



Roles and Responsibilities for Emergency Demolitions and Ordered Demolitions

This guidance document delineates the responsibilities for both municipalities and owners/operators* with regards to notifying for the demolition of structures which are unsafe to enter to perform an asbestos building inspection. Please refer to Ohio Administrative Code (OAC) rules 3745-20-01 through 3745-20-05 for more information. Additionally, refer to OAC rule 3745-22 for additional information on removal of asbestos containing material.

*Owner/Operator (OAC rules 3745-20-02 through 3745-20-05): any person who owns, leases, operates, controls, or supervises the facility being demolished.

Whenever such a structure is demolished and no prior asbestos building inspection or abatement was performed (whether it is an Emergency Demolition or an Ordered Demolition), **all the demolition debris must be treated as regulated asbestos-containing material (RACM) and must be disposed of in an Ohio EPA approved asbestos waste disposal site.**

Because the material is to be treated/disposed of as RACM, **an Ohio EPA licensed Asbestos Hazard Abatement Contractor (AHAC) shall be on-site to oversee removal and packaging of the waste** per OAC rule 3745-22-02. Additionally, all sections of the notification pertaining to abatement work must be completed.

Emergency and Ordered Demolitions are defined below with an example scenario given for each.

Emergency Demolitions

Structures demolished as emergency demolitions may not be subject to the 10-working day waiting period. Please check with Ohio EPA regarding the specifics of the structure to be demolished.

A separate notification must be submitted for each emergency demolition project (e.g., multiple projects/addresses cannot be listed on the same notification)

Ohio Administrative Code (OAC) rule 3745-20-01(B)(17) defines an emergency demolition as:
“... means any demolition operation conducted under a written order issued by a state or local governmental agency because a facility is structurally unsound and in danger of imminent collapse.”

Example Scenario of an Emergency Demolition: A sudden or unexpected event has caused a structure to become structurally unsound. As such, it is unsafe to enter to perform an asbestos building inspection and remove asbestos-containing material (ACM) prior to demolishing the structure. Additionally, a governmental authority has deemed the structure as being in danger of imminent collapse. This scenario meets the criteria of an emergency demolition, and the structure must be demolished as soon as possible to prevent it from collapsing on its own.

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Ordered Demolitions

While ordered demolitions are not defined in the OAC asbestos rules, Ohio EPA recognizes there are structures that are unsafe to enter to perform an asbestos building inspection and/or remove asbestos containing materials (ACM) even though the building is not in danger of imminent collapse. Ohio EPA is providing the following guidance regarding these structures. These projects must also be ordered to be demolished by a government authority.

Projects demolished as ordered demolitions are subject to the 10-working day waiting period before work begins.

A separate notification must be submitted for each ordered demolition project (e.g., multiple projects/addresses cannot be listed on the same notification).

Example Scenario of an Ordered Demolition: You have a structure to demolish but the structure is unsafe to enter to perform an asbestos building inspection or to remove ACM. However, the structure is not in danger of imminent collapse.

A municipality and an owner/operator each have specific responsibilities related to emergency/ordered demolitions and these are described in the following sections: **THE MUNICIPALITY** and **OWNER/OPERATOR**.

THE MUNICIPALITY: As the municipality, you are responsible for issuing the Emergency Demolition Order or Ordered Demolition Order to be submitted with the Ohio EPA emergency (or ordered) demolition notification. The emergency demolition order shall include the items defined in Table 1 below. Once the order is written, it must be given to the owner/operator who will be submitting the notification.

Table 1 – What to Include in Orders for Emergency and Ordered Demolitions

Item	Emergency Demo	Ordered Demo
Name, title, and authority of the government official ordering the demolition (including a reference to a specific code or ordinance which gives the granting government official the authorization to issue the order).	YES	YES
Date order was issued.	YES	YES
Date the emergency demolition is ordered to begin.	YES	NO
Address or parcel number of the structure to be demolished	YES	YES
A statement that the authorization is an “Emergency Order” to demolish and must include the phrase “structurally unsound and in imminent danger of collapse.”	YES	NO
A statement that the authorization is an “Order” to demolish and must include the phrase “unsafe to enter to perform an asbestos building inspection.”	NO	YES
Signature of the authorizing official.	RECOMMENDED	RECOMMENDED

OWNER/OPERATOR: If you are the owner/operator submitting the *Ohio EPA Notification of Demolition and Renovation/Abatement* form, you are subject to the following requirements:

OAC rule 3745-20-03(A)(3)(c): *Notify the director...As early as possible before, but not later than, the following working day if the operation is an emergency demolition, or if the operation is an emergency renovation*

OAC rule 3745-20-03(C) *In addition to the information required in paragraph (A)(4) of this rule, each owner or operator of an emergency demolition shall provide the name, title, and authority of the state or local government authority who has ordered the demolition, the date that the order was issued, and the date on which the demolition is ordered to begin. A copy of the order shall be attached to the notification.*

The Ohio EPA emergency or ordered demolition notification must contain all the information defined in Table 2 below.

Additionally, you are asked to contact Ohio EPA at (614)-466-0061 or asbestos@epa.ohio.gov or the Ohio EPA district office or your local air agency (scroll to Contacts on epa.ohio.gov/dapc/atu/asbestos) to let them know you are submitting a notification for an Emergency/Ordered Demolition.

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Table 2 – Sections to Complete in the Ohio EPA Notification of Demolition and Renovation/Abatement

Item	Emergency Demo	Ordered Demo
Section 1-1: Check the box marked Emergency.	YES	YES
Section 1-2, Sections 1-4 through 1-11 must be filled out completely. Make sure to include asbestos abatement information and AHAC.	YES	YES
Section 1-9 requires a written demolition order to be submitted with either an emergency or ordered demolition notification. This order is to be issued by a municipality and must contain the items defined in Table 1.	YES	YES
Section 1-10 requires information relating to the emergency, fill out entirely for emergency demolitions and only the explanation field for ordered demolitions.	YES	YES
Section 1-11 Complete the attestation information. If you are using the online submittal system, the signature line will be populated with "Submitted Online via e-Biz."	YES	YES
Section 2-A: Complete facility description information.	YES	YES
Section 2-B: Under the Type of Operation, make sure to check the boxes for Demolition, Renovation/Abatement and Removal.	YES	YES
Section 2-C: Mark YES asbestos is present.	YES	YES
Section 2-D: Enter approximate amount of RACM in cubic feet in the "Volume if length or area cannot be measured/RACM" box (multiply total cubic yards by 27 to get this value).	YES	YES
Section 2-E and 2-G Abatement and demolition scheduling information.	YES	YES
Section 2-F Onsite demolition contractor information.	YES	YES

If the demolition is an Emergency Demolition, the notification shall be submitted as early as possible before the work begins, but no later than, the following working day after the demolition of the structure has begun. As stated previously in this document, the requirement to wait ten working days after submitting the notification to Ohio EPA before beginning the demolition may be waived with approval from the Ohio EPA. The 10-day waiting period is **not** waived for an Ordered Demolition.

The Emergency/Ordered Demolition notification can be submitted through Ohio EPA's online notification system which can be accessed through the e-Business center: <https://ebiz.epa.ohio.gov/>. The use of the online notification system is encouraged, but a hard copy notification may also be submitted. You can access the hard copy notification here: epa.ohio.gov/dapc/atu/asbestos.

Contact

Questions should be directed to the Ohio EPA asbestos program at (614) 466-0061 or asbestos@epa.ohio.gov.