)(D).
- (III) Notwithstanding the above, asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products which are not friable and are not crumbled, cut, abraded, or otherwise not damaged or disturbed and in good condition, may be removed after the start of renovation or non-burning demolition activities if prior approval from the District is obtained (Procedure 5).
- (IV) If the renovation or demolition activity involves any mechanical force ~~such as~~, including, but not limited to, scraping, sanding, sandblasting, cutting, or abrading and thus would render the materials friable, ~~they the materials must~~ shall be removed prior to the renovation or demolition.
- (V) If for any reason, any renovation or demolition results in ~~an~~ associated damage or disturbance of ACM ~~or Class II nonfriable ACM~~ outside of a containment or work area then, prior to continuing with any renovation or demolition activity, the owner/operator shall secure, stabilize and survey the affected facility areas and submit and obtain an approved Procedure 5 plan, prior to any asbestos ~~clean-up~~ cleanup.

(D) Removal Procedures

(i) One or more of the following procedures shall be used when removing or stripping ACM:

(I) Procedure 1 - HEPA Filtration

Remove ACM within an isolated work area. The following techniques shall be used during Procedure 1 ACM removal activities:

- (1) All stationary objects and surfaces not intended for removal or stripping of ACM shall be covered with plastic sheeting;
- (2) All air passageways, such as doors, windows, vents and registers in the work area, shall be covered and rendered air tight with plastic sheeting or hard wooden barriers with studded support. Air passageways used to provide makeup air for the isolated work space need not be covered;
- (3) All sources of air movement, including the air-handling system, shall be shut off or temporarily modified to restrict air movement into the work zone;
- (4) The barriers used for the construction of the isolated work area shall be equipped with transparent viewing ports which allow outside observation of all stripping and removal of ACM;
- (5) The isolated work area shall be vented, with negative air pressure to a HEPA filtration system, which shall be operated continuously from the commencement of removal activities through the final ~~clean-up~~ cleanup of the work area;
- (6) The HEPA filter shall be free of tears, fractures, holes or other types of damage and shall be securely latched and properly

- situated in the holding frame to prevent air leakage from the filtration system; and
- (7) ACM shall be adequately wet during the removal process.
- (II) Procedure 2 - Glove_bag
Remove ACM by the glove_bag method or mini enclosures designed and operated according to 29 CFR ~~Section~~ 1926.1101(g), ~~Appendix G~~, and current Cal/OSHA requirements.
- (III) Procedure 3 - Adequate Wetting
Procedure 3 shall only be used to remove nonfriable asbestos-containing materials, using the following techniques:
- (1) All exposed ACM shall be adequately wet during cutting or dismantling procedures.
 - (2) ACM shall be adequately wet while it is being removed from facility components and prior to its removal from the facility.
 - (3) Drop cloths and tenting shall be used to contain the work area to the extent feasible.
 - (4) Only non-power tools shall be used to remove nonfriable ACM.
- (IV) Procedure 4 - Dry Removal
~~Obtain written~~ Written approval shall first be obtained from the Executive Officer's ~~designee~~ prior to using dry removal methods for the control of asbestos emissions when adequate wetting procedures in the renovation work area would unavoidably damage equipment or present a safety hazard. Dry removal methods may include one or more of the following:
- (1) Use of a HEPA filtration system, operated ~~in accordance with~~ as specified in subclause (d)(1)(D)(i)(I), within an isolated work area;

- (2) Use of a glove_bag system, operated ~~in accordance with~~ as specified in subclause (d)(1)(D)(i)(II); or
 - (3) Use of leak-tight wrapping or an approved alternative, to contain all ACM removed in units or sections prior to dismantlement.
- (V) Procedure 5 - Approved Alternative
- (1) Use an alternative combination of techniques and/or engineering controls. Written approval from the Executive Officer ~~or his designee~~ shall first be obtained prior to the use of a Procedure 5 Approved Alternative.
 - (2) The Executive Officer may pre-approve specific combinations of techniques and/or engineering controls in writing, which may be used by any person as a Procedure 5 Approved Alternative, subject to such conditions and limitations as required by the Executive Officer.
 - (3) No person shall use a Procedure 5 Approved Alternative without complying with all of the conditions and limitations set forth therein.
- (ii) Specific procedure requirements
- (I) No person shall remove ~~or~~ strip, or abate any amount of ACM ~~or Class II nonfriable ACM~~ that has suffered any damage or disturbance from fire, explosion, or natural disaster without the use of a Procedure 4 or 5 Approved Alternative. The causes of damage or disturbance include, but are not limited to, fire, flood, explosion, or other disaster.
 - (II) Notification for material that has not been exposed, thereby making an assessment of the condition of the material impossible (e.g. underground piping), and that an asbestos consultant has presumed or

assumed to be asbestos-containing, shall be submitted as a Procedure 4 or 5 Approved Alternative. A facility survey is still required as specified in subparagraph (d)(1)(A).

(E) Handling Operations

All ACWM shall be collected and placed in transparent, leak-tight containers or wrapping. The following techniques shall be used.

- (i) ACM shall be carefully lowered to the ground or a lower floor without dropping, throwing, sliding, or otherwise damaging or disturbing the ACM;
- (ii) ACM which has been removed or stripped more than 50 feet above ground level and was not removed as units or in sections shall be transported to the ground via leak-tight chutes or containers;
- (iii) ACWM shall be collected, and sealed in leak-tight containers. ACWM shall be adequately wet prior to and during collection and packaging. Alternatively, areas of Class I nonfriable asbestos-containing material which have become friable or have been subjected to sanding, grinding, cutting, or abrading, may be sealed via encapsulation; and
- (iv) All surfaces in the isolated work area shall be cleaned, with a vacuum system utilizing HEPA filtration, wet mopping and wipe down with water, or by an equivalent methods, prior to the dismantling of plastic barriers or sealed openings within the work area.

(F) Freezing Temperature Conditions

When the temperature at the point of wetting is below 0° Celsius (32° Fahrenheit), the wetting provisions of subparagraph (d)(1)(D) shall be superseded by the following requirements:

- (i) Facility components containing, coated with, or covered with ACM shall be removed as units or in sections to the maximum extent possible; and
- (ii) The temperature in the area containing the facility components shall be recorded at the beginning, middle, and end of each workday during periods when wetting operations are suspended due to freezing temperatures.

Daily temperature records shall be available for inspection by the District during normal business hours at the demolition or renovation site. Records shall be retained for at least two (2) years.

(G) On-Site ~~Representative Supervisor~~

At least one on-site ~~representative-supervisor~~, such as a foreman, manager, or other authorized representative, trained ~~in accordance with as specified in~~ the provisions of paragraphs (i)(1) ~~and-or~~ (i)(~~3~~2), shall be present during the ~~stripping, removing, handling, or disturbing of ACM~~ activities described in the notification. Evidence that the required training has been completed shall be posted at the demolition or renovation site and made available for inspection by the Executive Officer's ~~designee~~.

(H) On-Site Proof

The following shall be maintained on-site and shall be provided to the District upon request:

- (i) California ~~State~~—Contractor's State License Board certification number, where required;
- (ii) Cal/OSHA Registration number, where required;
- (iii) ~~e~~ Copies of surveys, conducted ~~pursuant to~~ as specified in subparagraph (d)(1)(A); ~~and~~
- (iv) ~~e~~ Copies of notifications submitted ~~pursuant to~~ as specified in subparagraph (d)(1)(B);
- (v) Copies of the training certificate(s) demonstrating that the on-site supervisor has been trained as specified in subparagraphs (i)(1)(A), (i)(1)(C), or (i)(2)(A);
- (vi) Copies of all current training certificates demonstrating that workers have successfully completed the Abatement Worker course, or refresher course as applicable, in accordance with AHERA regulations; and,
- (vii) Copies of all supervisor logs or equivalent records documenting the demolition or renovation activities at the project site.

Proof shall be consistent with the most recently updated information submitted in the notification.

- (I) On-Site Storage
No ACWM shall be stored on-site except in a leak-tight container. When leak-tight containers are not in use, they shall be kept inside an enclosed storage area. The enclosed storage area shall not be accessible to the general public and shall be locked when not in use.
 - (J) Disposal
All ACWM shall be disposed of at a waste disposal site that is operated ~~in accordance with~~ as specified in paragraph (d)(3) ~~of this rule~~.
 - (K) Container Labeling
Leak-tight containers which contain ACWM shall be labeled as specified in subdivision (e).
 - (L) Transportation Vehicle Marking
Vehicles used to transport ACWM shall be marked, ~~as specified in~~ subdivision (e), during the loading and unloading of ACWM.
 - (M) Waste Shipment Records
Waste Shipment Records shall be prepared and handled ~~in accordance with~~ as specified in the provisions of paragraph (f)(1).
 - (N) Recordkeeping
Records shall be kept as specified in subdivision (g).
- (2) ACWM Storage Facilities
The owner or operator of any ACWM storage facility shall comply with the following requirements:
- (A) Maintenance and Handling
 - (i) ACWM shall be stored in leak-tight containers;
 - (ii) All leak-tight containers shall be labeled as specified in paragraph (e)(1); and
 - (iii) ACWM shall be stored in an enclosed locked area.
 - (B) Transportation Vehicle Marking
Vehicles used to transport ACWM shall be marked, as specified in paragraph (e)(3), during the loading and unloading of ACWM.
 - (C) Waste Shipment Records
Waste Shipment Records shall be handled ~~in accordance with~~ as specified in the provisions of paragraph (f)(2).

(D) Recordkeeping

Records shall be maintained as specified in paragraph (g)(2).

(3) Active Waste Disposal Sites

The owner or operator of any waste disposal site where ACWM is being deposited shall comply with the following requirements:

(A) Maintenance and Handling

(i) ACWM shall be in leak-tight containers;

(ii) Warning signs, as specified in paragraph (e)(2), shall be displayed at all entrances and at intervals of 330 feet or less along the property line of the site or along the perimeter of the sections of the site where ACWM is being deposited;

(iii) Access to the general public shall be deterred by maintaining a fence along the perimeter of the site or by using a natural barrier;

(iv) All ACWM shall be maintained in a separate disposal section;

(v) ACWM deposited at the site shall be covered with at least six (6) inches of nonasbestos-containing material at the end of normal business hours. The waste shall be compacted only after it has been completely covered with nonasbestos-containing material. A low pressure water spray or nontoxic dust suppressing chemical shall be used for any surface wetting after compaction; and

(vi) ACWM shall be covered with a minimum of an additional thirty (30) inches of compacted nonasbestos-containing material prior to final closure of the waste disposal site, and shall be maintained to prevent exposure of the ACWM.

(B) Transportation Vehicle Marking

Vehicles used to transport ACWM shall be marked, as specified in paragraph (e)(3), during the loading and unloading of ACWM.

(C) Waste Shipment Records

Waste Shipment Records shall be handled ~~in accordance with~~ as specified in the provisions of paragraph (f)(2).

(D) Recordkeeping

Records shall be maintained as specified in paragraph (g)(3).

(e) Warning Labels, Signs, and Markings

Warning labels, signs, and markings shall be used to identify asbestos related health hazards and comply with the following requirements:

(1) Leak-Tight Containers

Leak-tight containers shall be labeled according to the following requirements:

- (A) Warning labels for leak-tight containers and wrapping shall have letters of sufficient size and contrast as to be readily visible and legible, and shall contain ~~the following all~~ information, ~~or as specified~~ in accordance with ~~by the~~ Occupational Safety and Health Standards of the Department of Labor, Occupational Safety and Health Administration (OSHA) under 29 CFR ~~1910.1001(j)(2)~~ ~~or 1926.58(k)(2)(iii),~~ 1926.1101(k)(8), or current Cal/OSHA requirements.

CAUTION**~~Contains Asbestos Fibers~~****~~Avoid Opening or Breaking Container~~****~~Breathing Asbestos is Hazardous to Your Health~~****or****DANGER****~~CONTAINS ASBESTOS FIBERS~~****~~AVOID CREATING DUST~~****~~CANCER AND LUNG DISEASE HAZARD~~**

- (B) Leak-tight containers that are transported off-site shall be labeled with the name of the waste generator and the location at which the waste was generated. The location description shall include the street address. The label shall be clearly visible and readable from the outside of the container.

(2) Active Waste Disposal Sites

No person shall operate an active waste disposal site unless warning signs are conspicuously posted and meet all of the following requirements:

- (A) ~~Are~~ Signs shall be visible and displayed in such a manner and location that a person can easily read the legend;
- (B) ~~Conform~~ Signs shall conform to the requirements ~~for cited in 40~~ CFR 61.149(d)(1)(i), (ii), and (iii) and display a size of 51 em

centimeters x 36 ~~em-centimeters~~ (20 inches x 14 inches) upright format ~~signs specified and conform to the color requirements~~ in ~~accordance with~~ 29 CFR 1910.145(d)(4) ~~and this paragraph~~;

- (C) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this subparagraph:

LEGEND	NOTATION
Asbestos Waste Disposal Site	2.5 cm (1 inch) Sans Serif, Gothic or Block
Do Not Create Dust	1.9 cm (3/4 inch) Sans Serif, Gothic or Block
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic

; and,

- (D) Have spacing between any two (2) lines at least equal to the height of the upper of the two (2) lines.

(3) Transportation Vehicles

Markings for transportation vehicles that are used to transport ACWM shall, during the loading and unloading of ACWM, use signs that shall meet all of the following requirements:

- (A) ~~Be~~ Signs shall be visible and displayed in such a manner and location that a person can easily read the legend;
- (B) ~~Conform~~ Signs shall conform to the requirements ~~for cited in 40 CFR 61.149(d)(1)(i),(ii), and (iii) and display a size of 51 em-centimeters~~ x 36 ~~em-centimeters~~ (20 inches x 14 inches) upright format ~~signs specified and conform to the color requirements~~ in 29 CFR 1910.145(d)(4) ~~and this paragraph~~; ~~and~~
- (C) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this subparagraph:

LEGEND	NOTATION
DANGER	2.5 cm (1 inch) Sans Serif, Gothic or Block
ASBESTOS DUST HAZARD	2.5 cm (1 inch) Sans Serif, Gothic or Block
CANCER AND LUNG DISEASE HAZARD	1.9 cm (3/4 inch) Sans Serif, Gothic or Block
Authorized Personnel Only	14 Point Gothic

; and

- (D) Have spacing between any two lines at least equal to the height of the upper of the two (2) lines.

(f) Waste Shipment Records

(1) Waste Generators

A waste generator shall comply with the following:

- (A) Waste shipment information shall include, but not be limited to, the following:
- (i) The name, address, and telephone number of the waste generator;
 - ~~(ii) The name, address, and telephone number of the South Coast Air Quality Management District;~~
 - ~~(iii-ii)~~ The quantity of ACWM ~~in cubic meters or cubic yards;~~
 - ~~(iv-iii)~~ The name and telephone number of the disposal site owner and operator;
 - ~~(v-iv)~~ The name and physical site location of the disposal site;
 - ~~(vi-y)~~ The date transported;
 - ~~(vii-vi)~~ The name, address, and telephone number of the transporter; and
 - ~~(viii-vii)~~ A signed certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and in proper condition for highway transport according to applicable federal, state, and local regulations.

- (B) A copy of the Waste Shipment Record shall be provided to the disposal site owner or operator at the same time the ACWM is delivered to the disposal site.
 - (C) If a copy of the Waste Shipment Record, signed by the owner or operator of the designated disposal site, is not received within 35 days of the date the ACWM was accepted by the initial transporter, the transporter and/or the owner or operator of the designated disposal site shall be contacted to determine the status of the waste shipment.
 - (D) If a copy of the Waste Shipment Record, signed by the owner or operator of the designated disposal site, is not received within 45 days of the date the ACWM was accepted by the initial transporter, a written report shall be submitted to the District and shall include the following:
 - (i) A copy of the Waste Shipment Record for which a confirmation of delivery was not received; and
 - (ii) A signed cover letter explaining the efforts taken to locate the ACWM shipment and the results of those efforts.
- (2) Storage and Active Waste Disposal Facilities
- The owner or operator of any storage facility or active waste disposal site shall comply with the following requirements:
- (A) Waste shipment information shall be filled out on the Waste Shipment Record forms provided by the waste generator, for all ACWM received from an off-site facility, and shall include, but not be limited to, the following:
 - (i) The name, address, and telephone number of the waste generator;
 - (ii) The name, address, and telephone number of the transporter;
 - (iii) The quantity of ACWM received in cubic meters or cubic yards; and
 - (iv) The date of receipt.
 - (B) No shipment of ACWM shall be received from an off-site facility unless it is accompanied with a completed Waste Shipment Record signed by the waste generator.

- (C) If there is a discrepancy between the quantity of ACWM designated in the Waste Shipment Record and the quantity actually received, and if the discrepancy cannot be resolved with the waste generator within 15 days of the date the ACWM was received, a written report shall be filed with the District. The report shall include the following:
 - (i) A copy of the Waste Shipment Record; and
 - (ii) A signed cover letter explaining the discrepancy, and the attempts to reconcile it.
 - (D) If any shipment of ACWM is not properly containerized, wrapped, or encapsulated, a written report shall be filed with the District. The report shall be postmarked or delivered within 48 hours after the shipment is received, or the following business day.
 - (E) A signed copy of the Waste Shipment Record shall be provided to the waste generator no later than 30 calendar days after the ACWM is delivered to the disposal site.
- (g) Recordkeeping
- (1) Demolition and Renovation Activities

The owner or operator of any demolition or renovation activity shall maintain the following records for not less than three (3) years and make them available to the District upon request:

 - (A) A copy of all survey-related documents;
 - (B) A copy of all submitted notifications. A copy of the most recently updated written notification submitted in accordance with the provisions of this rule shall be maintained on-site;
 - (C) A copy of all written approvals obtained under the requirements of subparagraph (d)(1)(D);
 - (D) A copy of all Waste Shipment Records;
 - (E) All training informational materials used by an owner or operator to train supervisors or workers for the purposes of this rule; ~~and~~
 - (F) A copy of all supervisors and workers training certificates and any annual reaccreditation records which demonstrate EPA-approved or state accreditation to perform asbestos-related work; ~~and~~, and.

- (G) A copy of all contracts the owner or operator has entered into for the performance of labor in a demolition or renovation activity or the related removal of waste.
- (2) Storage Facilities
The owner or operator of any storage facility shall maintain a copy of all Waste Shipment Records on-site for not less than three (3) years and make them available to the District upon request.
- (3) Active Waste Disposal Sites
The owner or operator of an active waste disposal site shall maintain the following information on-site for not less than three (3) years and make them available to the District upon request:
- (A) A description of the active waste disposal site, including the specific location, depth and area, and quantity, in cubic meters or cubic yards, of ACWM within the disposal site on a map or diagram of the disposal area;
- (B) A description of the methods used to comply with waste disposal requirements; and
- (C) A copy of all Waste Shipment Records.
- (4) In lieu of the requirements of paragraph (g)(1), the owner or operator of a renovation activity at any facility, in which less than 100 square feet of surface area of ACM on facility components is removed or stripped, may instead elect to maintain the following information for a period of not less than three (3) years, and make it available to the District upon request:
- (A) A copy of all survey-related documents;
- (B) Records containing an estimate of the amount of ACM removed or stripped at each renovation subject to this paragraph;
- (C) Type of removal controls used for each renovation; and
- (D) A copy of all Waste Shipment Records.
- (h) Sampling Protocols and Test Methods
- (1) Sampling of materials suspected to contain asbestos, ~~to comply with this rule,~~ shall be conducted ~~following the provisions of 40 CFR Part 763.86.~~ as follows:
- (A) Bulk samples shall be collected from each homogeneous area of friable surfacing material that is not assumed to be ACM as follows:

- (i) A minimum of three samples shall be collected from each area of homogeneous material that is 1,000 square feet or less, except as provided in subparagraph (h)(1)(D);
 - (ii) A minimum of five samples shall be collected from each area of homogeneous material that is greater than 1,000 square feet but less than 5,000 square feet, except as provided in subparagraph (h)(1)(D); and,
 - (iii) A minimum of seven samples shall be collected from each area of homogeneous material that is greater than, or equal to, 5,000 square feet, except as provided in subparagraph (h)(1)(D).
- (B) Bulk samples shall be collected from each homogeneous area of other friable material (other than friable surfacing) that is not assumed to be ACM as follows:
- (i) A minimum of three samples shall be collected from each homogeneous material; except as provided in subparagraph (h)(1)(D).
- (C) Bulk samples shall be collected from each homogeneous area of Class I and Class II nonfriable material that is not assumed to be ACM as follows:
- (i) A minimum of one sample shall be collected from each area of homogeneous material that is 16 square feet or less; and,
 - (ii) A minimum of three samples shall be collected from each area of homogeneous material that is greater than 16 square feet, except as provided in subparagraph (h)(1)(D).
- (D) A homogeneous area shall be determined to be ACM based on a finding that the results of at least one sample collected from that area shows that asbestos is present in an amount greater than one percent (1.0%).
- (E) A homogeneous area is considered not to contain ACM only if the results of all samples required to be collected from the area show asbestos in amounts of one percent (1.0%) or less, as specified in subparagraphs (h)(1)(A) through (C).
- (F) When composite sampling is performed of layered materials, analysis shall be performed as specified in subparagraph (h)(2)(C).

- (2) Analysis of materials ~~for suspected to contain~~ asbestos, ~~to comply with this rule,~~ shall be determined ~~by using SCAQMD Method 300-91 as detailed in the District's Laboratory Methods of Analysis for Enforcement Samples manual,~~ or by using the Methods ~~specified~~ in accordance with Appendix A, Subpart F, 40 CFR Part 763, Section 1 40 CFR Part 763 Appendix E to Subpart E, Polarized Light Microscopy or the EPA Method for the Determination of Asbestos in Bulk Building Materials (EPA/600/R-93/116). Asbestos analyses performed to comply with this rule ~~must~~ shall be undertaken by laboratories accredited by the National Voluntary Laboratory Accreditation Program (NVLAP). ACM shall be determined as follows:
- (A) A sample in which no asbestos is detected by Polarized Light Microscopy (PLM) does not have to be point counted.
- (B) For a sample in which the amount of asbestos is detected and determined by PLM to be less than 10%, the facility owner or operator may direct the asbestos consultant to presume or assume the amount to be greater than one percent (1.0%) asbestos and treat the material as ACM, or the amount must be verified as follows:
- (i) ACM content shall be determined by a minimum 400-point count or a more stringent technique for determining the asbestos concentration as outlined in EPA Method 600/R-93/116.
- (C) The analysis of composite samples of multi-layered material, including, but not limited to, stucco (base and scratch coat) and wall systems is prohibited for the quantification of asbestos content. All separable layers shall be analyzed and reported separately for asbestos content.
- (D) If any analysis is performed which shows a single sample greater than one percent (1.0%) ACM, then an asbestos consultant may forgo analysis of subsequent samples.
- (i) Training Requirements
- (1) The owner or operator performing a ~~demolition or~~ renovation activity shall provide asbestos-related training as follows:
- (~~A~~) On-site ~~supervisory personnel~~ Supervisors shall successfully complete the Asbestos Abatement Contractor/Supervisor course

pursuant to the ~~Asbestos Hazard Emergency Response Act (AHERA)~~, and obtain and maintain accreditation as an AHERA Asbestos Abatement Contractor/Supervisor.

~~(2B)~~ Workers shall successfully complete the Abatement Worker course pursuant to the AHERA and obtain and maintain accreditation as an AHERA Abatement Worker.

~~(3C)~~ ~~Supervisory personnel-Supervisors~~ and workers shall be trained ~~on as specified in~~ the provisions of this rule ~~as well as on and in accordance with~~ the provisions of 40 CFR ~~Part~~ 61.145, 61.146, 61.147 and 61.152 (Asbestos NESHAP provisions) and ~~Part 763~~ 40 CFR Part 763, Subpart E, and the means by which to comply with these provisions.

(2) The owner or operator performing a demolition activity shall provide asbestos-related training as follows:

(A) On-site Supervisors shall obtain a certificate by attending the District Rule 1403 Compliance Assistance Class or an equivalent training course such as an asbestos awareness class.

(j) Exemptions

(1) The requirements of paragraph (d)(1) shall not apply to a responses to hazardous situations that poses an imminent threat to public health or safety provided that the procedures in subparagraph (j)(1)(A) are completed. Once the imminent threat has been addressed, activity must stop, the site must be secured, stabilized, and surveyed for the presence and condition of ACM and asbestos-contaminated materials. If ACM has been damaged or disturbed as a result of, or as part of the response to, the hazardous situation and was not cleaned up as a necessary part of the response, a Procedure 4 or 5 (Approved Alternative) cleanup plan must be submitted for review and approval prior to proceeding with the cleanup. By the end of the third working day following the incident, a written notification of the hazard and hazard response shall be submitted to the District as specified in subparagraph (j)(1)(B), as well as any required Procedure 4 or 5 cleanup plan.

(A) Prior to commencing an excavation or a renovation to address an imminent threat to public health or safety, contact the District at (800) CUT-SMOG to declare that a response to an imminent threat

to public health or safety is required and provide the following information:

- (i) Name of the facility owner;
- (ii) Site address, cross streets, or GPS location of the event or situation;
- (iii) Contact name and phone number for on-site representative (e.g. site/response supervisor); and
- (iv) A general description of the event or situation that required the response.

(B) Written notification of the hazard and hazard response shall include: A completed 1403 Notification Form; name and phone number of the responsible person who is in charge of the response; date and approximate time that the hazardous situation occurred; an explanation of the hazardous event; and a summary of the action taken in response to the hazardous situation.

- (12) The notification requirements of subparagraph (d)(1)(B) and the training requirements of subdivision (i) shall not apply to renovation activities, ~~other than planned renovation activities which involve nonscheduled renovation operations~~, in which less than 100 square feet of surface area of ACM are removed or stripped. This is not available to ACM that is damaged or disturbed, Planned Renovation activities which involve Nonscheduled Renovation Operations, or Approved Alternative plans (Procedures 4 or 5).
- (23) The notification requirements of subparagraph (d)(1)(B) and the training requirements of subdivision (i) shall not apply to ~~p~~-Planned ~~r~~-Renovation activities which involve ~~n~~-Nonscheduled ~~r~~-Renovation ~~o~~-Operations, in which the total quantity of ACM to be removed or stripped within each calendar year of activity is less than 100 square feet of surface area.
- (34) For asbestos survey reports where the material is presumed or assumed to be ACM by the asbestos consultant, ~~Clauses (d)(1)(A)(iii)(V), (IV), and (VII)~~subclauses (d)(1)(A)(iii)(IV) through (IX) and ~~subclauses~~ (d)(1)(B)(ii)(XV) shall not apply ~~to the owner or operator of any renovation or demolition activity~~, when the suspected material is treated as ACM when being removed, stripped, collected, handled, and disposed of ~~in accordance with~~ as specified in the provisions of this rule. The asbestos

consultant shall state in the asbestos survey that the material is presumed or assumed to be ACM.

- (45) The portion of clause (d)(1)(A)(iv) which requires Cal/OSHA certification shall not apply to persons performing work ~~not subject to the certification requirement established by regulations pursuant to the Labor Code, Section 6501.5~~ in which less than 100 square feet of surface area of ACM is removed or stripped.
- (56) Subclause (d)(1)(B)(ii)(XI) and clause (d)(1)(H)(i), requiring a California ~~State Contractors~~ State License Board Certification certification number, shall not apply to persons performing ~~work renovation activities not subject to the certification requirement established pursuant to the Business and Professions Code, Section 7058.5~~ in which less than 100 square feet of surface area of ACM is removed or stripped.
- (67) Subclause (d)(1)(B)(ii)(XII) and clause (d)(1)(H)(ii), requiring Cal/OSHA registration, shall not apply to persons performing work ~~not subject to the registration requirement established pursuant to the Labor Code, Section 6501.5~~ in which less than 100 square feet of surface area of ACM are removed or stripped.
- (78) The provisions of subparagraph (f)(2)(E) shall not apply to storage facilities that do not meet the definition of an active waste disposal site as defined by paragraph (c)(1).
- (89) The handling requirements of ~~phrases—items~~ (d)(1)(D)(i)(I)(2), (d)(1)(D)(i)(I)(5), and (d)(1)(D)(i)(I)(6), the training requirements of paragraphs (i)(1) and (i)(2), the reporting of training certificate requirement of subclause (d)(1)(B)(ii)(XVI), and the on-site proof of training requirement of subparagraph (d)(1)(G) and subdivision (i) shall not apply to the exclusive removal of asbestos-containing packings, gaskets, resilient floor covering and asphalt roofing products which are not friable, have not become friable, and have not been subjected to scraping, sanding, grinding, cutting, or abrading. This exemption is not available to ACM that been damaged or disturbed.
- (910) The provisions of this rule shall not apply to an ~~owner-occupant~~ Owner-occupant, as defined in paragraph (c)(33), of a residential single-unit dwelling, as defined in paragraph (c)(40), who resides at the property and solely and personally conducts a renovation activity at that dwelling.

- (11) The District-approved electronic notification requirements of subparagraph (d)(1)(B) shall not apply to an Owner-occupant, as defined in paragraph (c)(33), of a residential single-unit dwelling, as defined in paragraph (c)(40), who resides at the property and solely and personally conducts a demolition activity at that dwelling. Notification shall be submitted by paper only. In addition, on-site proof of a California Contractors State License Board certification number, as specified in (d)(1)(H)(i), is not required.
- ~~(10)~~12) The survey requirements of subparagraph (d)(1)(A) shall not apply to renovation activities of residential single-unit dwellings, as defined in paragraph (c)(40), in which less than 100 square feet of surface area of ACM are removed or stripped. This exemption is not available to ACM that been damaged or disturbed.