

2023 Asbestos/Demolition Contractors Meeting



Saint Louis
COUNTY
PUBLIC HEALTH

Program Changes/Updates

- Demolition notification form. You must identify a water source for dust suppression.
- In person submittals-Berkeley Only! (email is preferred method)
 - **Submit ALL DEMOLITION APPLICATIONS/NOTIFICATIONS to demolition.dph@stlouiscountymo.gov**
 - **Submit ALL ASBESTOS PAPERWORK to asbestosamendments.dph@stlouiscountymo.gov**
- Program Staff
 - New employees and changes

Program Staff Contacts

- General Inquire/Status Updates

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- Waste Management Program

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- Air Pollution Control Program

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Benefits of the DRA Program

Benefits:

- Reduces the chances of asbestos exposure for your citizens
- Helps ensure a Cleaner Saint Louis County
- Mitigates the Municipalities liabilities
 - i.e. ensures demolition permits not issued until asbestos has been addressed
- Service performed at no cost to the Municipality
- Health Equity – Disproportionately high amount of demolitions in low-income areas; County DRA program provides greater protection from airborne particulate, including lead

Types of Structures

Structure Types:

- Non-NESHAP
 - Single family residence
 - Multi-tenants (4 or fewer units/dwellings)
- NESHAP
 - Greater than four (4) units/dwelling structure
 - Commercial structures
 - Mixed-use or public structure
 - Structures associated with a Project or Installation

**If parcel was previously classified as commercial/agricultural
then it is still subject to NESHAP**

Federal, State, and Local Regulations

Local Health Regulations:

- 607.130 *Demolition and Construction Waste*
- 607.250 *Design and Construction of Vehicles and Mobile Waste Containers Used to Transport Waste*
- 607.310 *Waste Must be Deposited at a Licensed Landfill, Licensed Waste Processing Facility, Licensed Transfer Station, Licensed Compost Facility, or Licensed Yard By-Product Compost Facility*
- 607.865: Application for the generation of demolition waste shall be submitted to the Director by the person possessing or generating the demolition waste...
- 612.530 *Asbestos Abatement Rules and Regulation –Registration, Notification and Performance Requirements*

Federal, State, and Local Regulations

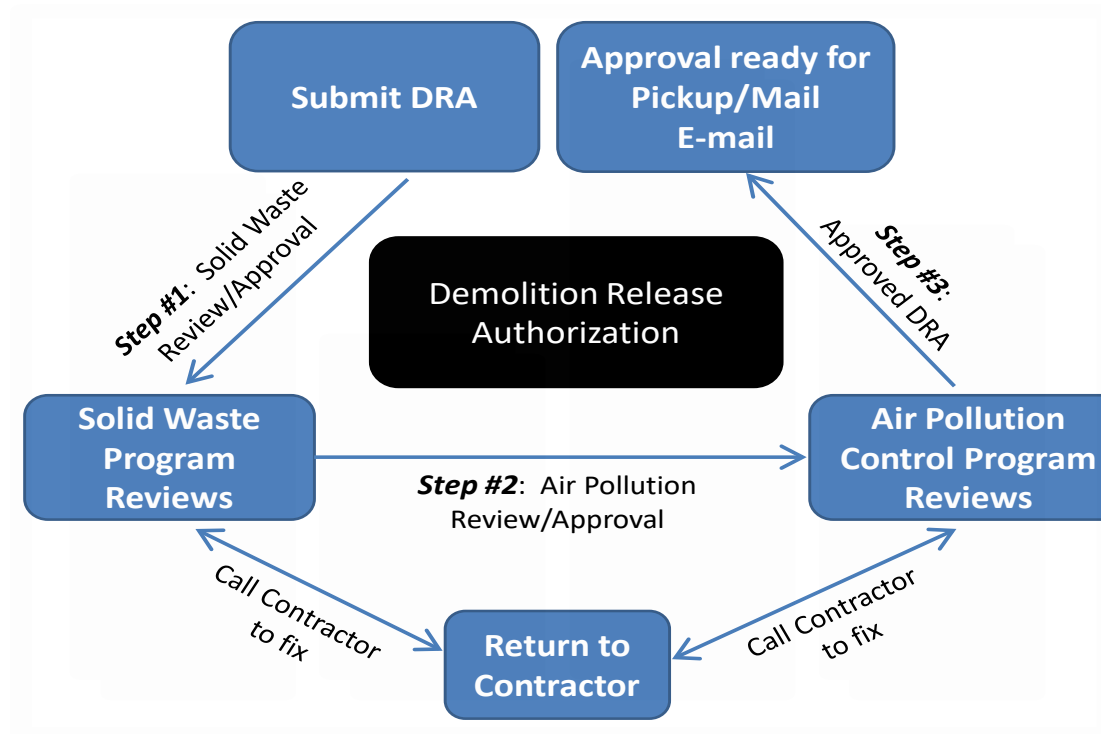
State Regulations:

- 10 CSR 10-6.170 *Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin*
- 10 CSR 10-6.241 *Asbestos Projects-Registration, Notification and Performance Requirements*

Federal Regulations:

- Title 40 Protection of Environment, Part 61 National Emission Standards for Hazardous Air Pollutants, Subpart M – National Emission Standard for Asbestos (NESHAP)

Demolition Release Review Process



Waste Demolition Application Requirements

- Requirements Include:
 - Number of structures at each address/\$50 application fee per structure (120 square feet or greater)
 - Licensed Waste Hauler
 - Licensed Waste Facility for disposal or recovery
 - Special/Hazardous Waste Removal:
 - Commercial Checklist required for commercial, public, institutional
 - Not for residential parcels of land
 - Report quantities, method and documentation for disposal/recovery
 - Mercury-containing devices: lamps, ballasts, thermostats, etc.
 - List of special/hazardous waste required for removal is subject to change

Waste Demolition Application Fee Waivers

- Waivers Include:
 - Owner-occupied residential property owners conducting his/her own demolition of any accessory structure *only* at said residence shall be exempt from the \$50 fee.
 - Application fee is waived for demolitions resulting by State or Federal government declared natural disasters such as tornado, flood, earthquake, etc.
 - Per the Waste Code, renovation projects are not required to submit a demolition application
 - See next slide

Demolition vs Renovation

- 40 CFR Part 61 Subpart M – National Emission Standard for Asbestos.
 - 40 CFR 61.141
- “Demolition” means the wrecking or taking out of any **load-supporting structural member** of a facility together with any related handling operations or the intentional burning of any facility.
 - *“Structural member” means 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.*
- “Renovation” means altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component. **Operations in which load-supporting structural members are wrecked or taken out are demolitions.**

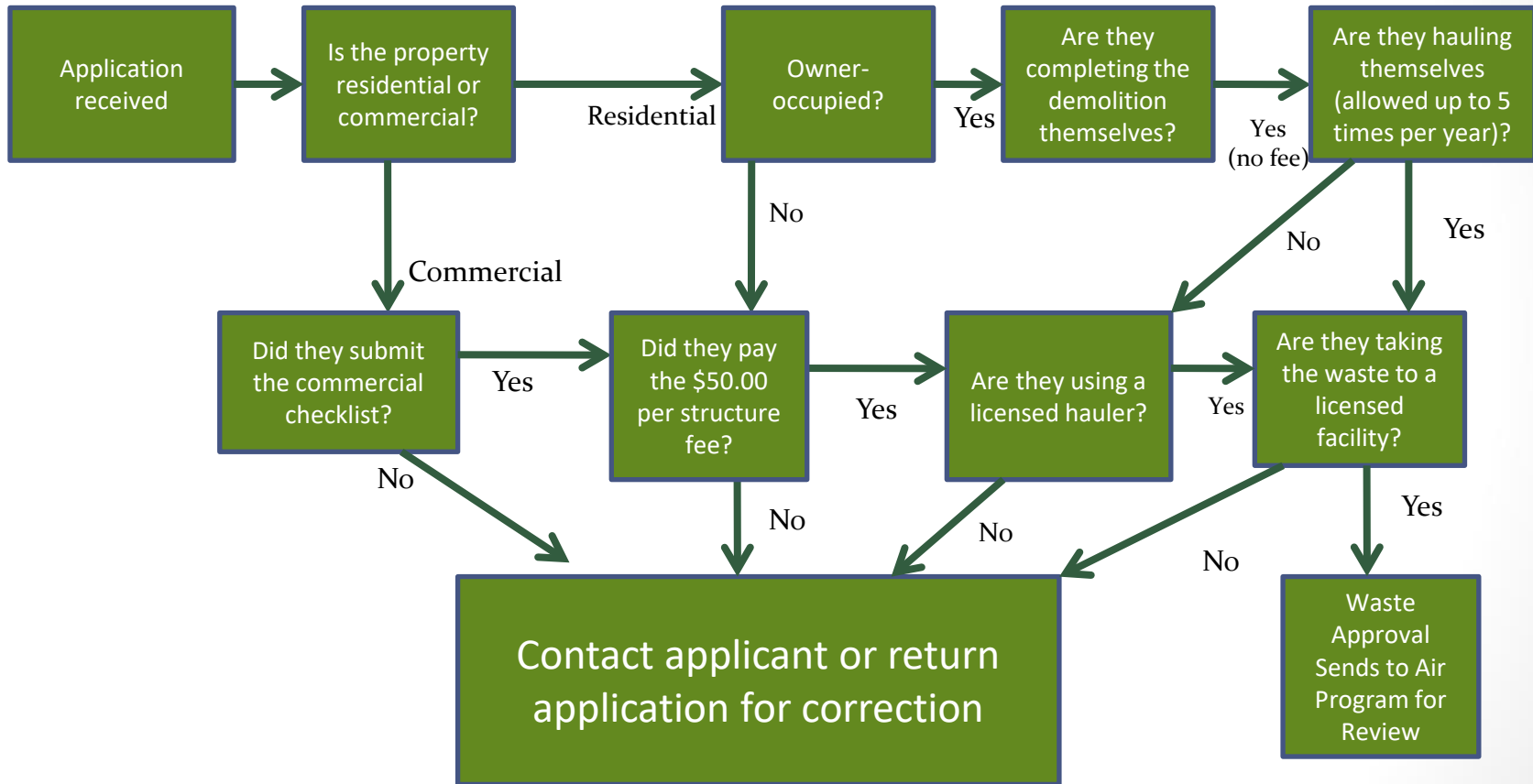
Clean Fill Policy

- MDNR- “**Uncontaminated** soil, rock, sand, gravel, concrete, asphaltic concrete, cinder blocks, brick, minimal amounts of wood and metal, and inert solids as approved by rule or policy of the department for fill, reclamation, or other beneficial uses.”
- Painted materials will be considered for clean fill following a risk-based assessment (analytical testing)
- US Banned lead-based paint in 1978
 - Any painted concrete built prior to 1978 must undergo analytical testing before it can be considered clean fill
- Analytical testing
 - Wet Chemistry (EPA SW 846, Methods 601B and 3050B)
 - SPLP Test (EPA SW 846, Method 1312)
 - X-Ray Fluorescence (XRF) Testing

Clean Fill Policy Continued

- Residential only need to test for lead
 - Lead \geq 5,000 PPM must not be used as clean fill
- Non-Residential must test for the 8 RCRA heavy metals
 - Arsenic, Barium, Cadmium, Chromium, Lead, Mercury, Selenium, Silver
- Most common occurrence is demo'd pool material
- ONLY NEED TO TEST IF YOU WANT TO USE AS CLEAN FILL
 - If material is going to be landfilled, no need for testing

Waste Review/Approval Process



Waste Demolition Application Compliance

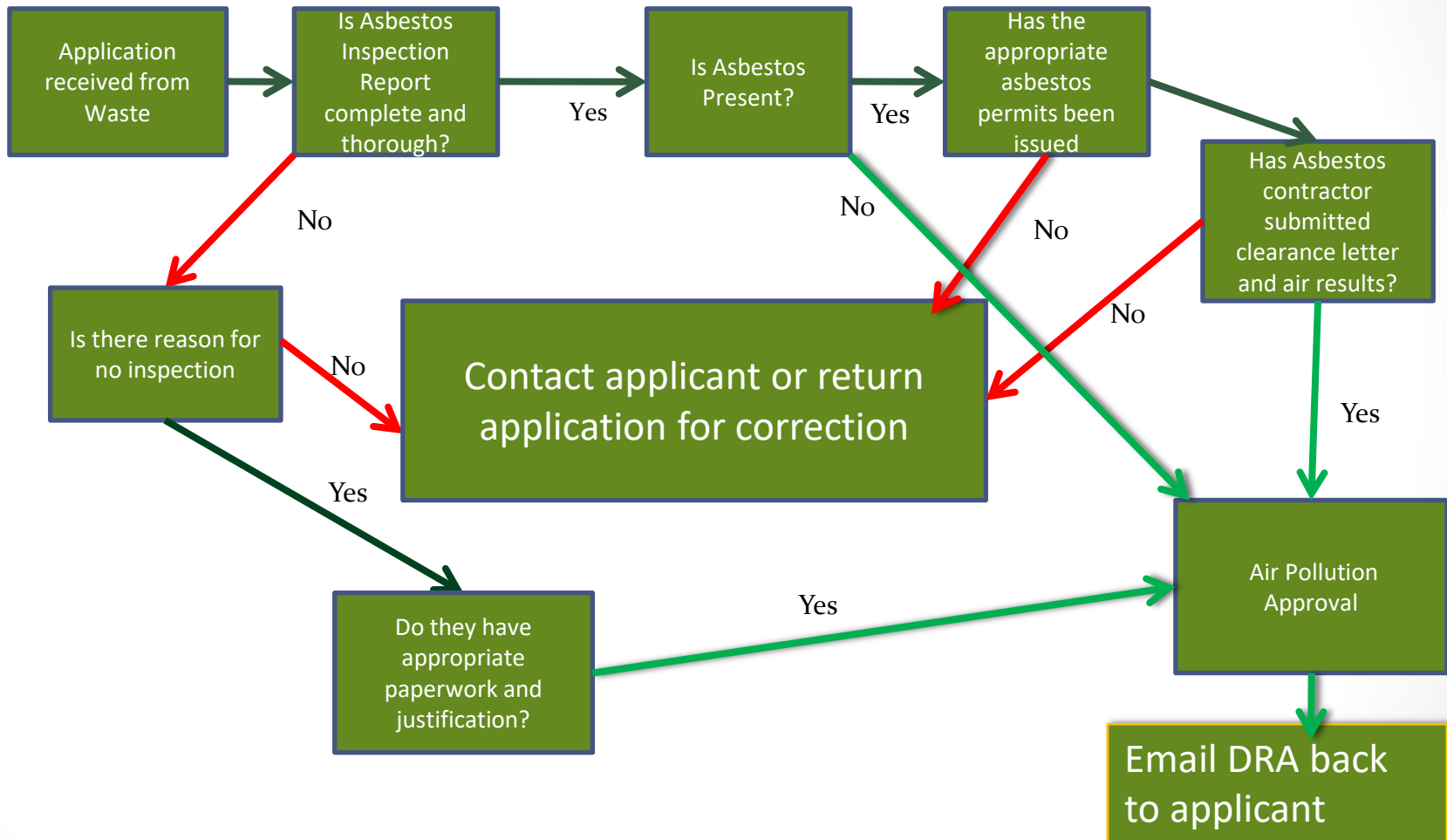
- Failure to obtain an approved demolition waste application prior to demolition for each structure ($\geq 120 \text{ ft}^2$ or greater) :
 - Citation & monetary penalty
 - \$300 first offense
 - Referral to County Counselor for prosecution
- If application is approved with the condition that the contractor must submit a demolition notification (*read your cover letter*) then failure to notify will result in citation

WASTE PROGRAM QUESTIONS?

REMINDER TO USE

DEMOLITION.DPH@STLOUISCOUNTYMO.GOV

Air Pollution Review/Approval Process



Air Pollution Control Program Demolition Release Review

- Asbestos Inspection Requirements:
 - Performed by a MO Certified Inspector
 - **Minimum of 3 samples** of homogenous materials (including miscellaneous materials)
 - Thorough Description of structure
 - Type of structure, use of structure, size of structure
 - Describe exterior siding, roofing, flooring, windows, walls, insulation, HVAC system, etc.

Air Pollution Control Program Demolition Release Review

- Demolition Release Review:
 - Chain of custody
 - Sample number, location, etc.
 - Inspector name and signature
 - Date samples taken
 - Lab results
 - Original Lab Report
 - Type and percent asbestos

Air Pollution Control Program Demolition Release Review

- Demolition Release Review (Con't):
 - Thorough description of asbestos containing materials
 - Quantity
 - Condition: If condition not described, it is considered regulated
 - All regulated asbestos shall be notified and removed prior to demolition

Air Pollution Control Program Demolition Release Review

- Demolitions subject to NESHAP shall submit NESHAP Notification of Demolition form:
 - NESHAP Notification of Demolition form shall be submitted/post dated and complete a minimum of 10 business days prior to scheduled demolition.
 - Demolition Release Authorization will not be signed until the 10 business day period has elapsed.
 - NESHAP Demolition Notification Fee.....\$100.00

Asbestos Notifications

- Asbestos Thresholds
 - Saint Louis County:
 - Asbestos containing material (ACM) must be abated before demolition
 - Asbestos regulations pertinent and notification and permit need for quantities of ten (10) SF or sixteen (16) LF or greater of friable/regulating ACM
 - State and Federal:
 - Asbestos regulations pertinent and notification and permit need for quantities of 160 SF or 260 LF or greater of friable/regulating ACM
 - Asbestos-containing roofs greater than 5,580 Sq Ft are regulated projects.

Asbestos Notifications

- What ACM is Regulated?
 - All ACM that is deemed friable (pulverized by hand pressure)
 - All ACM that is deemed in poor condition
 - All ACM that will be render friable or damaged by the removal process (ie: transite material, caulk) is regulated and requires submittal and approval of notification and removal prior to demolition.

Asbestos Notifications

- Asbestos Notifications:
 - Required for all regulated ACM removal
 - Must submit a complete and accurate notification (by a MDNR licensed asbestos abatement contractor) and associated fees
 - Asbestos Abatement Permit Fee – Less than 160 square feet; Less than 260 linear feet; Less than 35 cubic feet.....\$100.00
 - Asbestos Abatement Permit Fee – 160 square feet or greater; 260 linear feet or greater; 35 cubic feet or greater.....\$200.00
 - Ten (10) business day review process
 - Asbestos Notification expires one year after issuance

Asbestos Notifications

Shall be complete - this includes the following:

All waivers requested (Part B 2) should explain request on Part F Supplemental Information

Name of Air Sampling Professional (ASP) not the name of their company. The ASP may send an air sampling tech who works for them, but that air tech should be able produce documentation of training and verification that they are working for a particular ASP (Part B-3)

Part C - Project Description shall be completed fully. Section 13 should be completed. Work Practices may be referenced from regulation, however, the correct reference should be clear.

Exemptions from Asbestos Regulations

- Exemptions Include:
 - Renovation of owner-occupied residential structures not subject to NESHAP
 - For demolition projects; When a property owner occupies a residence at a single family residential property, any structures which are not the primary residence may be exempt from Asbestos Regulations. Structures being demolished cannot be viewed as owner occupied.
 - Unsafe Structure
 - Health and Safety
- **Even if qualified, to obtain an exemption from Saint Louis County Asbestos Regulation **an approved Demolition Waste Application and Release Authorization is still required.****

Citations will be issued if not obtained

Structures which are not the primary residence at owner occupied single family residential properties

- When a property owner occupies a residence at a single family residential property, any structures located on the property which are not the primary residence may be exempt from asbestos abatement regulations. These structures include pools and detached garages.
 - Verification of Owner Occupied Status must be submitted (listed owner with revenue or occupancy permit)
 - Asbestos inspection or abatement of asbestos prior to demolition is not required.
 - Owner must submit *Owner Occupied Residence Request for Exemption* form, signed by the owner.

Public Health and Safety Exemption

- Public Health and Safety Exemption
 - Must be requested by a Municipality or County Public Works in writing by a competent person
 - Must have documentation/justification
 - Asbestos Inspection or abatement not required if approved
 - Must be geographically isolated, Non-NESHAP and cannot be part of a redevelopment project
 - May be requested on a private owner's behalf
 - Approval of Public Health and Safety Exemption is not guaranteed.

Public Health and Safety Exemption

- Would apply to:
 - Single Family buildings only which are not subject to NESHAP
 - Isolated abandoned buildings
 - Public Safety concern - i.e. Drug house
 - Fire damaged structure
 - Structurally unsound building

Public Health and Safety Exemption

- Public Health and Safety Exemptions commonly denied for:
 - Projects (multiple structures under same grant – case by case)
 - Non-Geographically disperse structures
 - Commercial structure or 4+ Family dwellings
 - Structurally sound residence with exterior asbestos

**Exterior asbestos shall be abated prior to demolition if building
is structurally sound**

Ordered Demolition

- Demolition Requires:
 - Demolition Waste Application & Release Authorization
 - Asbestos Abatement Notification:
- **Shall be applied for and the structure shall be demolished by
MO Certified Asbestos Contractor**
- Cost: \$200.00

Ordered Demolition

- Ordered Demolitions:
 - Would apply Commercial structures, 4+ Family dwellings, and Projects where an asbestos inspection cannot be performed due to the unsafe structure of the property and the property is noted to be “unsafe and in danger of immediate collapse”
 - Must be requested in writing by a competent person from a Municipality or County Public Works
 - Must have documentation/justification for request

Ordered Demolition

- All work must be performed by a MO licensed asbestos contractor and utilize MO certified asbestos workers only:
 - Contractor shall notify and obtain an asbestos permit from Saint Louis County
 - Contractor shall notify and obtain a DRA from Saint Louis County Health Department
 - Contractor shall obtain a demolition permit
 - Ten (10) business day NESHAP waiting period may be waived

Ordered Demolition

- Contractor will be held to “Appendix A” that outlines procedures to demolish structure as follows:
 - Pre-wet w/ amended water 12-18 hr prior to demo
 - Securing the site
 - Control emissions during demo (fire hose, fogging)
 - Control runoff and filter or dispose of as ACM
 - All waste to be disposed of as ACM
 - Air Monitoring may be required
 - Must leave a “clean site” by end of day

Abatement Contractor

When the abatement contractor is the demolition contractor the following shall be required:

- Third party air monitoring
- Third party completion inspection
- Third party completion letter

Third party is an independent company hired by the property owner or a St. Louis County asbestos inspector.

A St. Louis County asbestos inspector will perform a post asbestos abatement inspection verifying all asbestos has been removed and the structure may be demolished.

Asbestos Notification Work Practices Waivers

- Work Practice Waivers:
 - Shall be submitted on Asbestos Notification form with attachment when further explanation is needed
 - Shall be approved in writing by the Air Program in the project permit letter

Asbestos Notification Amendments

- Submit 24 hours prior to change in operation:
 - May be submitted in person, faxed, phoned in, or e-mailed (asbestosamendments.dph@stlouiscountymo.gov). Phoned in amendments shall be followed-up with written copy sent to the Air Pollution Control Program
- Work practice amendments:
 - shall be approved in writing
- Project date and time amendments...
 - ...that are not submitted 24 hours prior to change require a worker or supervisor available at the site during scheduled working time.

Post Notifications

- 612.530 Section 6.0, Asbestos Project Post-Notification:
 - Within 60 days
 - Signed and dated receipt of asbestos waste generated, issued by the landfill
 - Final clearance air monitoring results
- Failure to submit the required post-notifications within the 60 day will cause the permitting of future project notifications to be put on hold until all delinquent post notifications are received.

ANNUAL NOTIFICATIONS

- 40 CFR 61.145(b)(3)(ii) At least 10 working days before the end of the calendar year preceding the year for which notice is being given for **renovations** described in paragraph (a)(4)(iii) of this section.
- 40 CFR 61.145(a)(4)(iii) To determine whether paragraph (a)(4) of this section applies to planned renovation operations involving individual nonscheduled operations predict the combined additive amount of RACM to be removed or stripped during a calendar year of January 1 through December 31.

ANNUAL NOTIFICATIONS

- St. Louis County is going to be consistent with MDNR annual notification.
- Annual notifications will only be accepted for projects on continuous campuses.

Demolition Inspections

- Inspections for control of dust from Demolition activity began receiving higher priority beginning in 2019.
- In 2019 the Air Pollution Control Program began performing inspections of any Demolition Project before, during, or after demolition
- Demolition Projects to be inspected need not have any associated asbestos permit
- The inspection will be performed to determine compliance with 10 CSR 10-6.170, Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin

Notification of Demolitions

- County Ordinance, Waste Management Code 607.865 allows for the Department to provide conditions for approval of demolition release authorizations (DRA's).
- A condition of an approved DRA will be to notify the Department (via a provided email) of start of demolition activity.
- The condition requiring notification of demolition date will be attached to each approved DRA.
- Must identify a water source for dust control
- No waiver for sub freezing temperatures

Demolition Dust Fall Prevention

- It is expected that all reasonable measures be taken to prevent visible airborne particulate matter from crossing property boundaries or be found settled on surfaces beyond property boundaries.
- A reasonable measure to prevent airborne particulate matter from crossing property boundaries is the use of water spray using a large diameter hose from local hydrant or water truck, or appropriately sized mister.

Demolition Inspection Fee

- A \$200 Demolition Inspection Fee may be charged for all demolition projects
 - Up to two billable inspections per DRA

ASBESTOS PERMITTING QUESTIONS?

REMINDER TO USE

ASBESTOSAMENDMENTS.DPH@STLOUISCOUNTYMO.GOV

Air Pollution Control Program Asbestos Inspections

- Inspections Can Occur:
 - Prior to asbestos abatement
 - During asbestos abatement
 - Post asbestos abatement

\$200 per inspection (limit of two billable inspections)

Asbestos Inspections

- Documentation Required:
 - All workers, supervisors, and air monitoring personnel shall have MO certification verification and photo identification on site
 - Non-certified personnel shall be removed from work area immediately
 - Supervisor on project site at all work times, except notified meal break times.
 - Air sampling monitoring results posted
 - Permit letter on site
 - Waste labels and manifests

Asbestos Inspections

- Asbestos Waste Handling Requirement:
 - Waste labels and manifest available (prior to arrival and completed properly)
 - Adequately wet all waste
 - Transported in an enclosed vehicle, or a five-sided cargo area which is completely covered with 6 mil plastic.
 - Open top roll-off are **NOT** considered “containers”
- Waiver shall be required to use any other type of container or transportation

Asbestos Inspections

Some Clarifications:

- Workers/supervisors shall have their MO issued photo certification. You may be asked to exit the work area in order to verify documentation.

ASBESTOS INSPECTION QUESTIONS?

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ASBESTOSAMENDMENTS.DPH@STLOUISCOUNTYMO.GOV

Program Staff Contacts

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