

Renovation & Demolition

A MESSAGE FROM THE SPOKANE REGIONAL CLEAN AIR AGENCY

BACKGROUND

What you need to know about ASBESTOS

Spokane Regional Clean Air Agency (Spokane Clean Air) enforces asbestos regulations in Spokane County. Whether at home or work, if you will be involved in a renovation and/or demolition project you need to review this information very carefully. This document is not a substitute for the complete regulations available online at www.SpokaneCleanAir.org

Examples of Renovation

- Remodeling a residence or other building, inside or out
- Replacing, repairing, or disturbing floors, walls, ceilings, siding, roofing, heating, plumbing or electrical systems
- Small scale remodeling projects (e.g., carpet removal, window replacement, new furnace installation)
- Altering a structure or component (e.g., wall, pipe, equipment, etc.) in any way, other than demolition

Examples of Demolition

- Wrecking, leveling or dismantling a structure thereby making it permanently uninhabitable or unusable in part or whole
- Wrecking or taking out any load-supporting structural member
- Structural fire training by a fire protection agency
- Moving a structure (except a mobile home, which remains intact)

Structure means something built or constructed in part or whole. Examples include, but are not limited to, the following in part or in whole: houses, garages, commercial buildings, mobile homes, bridges, “smoke” stacks, pole-buildings, canopies, lean-tos, and foundations. This term does not include normally mobile equipment (e.g., cars, recreational vehicles, boats.)

Why regulate renovation and demolition?

Asbestos is a known human carcinogen. When asbestos containing materials are disturbed, microscopic fibers are released to the air. When inhaled, these fibers travel deep into the lungs. Medical research shows that exposure to asbestos fibers can cause lung cancer, mesothelioma, or asbestosis up to 30 years after inhalation.

Although the Environmental Protection Agency placed limited bans on certain asbestos containing materials in the mid 1970s and early 1990s, the use of asbestos in new construction was not banned. Unfortunately, construction products may still contain asbestos. Washington state law now requires products to be labeled if they contain asbestos.

Asbestos has been used in over 3,000 construction materials and products, including acoustical ceiling (popcorn ceiling) texture, roofing paper and shingles, built-up roofing, cement board, furnace and ducting tape/paper/insulation, mudded pipe elbows, joint compound, wallboard, pipe insulation, stucco, sub-floor slip sheet, textured paints/coatings, vinyl floor tile/mastic, vinyl sheet flooring/mastic, and others.

Is my project regulated by Spokane Clean Air?

Regardless of the age of the building, if you plan to alter a structure or component (e.g., equipment, pipe, structural member, etc.) in any way, or wreck, raze, level, dismantle a structure, use a structure for structural fire training, or move a structure, your project is subject to asbestos regulations.

It is unlawful for any person (including any individual, leasor/leasee, property management company, property owner, building owner, contractor, subcontractor):

- To cause/allow renovation or demolition without first obtaining an asbestos survey, performed by an AHERA Building Inspector.
- To cause/allow asbestos-containing material to be disturbed without having it first removed in accordance with asbestos requirements.
- To create or allow a condition that will likely result in the disturbance of asbestos-containing material (e.g. leaving asbestos-containing material in a state where it is peeling, delaminating, crumbling, blistering, etc.).

Asbestos-containing material that has been disturbed must be removed as soon as possible and disposed of properly pursuant to the asbestos regulations. For example, if a water-damaged ceiling with asbestos containing “popcorn” texturing in an apartment complex begins peeling from the ceiling, it must be immediately removed by a licensed abatement contractor.

To ensure compliance with asbestos regulations, inspectors perform surveillance and inspections. Inspectors also respond to citizen complaints which may result in an inspection.

Is my project regulated by other agencies?

Yes. Check with your local city or county planning departments, since most require permits for these activities (separate from, and in addition to, Spokane Clean Air’s requirements). In addition, the Washington State Department of Labor and Industries (L&I) has requirements regarding asbestos survey, notification, removal and worker protection. Contact L&I at 324-2526 or visit www.lni.wa.gov.

Is my structure an Owner-occupied, Single-family Residence?

Spokane Clean Air’s asbestos regulations are divided into two general categories: (1) owner-occupied, single family residences and (2) all other projects. The distinction serves to provide resident homeowners relief from

the more complex survey, notification, and fee requirements that apply for all projects other than owner-occupied, single-family residence projects. To know what requirements apply to your project, you need to determine which category the project falls under. It’s important that you make the correct determination. Mistakenly identifying your project as one that fits into the owner-occupied, single-family residence category when it doesn’t, can result in a substantial fine.

Owner-occupied, Single-family Residence means any non-multiple unit building containing space used for living, sleeping, cooking, eating, etc., by one family **who owns the property as their permanent and primary residence both prior to, and after renovation or demolition**, and can be demonstrated as such to Spokane Clean Air upon request. Owner-occupied, single-family residences may include houses, mobile homes, detached garages, outbuildings, and houses with a “mother-in-law apartments” or “guest rooms.”

Owner-occupied, Single-family Residence does not include homes that are not your primary residence, rental property (even if it is a single-family rental), multiple unit buildings (e.g., duplexes and condominiums with two or more units) or multiple-family units; nor does this term include any mixed-use building (i.e., a business being operated out of a residence), structure or installation that contains a residential unit. This term does not include structures used for structural fire training exercises, or structures that are part of an urban renewal or highway construction project. It also excludes most structures that are being moved.

Still not sure?

Your structure probably does not qualify as an owner occupied, single-family residence if you answer “yes” to any of these questions:

- Does someone other than you own the structure? (e.g., developer, relative, etc.)
- Does someone else pay the property tax?
- Is the structure currently something other than your permanent, primary residence?
- Will the structure be used for something other than your permanent, primary residence after the renovation is complete?

- Does more than one family reside in the structure?
- Will the structure be used for structural fire training purposes?
- Is the structure a vacation or seasonal home?
- Is the structure now, or will it be, a mixed-use building (e.g. home business)?
- Was the structure previously used for public or business/commercial purposes? Or will it be in the future?

- Will the structure be demolished as part of an urban renewal project, highway construction project, or city/ county ordered demolition?
- Is or will the structure be a rental property?

Again, if you answered “yes” to any of the above questions, then your project does not qualify under the owner-occupied, single-family residence category. Still unsure? Call 477-4727.

PROJECT REQUIREMENTS FOR OWNER-OCCUPIED, SINGLE-FAMILY RESIDENCES (refer to previous page to determine if your project qualifies)

Project	Survey	Notification	Asbestos Removal	Asbestos Disposal
Renovation Performed by Resident Homeowner	A homeowner is encouraged to hire an accredited AHERA Building Inspector ^(a) , but can do his/her own assessment for the presence of asbestos.	A Notice of Intent ^(d) is not required by Spokane Clean Air for removal done by the resident homeowner.	If asbestos is found, the homeowner is encouraged to hire certified asbestos workers ^(a) ; however, the owner can do their own asbestos removal. ^(b)	All asbestos waste materials must be properly disposed of within 10 days of removal. ^(c)
Renovation NOT Performed by Resident Homeowner	An asbestos survey must be performed by an accredited AHERA Building Inspector. ^(a)	A Notice of Intent ^(d) must be submitted to Spokane Clean Air before a contractor removes asbestos		
Demolition	An asbestos survey must be performed by an accredited AHERA Building Inspector. ^(a)	Prior to demolition ^(f) a Notice of Intent ^(d) must be submitted with a filing fee ^(f) and asbestos must be properly removed prior to demolition.		

The tables are to help you understand asbestos rules—they do not substitute actual regulation language. Asbestos regulations in their entirety are available at www.SpokaneCleanAir.org or call 477-4727.

Footnotes (a) - (f) refer to publications listed below, which are available at www.SpokaneCleanAir.org or call Spokane Clean Air at 477-4727.

(a) Asbestos and Demolition Service Providers (a list of businesses that provide demolition, and/or asbestos surveys, removal, and training)

(b) Asbestos Removal Procedures for Homeowners: (textured or “popcorn” ceilings, siding and flooring)

(c) Waste Shipment Record Form for Graham Road Landfill

(d) Notice of Intent/Amendment Form

(e) Asbestos Survey Guidance for AHERA Building Inspectors

(f) Refer to applicable waiting periods and filing fees in the table on back page

Asbestos Service Providers

Spokane Clean Air has a list of known providers of asbestos surveys, removal, training, demolition and laboratory analysis. This list is available online at www.spokanecleanair.org. L&I has an online list of Certified Asbestos Abatement Contractors at www.lni.wa.gov.

Before Hiring an Asbestos Contractor

Do your homework to ensure your contractor is familiar with local asbestos regulations. Check credentials and experience. Do they have a history of repeat violations from regulatory agencies like Spokane Clean Air or L&I? Many contractors have received some type of violation in the past, but some violations are purely administrative, and others more severe such as improper asbestos removal or disposal.

Some companies perform many projects with few violations; others perform few projects with more violations. The property owner and owner's agent(s) are often held accountable for asbestos violations. Making an informed decision when hiring a contractor could help you avoid a fine for asbestos violations by your contractor.

To research a company's violation history with Spokane Clean Air, you may request public records (call 477-4727 or download a public records request form at www.SpokaneCleanAir.org) and/or you may review a 5-year penalty history at www.SpokaneCleanAir.org. For L&I records, call (360) 902-5400, or visit www.lni.wa.gov. You may also visit the Better Business Bureau's website at www.bbb.org, to see if there are any complaints against the company you're considering to hire.

Asbestos Project and Demolition Notification Waiting Period and Non-refundable Fees

NOT Owner-occupied, Single-family Residence Projects	Notification Waiting Period	Fee
<10 ln. ft. and/or <48 sq. ft. of asbestos making total per structure per calendar year <10 ln. ft. and/or <48 sq. ft. of asbestos	Notification not required	N/A
<10 ln. ft. and/or <48 sq. ft. of asbestos making total per structure per calendar year >10 ln. ft. and/or >48 sq. ft. of asbestos	Prior notice required	\$75
10-259 linear ft. and/or 48-159 square ft. of asbestos	3 day notice required	\$250 ^A
260-999 linear ft. and/or 160-4,999 square ft. of asbestos	10 day notice required	\$500 ^A
> 1,000 linear ft. and/or > 5,000 square ft. of asbestos	10 day notice required	\$1250 ^{AB}
Any demolition work	10 day notice required	\$250

^A Includes demolition fee, if applicable, provided the asbestos removal project and demolition project are submitted to the Agency on one notification.

^B An added fee of \$250 shall be paid for each increment of up to 1,000 linear ft when removing 2,000 or more linear ft. (e.g. 2,200 linear ft = \$1,500)
An added fee of \$250 shall be paid for each increment of up to 10,000 square ft when removing 10,000 or more square ft. (e.g. 12,000 sq ft = \$1,500)

Additional Categories	Refer to SRCAA Reg 1, Article 9	Notification Waiting Period	Fee
Amendment to Notification	Section 9.04.B	Prior notice required	\$0
Annual Notification	Section 9.04.A.7.j	Prior notice required	\$750
Emergency Notification	Section 9.04.A.7.h	Prior notice required	Twice the Regular Fee
Alternate Asbestos Project Work Practices	Section 9.08	10 day notice required	Twice the Regular Fee
Demolition with Nonfriable Roofing	Section 9.08.B	10 day notice required	Twice the Regular Fee
Exception for Hazardous Conditions	Section 9.08.C	10 day notice required	Regular Fee

Owner-occupied, Single-family Residence Projects (e.g. Your Primary Residence, see Page 2)	Notification Waiting Period	Fee
Any asbestos removed by residing homeowner	Notification not required	N/A
<10 linear ft. and/or <48 square ft. of asbestos NOT removed by residing homeowner (e.g. done by a contractor)	Notification not required	N/A
>10 linear ft. and/or >48 square ft. of asbestos NOT removed by residing homeowner (e.g. done by a contractor)	Prior notice required	\$0
Any demolition work	3 day notice required	\$30