FACT Sheet

ASBESTOS PROGRAM FOR CONTRACTORS WORKING IN PENNSYLVANIA

The Pennsylvania asbestos program includes federal and state regulations to help protect the public from exposure to hazardous amounts of airborne asbestos. The following is a brief summary of the regulations. Information in this fact sheet does not supersede any federal, state, or local requirements.

WHAT IS ASBESTOS?

Asbestos is a generic term used to describe a variety of natural mineral fibers. From the early 1930s until the 1970s, manufacturers added asbestos to products for strength and to provide heat insulation and fire resistance. Asbestos also resists corrosion and is a poor conductor of electricity. Because few products contained all these properties, asbestos was widely used in the construction of homes, schools, and other buildings.

HOW CAN PEOPLE BE EXPOSED TO ASBESTOS?

Most people are exposed to small amounts of asbestos in their daily lives. However, if materials containing asbestos are disturbed—for example sawed, scraped, or sanded into a powder—asbestos fibers are more likely to become airborne and inhaled into the lungs.

HOW IS ASBESTOS REGULATED IN PENNSYLVANIA?

Because asbestos, in certain forms, has been determined to cause serious health problems, the Pennsylvania Department of Environmental Protection (DEP) regulates the removal, collection, transportation, and disposal of asbestos-containing materials (ACM). DEP's Air Quality Program has adopted and enforces the federal Environmental Protection Agency (EPA) 40 CFR Part 61 Subpart M, the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) regulations, as amended on November 20, 1990. Should a project be subject to the NESHAP regulations, a minimum 10-working day notification of the project is required to be made to DEP. The EPA and DEP do not regulate the removal of ACM from single family residences or apartments with four or less units unless they are part of an installation.

The Pennsylvania Department of Labor and Industry (L&I) enforces the Pennsylvania Asbestos Occupations Accreditation and Certification Act of 1990 (Act 194 and Act 161), which requires certification for the following asbestos occupations: contractor, inspector, management planner, project designer, supervisor, and worker. L&I requires a five-day prior notification for friable asbestos of more than three square or linear feet on indoor projects at regulated facilities (including the EPA/DEP exempt private residence when the friable asbestos is removed by someone other than the homeowner). Notifications required by L&I should be submitted to DEP. Contact L&I at CALBOIS@pa.gov or 717-772-3396 for more information regarding Act 194 and Act 161.

Contact the municipality where the project is located to find out if there are any local regulations.

WHAT ARE SOME IMPORTANT DEFINITIONS IN THE ASBESTOS NESHAP REGULATIONS?

- *Friable ACM* is material containing more than one percent asbestos that, when dry, can be crumbled, pulverized, or reduced to a powder by hand pressure.
- *Nonfriable ACM* is material containing more than one percent asbestos that, when dry, ***cannot*** be crumbled, pulverized, or reduced to a powder by hand pressure. It is divided into two categories:
  - Category I includes asbestos-containing packings, gaskets, resilient floor coverings or vinyl asbestos floor tile, and asphalt roofing products.
  - Category II includes any other asbestos-containing material, except Category I nonfriable ACM, such as transite siding shingles, galbestos, concrete-type piping, and other ACM concrete-type products.
- *Regulated asbestos-containing materials (RACM)* are: (a) friable ACM; (b) Category I nonfriable ACM that has passively become friable by water damage, fire damage, or weathering; (c) Category I nonfriable ACM that

will be or has been subjected to sanding, grinding, cutting, drilling, or abrading; and (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized or reduced to a powder in the course of demolition or renovation operations.

- *Demolition* – 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.
- *Renovation* – altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component.
- *Facility* – any institutional, commercial, public, industrial, or residential structure, installation, or building. A single residential building with four or fewer dwelling units is not a regulated facility under the NESHAP regulation unless it is part of an installation, which was previously subject to NESHAP regulations, or its main use is not residential.
- *Installation* – a building or structure or any group of buildings or structures at a single demolition or renovation site that is under the control of the same owner or operator.

WHAT DO I NEED TO KNOW BEFORE REMOVING ASBESTOS IN PENNSYLVANIA?

State regulations stipulate that it is illegal for anyone to engage in any asbestos occupation (worker, supervisor, project designer, inspector, management planner, or contractor) without proper certification from L&I. These requirements, along with a five-day notification prior to the start of any abatement or demolition project where ACM is present, are outlined in Acts 194 and 161. Contact L&I at CALBOIS@pa.gov or 717-772-3396 for more information regarding these requirements.

The building must be thoroughly inspected for ACM prior to any renovation or demolition. If the amount of RACM that will be removed is more than 260 linear feet, 160 square feet, or 35 cubic feet, the project falls under the federal NESHAP regulations. This requires that a notification be postmarked, electronically submitted, or hand delivered to DEP at least ***10 WORKING DAYS*** prior to the start of the project.

All demolitions of regulated facilities, as defined above, also require a 10-working day notification to DEP, regardless of the presence of asbestos.

Additional regulations exist for demolition and renovation of any building containing ACM in Philadelphia and Allegheny Counties. In Philadelphia County, call 215-685-7576. In Allegheny County, call 412-578-8133. It is important to contact the appropriate office if the project is located in either of these counties.

WHAT ARE THE PROCEDURES FOR NOTIFICATION?

DEP is transitioning away from paper to online asbestos abatement and demolition/renovation notifications. DEP held a webinar on Wednesday, March 14, 2018 to introduce and explain the new online system. A recording of the webinar can be accessed from the following hyperlink: Training Webinar (MP4) (WMV).

The **Online Asbestos Notification System** (PA.GOV | Department of Environmental Protection) is one of many applications on the DEP's GreenPort website. You will need to create a GreenPort account to access the system if you don't already have one. Regardless of how many DEP systems you want to access, only one GreenPort account is necessary. Once you create an account, you can self-register for the Online Asbestos Notification System by clicking on the "Enroll" button for ePermitting in the Application Enrollment menu, and then choosing "Asbestos" for the Program Area. Those having problems creating a GreenPort account should call the DEP Service Desk at 717-787-4357. A user guide can be found at the following hyperlink: Online Asbestos Notification System User's Guide (PDF).

While we strongly encourage the use of the Online Asbestos Notification System, links to the paper notification and its instructions are found at DEP eLibrary (pa.gov). Please mail paper notifications to the appropriate DEP regional office found in the instructions. Please contact the appropriate DEP regional office if you have questions or need additional information.

Note: The online or paper notification system is not for asbestos abatement and demolition/renovation projects in Philadelphia or Allegheny Counties. They each have their own online system.

FEES: If you are submitting an initial asbestos abatement or regulated demolition or renovation project that is subject to 40 CFR Part 61, Subpart M (relating to National Emission Standards for Hazardous Air Pollutants), or the Asbestos Occupations Accreditation and Certification Act (1990 Act 194 or Act 161), you must include a $300 payment. The online notification system mentioned above accepts all major credit card or bank routing information. Paper notifications must include a $300 check payable to "Commonwealth of Pennsylvania Clean Air Fund". Initial notifications will not be considered complete unless accompanied by the fee. No fee is due for a notification revision nor for fire training applications. This fee is not applicable for projects located within Allegheny or Philadelphia Counties.

WHERE IS THERE MORE INFORMATION?

To obtain copies of the NESHAP regulations, the notification form or other information, please contact:

Southeast Regional Office – 484-250-5920 (Bucks, Chester, Delaware, and Montgomery counties)

Northeast Regional Office – 570-826-2511 (Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne, and Wyoming counties)

Southcentral Regional Office – 717-705-4702 (Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, and York counties)

Northcentral Regional Office – 570-321-6580 (Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga, and Union counties)

Southwest Regional Office – 412-442-4190 (Beaver, Greene, and Washington counties)

Southwest Regional Office – 724-925-5428 (Cambria, Fayette, Somerset, and Westmoreland counties)

Northwest Regional Office – 814-332-6940 (Armstrong, Butler, Clarion, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Lawrence, McKean, Mercer, Venango, and Warren counties)

For work done in Philadelphia County, contact Air Management Services at 215-685-7576.

For work done in Allegheny County, contact Allegheny County Health Department at 412-578-8120.

For more information, visit www.dep.pa.gov.