OFFICE OF AIR QUALITY
Asbestos Section

FACTS AND STEPS
ASBESTOS RENOVATION AND DEMOLITION

MYTH: I did not know I was regulated, or I did not mean to violate the regulation, so I should not be penalized.

FACT: The Arkansas Department of Environmental Quality (ADEQ) must enforce the provisions of the asbestos regulation, and it does not matter whether the violation was intentional. Even accidental violations can result in enforceable penalties. But, for assessing penalties, ADEQ has rules that allow factors such as intent, cooperation, corrective action, and harm to people or the environment to be considered.

MYTH: Asbestos is no longer manufactured or used in buildings.

FACT: Asbestos is still being manufactured and installed in buildings.

MYTH: I must remove asbestos materials.

FACT: The purpose of the Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation 21 (Reg. 21) is to prevent people from being exposed to asbestos by regulating how asbestos-containing material (ACM) must be handled. Building material that contains more than one percent asbestos is considered ACM. Reg. 21 also requires that persons handling asbestos greater than 160 square feet or 260 linear feet of regulated asbestos-containing material (RACM) are trained, certified professionals.

MYTH: Reg. 21 applies to all structures, public and private.

FACT: The regulation applies only to facilities, as defined according to the United States Environmental Protection Agency (EPA). The following is a list of examples of the types of structures or sites that are considered to be facilities:
• Institutional
• Commercial

MYTH: A single-family dwelling (SFD) is not regulated by Reg. 21.

FACT: The regulation does not apply to SFDs occupied by the homeowner, but it does regulate SFDs in the following categories:
• SFDs that are intentionally burned for fire training by fire departments.
• SFDs demolished for urban renewal or highway development.
• SFDs that are used by a commercial business.

INTERNET RESOURCES

ARKANSAS ASBESTOS INFORMATION, INCLUDING FORMS, APPLICATIONS, FEES, AND PUBLICATIONS
www.adeq.state.ar.us/air/program/asbestos/

ASBESTOS CONTRACTORS AND CONSULTANTS LICENSED IN ARKANSAS
www.adeq.state.ar.us/air/program/asbestos/contractor.aspx

ASBESTOS INSPECTORS LICENSED IN ARKANSAS
www.adeq.state.ar.us/air/program/asbestos/licenses.aspx

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION (APC&EC) REGULATION 18
www.adeq.state.ar.us/regs/files/reg18_final_160314.pdf

APC&EC REGULATION 21
www.adeq.state.ar.us/regs/files/reg21_final_150911.pdf

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) GUIDE TO NORMAL DEMOLITION PRACTICES
https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=9100LM90.txt

ASBESTOS, ITS HEALTH EFFECTS, TRAINING FOR ASBESTOS PROFESSIONALS, EPA REGIONAL AND STATE ASBESTOS CONTACTS, EPA-APPROVED LABORATORIES, AND MORE
www.epa.gov/asbestos/pubs/help.html#info

PUBLIC CONTACTS
Ron Allen, Coordinator
5301 Northshore Drive
North Little Rock, AR 72118
asbestosSubmission@adeq.state.ar.us
www.adeq.state.ar.us/air/program/asbestos/
MYTH: I am not required to do anything before demolishing or renovating my facility.

FACT: ADEQ must be notified in writing prior to all demolition projects and for certain renovation projects (see “Know the Steps” below). All facilities must be inspected for asbestos prior to performing any demolition or renovation activities. If the results of the inspection indicate RACM in excess of 160 square feet or 260 linear feet and renovation will occur in that area, then a Notice of Intent (NOI) is required. In addition, an NOI is required for resilient floor and/or mastic covering greater than 160 square feet or 260 linear feet, even if no RACM is present. Any repair job that will disturb more than three square or three linear feet of friable ACM must be performed by a certified professional working under the supervision of a facility or licensed asbestos firm.

Know the Steps

Inspection (Asbestos Survey)

All facilities, as defined by EPA, scheduled for demolition or renovation must be inspected for asbestos before the beginning of the project. The inspection can be performed through use of an in-house, full-time employee of the facility or by hiring a licensed asbestos firm. If a facility uses an in-house, full-time employee to inspect for asbestos, that employee must be currently certified with the state of Arkansas as an asbestos inspector. Alternatively, if a facility chooses to hire a licensed asbestos firm to inspect for asbestos, that firm must employ asbestos inspectors certified with the state of Arkansas.

After performing the inspection, the certified asbestos inspector prepares a report, also known as a survey, that identifies where the asbestos is, what kind of asbestos is present, and the condition of the asbestos, including any bulk sample analysis. This information is necessary to determine whether the facility is required to submit an NOI to ADEQ. If there is a regulated level of asbestos, the survey must be kept on-site and consulted during the demolition or renovation.

Notice of Intent (NOI)

• Demolitions

All demolitions require that a written NOI be sent to ADEQ, even if no asbestos is present.

A demolition includes wrecking or taking out a load-supporting structural member of a facility together with any related handling operations or intentional burning of a facility. For instance, the removal of a wall with a load-supporting beam is a demolition. The NOI must be post-marked at least ten working days before any demolition activity begins.

All RACM, including category I and category II nonfriable ACM, must be removed in accordance with Reg. 21 before a facility is demolished by intentional burning. Please note: APC&EC Reg. 18.602 provides that no person can cause or permit the open burning of refuse, garbage, trade waste, or other waste material or conduct a salvage operation by open burning except for the exemptions provided by Regulation 18.603.

Asbestos-containing material that becomes friable is regulated asbestos-containing material (RACM).

• Renovations

A renovation is the altering of a facility or any facility components in any way, including the stripping or removal of ACM. Not all renovations require the submittal of an NOI. An NOI should be submitted only if the asbestos inspection indicates that the facility has RACM in excess of 160 square feet or 260 linear feet, or resilient floor and/or associated mastic covering containing ACM, even if no RACM is present, in excess of 160 square feet. The NOI must be post-marked at least ten working days before asbestos stripping or removal work, or any other activity begins, such as site preparation that would break up, dislodge, or similarly disturb ACM.

Hire an Asbestos Professional

A certified asbestos professional must handle renovation or demolition activities dealing with RACM, as described above, or for any renovation or repair job that will disturb more than three square or three linear feet of friable ACM. The professional will ensure the following:

• No burning
• No dropping
• RACM kept wet
• No visible emissions that contain ACM

The professional will immediately containerize the debris in leak-proof containers and dispose of it in a Class I landfill.

The following is a list of small jobs that require certified asbestos professionals:

• Removal of asbestos pipes or pipe insulation
• Removal of asbestos insulation on beams or above ceilings
• Replacement of asbestos-containing gaskets
• Installation or removal of drywall
• Installation of electrical conduits