



CALIFORNIA AIR RESOURCES BOARD

ADVISORY

(REGULATION CHANGES)

Number 57

October 9, 1990

ASSEMBLY BILL 2791 - DEMOLITION PERMITS

Attached is a copy of Section 19827.5 which is to be added to the Health and Safety Code as a result of the passage of Assembly Bill 2791. This Section becomes effective January 1, 1991 and will apply to any demolition permits issued on or after that date.

Under the new law, local agencies may not issue permits to demolish until the applicant has demonstrated exemption or compliance with the notification requirements of Part 61 of Title 40 of the Code of Federal Regulations (Asbestos NESHAP). It is hoped that this bill will eliminate the situations where building department permits to demolish are issued even though required asbestos removal or notification requirements have not been met.

AB 2791 imposes no new responsibilities on APCDs; however, staff in both delegated and non-delegated districts should anticipate an increase in requests for information from both building owners and demolition permitting authorities. To facilitate district response to these inquiries, a generic notification is attached which you may wish to share with building owners and permitting authorities. As you are aware, this form should be submitted to EPA Region IX, Cal OSHA, and either ARB Compliance Division or the delegated district when any asbestos project is undertaken by a contractor. AB 2791 now requires that such notification must be submitted to the appropriate local agency before the demolition permit is issued or declare that the project is exempt from the Asbestos NESHAP requirements.

To assure that appropriate local agencies are aware of this new requirement, we would appreciate your sending a copy of this advisory to them. If you have any questions regarding this advisory, please contact the Air Resources Board Compliance Division at (800) 952-5588.

Attachment

James J. Morgester, Chief
Compliance Division
P.O. Box 2815
Sacramento, CA 95812

Assembly Bill No. 2791

CHAPTER 418

An act to add Section 19827.5 to the Health and Safety Code, relating to demolition permits.

[Approved by Governor July 25, 1990. Filed with Secretary of State July 26, 1990.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2791, Speier. Demolition permits.

Existing law does not regulate demolition permits granted to buildings containing hazardous air pollutants.

This bill would prohibit the issuance of a demolition permit as to any building or other structure except upon the receipt from the permit applicant of a copy of each written asbestos notification regarding the building that has been required to be submitted to the United States Environmental Protection Agency, or its designee, under certain provisions of federal law relating to hazardous air pollutants, except as otherwise specified. As to the agencies that issue demolition permits, this bill would thereby create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 19827.5 is added to the Health and Safety Code, to read:

19827.5. A demolition permit shall not be issued by any city, county, city and county, or state or local agency which is authorized to issue demolition permits as to any building or other structure except upon the receipt from the permit applicant of a copy of each written asbestos notification regarding the building that has been required to be submitted to the United States Environmental Protection Agency or to a designated state agency, or both, pursuant to Part 61 of Title 40 of the Code of Federal Regulations, or the successor to that part. The permit may be issued without the applicant submitting a copy of the written notification if the applicant declares that the notification is not applicable to the scheduled demolition project. The permitting agency may require the applicant to make the declaration in writing, or it may incorporate the applicant's response on the demolition permit

application. Compliance with this section shall not be deemed to supersede any requirement of federal law.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

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**ASBESTOS DEMOLITION/RENOVATION
NOTIFICATION**

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MAIL TO
ASBESTOS NOTIFICATION
EPA/NESHAPS Region IX
1235 Mission St. A-3-3
San Francisco, Ca. 94103

Please check one:

EPA USE ONLY

DATE: _____

Renovation

DateRec _____

PROJECT JOB # _____
 (Please see reverse side)

Demolition requiring
10 day notice

Pstmrk _____

Demolition requiring
20 day notice

School

Del/ND

Revision of Original
(Form on reverse side)

ADQUTE? _____

Code#:

Doc#:

Agencies <u>ALSO</u> Notified:	
<input type="checkbox"/>	Local _____
<input type="checkbox"/>	California Air Resources Board
<input type="checkbox"/>	Cal OSHA
<input type="checkbox"/>	Building Department

INSTRUCTIONS ON REVERSE SIDE—PLEASE READ BEFORE USING THIS FORM

<p>1. OPERATOR: _____ (Contractor) ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE () _____</p>	<p>3. FACILITY NAME: _____ STREET ADDRESS _____ CITY _____ STATE _____ COUNTY _____ ZIP _____</p>
<p>2. OWNER _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE () _____</p>	<p>4. FACILITY DESCRIPTION _____ _____ AGE _____ SIZE _____ PRIOR USE _____</p>
<p>5. Project Start Date: _____ Completion Date: _____</p>	
<p>6. Estimate of Friable Asbestos: ON PIPE: _____ Linear Feet SURFACE OF OTHER COMPONENTS: _____ Square Feet Nature of Materials: _____</p>	
<p>7. DESCRIBE METHODS OF REMOVAL: _____ _____</p>	
<p>8. PROCEDURES USED TO COMPLY WITH 40 CFR 61.147 & 152: _____ _____</p>	
<p>9. NAME & LOCATION OF DISPOSAL SITE: _____</p>	
<p>ANY FURTHER PERTINENT INFO CAN BE INCLUDED BY ATTACHING ADDITIONAL SHEETS QUESTIONS??? FOR FURTHER INFORMATION CALL (415) 556-6415 8am/4pm M-F</p>	

INSTRUCTIONS FOR USE OF ASBESTOS DEMOLITION/RENOVATION NOTIFICATION FORM

RENOVATION: means altering in any way one or more facility components. NOTICE MUST BE POSTMARKED AS EARLY AS POSSIBLE BEFORE PROJECT
DEMOLITION: means the wrecking or taking out of load-supporting structural members of a facility together with any related handling operations
10 Day notice for MORE than 160 sq.ft. or 260 linear ft. asbestos
20 Day notice for LESS than 160 sq.ft. or 260 linear ft. asbestos,
includes facilities which contain no asbestos.

FACILITY: means any institutional, commercial or industrial structure, installation, or building. Renovations on single family residences and apartment buildings with 4 units or fewer are exempt from notification to EPA.

PROJECT JOB #: Your OWN IN-HOUSE I.D. for a specific jobsite. Optional, but expedites communication concerning notifications.

LOCAL AGENCY: Most areas in Region 9 have local NESHAP delegated agencies. In these areas notice must be provided to both EPA and the local agency.

1. OPERATOR/CONTRACTOR: Full information concerning person doing the work.
 2. PROPERTY OWNER: Complete in full.
 3. FACILITY NAME: Must have complete address OR directions to the jobsite.
 4. FACILITY DESCRIPTION: Current use of building. Project location in the facility. Other descriptive information as necessary.
 5. START AND COMPLETION DATE: Provide month, day and year. Must be revised if dates change. (see revision form below)
 6. Estimate of amount to be removed (must be in square or linear feet). Revisions (see form below) must be made for additional amounts uncovered.
 7. Examples of methods: glovebag, scrape, remove in sections, etc.
 8. Examples: Adequate wetting prior to and during work, double bag, etc.
- DRY REMOVAL MUST RECEIVE PRIOR WRITTEN APPROVAL FROM EPA OR THE LOCAL DELEGATED AGENCY**

IF MORE SPACE IS NEEDED THAN PROVIDED, ADDITIONAL SHEETS SHOULD BE ATTACHED TO REVISE A NOTIFICATION ALREADY ON FILE WITH EPA, USE FORM PROVIDED BELOW

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PROJECT NAME _____ PROJECT JOB # _____
 ORIGINAL NOTIFICATION DATE _____ Revision Notice #1 2 3 4 5
 please circle

This is to advise that the above referenced notification presently on file has been revised. Please note the revised portion listed.

CHANGES FOR THIS REVISION: PROJECT ()
 CANCELLATION.

1. NEW Location _____
 2. NEW Scope of Work _____
 3. ADDITIONAL Quantity of Asbestos _____
 NEW Start Date _____
 NEW Completion Date _____
 6. NEW Disposal Site _____