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## Annual Asbestos Notifications

*The purpose of this document is to establish procedures for the submission of annual asbestos notifications.*

### Background

Ohio EPA is tasked with protecting human health and the environment from exposure to asbestos. Compliance inspections of asbestos abatement projects is an important tool in accomplishing this task. Owner and contractors are required to notify Ohio EPA ten working days prior to the start of projects involving the removal of greater than fifty linear feet or fifty square feet of regulated asbestos containing materials. The notification informs the Ohio EPA inspector of important information effecting compliance inspections such as project dates, amount of material to be removed and location of the project. An annual notification is one type of required notification.

### Rules

***Ohio Administrative Code (OAC) "Asbestos Emission Control" rule (OAC 3745-20) and "Asbestos Licensing" rule (OAC 3745-22) effective on January 1, 2018.***

OAC Rule 3745-20-02(B)(4) states in part "In a facility being renovated, including any individual nonscheduled renovation operation, rules 3745-20-03, 3745-20-04 and 3745-20-05 of the Administrative Code apply if the combined amount of regulated asbestos-containing material to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is at least two hundred sixty linear feet on pipes or at least one hundred sixty square feet on other facility components, or at least thirty-five cubic feet off facility components where the length or area could not be measured previously.

(a) Paragraph (B)(4) of this rule applies to planned renovation operations involving a series of individual nonscheduled operations, that individually are exempt from this chapter, if the combined amount of regulated asbestos-containing material to be removed or striped during a calendar year, January first through December thirty-first, exceeds two hundred sixty linear feet on pipes or at least one hundred sixty square feet on other facility components or thirty-five cubic feet off facility components."

OAC Rule 3745-20-03(A)(3) states in part "Notify the director via one of the following schedules:

(b) At least ten working days before the end of the calendar year preceding the year for which notice is being given for individual nonscheduled renovations described in paragraph (B)(4)(a) of rule 3745-20-02 of the Administrative Code."

OAC Rule 3745-22-04(C) states in part "an asbestos hazard abatement contractor engaging in any asbestos hazard abatement project shall:

(4) Notify the director at least ten business days before beginning each asbestos hazard abatement project conducted during the term of his license."

OAC Rule 3745-22-01(F) states an "asbestos hazard abatement project" means one or more asbestos hazard abatement activities that are conducted by one asbestos hazard abatement contractor and that are reasonably related to each other.

OAC Rule 3745-22-01(C) states an "asbestos hazard abatement activity" means any activity involving the removal, renovation, enclosure, repair, or encapsulation of reasonably related friable asbestos-containing materials in an

amount greater than fifty linear feet or fifty square feet. Asbestos hazard abatement activity also includes any such activity involving such asbestos-containing materials in an amount of fifty linear or fifty square feet or less if, when combined with any other reasonably related activity in terms of time and location of the activity, the total amount is in an amount greater than fifty linear or fifty square feet.

### **Submittal Procedure**

- Annual notifications must be submitted to Ohio EPA by December 18<sup>th</sup> of the year prior to the calendar year covering the notification. As an example, an annual notification for the calendar year 2019 must be submitted to Ohio EPA by December 18, 2018. Notifications may be submitted on-line or mailed.
- The initial fee for each annual notification is \$140.00 which includes \$65.00 for the licensing rule fee and \$75.00 for the NESHAP rule fee.
- RACM amounts are to be estimated for the calendar year when submitting the notification. Then, by January 14<sup>th</sup> of the following calendar year, the notification must be revised with the actual yearly amounts removed at which time an invoice for the RACM fees will be sent to the notification billing contact.
- Any individual renovation/abatement project exceeding 160SF/260LF/35CF cannot be performed under the annual notification. A separate notification must be submitted.
- To qualify as an annual notification the project must be the same owner and same county. Multiple addresses can be submitted on one notice if needed. This can be accomplished by either putting “all facility buildings” and attaching a map or document containing all buildings/addresses or by completing separate Section 2 notification pages for each address.
- A separate annual notification must be submitted for each abatement contractor performing annual notification work. This is due to licensing rule requiring the licensed asbestos hazard abatement contractor to notify for any project over 50LF/50SF feet of RACM.
- An annual notification also satisfies the requirements of the licensing notification since the notification is for an annual project (from 1/1 – 12/31) and it included abatement of greater than 50LF/50SF of RACM. Separate licensing notifications do not need to be submitted for project >50LF/50SF but less than 160SF/260LF/35CF.
- Ohio EPA recommends revising annual notifications monthly and uploading or attaching a document to the notification showing what abatement was performed the previous month. This will enable OEPA inspectors to know what abatement is being performed as well simplify the task of submitting the actual yearly RACM removal amounts when the notification is revised at the end of the project.

### **Contact**

For questions not addressed here, or questions about the SOP, please contact the asbestos program at (614) 466-0061.