

FEMA Disaster DR-4663-KY

Asbestos Regulation and Hazard Abatement in Structure Demolition and Debris Disposal

- **Bottom Line Upfront**

- All contractors (including those for FEMA and USACE) must employ best management practices to reduce generation of dust and particulates indicative of the release of asbestos and asbestos-containing materials into the air to:
 - Minimize worker and citizen exposure to hazardous substances, and
 - Comply with the Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP)
- The primary accepted BMP is to treat all storm-related construction/demolition debris as potentially asbestos contaminated material and maintain it in a wet condition through all phases of the operation including demolition, handling, transportation, and disposal.

- **Asbestos NESHAP Regulatory Considerations**

- **Exemption** - The demolition of and resultant debris from single-family homes, personal use structures (e.g., garages, sheds) and congregant housing with four (4) units or less is exempt from the provisions of the Asbestos NESHAP.
 - Nonetheless, the handling of such materials can release hazardous particulate matter and, optimally, consideration should be made to treat it with the same BMP to reduce worker and citizen exposures.
- **Order for Demolition** – Buildings subject to the Asbestos NESHAP regulations may be demolished without a prior 10-day Notice and without an asbestos survey only upon order issued by a state or local government agency and all such orders shall include:
 - A determination the building is structurally unsound and in imminent danger of collapse, and the specific justification and rationale for such determination.
- **Notification of Demolition with Order for Demolition** – A copy of the order of demolition and accompanying Notification Form DEP 7036 must be submitted as soon as possible but not later than the first working day following the demolition to the KDAQ Paducah Regional Office, attention of Cory Groover (cory.groover@ky.gov).
 - DEP Form 7036 Link: <https://eec.ky.gov/Environmental-Protection/Forms%20Library/DEP7036%20Form%20with%20Instructions.pdf>
- **Notification of Demolition with no Order for Demolition** – Demolition of buildings subject to the Asbestos NESHAP regulations, for which there is no Order of Demolition due to structural instability or imminence of collapse, must submit a Notification Form DEP 7036 at least 10 business days (14 calendar days) prior to the scheduled demolition and must have completed an asbestos survey and any required abatement prior to demolition.
 - See: <https://eec.ky.gov/Environmental-Protection/Air/asbestos/Pages/Asbestos-Notifications.aspx>
- **All Materials Considered Asbestos-Containing** – In lieu of completion of the regulatorily-required thorough inspection requirements prior to demolition, all materials generated shall be considered asbestos-containing and handled in accordance

with the applicable NESAHF requirements to thoroughly wet the material and dispose at an approved landfill.

- USACE, KDAQ, KY Division of Emergency Management (KyEM) and other federal or state agencies may contact the City of Mayfield Fire Department for assistance in wetting debris material on an as-available basis. See contact list below.
- **Regulatory Monitoring** – The KDAQ conducts routine visual monitoring of debris areas.
 - Locations with visible emissions of dust and particulates may be subject to orders to cease activities until remedial measures can be taken to wet the material.
 - Watering activities resulting in excessive surface runoff may be subject to reporting to the appropriate KY Division of Water Regional Office for investigation.
 - No further actions are anticipated to be required for residual soils remaining in the debris removal areas if diligent efforts have been made to remove all visible materials.
 - Tarping of loads for transportation will not be required if:
 - Debris is kept adequately wet,
 - Vehicles are loaded in such a manner as to reduce the likelihood of shifting, and
 - No visible emissions of dust or particulates are observed leaving the vehicles.
- **Contacts**
 - KDAQ Field Operations Branch Manager
 - Jarrod Bell, jarrod.bell@ky.gov, 502-782-6552
 - KDAQ Paducah Regional Office Supervisor
 - Elizabeth Lents, Elizabeth.lents@ky.gov, 270-210-4596
 - KDAQ Paducah Regional Office Asbestos Inspector
 - Cory Groover, cory.groover@ky.gov, 270-519-8787
 - Mayfield Fire Department (water assistance)
 - Fire Chief and EMS Director Jeremy Creason 270-251-6248

Guidance for Handling Construction and Demolition Debris 2021 & 2022 Kentucky Tornados



UPDATED – March 21, 2022

All **storm-related construction/demolition debris** should be treated as potential, asbestos contaminated material (ACM), and be maintained in a **wet condition** from demolition to final disposal activity as per Asbestos NESHAP regulations. Be sure to tarp all ACM loads while transporting to the landfill.

- Building materials – bricks, concrete, masonry, rock, wood or lumber, fiberglass insulation – may be disposed of at a permitted construction and demolition landfill or a contained landfill.
- Metal may be separated for alternate disposal or recycled but must maintain wet. Clean concrete with no visible mastic may be crushed.
- For questions regarding asbestos, consult the Division for Air Quality's asbestos web page or call 502-564-3999. For information on handling debris that could pose other public-health problems, visit the Centers for Disease Control and Prevention's website at <https://emergency.cdc.gov/disasters/floods/>.
- Code Enforcement Branch issuing such a demolition order must include in the order their specific justification and rationale for ordering demolition because the facility is structurally unsound and in danger of imminent collapse.

In addition, a copy of the demolition order must accompany the notice required by 40 C.F.R. § 61.145(b).

The ten-day notification form (Form 7036) needs to be submitted as soon as possible once demo is scheduled.

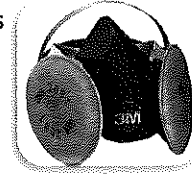
Please submit to Cory Groover @ cory.groover@ky.gov. at the Paducah Regional Office.

*Form 7036 can be provided.

PPE Recommended

- HEPA High efficiency particulate filters– May be found at many hardware stores
- Safety Glasses

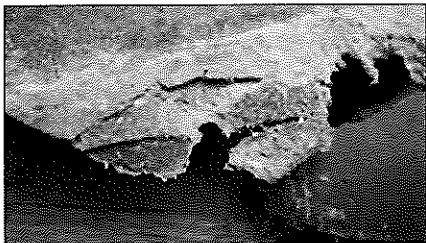
HEPA Respirator



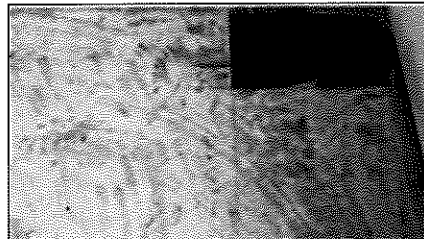
Definitions:

1. Mastic – Black glue or resin found under tiles
2. ACM – Asbestos Containing Materials

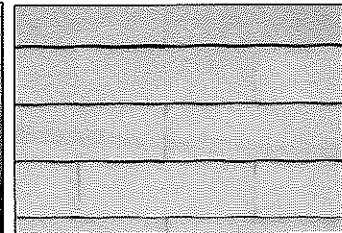
Examples of ACM: Roofing materials, Floor Tiles or Linoleum, Pipe Wrapping and Transite siding



Roofing Material



Flooring & Mastic



Transite



Pipe
Wrapping

**Be Alert Safety
First**

NOTIFICATION OF ASBESTOS ABATEMENT/DEMOLITION/RENOVATION
(Instructions for completing form on back)

PAGE 1 OF _____
 INITIAL SUBMITTAL DATE _____
 REVISION DATE _____
 NOTIFICATION # _____

OFFICE USE ONLY
 ID # _____
 LOG # _____

File this form with Regional Office where project will be performed

Kentucky Division for Air Quality
 300 Sower Boulevard, 2nd Floor
 Frankfort, KY 40601

Contractor _____
 Address _____ State _____ Zip _____
 City _____
 Phone _____ Contact Person _____
Owner _____
 Address _____
 City _____ State _____ Zip _____
 Phone _____ Contact Person _____
Project Location _____
 Address _____
 City _____ State _____ Zip _____

Facility Age (yrs.) _____ Size of Facility or Affected Part (sq.ft.) _____
 #Floors Affected _____ Present and Prior Use of Facility _____
TYPE OF PROJECT (CHECK ONLY ONE):
 Renovation Demolition Ordered Demolition Emergency Long-term

PROJECT DATES:
 Start Removal _____ End Removal _____
 Start Renovation/Demolition _____ End Renovation/Demolition _____

Description of planned renovation/demolition, including abatement methods & demo/reno methods. _____
Description of affected facility components _____
Asbestos detection technique _____
Amount of Cat. I & II nonfriable ACM involved but will not be removed: _____
 Describe **physical characteristics** that make it nonfriable and **methods** to keep it nonfriable (optional): _____
 Describe **contingency plan** should nonfriable ACM become friable or additional ACM be uncovered during renovation/demolition: _____

Transporter _____
 Address _____
 City _____ State _____ Zip _____
 Phone _____
Disposal Site _____
 Address _____
 City _____ State _____ Zip _____

I hereby certify that at least one person trained as required by 40 CFR 61.145(c)(8) will supervise the abatement work described herein. (optional for strictly non-friable work)

Submitted by: _____
Company Name: _____

Amount of ACM to be Removed:

	Regulated ACM (RACM)	Category II nonfriable ACM (optional)	Category I nonfriable ACM (optional)
Linear Feet			
Square Feet			
Cubic Feet			

INSTRUCTIONS FOR COMPLETING FORM DEP7036: NOTIFICATION OF ASBESTOS ABATEMENT/DEMOLITION/RENOVATION

Filing Deadline: This form must be completed and filed with the Kentucky Division for Air Quality at least ten (10) working days before starting any asbestos removal, demolition, or other work which will disturb asbestos-containing material (ACM) in Kentucky facilities outside Jefferson County and in schools statewide, including Jefferson County. File with appropriate Regional Office.

Renotification: If developments occur that invalidate information on a notification (e.g., changes in dates, amounts, locations), file a revised form within the time frames specified in 401 KAR 58:025. Notifications may be numbered in the top-left corner (optional). First two digits are project year; remaining digits are project number (e.g., the first project in 1999 is 99-1).

Attachments: Attachments may be included to provide additional information, propose alternative procedures, declare nonfriable removal, identify secondary transporters, etc.

Line-by-Line Instructions:

Contractor/Owner: the contractor is the asbestos remover (or, for zero-asbestos demolitions, the demolition contractor). The owner is the entity having the work done.
Project Location: The location at the address given where the work is taking place (e.g., which building/floor/room?).

Present/Prior Use: Enter the present and prior use(s) of the facility.

Type of Project: Each choice shown in this category has a specific description under 401 KAR 58:025:

Emergency renovations result from a sudden, unexpected event. If the project is an emergency renovation, attach a detailed description of the sudden, unexpected event that necessitated removal. Include the exact date and hour the event occurred and explain how the event caused an unsafe condition, or would cause equipment damage or unreasonable financial burden.

Planned renovations are renovations that do not qualify as emergency renovations.

A long-term notification is a type of planned renovation which involves a number of nonscheduled small-scale removals whose annual total exceeds the NESHAP threshold amounts and can be estimated based on past years' experience. File yearly estimate at least 10 working days before the beginning of the calendar year for which a long-term notification is being given.

Demolitions involve the wrecking or taking out of a load-supporting structural member, such as a load-bearing beam or wall. Tearing down a structure, dismantling it piecemeal, and moving it from one place to another are all considered demolitions.

Ordered demolitions must result from a demolition order issued by a government agency because the building is structurally unsound and in danger of imminent collapse. For ordered demolitions, attach to the notification a signed, dated copy of order that includes demolition deadlines and name/title/authority of the government representative issuing the order.

Project Dates: Schedules must be precise and accurate. The "start removal" date is the date the removers arrive on-site and begin physically preparing the work area for removal. "End removal" is the date the removers dismantle the work area after cleaning and clearing it. If circumstances arise that invalidate previously submitted start dates, a revised notification must be submitted showing the updated, correct start date. If the start date has been moved up, submit written renotification at least ten working days before the new start date. If the start date has been moved back, telephone the Division as soon as possible before the original date and submit written renotification no later than the original start date.

Schedules for renovation and demolition (next line after removal schedule) are handled similarly, except that renotification is required only for schedule changes involving demolitions, not renovations.

Amount of ACM: In this table, enter the amount and type (RACM, Category I, and/or Category II) of asbestos that will be removed. Although the regulation does not require you to identify the amount of nonfriable ACM that will be removed, the table provides space for nonfriable ACM to accommodate those notifiers who choose to document these removals.

Description of project: Describe the demolition or renovation work to be performed and method(s) to be used, including work practices and engineering controls to be used.

Asbestos Detection Technique: Give a general description of the asbestos survey, for example, "ASHERA-style survey by accredited inspector"; samples analyzed by PLM."

Amount of nonfriable ...: If all nonfriable ACM will be properly removed, enter "NA."

Contingency Plans: If Category II nonfriable ACM becomes crumbled, pulverized, or reduced to powder, or if additional RACM is discovered, describe procedures to be followed. For example, "Move demolition activity away from ACM immediately; remove the ACM using regulation-required procedures." Even "Stop work, call Division for Air Quality" is OK.