

*This Advisory is provided to inform you about activities of the Air District which may affect your operation. It is intended to assist you in your effort to achieve and maintain compliance with applicable air pollution regulations.*

**ATTENTION: ASBESTOS DEMOLITION & RENOVATION CONTRACTORS AND BUILDING DEPARTMENTS**

**SUBJECT DEMOLITION & RENOVATION NOTIFICATION**

This advisory is to remind asbestos demolition and renovation contractors of the notification requirements under Regulation 11, Rule 2: Asbestos Demolition, Renovation and Manufacturing.

### **General Requirements**

Asbestos notifications are required for all demolitions, even where no regulated asbestos containing material (RACM) is present, and renovations where more than 100 square feet, 100 linear feet or 35 cubic feet of RACM is removed or stripped. Notifications are valid for 12 months and expire on the anniversary of the start date provided by the applicant in the original notification. A new notification, with a 10 working day waiting period, and new fee payment is required if the project exceeds 12 months or the notification expires prior to revising the end date. Any notification that has unpaid fees is deemed incomplete. Unpaid invoiced fees are a violation of Regulation 11, Rule 2, Section 405 **AND** Regulation 3, Section 317. A notification cannot be canceled after the start date has passed. Specific notification types that have exceptions to these general requirements are discussed below.

### **Planned (scheduled) Renovation**

A planned renovation is a renovation or a series of renovations at a single facility that is planned or can be reasonably predicted. If the combined amount of Regulated Asbestos Containing Material (RACM) to be removed or stripped at a facility during a period is greater than 30 days and less than one year and can be reasonably predicted to equal or exceed 100 square feet, 100 linear feet, or 35 cubic feet, then the contractor must comply with reporting requirements in Reg. 11-2-401.3 before any of the individual renovations are started. In the case of apartment buildings, planned renovations are allowed even if the owner cannot predict which individual units will be renovated. For example, if the owner expects a 10% annual vacancy rate but does not know which individual units will be vacant, the owner may notify for a planned renovation and later specify the exact units when they become vacant.

The applicant is required to submit a written plan with the original notification. The plan must include the location, material type, material quantity, start date, and end date for each phase of the abatement project. The plan must be resubmitted when there are changes to a start date or end date of any of the phases. The start and end dates of each phase are subject to the requirements of Reg. 11-2-401.5 (Schedule Changes and Up-dates).

### **Cumulative (unscheduled) Renovation**

A cumulative renovation is a series of renovations that cannot be reasonably predicted. If a small abatement project, taken together with prior small abatement projects at the same facility in the same calendar year, reaches the threshold (equals to or exceeds 100 square feet, 100 linear feet,

or 35 cubic feet), the contractor must comply with Section 401.3. Notification for such a cumulative renovation under Section 401.3 must be given for the abatement project that causes the series total to reach the reporting threshold. Each abatement project in a cumulative renovation is typically done under a separate contract. This provision is primarily designed to cover maintenance work at large commercial facilities where a series of small abatement projects might occur on an "as-needed" basis (usually maintenance related). Cumulative notifications are charged the fee based on amounts greater than 10,000 square feet or linear feet. Any individual renovation with amounts greater than 100 square feet or linear feet will require a separate notification in accordance with Reg. 11-2-401.3.

### **Exempt Notifications**

Air District notification is not required if the project does not meet the definition of demolition (11-2-216) or renovation (11-2-235). **The Air District will no longer process or issue Exempt Notification letters.** Local agencies may contact the Air District if there is a question regarding whether a project requires a notification or it is exempt from the notification requirements in Reg. 11-2-401.3.

### **Revisions, Schedule Changes and Updates**

The applicant is responsible for making revisions, schedule changes and other updates to the original notifications. The "start date" is the date on which actual disturbance, active removal or stripping of any RACM begins, or the demolition of the structure begins. A project that starts prior to the start date is in violation of Reg. 11-2-401.3. A project that does not commence on the start date and is not revised on or before the start date is in violation of Reg. 11-2-401.5. The "end date" can only be revised on or before the stated end date in the original notification or prior revision. A notification is expired once the end date has elapsed or after one year from the original start date. A project that continues after the notification expires and no new notification is submitted is in violation of Reg. 11-2-401.3.

Removal amounts may only be increased prior to the original start date of the abatement project. If the increased removal amount causes additional fees, the fees must be paid at the time of revision. After starting the abatement project, additional removal amounts, at the same site, must be notified separately. Emergency notification may apply when additional material is the result of "unanticipated discovery". Removal amounts may be decreased at any time. No refunds will be granted for decreased removal amounts after the original start date of the abatement project.

### **More Information can be obtained from the following sources:**

- ☎ For questions about this Advisory, contact:
  - Ron Carey, Air Quality Specialist II, at [rcarey@baaqmd.gov](mailto:rcarey@baaqmd.gov) or (415) 749-8730
- ☎ For a copy of the above-listed rule, see <http://www.baaqmd.gov/rules-and-compliance/current-rules>
- ☎ For compliance assistance, call (415) 749-4999, the Compliance Counselor Hotline.

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