



Asbestos Guidance Manual for Renovation and Demolition Projects

Kentucky Regulations and Requirements



Asbestos Notification and Control Procedures

This document is designed to serve as a guide for asbestos notification and control procedures in accordance with [401 KAR 58:025](#) and the National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos listed in [40 CFR 61 Part M](#). Regulations apply to renovation or demolition projects involving any structure that is not a single-family home or apartment dwelling with less than four units. However, if the homes are part of a commercial or public project then it is subject to applicable asbestos regulations; see page 14 and 15 for more details. Asbestos emission controls as listed in [401 KAR 58:040](#) and [40 CFR 61.145](#) must be followed for all applicable asbestos demolitions and renovations. This document is not a substitute for reading and understanding state and federal statutes and regulations.

Operation Types

To determine which standards for asbestos demolition or renovation are required by regulation of the owner or operator of a demolition or renovation activity prior to starting the activity, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including friable asbestos, [Category I](#) and [Category II non-friable asbestos](#) containing material. “Friable” refers to material found to contain greater than one percent of asbestos and that can crumble under hand pressure when dry.

As per [40 CFR 61.141](#), **demolition** is defined as 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** means altering a facility or one or more facility components in any way, including the stripping or removal of Regulated Asbestos Containing Material (**RACM**) from a facility component.

The various types of asbestos demolition and renovation operations are determined by the amount of asbestos being removed, the type of work performed and the reason the work is being performed. All asbestos demolition and renovation activities fall into one of the following operation categories: renovation, demolition, state ordered demolition, emergency and long-term. The notification and asbestos control procedures vary depending on the operation type.

Appendices

The following appendices contain notification requirements and procedures for asbestos control. An overview of the different renovation and demolition notification procedures can be found in Appendix A; asbestos control procedures are listed in Appendix B and C. Note that the regulation numbering system used is unique to this document and not reflected in [40 CFR 61.145](#) and [401 KAR 58:040](#).



Federal and state regulations apply to demolition and renovation activities.

Violations can result in fines up to \$25,000 per day.



Appendix A - Notification Requirements

If the project involves a structure, commercial or school building or an apartment dwelling with more than four units, it is subject to federal and state asbestos regulations. Note: Residential structures that are demolished or renovated as part of a commercial or public project are subject to federal and state asbestos regulations.

Table 1: Summary of Division for Air Quality Notification Requirements

Demolition Requirements

Prior to demolition activities, perform a thorough asbestos survey. If the survey reveals **no RACM**:

- Demolition can begin 10 working days after notification. No asbestos-specific work practices are required.

If the survey reveals less than **160 square feet, 260 linear feet or 35 cubic feet of RACM**:

- Demolition can begin 10 working days after notification.
 - Asbestos removal can begin prior to submitting notification.
- Removal of RACM is recommended to be performed by a certified entity prior to demolition in compliance with Kentucky requirements for asbestos abatement projects.

If the survey reveals more than **160 square feet, 260 linear feet or 35 cubic feet of RACM** (which includes Friable ACMs and Category I and II materials that will become friable during removal):

- Demolition can begin 10 working days after notification.
- A **certified entity** must remove and dispose of material prior to demolition in compliance with federal and state requirements.

Renovation Requirements

Prior to renovation activities, perform a thorough asbestos survey. If the survey reveals **no RACM**:

- No notification is required.
- No asbestos-specific work practices required.

If the survey reveals less than **160 square feet, 260 linear feet or 35 cubic feet of RACM**:

- No notification is required.
- Removal of RACM is recommended to be performed by a certified entity prior to renovation in compliance with Kentucky requirements for asbestos abatement projects.

If the survey reveals more than **160 square feet, 260 linear feet or 35 cubic feet of RACM** (which includes Friable ACMs and Category I and II materials that will become friable during removal):

- Renovation can begin 10 working days after notification.
- A **certified entity** must remove and dispose of material prior to renovation in compliance with federal and state requirements.

Notification of Asbestos Abatement/Demolition/Removal Activities

The **DEP7036 Form: Notification of Asbestos Abatement/Demolition/Removal Activities** must be submitted to provide the 10-day notification as mentioned above.

- Electronic submittal of the form can be found here with an active Kentucky Online Gateway account through the EEC eForms application: <https://dep.gateway.ky.gov/eForms/Main/Forms.aspx?FormId=70>.
 - Electronic submittal instructions : <https://eec.ky.gov/Environmental-Protection/Air/asbestos/Pages/Asbestos-Notifications.aspx>.
- For a printable copy of the form for postal mail, use the following: <https://eec.ky.gov/Environmental-Protection/Forms%20Library/DEP7036%20Form%20with%20Instructions.pdf>.



The numbering system used is unique to this document and not reflected in [40 CFR 61.145](#).

If the asbestos survey reveals RACM in the amounts listed in Table 1 that require notification to DAQ, each owner or operator of a demolition or renovation activity shall:

1. Provide DAQ with written notice of intention to demolish or renovate. Delivery of the notice electronically through the Energy and Environment Cabinet's (EEC's) electronic forms website, [EEC eForms](#) (preferred method), by the U.S. Postal Service, commercial delivery service or hand delivery to regional office where the operations will occur is acceptable.
2. Update notice, as necessary, including when the amount of asbestos affected changes by at least 20 percent.
3. Electronically submit, postmark or deliver the notice as follows:
 - A. At least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), unless the renovation or demolition is unplanned or an emergency operation.
NOTE: Working days are Monday - Friday, including all holidays.
 - B. At least 10 working days before the end of the calendar year preceding the year for which notice is being given for renovations.
 - C. As early as possible before, but not later than, the following working day if the operation is a demolition ordered by a state or local government or is an emergency renovation.
 - D. For asbestos stripping or removal work in a demolition or renovation operation that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to DAQ as follows:
 - i. When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin **after** the date contained in the notice:
 - a. Notify DAQ of the new start date by telephone as soon as possible before the original start date.
 - b. Provide DAQ with a written notice of the new start date as soon as possible before but no later than the original start date.
 - ii. When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin on a date **earlier** than the original start date:
 - a. Provide DAQ with a written notice of the new start date at least 10 working days before asbestos stripping or removal work begins.
 - b. For demolitions at facilities that do not meet the RACM limits, provide DAQ written notice of a new start date at least 10 working days before commencement of demolition.



Appendix B - Procedures for Asbestos Control

The numbering system used is unique to this document and not reflected in [40 CFR 61.145](#).

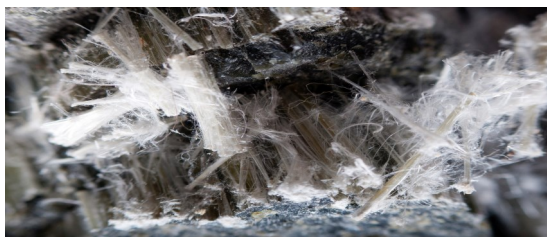
NOTE: If the facility is being demolished under an order of a state or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse, only the requirements listed in steps 4-9 of this section shall apply.

Each owner or operator of a demolition or renovation activity that meets the RACM limits shall comply with the following procedures for asbestos control:

1. Remove all RACM from a facility being demolished or renovated before any activity begins that would break up, dislodge or similarly disturb the material or preclude access to the material for subsequent removal. RACM need not be removed before demolition if:
 - A. It is Category I nonfriable RACM that is not in poor condition and not friable.
 - B. It is on a facility component that is encased in concrete or other similarly hard material and adequately wet whenever exposed during demolition; or
 - C. It was not accessible for testing and was, therefore, not discovered until after demolition began and, as a result of the demolition, the material cannot be safely removed. If not removed for safety reasons, the exposed RACM and any asbestos-contaminated debris must be treated as asbestos-containing waste material and adequately wet at all times until disposed of.
 - D. They are Category II nonfriable RACM and the probability is low that the materials will become crumbled, pulverized or reduced to powder during demolition.
2. When a facility component that contains, is covered with or is coated with RACM is being taken out of the facility as a unit or in sections:
 - A. Adequately wet all RACM exposed during cutting or disjoining operations; and
 - B. Carefully lower each unit or section to the floor and ground level, not dropping, throwing, sliding or otherwise damaging or disturbing the RACM.
3. When RACM is stripped from a facility component while it remains in place in the facility, adequately wet the RACM during the stripping operation.
 - A. In renovation operations, wetting is not required if:
 - i) The owner or operator has obtained prior written approval from DAQ, based on a written application that wetting to comply with this paragraph would unavoidably damage equipment or present a safety hazard; and
 - ii) The owner or operator uses of the following emission control methods:
 - a) A local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping and removal of the asbestos materials. The system must exhibit no visible emissions to the outside air.
 - b) A glove-bag system designed and operated to contain the particulate asbestos material produced by the stripping of the asbestos materials.
 - c) Leak-tight wrapping to contain all RACM prior to dismantlement.
 - B. In renovation operations where wetting would result in equipment damage or a safety hazard and other allowed methods cannot be used, another method may be used after obtaining written approval from DAQ based upon a determination that it is equivalent to one of the approved methods.



4. A copy of the administrator's written approval shall be kept at the worksite and made available for inspection.
5. After a facility component covered with, coated with or containing RACM has been taken out of the facility as a unit or in sections using an allowable method, it shall be stripped or contained in leak-tight wrapping, except for those that are too large. If a component is stripped, either:
 - A. Adequately wet the RACM during stripping; or
 - B. Use a local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping. The system must exhibit no visible emissions to the outside air.
6. For large facility components, such as reactor vessels, large tanks and steam generators, but not beams, the RACM is not required to be stripped if the following requirements are met:
 - A. The component is removed, transported, stored, disposed of or reused without disturbing or damaging the RACM.
 - B. The component is encased in a leak-tight wrapping.
 - C. The leak-tight wrapping is correctly labeled during all loading and unloading operations and during storage.
7. For all RACM, including material that has been removed or stripped, adequately wet the material and ensure that it remains wet until collected and contained or treated in preparation for disposal; and
 - A. Carefully lower the material to the ground and floor, not dropping, throwing, sliding, or otherwise damaging or disturbing the material.
 - B. Transport the material to the ground via leak-tight chutes or containers if it has been removed or stripped more than 50 feet above ground level and was not removed as units or in sections.
 - C. RACM contained in leak-tight wrapping that has been appropriately removed need not be wetted.
8. When the temperature at the point of wetting is below 32° F (0° C):
 - A. The owner or operator need not comply with wetting provisions.
 - B. The owner or operator shall remove facility components containing, coated with, or covered with RACM as units or in sections to the maximum extent possible.
 - C. During periods when wetting operations are suspended due to freezing temperatures, the owner or operator must record the temperature in the area containing the facility components at the beginning, middle and end of each workday and keep daily temperature records available for inspection by the administrator during normal business hours at the demolition or renovation site. The owner or operator shall retain the temperature records for at least 2 years.



9. No RACM shall be stripped, removed or otherwise handled or disturbed at a facility regulated by this section unless at least one on-site representative, such as a foreman or management-level person or other authorized representative, trained in the provisions of this regulation and the means of complying with them, is present. Every year, the trained on-site individual shall receive refresher training in the provisions of this regulation. The required training shall include as a minimum: applicability; notifications; material identification; control procedures for removals, including at least, wetting, local exhaust ventilation, negative pressure enclosures, glove-bag procedures and High Efficiency Particulate Air (HEPA) filters; waste disposal work practices; reporting and recordkeeping; and asbestos hazards and worker protection. Evidence that the required training has been completed shall be posted and made available for inspection by the administrator at the demolition or renovation site.
10. If a facility is demolished by intentional burning, all RACM including Category I and Category II nonfriable RACM must be removed in accordance with [40 CFR Part 61, Subpart M](#).

Appendix C - Additional Work Practice Requirements for Asbestos Abatement Entities

The operation type labelling system below and numbering system in the following tables are unique to this document and are not reflected in [401 KAR 58:040](#).

Tables in Appendix C provide the additional Kentucky workplace requirements or precautions for asbestos abatement activities as listed in [401 KAR 58:040](#). Each owner or operator of a demolition or renovation activity that meets the applicable RACM limits listed below shall follow the corresponding work practice requirements or precautions found in Tables 2-1, 2-2, or 2-3:

- ◇ Renovation activities revealing \geq 160 square feet, 260 linear feet or 35 cubic feet of RACM (Table 2-1); or
- ◇ Demolition activities revealing \geq 160 square feet, 260 linear feet or 35 cubic feet of RACM (Table 2-2); or
- ◇ Renovation and demolition activities that reveal $<$ than 160 square feet, 260 linear feet or 35 cubic feet of RACM (Table 2-3).
 - ◇ An asbestos abatement entity engaged in asbestos abatement projects, including emergency operations under the RACM limits, shall take reasonable precautions to prevent the release of asbestos fibers to the outside air.
- ◇ **Glove Bag Alternative** - A glove-bag system designed and operated to contain the particulate asbestos material produced by the stripping of the asbestos materials is an acceptable alternative to the corresponding requirements and are marked with a check mark “✓” as displayed in the following tables. Review [401 KAR 58:040](#), Section 1(15) for design requirements.
 - DAQ shall approve other alternative work practice requirements for an asbestos abatement project if the asbestos abatement entity submits the alternative to the requirements to DAQ, in writing prior to beginning the asbestos abatement project and demonstrates to DAQ that:
 - Compliance with the requirements established in this section is not practical or not feasible; and
 - The proposed alternative to the requirements provides an equivalent control of asbestos and is not in conflict with any applicable local, state or federal law.



Table 2-1: Requirements for Renovation Activities Revealing ≥ 160 Square Feet, 260 Linear Feet or 35 Cubic Feet of RACM

	Additional Renovation Work Place Requirements for Asbestos Abatement Entities	Glove Bag Method Accepted
A	All objects and exposed surfaces in the work area shall be cleaned. Movable objects may then be removed. Objects not removed from the work area shall be covered with polyethylene sheeting secured in place. All openings within the containment area, including windows, doorways, elevator openings, corridor entrances, drains, ducts, grills, grates, diffusers, skylights and openings created by the construction of any barriers, shall be sealed with polyethylene sheeting. Containment areas shall be established by permanent walls extending from the floor to the ceiling, or where permanent walls do not exist, by barriers. Barriers shall be constructed of polyethylene sheeting attached securely in place.	✓
B	Floor sheeting shall be installed within the containment area and shall be at least two (2) layers of polyethylene sheeting. Floor sheeting shall extend up side walls at least twelve (12) inches and shall be sized to minimize seams. Seams shall not be located at wall-to-floor joints.	✓
C	<p>Wall sheeting shall be installed throughout the containment area. All wall sheeting shall be polyethylene sheeting, with each layer at least four (4) millimeters thick, shall be securely installed to minimize seams and shall extend beyond each wall-to-floor joint at least twelve (12) inches. Seams shall not be located at wall-to-wall joints.</p> <ul style="list-style-type: none"> • Within the work area. Wall sheeting on a permanent wall shall be at least two (2) layers. Wall sheeting on a barrier shall be at least one (1) layer. • Within all other areas of the containment area. Wall sheeting on a permanent wall shall be at least one (1) layer. Wall sheeting shall not be required where barriers are used. 	✓
D	<p>A worker decontamination enclosure system shall be provided, consisting of a clean room, shower room and equipment room, each separated from each other and from the work area by air locks and accessible through doorways protected with two (2) overlapping polyethylene sheets.</p> <ul style="list-style-type: none"> • NOTE: Kentucky regulations require a six (6) chamber decontamination unit as described above. 	✓
E	All HVAC equipment in or passing through the containment area shall be shut down, locked out and tagged out to advise personnel not to activate the equipment. All intake and exhaust openings and any seams in system components shall be sealed with polyethylene sheeting and waterproof tape.	✓
F	A warning sign shall be displayed at each approach to any location where airborne fiber levels can be expected to exceed background levels. Warning signs shall conform with OSHA 29 C.F.R. 1910.1001 standards.	
G	Negative pressure ventilation units with HEPA filtration and in sufficient number to provide one (1) workplace air change every fifteen (15) minutes shall operate continuously for the duration of the project. The duration of the project shall be from the time that a containment area is established and wall and floor sheeting are installed until acceptable final clearance air monitoring results are obtained.	✓



Table 2-1: Requirements for Renovation Activities Revealing ≥ 160 Square Feet, 260 Linear Feet or 35 Cubic Feet of RACM Continued

	Additional Renovation Work Place Requirements for Asbestos Abatement Entities	Glove Bag Method Accepted
H	All friable asbestos material shall be thoroughly wetted through to the substrate prior to removal.	
I	Facility components shall be removed intact or in large sections if possible and shall be carefully lowered to the floor. Other friable asbestos material shall be removed in small sections.	✓
J	Materials located at heights greater than fifteen (15) feet but less than or equal to fifty (50) feet above the floor shall be dropped into inclined chutes or onto scaffolding or containerized at their elevated levels for eventual disposal. For materials more than fifty (50) feet above the floor, a dust-tight enclosed chute shall be constructed to transport removed material to containers on the floor.	
K	Friable asbestos material that has been removed shall not be allowed to accumulate or become dry.	
L	For porous surfaces stripped of friable asbestos materials, a lockdown agent shall be applied to securely seal any residual fibers. The lockdown agent shall be compatible with subsequent covering.	
M	Following abatement, wall sheeting and floor sheeting shall be removed and containerized for disposal. A sequence of HEPA filtration vacuuming, wet wiping all exposed surfaces and surface drying shall be performed until visible residue is not observed in the work area. A minimum of twenty-four (24) hours after wet wiping shall be required to ensure that sufficient drying has occurred.	✓
N	All asbestos-containing waste, except for large facility components, shall be thoroughly wetted before being placed into containers for disposal. Large components shall be thoroughly wetted before being wrapped in polyethylene sheeting for disposal. Disposal shall occur at locations identified in line U of this table.	✓
O	Wet asbestos-containing waste shall be double bagged in polyethylene bags placed in sealed, rigid containers such as steel drums, fiber drums, or heavy cardboard boxes for transport to the approved landfill identified in Table 2-1, line U. Large facility components shall alternatively be wrapped in at least two (2) layers of polyethylene sheeting, which shall be secured with waterproof tape for disposal.	
P	All polyethylene sheeting used in an asbestos abatement project shall be treated as asbestos-containing waste.	✓
Q	All wrapping or containerizing of asbestos-containing waste shall be completed to prevent the outside of the wrapping or container from being contaminated with asbestos fibers.	



Table 2-1: Requirements for Renovation Activities Revealing ≥ 160 Square Feet, 260 Linear Feet or 35 Cubic Feet of RACM Continued

		Glove Bag Method Accepted
	Additional Renovation Work Place Requirements for Asbestos Abatement Entities	
R	All packaged wastes including boxes, drums and wrapped components shall be labeled in accordance with 40 C.F.R. 61.152 , as referenced in 401 KAR 58:025 .	
S	Clearance air monitoring shall be performed. At least five (5) samples of air per work area, or one (1) sample per room, whichever is greater, shall be obtained for the clearance air monitoring. A sample volume of 3,000 liters of air shall be used. The air samples shall be obtained while the air is being artificially circulated so the fibers remain airborne during the sampling. Barriers shall not be dismantled and openings shall not be uncovered, until the final samples show total fiber concentrations of less than or equal to 0.01 fibers per cubic centimeter of air. The method for determining compliance with this paragraph shall be either of the methods established in Appendix M to Guidance for Controlling Asbestos-Containing Materials in Buildings (U.S. Environmental Protection Agency, Office of Pesticides and Toxic Substances, EPA 560/5-85-024, June 1985).	✓
T	Transport and disposal of asbestos-containing waste shall not release asbestos fibers into the outside air.	
U	Disposal shall occur at a site approved by the Division of Waste Management to accept asbestos-containing waste in accordance with 401 KAR Chapter 47 and shall meet all other applicable local, state and federal laws.	
V	The asbestos abatement entity shall submit copies of all results of sampling obtained during clearance air monitoring and all disposal receipts to the building owner and the Cabinet.	
W	Each asbestos abatement entity shall maintain records of all asbestos abatement projects and shall make these records available to the Cabinet upon request. The asbestos abatement entity shall retain the records for at least six (6) years.	



Table 2-2: Requirements for Demolition Activities Revealing ≥ 160 Square Feet, 260 Linear Feet or 35 Cubic Feet of RACM

	Additional Demolition Work Place Requirements for Asbestos Abatement Entities	Glove Bag Method Accepted
A	A worker decontamination enclosure system shall be provided, consisting of a clean room, shower room and equipment room, each separated from each other and from the work area by air locks and accessible through doorways protected with two (2) overlapping polyethylene sheets. <ul style="list-style-type: none"> NOTE: Kentucky regulations require a six (6) chamber decontamination unit. 	✓
B	A warning sign shall be displayed at each approach to any location where airborne fiber levels can be expected to exceed background levels. Warning signs shall conform with OSHA 29 C.F.R. 1910.1001 standards.	
C	Negative pressure ventilation units with HEPA filtration and in sufficient number to provide one (1) workplace air change every fifteen (15) minutes shall operate continuously for the duration of the project. The duration of the project shall be from the time that a containment area is established and wall and floor sheeting are installed until acceptable final clearance air monitoring results are obtained.	✓
D	All friable asbestos material shall be thoroughly wetted through to the substrate prior to removal.	
E	Facility components shall be removed intact or in large sections if possible and shall be carefully lowered to the floor. Other friable asbestos material shall be removed in small sections.	✓
F	Materials located at heights greater than fifteen (15) feet but less than or equal to fifty (50) feet above the floor shall be dropped into inclined chutes or onto scaffolding or containerized at their elevated levels for eventual disposal. For materials more than fifty (50) feet above the floor, a dust-tight enclosed chute shall be constructed to transport removed material to containers on the floor.	
G	Friable asbestos material that has been removed shall not be allowed to accumulate or become dry.	
H	Following abatement, wall sheeting and floor sheeting shall be removed and containerized for disposal. A sequence of HEPA filtration vacuuming, wet wiping all exposed surfaces and surface drying shall be performed until visible residue is not observed in the work area. A minimum of twenty-four (24) hours after wet wiping shall be required to ensure that sufficient drying has occurred.	✓
I	All asbestos-containing waste, except for large facility components, shall be thoroughly wetted before being placed into containers for disposal. Large components shall be thoroughly wetted before being wrapped in polyethylene sheeting for disposal. Disposal shall occur at locations identified in line P of this table.	✓
J	Wet asbestos-containing waste shall be double bagged in polyethylene bags placed in sealed, rigid containers such as steel drums, fiber drums, or heavy cardboard boxes for transport to the approved landfill identified in Table 2-2, line P. Large facility components shall alternatively be wrapped in at least two (2) layers of polyethylene sheeting, which shall be secured with waterproof tape for disposal.	



Table 2-2: Requirements for Demolition Activities Revealing ≥ 160 Square Feet, 260 Linear Feet or 35 Cubic Feet of RACM Continued

	Additional Renovation Work Place Requirements for Asbestos Abatement Entities	Glove Bag Method Accepted
K	All polyethylene sheeting used in an asbestos abatement project shall be treated as asbestos-containing waste.	✓
L	All wrapping or containerizing of asbestos-containing waste shall be completed to prevent the outside of the wrapping or container from being contaminated with asbestos fibers.	
M	All packaged wastes including boxes, drums and wrapped components shall be labeled in accordance with 40 C.F.R. 61.152 , as referenced in 401 KAR 58:025 .	
N	Clearance air monitoring shall be performed. At least five (5) samples of air per work area, or one (1) sample per room, whichever is greater, shall be obtained for the clearance air monitoring. A sample volume of 3,000 liters of air shall be used. The air samples shall be obtained while the air is being artificially circulated so the fibers remain airborne during the sampling. Barriers shall not be dismantled and openings shall not be uncovered, until the final samples show total fiber concentrations of less than or equal to 0.01 fibers per cubic centimeter of air. The method for determining compliance with this paragraph shall be either of the methods established in Appendix M to Guidance for Controlling Asbestos-Containing Materials in Buildings (U.S. Environmental Protection Agency, Office of Pesticides and Toxic Substances, EPA 560/5-85-024, June 1985).	✓
O	Transport and disposal of asbestos-containing waste shall not release asbestos fibers into the outside air.	
P	Disposal shall occur at a site approved by the Division of Waste Management to accept asbestos-containing waste in accordance with 401 KAR Chapter 47 and shall meet all other applicable local, state and federal laws.	
Q	The asbestos abatement entity shall submit copies of all results of sampling obtained during clearance air monitoring and all disposal receipts to the building owner and the Cabinet.	
R	Before beginning a demolition project, seal off with polyethylene sheeting and waterproof tape, all doors, windows, floor drains, vents and other openings to the outside of the building and to areas within the building that do not contain asbestos materials.	✓
S	Ensure that, if a structure is to be partially demolished, all HVAC equipment in the demolition area or passing through it but servicing areas of the building that will remain, shall be shut down, locked out, tagged out to advise personnel not to activate the equipment and thoroughly sealed with polyethylene sheeting and waterproof tape.	✓
T	Clearance air monitoring as established Table 2-2, line N shall be required, following abatement activities conducted for demolition purposes, prior to demolition.	✓
U	Each asbestos abatement entity shall maintain records of all asbestos abatement projects and shall make these records available to the Cabinet upon request. The asbestos abatement entity shall retain the records for at least six (6) years.	



Table 2-3: Work Place Precautions for Demolition and Renovation Activities Revealing < 160 Square Feet, 260 Linear Feet or 35 Cubic Feet of RACM

	Work Place Precautions for Asbestos Abatement Entities	Glove Bag Method Accepted
A	Construction of adequate barriers or use of wall and floor sheeting to contain asbestos fibers released within the containment area.	✓
B	Wetting of all friable asbestos materials prior to removal and keeping them wet until containerized.	
C	Use of HEPA filtration vacuum equipment and wet cleaning techniques to clean up the work area following the project until there is no visible residue.	✓
D	Appropriately wrapping or containerizing asbestos-containing waste and labeling the packaged waste including wrapped components, boxes, or fiber or metal drums.	
E	Transportation to and disposal at a location identified in Table 2-1, line U in a manner that does not release fibers into the outside air.	
F	Each asbestos abatement entity shall maintain records of all asbestos abatement projects and shall make these records available to the Cabinet upon request. The asbestos abatement entity shall retain the records for at least six (6) years.	

Additional Asbestos Resources

- For information on asbestos licensing and certification, please visit: <https://eec.ky.gov/Environmental-Protection/Air/asbestos/Pages/default.aspx>.
- For more information about asbestos notifications, please see: <https://eec.ky.gov/Environmental-Protection/Air/asbestos/Pages/Asbestos-Notifications.aspx>.

Division for Air Quality Website: <https://eec.ky.gov/air>

Phone: (502) 564-3999

Email: burnlaw@ky.gov

- The Kentucky Occupational Safety and Health Program also regulate asbestos activities relating to worker safety: <https://kysafe.ky.gov/Pages/index.aspx>.
- Additional restrictions may apply to asbestos removals in Jefferson County; please contact the Louisville Metro Air Pollution Control District (LMAPCD) directly for more information: <https://louisvilleky.gov/government/air-pollution-control-district>.



**NOTICE OF CLARIFICATION:
ASBESTOS REGULATORY REQUIREMENTS*
FOR ONE-HOUSE DEMOLITIONS AND RENOVATIONS**

Demolitions and renovations at facilities are subject to the Division for Air Quality's asbestos regulations, [401 KAR 58:025](#) and [401 KAR 58:040](#). Under these regulations, a facility is defined as "any institutional, commercial, or industrial structure, installation or building (excluding apartment buildings having no more than four dwelling units)".

A house is usually not considered a facility under the regulations unless special circumstances exist. For example, when a homeowner decides to tear down his house to build another, the demolition is exempt from the Division's asbestos regulations. On the other hand, a house being demolished or renovated is a facility if it has been or is being used as something other than a residence (an office or a store, for example), and a house that will be renovated into a facility becomes a facility when the plan is made to renovate it. Additionally, if a house is one of a group of houses being demolished at a site, the regulations apply, because the houses constitute an installation; however, in the case of urban renewals that are funded by a single funding source and that are being performed for a specific purpose (e.g., to build Habitat for Humanity houses), US EPA's Region 4 has advised that the federal asbestos regulation does in fact apply to all houses involved in the project – even isolated houses that are not clustered together with other houses at a single site.

The Division for Air Quality considers a one-house demolition or renovation to be exempt from its asbestos regulations unless the house ***(1) is part of a group of houses being demolished or renovated at a site or (2) was previously used as something other than a residence in the case of renovations and demolitions or, in the case of renovations only, is being made into something other than a residence.*** However, this Division is hereby advising owners and operators of urban-renewal projects of Region 4's new applicability determination regarding houses involved in these projects.

Although the Division does not regulate these exempted one-house demolitions and renovations, the Division recommends certain precautions, namely: before demolition/renovation, check the house for asbestos and safely remove and dispose of any that is found. Additionally, be aware that other agencies (e.g., local governments, OSHA, and Ky. Div. Of Waste Management) could have regulations that apply.

Any questions on this matter may be directed to any Division for Air Quality Regional Office; contact information is available at the following link: <https://eec.ky.gov/Environmental-Protection/Pages/regional-offices.aspx>.

**For informational purposes only. Relying on this notice alone shall not guarantee full compliance with all legal requirements. This notice simply clarifies the Division for Air Quality's asbestos requirements for private residential homes.*



ASBESTOS OPERATIONS FAQ

Q1: Are residential structures owned by the State subject to the asbestos NESHAP if they have less than four dwelling units?

A1: Yes, if the structures are part of a State project such as road construction or urban renewal.

Q2: Is spray on ceiling texture considered part of the wall system like tape joint compound?

A2: No, the analyses of these individual layers may not be composited with the wallboard analyses.

Q3: If the ceilings are not disturbed or demolished during the move, does the asbestos need to be removed before the move?

A3: Prior to the move, the owner or operator must determine if the move will break up, dislodge, or similarly disturb the asbestos. If such disturbances occur, the owner or operator may be subject to enforcement action.

Q4: Can the State avoid the requirements of the asbestos NESHAP by having the demolition of a residential structure occur prior to the State taking official ownership?

A4: If the structure is part of an installation, as occurs when a group of houses are demolished for a project, such activities would be considered circumvention which is prohibited by the Part 61 NESHAP general provisions.

Q5: Is the movement of a single-family home purchased from a private party subject to the asbestos NESHAP?

A5: No, unless the home is part of an installation, planned development, or public project.

Q6: Is the movement of a single-family home purchased from a land developer subject to the asbestos NESHAP?

A6: Yes, residential structures that are demolished or renovated as part of a commercial or public project are not exempt from the rule.

Q7: Is the movement of a structure that has been used for educational purposes and will contain four or less dwelling units subject to the asbestos NESHAP?

A7: Yes, mobile classroom structures are considered institutional buildings.

Q8: Is the movement of a single-family home (not modular or mobile) purchased from a house manufacturing company subject to the asbestos NESHAP?

A8: No, based on the limited information provided.

Q9: Is the movement of portable school classrooms subject to the asbestos NESHAP?

A9: Yes, large mobile structures for public or commercial use are regulated.

Q10: Is the movement of agricultural buildings subject to the asbestos NESHAP?

A10: Agricultural buildings used for commercial purposes, such as a dairy barn or crop storage structure, are subject. However, the rule does not apply to sheds used to store equipment for a homeowner's garden, or to farm stands that sell fresh produce and have no utilities.

Q11: Is the movement of garages subject to the asbestos NESHAP?

A11: Yes, if the residential structure associated with the garage is subject, if the garage is located at a commercial operation, or if the garage itself is used for commerce.





The Environmental Compliance Assistance Program (ECAP) assists businesses, individuals and organizations in understanding and complying with permits and other environmental requirements. Contact us for any of your environmental compliance assistance needs.

Online: eec.ky.gov/ECAP

Phone: 502-782-6189

E-mail: envhelp@ky.gov

ECAP staff are available to provide on-site assistance and training.

ENVIRONMENTAL COMPLIANCE ASSISTANCE PROGRAM



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