
COMMON QUESTIONS

Asbestos Hazard Management Program

Health Hazards Control Unit

North Carolina Department of Health and Human Services

ACCREDITATION

- Is a person considered accredited by simply taking an approved training course and passing the exam?** No. In order to be accredited through the Program, an application must first be submitted (Asbestos Accreditation form [DHHS 3699]). Information required on the application includes, but is not limited to, confirmation of training, and, if applicable, work experience and education. The application must also be accompanied by two 1 1/4" by 1 1/4" color photographs of the applicant and the appropriate accreditation fee. (01/22/90) (Revised 05/31/91) (Revised 12/27/94)
- What is required for confirmation of training?** Training documentation may be submitted in one of three forms: (1) the original certificate (photocopies and notarized copies will not be accepted); (2) an original confirmation letter from the training agency on the training agency's letterhead; or (3) an original attendee list from the training agency, with the applicant's name included, on the training agency's letterhead. Remember that original documentation of initial training, as well as all refresher courses, must be submitted for initial accreditation. All original certificates will be returned to the applicant. (08/01/91) (Revised 02/07/95) (Revised 10/96)
- Once paperwork for accreditation has been submitted, how long does it take to process the paperwork?** The processing time for an application is approximately two weeks from the date of receipt. If the application is incomplete, all paperwork and a letter of explanation will be returned to the applicant within the same length of time. (01/03/95)
- Can a lost accreditation photo-identification card be replaced?** Yes. In order to obtain a duplicate card for a lost accreditation photo-identification card a completed application form, one 1 1/4" x 1 1/4" current, color photograph, and a fee of ten dollars (\$10.00) payable by check or money order must be submitted to the HHCU.
- Can an appointment be made for having my accreditation processed?** Yes. All appointments should be made at least 24 hours in advance with the Accreditation Processor. Appointments for the processing of applications and photo identification cards will be made for TUESDAYS and THURSDAYS only. Completed paperwork for accreditation applications may be hand delivered to the HHCU office Monday through Friday from 8:00 am to 5:00 PM. Applications will be processed in the order they are received. (01/03/95)(Revised 08/96)
- How does the accreditation fee schedule work?** The fee for all accreditations, with the exception of workers, is one hundred dollars (\$100.00) annually for accreditation in a single discipline and seventy-five dollars (\$75.00) annually for accreditation in each additional discipline. The multiple accreditation fee (\$75.00) applies only to those individuals who are accredited in more than one category. Individuals who maintain only one accreditation will be required to pay one hundred dollars (\$100.00) each time an accreditation is renewed. The fee for worker accreditation is always twenty-five dollars (\$25.00) per person. (08/01/91) (Revised 10/96)

7. **What are the training requirements for accreditation renewal?** To maintain accreditation under the Asbestos Hazard Management Program Rules, a person must take an approved refresher course within twelve (12) months of the initial course or last refresher course. No individual may continue asbestos management activities after the 12th month, unless a refresher course has been completed and they have been reaccredited by the HHCU. If an individual does not obtain the required refresher training within 24 months, the initial training must be repeated prior to issuance of accreditation. (02/07/95)(Revised 10/96)
8. **What are the training requirements for air monitor and supervising air monitor accreditation?** Air monitors and supervising air monitors shall:
1. (a) Complete a Program approved NIOSH 582 or Program approved NIOSH 582 equivalent; and
(b) meet the initial and refresher training requirements for supervisors (a Program approved project monitor refresher course may be substituted for the supervisor refresher course); or
 2. Meet the initial and refresher training requirements for a Program approved five-day project monitor course and a Program approved project monitor annual refresher course.
- Individuals should contact the HHCU to ensure that training courses are Program approved prior to applying for accreditation. (08/01/91) (Revised 12/17/94; 02/28/95) (Revised 10/96)
9. **What are the "Professional Status" requirements for supervising air monitors?** All supervising air monitors accredited on or after February 1, 1991, shall be Certified Industrial Hygienists. Professional Engineers and Registered Architects who were accredited as air monitors prior to this date and who have continuously maintained their accreditation may also be accredited as supervising air monitors. (2/05/95)
10. **May a building owner use non-accredited employees to perform asbestos abatement activities?** Yes. Workers are not required to be accredited when performing small-scale, short-duration activities (SSSD); however, OSHA regulations require training. Small-scale, short-duration activities are tasks such as, but not limited to, the following: removal of asbestos-containing insulation on pipes; removal of small quantities of asbestos-containing insulation on beams or above ceilings; replacement of an asbestos-containing gasket on a valve; installation or removal of a small section of drywall; removal of small quantities of ACM only if required in the performance of another maintenance activity not intended as asbestos abatement; removal of asbestos-containing thermal system insulation not to exceed amounts greater than those which can be contained in a single glove bag; minor repairs to damaged thermal system insulation which do not require removal; repairs to a piece of asbestos-containing wallboard; and repairs involving encapsulation, enclosure, or removal of small amounts of friable ACM only if required in the performance of emergency or routine maintenance activity and not intended solely as asbestos abatement. Such work may not exceed amounts greater than those which can be contained in a single prefabricated mini-enclosure or glove bag. Such an enclosure shall conform spatially and geometrically to the localized work area, in order to perform its intended containment function. (2/05/95)(Revised 10/96)
11. **Does an individual need to be accredited when "prepping" a removal site?** Yes. Work area preparation activities require the use of accredited workers. Preparation is part of an asbestos removal, and the proper methods of preparation are taught in the worker and supervisor training courses. If there are special circumstances, such as the erection of scaffolding or wooden walls that involve workers in a specific trade where no contact with asbestos containing materials will occur, this work can proceed with non-accredited workers. (07/15/90) (Revised 12/27/94)

12. **When is a worker eligible to begin working on an asbestos removal site?** If the applicant for worker accreditation has submitted a completed application form to the HHCU accompanied by the proper confirmation of training, two 1 1/4" x 1 1/4" color photographs of the applicant, and the accreditation fee, the worker may work up to 90 days without an accreditation issued by the Program. After an application is submitted, you should contact the HHCU to ensure that the application is complete prior to permitting the worker on the job site. This policy applies only to workers and roofing workers. **All other disciplines require accreditation and receipt of the photo-identification card prior to performing asbestos abatement activities.** (08/01/91) (Revised 02/07/95) (Revised 10/96)

PERMITS/NOTIFICATIONS

13. **When am I required to submit an Asbestos Permit Application and Notification for Demolition/Renovation?** Submitting the Asbestos Permit Application and Notification for Demolition/Renovation Form satisfies the requirements of both the National Emission Standards for Hazardous Air Pollutants (NESHAP) and North Carolina AHMP Rules pertaining to asbestos removals. An Asbestos Permit Application and Notification for Demolition/Renovation Form is to be submitted for the following occurrences:
- A. Individual asbestos removals where 160 square feet, 260 linear feet, or 35 cubic feet or greater of regulated asbestos containing material (RACM) is to be removed.
 - B. Nonscheduled asbestos removals involving less than 160 square feet, 260 linear feet or 35 cubic feet of regulated asbestos containing material if the additive total amount of material removed from the facility during a calendar year exceeds 160 square feet, 260 linear feet or 35 cubic feet.

A nonscheduled asbestos removal is a removal required by equipment failure, which is expected to occur within a given period based on past operating experience, but for which an exact date cannot be predicted.
 - C. Emergencies involving the removal of 160 square feet, 260 linear feet, or 35 cubic feet or greater of regulated asbestos containing material. An emergency removal is a removal that was not planned, but results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden. The emergency removal permit application must be received as early as possible but not later than the working day following the start of the demolition.
 - D. Demolition of a building, whether or not it contains asbestos. A demolition is 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. The moving of a building or structure from one location to another is also considered a demolition.
 - E. If the building is being demolished under an order of a State or local government agency, issued because the building is structurally unsound and in danger of imminent collapse. In such cases, the notification is required, but the ten working day notification period is suspended in order to protect the public health. The ordered demolition notification must, however, be received as early as possible, but not later than, the working day following the start of the demolition. Copies of the notification and/or demolition order may be submitted via facsimile, but this submittal does not relieve the owner, or his representative, of the responsibility for submitting the originals by the next working day. (02/08/95) (Revised 08/96)
14. **When I submit a permit/notification application, must it be on the form provided by the HHCU office?** Yes, it must be submitted on an Asbestos Permit Application and Notification for Demolition/Renovation Form (DHHS 3768-Revised 7/99). You are free to copy the form or, with prior approval by the Program, create the form. (02/16/95)(Revised 08/96)

15. **Where should the completed Asbestos Permit Application and Notification for Demolition/Renovation (DHHS 3768) be submitted?** The application/notification should be submitted to the following address if sent via regular postal service:

Permit Secretary
NCDHHS – Division of Public Health
Health Hazards Control Unit
Occupational & Environmental Epidemiology Branch
1912 Mail Service Center
Raleigh, North Carolina 27699-1912

If sent overnight express, the completed application should be sent to:

Permit Secretary
NCDHHS – Division of Public Health
Health Hazards Control Unit
Occupational & Environmental Epidemiology Branch
5505 Six Forks Road 2nd Floor Room D-1
Raleigh, North Carolina 27609

Permit applications may also be hand delivered Monday through Friday from 8:00 am to 5:00 pm to the HHCU office. (02/08/95)(Revised 08/96)(Revised 8/05)

16. **Are any other forms required to be submitted for asbestos removals or demolition projects in North Carolina?** Possibly - Besides the Health Hazards Control Unit, there are three local programs in the State of North Carolina responsible for enforcing the NESHAP regulations within their jurisdiction. These local programs should be contacted concerning specific requirements for projects conducted in their areas. A permit application submitted to the North Carolina Health Hazards Control Unit may be required under the Program Rules, even when working in the local program areas. The local programs are as follows:

Buncombe County
WNC Regional Air Pollution Control Agency
49 Mt. Carmel Road
Asheville, North Carolina 28806
Telephone: 828-250-6777

Forsyth County
Environmental Affairs Department
537 North Spruce Street
Winston-Salem, North Carolina 27101-1262
Telephone: 336-703-2440

Mecklenburg County
Department of Environmental Protection
700 North Tryon Street, Suite 205
Charlotte, North Carolina 28202-2236
Telephone: 704-336-5500

(02/08/95; Revised date: 12/00; 3/07)

- 17. Will incomplete Asbestos Permit Application and Notification for Demolition/ Renovation forms (DHHS 3768) be accepted by the Health Hazards Control Unit?** No. Asbestos Permit Application and Notification for Demolition/Renovation Forms submitted to the Program must be filled out completely to be accepted. If information is missing, the Asbestos Permit Application and Notification for Demolition/Renovation Form will be rejected and returned to the applicant. (02/08/95)(Revised 08/96)
- 18. Does the Health Hazards Control Unit (HHCU) accept telefaxed Asbestos Permit Application and Notification for Demolition/Renovation forms?** No. The HHCU does not accept telefaxed Asbestos Permit Application and Notification for Demolition/Renovation Forms. The Health Hazards Control Unit will accept Asbestos Permit Application and Notification for Demolition/Renovation Forms delivered by U.S. Postal Service, commercial delivery service, or hand delivery. (02/08/95)(Revised 08/96)
- 19. Does the Health Hazards Control Unit (HHCU) accept telefaxed Revision for Permit/Notification forms (HHCU 3768-R)?** Yes. Upon receipt, telefaxed revisions are initialed and dated by Program personnel and then faxed back to the contact person who signed the revision. (02/08/95)(Revised 08/96)
- 20. How does the Health Hazards Control Unit (HHCU) calculate the ten working day notification period?** Working days are defined as Monday through Friday, including holidays that fall on any of these days. The date that the completed form is postmarked for delivery to the HHCU office, or, if hand-delivered, the date that the completed form is received at the HHCU office, is the first day of the notification period. Removal or demolition activities may start on the tenth working day. (02/08/95)(Revised 08/96)
- 21. Should the Health Hazards Control Unit (HHCU) be notified of changes in removal dates?** Yes. The permit shall be revised to reflect any change in the removal dates as follows:
- (1) Revision to a start date for a project that will begin after the start date stated in the approved permit shall be received on or before the previously stated start date or previously revised start date;
 - (2) Revision to a start date for a project that will begin before the start date stated on the approved permit shall be received at least 10 working days before the new start date;
 - (3) Revision to a completion date that will be extended beyond the completion date stated in the approved permit shall be received by the original or previously revised completion date; and
 - (4) Revision to a completion date that will be earlier than the completion date stated in the approved permit shall be received by the new completion date. (02/08/95)(Revised 08/96)
- 22. Are permit revisions going to be required every time the day and hours of work change?** Notification should be made when there is any major permanent change in working hours, such as starting a second shift or deciding to work on weekends. (02/12/95)
- 23. When additional regulated asbestos containing materials are identified for removal during an asbestos removal project, do the additional materials have to be reported?** Yes, and any additional fees that may be applicable shall be paid. (02/12/95)(Revised 08/96)
- 24. Can the ten working day notification be waived if an emergency occurs, such as a boiler failure requiring the removal of 300 square feet of TSI?** Yes. For emergency operations involving asbestos removal of more than 160 square, 260 linear, or 35 cubic feet, the ten working day notice may be waived. The Asbestos Permit Application and Notification for Demolition/Renovation Form shall be postmarked or received by the HHCU office as early as possible before, but not later than, the first working day following the emergency. Applications for emergency asbestos removal permits must be accompanied by a letter from the owner or his representative explaining the cause of the emergency. (02/08/95)(Revised 08/96)

- 25. If an owner has a nonscheduled removal permit in place and a boiler fails (routine failure of equipment) requiring the removal of 300 square feet of TSI, can this project be performed as a nonscheduled asbestos removal without further notification or waiting period?** No. It must be performed as an individual asbestos removal and an Asbestos Permit Application and Notification for Demolition/Renovation Form is required. The ten working day notification requirement may be waived in emergency situations. (02/12/95)
- 26. Can a project be placed "on hold"?** Projects may be put on hold, thereby extending the completion date. The work must be completed within twelve (12) months of the original start date. The owner or his representative must submit a revision giving the new start and complete dates prior to resuming work on the project. (02/08/95) (Revised 10/96)
- 27. For demolition projects that involve asbestos removals of less than the threshold amounts of 160 square feet, 260 linear feet, and/or 35 cubic feet, must the asbestos removal be included on the Asbestos Permit Application and Notification for Demolition/Renovation Form (DHHS 3768)?** For demolition projects preceded by asbestos removals of less than 160 square feet, 260 linear feet, or 35 cubic feet of regulated asbestos containing material, there is no requirement to notify the HHCU office of the removal unless the facility has already exceeded the threshold amounts for the calendar year. A notification of ten working days prior to the demolition is required. For demolition projects in Buncombe, Forsyth and Mecklenburg Counties, the local programs should be contacted. (02/08/95) (Revised 10/96)
- 28. Sometimes it is necessary to conduct asbestos removal projects in phases. How does one permit the start and completion date for the different phases?** There are two possibilities for reporting this information:
- 1) Provide a schedule of the dates the phases are to be conducted with the Asbestos Permit Application and Notification for Demolition/Renovation (DHHS 3768). Complete a Permit/Notification Revision form at the start of each subsequent phase with the type of RACM to be removed, location, additional contract price and fee, if applicable. For projects with multiple units, attach a list of the locations and the amount of RACM to be removed for each unit.
 - 2) If the dates the phases are to be conducted are unknown at the time the Asbestos Permit Application and Notification for Demolition/Renovation Form is submitted, the contractor can submit subsequent permit revisions prior to the start and completion of each phase after the initial project start date. (02/08/95) (Revised 10/96)
- 29. Must Waste Shipment Records be submitted to the Health Hazards Control Unit?** For individually permitted asbestos removals, the waste shipment records shall be postmarked or received within 45 days from the completion date provided on the permit. For nonscheduled asbestos removals, the waste shipment records shall be postmarked or received within 30 days after the end of each quarter. (08/96)

FEES

- 30. Is an Asbestos Permit Application and Notification for Demolition/Renovation (DHHS 3768-Revised 08/95) required for asbestos removal projects (≥ 160SF, 260LF, 35CF) to be conducted in a private residence? Are permit fees required?** Yes, an Asbestos Permit Application and Notification for Demolition/Renovation Form is required. For asbestos removals conducted in private residences, where the owner of the property resides, the owner is exempt from the asbestos removal permit fee. (01/05/95) (Revised 08/96)
- 31. How are fees determined when asbestos is being removed from areas of original installation and the areas have become contaminated from the originally installed material, such as pipe insulation that has delaminated in a crawl space?** The permit fee for these areas will be \$.20 per square foot of contaminated area or material - i.e., soil to be removed - plus the appropriate fee [from Block 17 of the Asbestos Permit Application and Notification for Demolition/Renovation (DHHS 3768)] for the square or linear footage of the asbestos containing material remaining intact on the substrate, or 1% of the contract price, whichever is greater. If there is no asbestos containing material remaining intact on the substrate, the permit fee will be \$.20 per square foot of the contaminated area or material, or 1% of the contract price, whichever is greater. (02/08/95)
- 32. How do you calculate the permit fees for removal of regulated Category I asbestos containing roofing materials?** The fee for removal of regulated Category I asbestos containing roofing materials is 1% of the contract price or \$.10 per square foot, whichever is greater. The amount of regulated asbestos containing roofing materials created during removal is calculated based on information found in the NESHAP Interpretative Rule Governing Roof Removal Operations (40 CFR 61, Subpart M, Appendix A). This Rule states that 160 square feet of regulated asbestos containing material is created for each 5580 square feet of Category I asphalt roofing material cut by a rotating blade cutter.

To calculate the square foot fees, divide the total square footage of the roof by 5580. Multiply this number by 160. The resulting number is then multiplied by \$.10 to get the total permit fee. See example below:

Roof area = 22,320 square feet

$$22320 / 5580 = 4$$

$$4 \times 160 \times \$0.10 = \$64.00$$

(02/08/95)(Revised 10/96)

- 33. How do you calculate the permit fees for removal of asbestos containing joint compound used in sheetrock/drywall?** The fees are 1% of the contract price or \$.10 per square foot, whichever is greater. To calculate the square foot fees when the joint compound is used only to cover the joints and the nail marks, multiply the total square footage of the wall area by ten percent (10%). The resulting sum is then multiplied by the appropriate permit fee per square foot of material in order to calculate the permit fees. See example below:

$$1600 \text{ total square feet of wall} \times .10 = 160 \text{ square feet}$$

$$160 \text{ square feet} \times \$0.10/\text{SF} = \$16.00$$

In situations where the joint compound has been used as a skim coat, the entire surface area of the sheetrock/drywall shall be used to calculate the appropriate fees. (02/08/95)

- 34. How do you calculate permit fees for the removal of regulated asbestos/cement shingles/panels?** The fees are based upon the tear-off and disposal of regulated asbestos containing cement shingles/panels but not the put-back of new materials. The procedure for calculating the square footage fees for regulated asbestos containing cement shingles/panels is 1% of the contract price or \$.10 per square foot, whichever is greater. See example below:

Example: Asbestos cement shingles/panels area = 22,320 square feet
 $22,320 \times \$.10 = \$2,232.00$

- 35. How do you calculate the permit fees for removal of asbestos containing cementitious panels from inside a cooling tower?** Fees for removal of asbestos containing panels used in cooling towers shall be based on the cubic footage of the cooling tower, not the square footage of the panels in the tower, or 1% of the contract price, whichever is greater. See example below:

Cooling tower dimensions - 10 feet high x 10 feet long x 10 feet wide
 $10 \text{ ft} \times 10 \text{ ft} \times 10 \text{ ft} = 1000 \text{ cubic feet}$
 $1000 \text{ cubic feet of cementitious panels} \times \$0.10 = \$100.00$
(02/08/95)(Revised 10/96)

- 36. What is the Health Hazards Control Unit's (HHCU) policy regarding refund of permit fees?** If a contractor submits an Asbestos Permit Application and Notification for Demolition/Renovation Form and the appropriate permit fees for a project, and the project is subsequently canceled, the contractor may request a refund of the permit fees minus a \$200 administrative fee. The contractor may not receive a credit for the permit fees in order to apply them to a subsequent project. (02/08/95)(Revised 08/96)
- 37. When additional regulated asbestos containing materials are identified for removal during an asbestos removal project, do the additional fees have to be reported on a Revision for Permit/Notification Form (HHCU 3768-R)?** Yes. For revisions that add to the amounts of material to be removed, appropriate permit fees for the additional material must be included with the revision, regardless of the amount of material being added to the project. The fees should be calculated using the fee schedule included on the Revision for Permit/Notification Form (HHCU 3768-R). (02/08/95) (Revised 10/96)
- 38. What happens if I submit fees to the Health Hazards Control Unit and my check is returned from the bank because of insufficient funds in my account?** You will be charged a \$20.00 processing fee and, thereafter, payment will have to be in the form of a money order or a certified check. (02/14/95) (Revised 10/96)
- 39. Are fees required for the removal of regulated asbestos containing materials in buildings scheduled for demolition?** Fees for the removal of greater than 160 square feet, 260 linear feet, and 35 cubic feet of regulated asbestos containing material are required for buildings scheduled to be demolished. However, the fees shall not exceed \$300.00. For asbestos removals where the fees would have normally exceeded \$300.00, an original letter from the owner documenting that the building is scheduled for demolition needs to accompany the permit. The letter should be addressed to the HHCU and should state when the building will be demolished. Notification requirements for the demolition of the building are still applicable. If permit application and demolition notification are made on the same form, no letter is required. Demolition means razing a building or structure, or portion thereof, to the ground. (10/96)

AIR MONITORING AND FINAL AIR CLEARANCE

- 40. What are the responsibilities of the supervising air monitor?** A supervising air monitor is responsible for the following activities associated with an asbestos removal:
1. Preparing and implementing a written abatement project monitoring plan for removals.
 2. Directing, coordinating and approving all activities of air monitors working under his/her supervision.
 3. Ensuring that ambient air sampling results shall be on site.
 4. Personally inspecting individually permitted asbestos removals.
 5. Preparing a written, signed and dated report documenting all site visits made to the removal project, the final visual inspection, and all ambient and clearance air sampling conducted. (02/08/95) (Revised 10/96)
- 41. Do the Asbestos Hazard Management Program Rules require transmission electron microscopy (TEM) analysis for clearance air sampling on non-school asbestos removals?** Clearance air sampling is required for all permitted asbestos removals that are conducted in public areas. The type of analysis used will be dependent on the size of the project. TEM analysis is required for individually permitted removals of more than 3000 square, 1500 linear or 656 cubic feet of regulated asbestos containing material. TEM or phase contrast microscopy (PCM) analysis can be used for clearance air samples collected for permitted removals, less than these threshold amounts, performed in public areas. When conducting clearance air sampling, the sampling protocol used shall follow the AHERA regulations, 40 CFR 763 Subpart E. (01/22/90) (Revised 12/27/94) (Revised 10/96)
- 42. Is final air clearance needed or required after an asbestos removal project in a building that is going to be demolished?** For individually permitted asbestos removal projects in public areas of buildings scheduled for demolition, at least phase contrast microscopy sampling and analysis shall be conducted in accordance with 40 CFR Part 763, Subpart E after the asbestos removal project is complete. (01/22/90)(Revised 12/27/94)(Revised 08/96)
- 43. If a permit is submitted for the removal of greater than 3000 square feet, 1500 linear feet, or 656 cubic feet of asbestos in a public area, but the material is in more than one containment area (three different areas in a building or three hundred and thirty dormitory rooms), is a design, project monitoring plan, and TEM clearance required?** Projects involving the removal of greater than 3000 square, 1500 linear, or 656 cubic feet of regulated asbestos containing material from a public area must have a project monitoring plan and design. If the amount of RACM removed from a containment area is greater than 160 square feet, 260 linear feet or 35 cubic feet, TEM clearance is required. If the amount of RACM removed is less than 160 square feet, 260 linear feet or 35 cubic feet, either TEM or PCM clearance may be used. Contiguous portions of materials which are to be removed as part of the same project or at approximately the same time shall not be separated into smaller containments in order to circumvent the requirement for TEM clearance. Note: One factor to remember in calculating amounts of material to be removed is that square, linear, and cubic footage are separate categories and they are not added together to determine whether TEM clearance should be used. (02/08/95) (Revised 10/96)

- 44. How should "aggressive" air sampling be performed?** Prior to air monitoring, floors, ceilings, and walls should be swept with the exhaust of a minimum one horsepower leaf blower. The EPA document, Guidance for Controlling Asbestos-Containing Materials in Buildings (EPA 560/5-85-024), recommends that this blower be used for at least 5 minutes per 1000 square feet of floor. Stationary fans should be placed in locations which will not interfere with air monitoring equipment. The fan air is directed toward the ceiling. One fan should be used for each 10,000 cubic feet of work area. Aggressive air sampling is not appropriate for dirt floor crawl spaces. (01/22/90) (Revised 02/08/95)
- 45. Can a supervisor collect ambient, clearance and personal samples?** Ambient and clearance air samples are required to be collected by an accredited air monitor. Personal samples are an OSHA requirement and can be collected by the supervisor as long as the supervisor meets the definition of "competent person" in the OSHA standard. (02/12/95) (Revised 10/96)
- 46. Is ambient air sampling required while an asbestos removal project is in progress?** Ambient air sampling shall be conducted in public areas adjacent to the work area for all individually permitted asbestos removal projects. Initial sampling shall be conducted on the day that regulated asbestos containing material removal begins and shall continue on a daily basis unless, or until, the supervising air monitor specifies differently. (08/96)

AHERA REINSPECTIONS

- 47. When must a reinspection be completed?** The first reinspection should be completed within three years from the effective date of the management plan. Subsequent reinspections should be completed within three years from the date of the last reinspection. For example, if the first reinspection was conducted on July 9, 1992, then the next reinspection must be conducted on or before July 9, 1995. If there is any question on an inspection or reinspection due date for a particular school, please refer to the reinspection date specified on the AHERA Reinspection Report Form (DHHS 3778) included with the Management Plan for that school. (01/03/95) (Revised 10/96)
- 48. What is required for a reinspection under the AHERA regulations?** The AHERA regulations under 40 CFR 763.85(b) specify the methodology which is to be used during the reinspection. The reinspection is to be performed by a North Carolina accredited inspector. In each area of a school building, the inspector must:
1. Visually reinspect and assess all friable known or assumed asbestos containing building materials (ACBM);
 2. Visually inspect and touch all previously identified non-friable ACBM to determine if it has become friable;
 3. Identify areas that have become friable since the last inspection; and,
 4. Conduct assessment of all ACBM.
 5. If bulk samples are to be collected for an area of previously assumed ACBM, then sampling should be conducted in accordance with AHERA regulations.

Within thirty (30) days after the reinspection, the inspector is required to submit reinspection information to the LEA for inclusion in the Management Plan. This information includes:

1. Reinspection date, North Carolina accreditation number, name and signature of the inspector, and any changes in the condition of known or assumed ACBM.
2. Information concerning any samples collected during the reinspection, including a description of the manner used to determine sampling locations, the name and signature of the accredited inspector who collected the samples, and the inspector's North Carolina accreditation number.
3. Reports of any assessment of friable or non-friable ACBM.

In addition to the information above, the LEA must have a North Carolina accredited management planner provide response action recommendations for homogeneous areas of ACBM that have been reclassified. These must be in line with assessment classifications as specified in the AHERA regulations.

Each LEA should determine if additional activities are required during reinspection. A few of the possibilities are as follows:

1. Identify homogeneous areas of suspect ACBM that are not currently included in their management plan.
2. Collect additional bulk samples to substantiate whether a suspect ACBM is in fact ACBM. The LEA may consider collecting multiple samples of suspect non-friable ACBM. Recent guidance from EPA recommends that sample analysis of floor tiles should be conducted by Transmission Electron Microscopy (TEM).
3. Review the response action recommendations and schedule to ensure that they are appropriate for current conditions. This may also ensure that the LEA is not locked into an unreasonable or unjustified time frame.
4. Conduct a complete audit of all recordkeeping and documentation. This would include a review of abatement project records and training (Awareness and O&M) that had been conducted in the previous three years. (08/01/91) (Revised -01/03/95) (Revised 10/96)

49. What must be submitted to the State? All information required to be documented under the AHERA regulations for reinspections are to be reported on the following state forms:

- AHERA Management Plan Cover Sheet (DHHS 3531)
- AHERA Reinspection Report (DHHS 3778)
- AHERA Reinspection Report Comments (DHHS 3779)

Copies of these forms are available upon request from this office. The reinspection reports are to be submitted to the HHCU within 120 days of the actual on-site reinspection. (05/31/91) (Revised 03/09/95)(Revised 08/96)

GENERAL QUESTIONS

50. How are public areas defined under the Asbestos Hazard Management Program (AHMP) Rules?

According to NC General Statute 130A, public areas are those areas in any building other than a residence that are not covered under OSHA. Further, in the AHMP Rules, a public area is defined as any area to which access by the general public is not usually prohibited, or is not usually limited to access by escort only. A residence is any single family dwelling or any multifamily dwelling of fewer than 10 units. Examples of public areas may include offices, malls, theaters, restaurants, hotels, motels, dormitories, hospitals, state owned buildings, federal, city, or county buildings, and other areas in commercial and industrial establishments which are open for access by the public. (01/05/95)(Revised 08/96)

51. Are North Carolina's Asbestos Hazard Management Program Rules applicable on Federal property?

Yes. All of North Carolina's Asbestos Hazard Management Program Rules are applicable to Federal property, including permitting, fees, and accreditation requirements. (04/01/91) (Revised 05/31/91)

52. What materials must be maintained on site during an asbestos removal? The following shall be maintained on site during asbestos removals and be immediately available for review by the Program:

- (1) a copy of the asbestos removal permit issued by the Program and copies of all revisions with the Program's confirmation of receipt;
- (2) a copy of applicable asbestos abatement design and project monitoring plan;
- (3) photo identification cards issued by the Program for all accredited personnel performing asbestos management activities. (Note: Photocopies of the identification cards are unacceptable); and
- (4) ambient air sampling results.
(02/8/95)

53. Who gives permission to remove asbestos dry? The person requesting approval for dry removal must submit a written application along with all pertinent data justifying the need for dry removal to the Health Hazards Control Unit (HHCU). However, in the four (4) counties with Local Air Pollution Control Programs (Forsyth, Mecklenburg, Buncombe), a written application for dry removal should be submitted to the local Asbestos Coordinator. (04/01/91) (Revised -5/31/91) (Revised -1/1/95)(Revised 08/96)

54. Is the removal of asbestos-containing floor tile regulated by the Asbestos Hazard Management Program Rules? As long as asbestos-containing floor tile is removed substantially intact - no small fragments or dust generated - it is not considered regulated asbestos-containing material. Removal of non-regulated asbestos-containing material does not require the use of accredited asbestos abatement personnel or an asbestos removal permit. If the asbestos containing floor tile is not removed substantially intact, then it is considered a regulated material and all accreditation and permitting/notification requirements apply. (01/04/95).

55. Is the removal of asbestos-containing siding regulated by the Asbestos Hazard Management Program Rules? If this material is in good condition and can be removed substantially intact - no small fragments or dust generated - then it is not considered regulated asbestos-containing material and does not require the use of accredited personnel or an asbestos removal permit. Minor breakage that may occur during careful removal of the siding does not result in the material becoming regulated; however, if the siding is not removed substantially intact, and it becomes regulated then all accreditation and permitting/notification requirements apply. (1/5/95)

56. Is the removal of asbestos-containing roofing materials regulated by the Asbestos Hazard Management Program Rules?

Asbestos containing asphalt roofing products and asbestos-cement shingles would be considered Regulated Asbestos Containing Material (RACM) and therefore regulated by the Asbestos Hazard Management Program rules under the following conditions:

- (1) ≥ 160 square feet of friable asbestos containing roofing material will be removed.
 - (a) Friable means the material, when dry, can be crumbled, pulverized, or reduced to powder. This applies to both asphalt roofing products and asbestos-cement shingles.
 - (b) Asphalt roofing products would be considered friable if it has deteriorated to a point that it is no longer pliable.
- (2) ≥ 5580 square feet of non-friable asbestos containing asphalt roofing material, such as built up roofing, will be removed using a rotating blade cutter.
- (3) ≥ 160 square feet of non-friable asbestos-cement shingles will be removed using techniques that will create friable ACM.
 - (a) Minor breakage that may occur during careful removal of the shingles does not result in the material becoming regulated; however, if the shingles are not removed substantially intact, they become regulated and all accreditation and permitting/notification requirements apply.
(01/05/95) (Revised 10/96)

57. Is the removal of asbestos containing materials regulated by other Agencies? Yes. The asbestos regulations under the Occupational Safety and Health Act (OSHA) and North Carolina Solid Waste Laws are also applicable to asbestos removal projects. While the EPA's regulations and AHMP Rules may not be applicable to non-regulated ACM removals, OSHA and Solid Waste requirements may be. For additional details on the OSHA requirements, you may contact:

Education and Training Bureau
North Carolina Department of Labor
Occupational Safety and Health Division
(919) 807-2875.

For details on disposal requirements, contact the local landfill in your area prior to removal.

Also, there are three local programs in North Carolina responsible for enforcing the NESHAP regulations within their counties. The local programs are as follows:

Buncombe County
WNC Regional Air Pollution Control Agency
49 Mt. Carmel Road
Asheville, North Carolina 28806
Telephone: 828-250-6777

Forsyth County
Environmental Affairs Department
537 North Spruce Street
Winston-Salem, North Carolina 27101
Telephone: 336-703-2440

Mecklenburg County Land Use and Environmental Services Agency
Mecklenburg Air Quality
700 North Tryon Street
Suite 205
Charlotte, North Carolina 28202-2236
Telephone: 704-336-5500

(01/05/95)(Revised: 8/96; 8/05; 7/07)

58. What type of enforcement actions can be undertaken by the Health Hazards Control Unit for violations of the Asbestos Hazard Management Program Rules?

Asbestos Hazard Management Program Rules

Accreditations and asbestos removal permits may be suspended or revoked for any action that creates a public health hazard. Accreditations and asbestos removal permits may also be suspended or revoked if it is determined that they were issued based upon incorrect or inadequate information which materially affected the decision to issue the accreditation or asbestos removal permit. In addition, administrative penalties of up to \$1,000 per day per violation may be assessed.

National Emission Standards for Hazardous Air Pollutants (NESHAP)

N.C.G.S. 130A-22 allows assessment of administrative penalties of up to \$10,000 per day per violation against persons who violate the asbestos NESHAP for demolitions and renovations.

Other Remedies

Other remedies available to the State for violations of Program Rules and NESHAP include injunctive relief and criminal misdemeanor. (04/01/90) (Revised 05/31/91) (Revised 01/01/95)