

Did you know ...

all public and commercial buildings, regardless of age or construction type, must be inspected for asbestos before any renovation or demolition activity begins? This is a requirement under the North Dakota Air Pollution Control Rules and the U.S. Environmental Protection Agency (EPA) National Emission Standards for Hazardous Air Pollutants regulations.

What is asbestos?

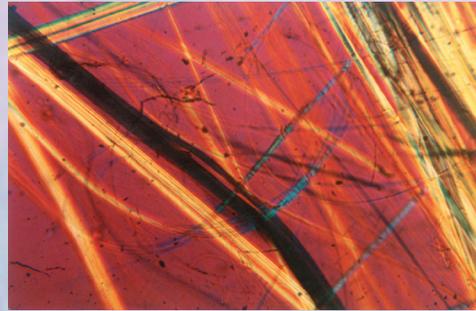
Asbestos is a group of naturally occurring minerals with crystals that form long, thin fibers. It has been used in thousands of products and has unique properties, such as high tensile strength, flexibility, acoustical properties, and resistance to thermal, chemical and electrical conditions. If inhaled, asbestos can cause diseases such as lung cancer, mesothelioma and asbestosis.

What common products contain asbestos?

Asbestos has been used in more than 3,600 different building products, including spray-on ceiling and wall texture, fireproofing, plaster, pipe coverings, floor tile, ceiling tile, roofing felt, concrete pipes and exterior siding.

Can I inspect for asbestos myself?

Asbestos inspections must be performed by a trained asbestos inspector certified by the North Dakota Department of Environmental Quality. In addition, samples of materials must be collected by a certified asbestos inspector. Asbestos in materials can be identified only by using a microscope.



Asbestos fibers (in blue)

What if I have vermiculite in a facility?

Vermiculite is a naturally occurring mineral composed of shiny flakes. A mine near Libby, Montana was the source of over 70% of all vermiculite sold in the United States from 1919 to 1990. There was also a deposit of asbestos at the mine, so the vermiculite from Libby was contaminated with asbestos.

The North Dakota Department of Environmental Quality agrees with the present EPA stance that there are currently no validated and approved analytical methodologies to accurately analyze and quantify asbestos concentrations in vermiculite. When asbestos inspections are performed by a North Dakota certified asbestos inspector and vermiculite is found in the material, it must be assumed to be regulated asbestos-containing material (RACM).

What if the inspector finds asbestos in an area that will be renovated or demolished?

The action depends upon the type and amount of asbestos found and whether or not the asbestos-containing material (ACM) is friable or nonfriable. Friable means that the material contains more than 1% asbestos and, when dry, can be crumbled, pulverized or reduced to powder by hand pressure or

mechanical forces. In North Dakota, the affected area must be more than 3 square feet or 3 linear feet for the North Dakota Air Pollution Control Rules to apply.

EPA has identified three categories of ACM:

(1) Regulated Asbestos - Containing Material

This category includes, but is not limited to, all friable RACM such as pipe coverings, ceiling and wall texture, plaster, fireproofing and ceiling tile. This material must be removed properly before the renovation or demolition activity begins. This category also includes nonfriable ACM that may become friable during the activity. Once removed, the RACM must be disposed of in an approved landfill.

(2) Category I Nonfriable Asbestos - Containing Material

This category includes, but is not limited to, packings, gaskets, resilient floor covering such as linoleum and floor tile, and asphalt roofing products that contain more than 1% asbestos. These products may have to be removed before renovation. These products do not have to be removed before demolition if they are in good condition and will not become friable during the activity. Once removed, Category I ACM must be disposed of in an approved landfill.

(3) Category II Nonfriable Asbestos - Containing Material

This category includes any material not included under Category I, such as exterior siding or cement piping, that contains more than 1% asbestos. Most of these products must be removed before renovation or demolition begins. Once removed, Category II ACM must be disposed of in an approved landfill.



Certified contractors remove asbestos.

Can I remove asbestos myself?

RACM more than 3 square feet or 3 linear feet must be removed by certified individuals and contractors licensed by the North Dakota Department of Environmental Quality. Category I and Category II nonfriable ACM can

be removed by non-certified individuals using hand tools who have asbestos training according to OSHA regulations.

Are all commercial and public buildings included in the regulation? What about residential buildings?

All institutional, commercial, public and industrial structures, installations and buildings are regulated. Residential buildings, including condominiums or individual dwelling units operated as residential cooperatives – with *more than four* dwelling units, also are regulated.

Single family residences usually are exempt, unless a group of residences on the same site under the same ownership are demolished or renovated as part of a larger project, such as highway construction or building expansion. In that case, the homes are regulated. They may also not be exempt in other cases. Please contact our department for further clarification. It is not generally recommended that a homeowner of a single family residence remove friable ACM themselves; this is best done by a trained asbestos contractor.

My building is new and I do not believe it contains asbestos. Do I still need to have it inspected?

Even though most ACM has been banned from production, some materials are still used, and an asbestos inspection would be required in a new building. However, in a K-12 school building constructed after October 12, 1988, a letter from the building architect or contractor stating no asbestos was used in construction can be substituted for an inspection.



All building demolitions require an asbestos inspection.

Whom do I have to notify when I renovate a building that contains asbestos?

When more than 160 square feet or 260 linear feet of RACM will be disturbed, a Notification of Demolition and Renovation form must be submitted to the North Dakota Department of Environmental Quality at least 10 working days in advance.

My building does not contain asbestos and will be demolished. Do I still need to notify the state?

The North Dakota Department of Environmental Quality must be notified of all building demolitions at least 10 working days in advance, even if asbestos is not present.

What will happen if I fail to comply with these requirements?

Failure to comply with these requirements may result in enforcement actions, including fines and penalties. In some cases, individuals and companies can be prosecuted criminally. Both the building owner and the contractor share the responsibility of making sure these requirements are met.



Where can I get a list of inspectors and licensed contractors and necessary forms?

This information can be obtained by visiting our website at:
<https://deq.nd.gov/wm/asbestos>



For more information, please contact:

Bismarck Office:

North Dakota Department of Environmental Quality
Asbestos Control Program
4201 Normandy Street
Bismarck, ND 58503-1324
Phone: 701-328-5166

Fargo Office:

North Dakota Department of Environmental Quality
Asbestos Control Program
1120 28th Ave. N., Suite B
Fargo, ND 58102
Phone: 701-298-4637

Before you renovate or demolish ...



Information about state and federal asbestos requirements.