



# ADVISORY

## (REGULATION CHANGES)

Number 11

### NESHAPs Asbestos D/R Notification

The Environmental Protection Agency (EPA), under Section 112 of the Clean Air Act (CAA), regulates asbestos as part of the National Emissions Standards for Hazardous Air Pollutants (NESHAPs) program. The purpose of the NESHAPs is to protect the public from exposure to asbestos in the ambient air. Federal regulations (40 CFR Part 61) governing the NESHAPs program were recently repromulgated and ensure that all work practice standards are now enforceable.

The California Air Resources Board (CARB), in cooperation with EPA, is providing information to you to ensure a consistent understanding of the asbestos regulations as they pertain to Demolition and Renovation (D/R) projects. For your convenience, the following information is enclosed:

1. EPA Federal Register, Part IV, 40 CFR Part 61, NESHAPs Standard.
2. District Mailing List - Local Air Pollution Control Officials in California.
3. Delegated and Non-Delegated Air Pollution Control Districts (APCD) of California.

Following the NESHAPs guidelines, written notification for impending D/R projects must be made to the proper agencies. In a Delegated APCD, only that district and EPA must be notified. In a Non-Delegated APCD, only EPA and CARB must be notified. However, it is suggested that the Non-Delegated district also be included in the notification. Delegated districts (with EPA assistance, if requested) have the primary authority for enforcing the NESHAPs regulations within their jurisdiction, whereas EPA (with CARB assistance) is directly responsible for enforcing the NESHAPs regulations in the Non-Delegated districts.

Written notifications should be addressed to the following applicable personnel:

1 Air Pollution Control Officer of each District.

2. Nancy Woo  
NESHAPs Coordinator  
U.S. Environmental Protection Agency, Region IX  
215 Fremont Street, A-3-3  
San Francisco, CA 94105  
(415) 974-7633

3. James J. Morgester  
Chief, Compliance Division  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812

All asbestos D/R projects are subject to unannounced inspections and increased inspection frequency. In addition, under federal law, violations of the NESHAPs regulations can result in penalties of up to \$25,000 per day.

For answers to your questions, call the Air Resources Board Compliance Division at (800) 952-5588 or (916) 322-SMOG. If no one answers, please leave a message on our recorder.