



GUIDANCE INFO

CODE ENFORCEMENT & PERMITTING

Prior to renovation or demolition activities of a facility structure in your city, complete a thorough asbestos inspection and submit an NOI to DEQ.

ASBESTOS RISK & REGULATION

Asbestos is a naturally occurring mineral fiber. Asbestos may be found in insulation, flooring, ceiling sections, shingles, or siding. Health studies have linked asbestos fibers to serious health problems. The mere presence of asbestos in a building is not an immediate risk to people and the environment; however, danger exists when asbestos material is damaged or improperly removed and releases fibers into the air.

TIPS

- Prior to issuing permits for renovations and demolitions on facilities in your city, request that a copy of the thorough asbestos survey provided for the structure. This will help you to make sure that there is not a potential risk to communities within your city.
- Provide an informational handout about asbestos to those seeking permits and the actions needed prior to beginning renovation and/or demolition activities.
- For questions regarding project applicability to Regulation 21, including questions about asbestos forms, locating Arkansas certified individuals or licensed companies contact the Asbestos Section at 501.682.0718.
- To report a complaint about any renovation or demolition project, you can contact the Asbestos Section or use the online complaint form on the Division of Environmental Quality (DEQ) website. Complaints can be anonymous.

ASBESTOS FORMS

Notification of Intent (NOI) should be submitted ten working days prior to the start of any work which includes site preparation that would break up, dislodge, or disturb any asbestos containing materials. The ten working day waiting period starts from the date that the NOI is postmarked or hand delivered to the DEQ headquarters. NOI's cannot be emailed as they require an original signature.

Notification of Intent Revisions (NOIR) should be submitted when there is any change in start date, change in end date, discovery of additional asbestos not previously disclosed in the asbestos survey, etc. and must be submitted in a timely manner. Applicable fees may apply.

All forms can be located on the DEQ website. Call 501.682.0718 for more information.

FACTS TO KNOW

1

The only way to determine if there is asbestos in any structure is to have an Arkansas licensed asbestos inspector take samples to send to a laboratory.

2

Regardless of who owns the structure Regulation 21 may apply.

3

Regulation 21 does not apply to single family dwellings (SFD) occupied by the homeowner, but it does regulate SFDs in the following categories:

- Intentionally burned for fire training by fire departments
- Demolished for urban renewal or highway development
- Used as or by a commercial business

4

Regulation 21 applies only to facilities as defined by the regulation. The following is a list of examples of the types of structures that are considered to be a facility: Institutional, commercial, public, industrial, school, church, one apartment, boarding house, residential cooperative, or condominium with more than four units.

ASK THE QUESTIONS & KNOW THE STEPS

There are several questions to ask to determine if a structure is regulated, in addition to steps that should be followed to comply with Regulation 21.

- Does the structure meet the definition of facility as defined by Regulation 21?
- Do the activities planned for the structure meet the definitions of a renovation or a demolition as defined by the Regulation 21?

STEP 1

COMPLETE THOROUGH ASBESTOS INSPECTION PRIOR TO RENOVATION OR DEMOLITION ACTIVITIES

1. Has a thorough asbestos inspection been conducted by an Arkansas licensed asbestos inspector to determine the presence, condition, and quantity of asbestos-containing materials (ACM) in the building?
2. Does the structure contain asbestos materials? If so, what condition/category did the Arkansas licensed asbestos inspector determine the asbestos to be in?
 - Regulated asbestos containing material (RACM)
 - Category I non-friable asbestos containing materials (packings, gaskets, resilient floor covering, asphalt roofing)
 - Category II non-friable asbestos containing materials (any material, excluding category I non-friable ACM)
3. Was the asbestos material identified as RACM or resilient floor and/or associated mastic covering and meet the amounts below?
 - ▶ 160 square feet (for surface areas)
 - ▶ 260 linear feet (for materials on pipes)

STEP 2

SUBMIT NOI TO DEQ

Has a NOI been submitted to DEQ at least ten working days prior to the beginning of any renovation or demolition activity?

- ALL demolition activities require the submittal of a NOI form whether or not the structure is determined to contain asbestos.
- Structures undergoing renovations must submit NOIs if amounts of regulated asbestos containing materials (RACM) meet the following amounts:
 - ▶ 160 square feet (for surface areas)
 - ▶ 260 linear feet (for materials on pipes)

STEP 3

COMPLY WITH PROVISIONS OF REGULATION 21

EXAMPLES OF BUILDING MATERIALS KNOWN TO CONTAIN ASBESTOS

- Cement Pipes
- Laboratory Hoods/Table Tops
- Elevator Brake Shoes
- Cement Wallboard
- HVAC Duct Insulation
- Cement Siding
- Fire Blankets
- Boiler Insulation
- Asphalt
- Floor Tile & Mastic
- Fire Curtains
- Breaching Insulation
- Vinyl Floor Tile
- Elevator Equipment Panels
- Ductwork
- Flexible Fabric Connections
- Caulk/Putty
- Cooling Towers
- Floor Backing/Adhesives
- Pipe Insulation
- Vinyl Wall Coverings
- Decorative Plaster Spackling

This information is intended to provide guidance regarding the Arkansas Asbestos Abatement Regulation (Regulation 21) and to provide an aid in determining which demolition and renovation projects are applicable to the provisions of Regulation 21. This is not intended as a substitute for Regulation 21, You may review Regulation 21 on the DEQ website.

Contact the Asbestos section for questions prior to issuing permits for renovation and demolition projects in your city.

501.682.0718