



## **North Carolina General “Asbestos” Requirements for Renovation and/or Demolition Activities**

Asbestos is a naturally occurring fibrous mineral that has been used in over 3,000 different building materials. Examples of typical building materials that have been known to contain asbestos include, but are not limited to, trowel-applied or sprayed-on decorative treatments, fireproofing, certain insulation products, vinyl flooring, gypsum wall board, joint compound, adhesives, plaster, ceiling tiles, certain paints and cementitious materials such as siding or roofing. You can still purchase some products today that contain asbestos. This mineral is known to cause lung cancer, asbestosis (scarring of the lung tissue) and mesothelioma (a cancer of the lining of the lung or abdominal cavity). Disturbing asbestos during a renovation or demolition activity could result in unnecessary occupant exposure and building contamination, as well as regulatory violations, penalty assessments and potential litigation.

To protect people from this potential hazard, the North Carolina Department of Health and Human Services, Division of Public Health, Health Hazards Control Unit (HHCU) administers the National Emission Standards for Hazardous Air Pollutants (NESHAP) – Asbestos Regulation (40 CFR, Part 61, Subpart M) in all but three counties in NC. Forsyth, Buncombe and Mecklenburg counties have their own Asbestos NESHAP programs and should be contacted directly for their local program requirements. This federal regulation **requires building owners or operators** to thoroughly inspect the facility/buildings (e.g. commercial, industrial, residential dwelling units with more than 4 dwelling units) or part of the affected facility where the demolition or renovation operation will occur for the presence of asbestos-containing material (ACM) **prior to the commencement of the renovation or demolition activity**. Asbestos-containing material means material which contains more than one percent (1%) asbestos.

The HHCU recommends an asbestos inspection always be conducted (to include single family residential dwellings and residential buildings with four or fewer dwelling units). Inspections for asbestos must be done by an NC-accredited asbestos inspector and should be done prior to any renovation or demolition activities. This allows the owner and contractor to know whether ACM is present, what precautions should be taken and whether NC accredited asbestos removal personnel and a state-issued permit would be required to remove the asbestos materials. Accreditation may be verified by asking to see the NC individual’s accreditation card issued by the HHCU before beginning the project. You can also verify individual accreditation by calling the HHCU or visiting our website and using the “Find Asbestos Professionals” feature.

The asbestos inspection/survey should inform owners of the presence, location, quantity, type and condition of the asbestos-containing materials. This information will help with project planning, minimize the potential for asbestos exposure to occupants and workers, prevent unnecessary property contamination along with the associated costs to remediate, and ensure the proper disposal of asbestos-containing waste.

When conducting a NESHAP applicable activity, a notification is required to be submitted to the HHCU. This notification is in addition to any other demolition permits that may be issued by other local municipal or county offices. The notification must be postmarked or received by the HHCU at least 10 working days prior to the commencement of the activity. Please note that a demolition notification is required, **even if no asbestos was identified** by the facility/building inspection.

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The HHCU also administers the NC Asbestos Hazard Management Program found under North Carolina General Statutes Chapter 130A, Article 19, §130A-444 through 452 and the rules adopted to implement the Asbestos Hazard Management Program, 10A N.C.A.C. 41C .0600. These rules apply to asbestos management activities such as accreditation, inspections, air monitoring and permitted asbestos removals of friable ACM. The requirements apply state-wide in all counties and require that all asbestos management activities be conducted by personnel accredited by the HHCU.

Friable ACM means any material that, when dry, can be broken, crumbled, pulverized or reduced to powder by hand pressure. Friable ACM also includes previously non-friable material after such material becomes damaged to the extent that, when dry, it can be crumbled, pulverized, or reduced to a powder by hand pressure. Regulated ACM includes friable materials and non-friable materials that will be or that have been subject to sanding, cutting, grinding, abrading, or those materials that have a high probability of becoming or that have become crumbled, pulverized, or reduced to powder by the forces expected to act on the material during the demolition or renovation operations.

An asbestos removal permit must be submitted when the threshold amount is greater than 35 cubic feet, 160 square feet or 260 linear feet of friable or regulated asbestos material is to be removed. The asbestos removal permit must be received or postmarked at least 10 working days prior to the desired start date of the removal activities. There may be additional AHMP rule requirements that must be met depending on the type of building and the amount of asbestos to be removed.

Generally, all friable and regulated ACM in quantities greater than 3 square or linear feet that will be disturbed by a renovation or demolition activity, must be properly removed by NC accredited asbestos workers and supervisors. The removal must occur before beginning renovation or demolition activities that will break up, dislodge or similarly disturb the material or preclude access to the material for subsequent removal.

The information contained in this summary is intended as a general overview and is not intended to be all inclusive and should not be interpreted as such. All applicable renovation or demolition activities must comply with the North Carolina General Statutes Chapter 130A, Article 19, §130A-444 through 452 and the rules adopted to implement the Asbestos Hazard Management Program, 10A N.C.A.C. 41C .0600. If your project involves pre-1978 housing or child-occupied facilities, please be aware that additional lead-based paint requirements may also apply in addition to the asbestos requirements. There may be times when a contractor will need both accreditation for asbestos and certification for lead-based paint.

To further assist you with understanding the state and federal asbestos requirements or to verify accreditation or find accredited asbestos professionals you can visit our website at: <https://epi.dph.ncdhhs.gov/asbestos/ahmp.html>.

For questions regarding specific applicability of the asbestos requirements, you are encouraged to contact the HHCU to discuss the project in detail. If you would like to have a presentation addressing asbestos or lead-based paint regulations at a meeting or conference, or if you have specific questions, please feel free to contact the HHCU at (919) 707-5950.