

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

**Chapter 51. Comprehensive Toxic Air Pollutant
Emission Control Program**

Subchapter M. Asbestos

§5151. Emission Standard for Asbestos

A. Applicability. The provisions of this Subchapter are applicable to those sources specified in Subsections C-O of this Section.

B. Definitions. Terms used in this Section are defined in LAC 33:III.111 of these regulations with the exception of those terms specifically defined in LAC 33:III.5103 or below, as follows.

Accessible—asbestos-containing material that is subject to disturbance by facility occupants, custodial or maintenance personnel in the course of their normal activities. *Accessible* also refers to asbestos-containing material that is available for examination and sampling purposes prior to a demolition or renovation.

* * *

Adequately Wet—sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing materials, then that material has not been adequately wetted. However, the absence of visible emissions is not sufficient evidence of being *adequately wet*. Once contained, water droplets formed inside disposal containers will be sufficient evidence of being *adequately wet*. Lack of water droplets means it is not *adequately wet*.

Asbestos—the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite (amosite), anthophyllite, and actinolite-tremolite.

Asbestos-Containing Material (ACM)—any material or product that contains more than 1 percent asbestos as determined by using the method specified in Appendix-E, Subpart E, 40CFR, Part 763, Section 1, Polarized Light Microscopy.

Asbestos-Contaminated Debris (ACD)—demolition or renovation debris that contains *regulated asbestos-containing material* as defined in this Subsection, or asbestos containing transite.

Asbestos-Contaminated Debris Activity (ACDA)—the handling and/or disposal of asbestos-contaminated debris as RACM.

* * *

Asbestos-Containing Waste Material (ACWM)—mill tailings or any waste that contains commercial or previously commercial asbestos and is generated by a source subject to the provisions of this Subchapter. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial

asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing material waste and materials contaminated with asbestos, including ACD, and disposable equipment and clothing.

* * *

Category I Nonfriable (ACM)—asbestos-containing packings, gaskets, resilient floor covering, mastic, and asphalt roofing products containing more than 1 percent asbestos as determined by using the method specified in Appendix EA, Subpart EF, 40 CFR, Part 763, Section 1, Polarized Light Microscopy that when dry cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Category II Nonfriable ACM – any material, excluding Category I nonfriable ACM, containing more than 1 percent asbestos as determined by using the method specified in Appendix-E, Subpart E, 40CFR, Part 763, Section 1, Polarized Light Microscopy that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

* * *

Demolition—the permanent 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.

* * *

Enclosure—an airtight, impermeable, barrier placed around ACM during activities that disturb asbestos to prevent the release of asbestos fibers into the ambient air.

* * *

Facility—any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, and residential buildings having greater than four dwelling units); any ship; and any active or inactive waste disposal, or ACD site. Residential buildings that have four or fewer dwelling units are exempt from the provisions of this Subchapter, except those residential structures that are intentionally demolished or renovated as part of a commercial or public project, such as urban renewal or highway right-of-way projects and those that are intentionally burned. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this Subchapter is not excluded, regardless of its current use or function.

Facility Component—any part of a facility, including equipment, that is under the control of an owner or operator.

Fiber Release Episode—any uncontrolled or unintentional disturbance of ACM.

Friable Asbestos Material—any material containing more than 1 percent asbestos as determined by using the method specified in Appendix E, Subpart E, 40 CFR, Part 763, Section 1, Polarized Light Microscopy that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. If the asbestos content is less than 10 percent as determined by a method other than point counting by polarized light microscopy (PLM), verify the asbestos content can be verified by point counting using PLM, or assume the amount to be greater than 1 percent and treat the material as ACM.

* * *

Glove Bag—a sealed compartment with attached inner gloves used for the handling of ACM. Properly installed and used, *glove bags* provide a small work area enclosure typically used for small-scale asbestos stripping operations.

a. - c. ...

d. Any deviation from single use of a *glove bag* requires prior written approval of the administrative authority. Additional information on *glove bag* installation, equipment and supplies, and work practices can be obtained from the Occupational Safety and Health Administration's (OSHA's) final Rule on occupational exposure to asbestos (29 CFR 1926.1101 (g), Appendix G).

* * *

Inspection or *Inspect*—an examination of a facility or facility component to determine the presence or location, or to assess the condition of friable or nonfriable asbestos material, or suspected asbestos material, whether by visual or physical examination, or by collecting samples of such material. This term includes reinspections of assumed asbestos material and friable and nonfriable asbestos material which has been previously identified. The term does not include the following:

a. periodic surveillance of the type described in LAC 33:III.2721.B solely for the purpose of recording or reporting a change in the condition of known or assumed asbestos material;

b. inspections performed by employees or agents of federal, state, or local government solely for the purpose of determining compliance with applicable statutes or regulations; or

c. visual inspections of the type described in LAC 33:III.2717.J solely for the purpose of determining completion of response actions.

Installation—any building or structure or any group of buildings or structures at a single demolition or renovation site that are part of a planned projects that are under the control of the same owner or

operator (or owner or operator under common control).

* * *

~~*Negative Declaration*—a notification of a demolition of a building stating that a facility contains no RACM.~~

Nonfriable Asbestos-Containing Material—any material containing more than one percent asbestos as determined by the method specified in Appendix E, Subpart E, 40CFR, Part 763, Section 1, Polarized Light Microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

* * *

Nonscheduled Operation—a renovation operation necessitated by the routine failure of equipment, which is expected to occur within a given period based on past operation experience, but for which an exact date cannot be predicted. Diaphragm cell renewal is considered a nonscheduled operation.

Operations and Maintenance (O and M)—
Repealed.

* * *

Owner or Operator of a Demolition, or Renovation, Response Action or ACD Activity (owner/operator)—any person who owns, leases, operates, controls, or supervises the facility being demolished or renovated, or an ACDA or any person who owns, leases, operates, controls, or supervises the demolition or renovation operation, or both, response action, or an ACDA.

* * *

Recognized Disposal Site—Repealed.

Recognized Asbestos Landfill (RAL)—a waste disposal site authorized by DEQ to accept RACM, or an out-of-state waste disposal site authorized by that state's authority to accept RACM, and recognized by DEQ, Office of Environmental Services after receipt of an Asbestos Landfill Recognition Form (AAC-7). An in-state landfill shall comply with Subsection N of this Section and be permitted or authorized to accept ACWM. An out-of-state landfill shall be subject to 40 CFR Part 61.154 or another state's applicable regulation that EPA has determined to be at least as stringent as § 61.154.

Regulated Asbestos-Containing Material (RACM)—

a. friable asbestos material;

b. Category I and II nonfriable ACM that has become friable, such as asbestos-cement material that is not removed from a facility prior to demolition;

c. Category I and II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, groundgrinded, sanded, cut, abraded, or reduced to powder by the forces that have

acted or are expected to act on the material in the course of demolition or renovation operations; or

d. resilient floor covering or the asbestos-containing mastic used to attach it to the floor surface that is scraped, sanded, abraded, bead blasted, cut, ground, crumbled, pulverized, or reduced to powder by any means, either hand or mechanical equipment. This definition does not include resilient floor covering removed by using dry ice, heat, wet methods, and chemicals where the tiles or sheeting are removed intact (minor tears or minor breakage is acceptable where, for all intents and purposes, the flooring is considered whole) or asbestos-containing mastic that has been removed by chemical or other means that results in the asbestos fibers in ACWM being bound within a macro substrate and cannot reasonably become airborne unless further forces are applied.

Remove—to take out RACM or facility components that contain or are covered with RACM.

Renovation—altering a facility or one or more facility components in any way, including the washing, stripping, or removal of RACM from a facility component. Operations in which load-supporting structural members are wrecked or taken out are demolitions.

* * *

Resilient Floor Covering – asbestos-containing floor tiles, including asphalt and vinyl floor tile, and sheet vinyl floor covering containing more than 1 percent asbestos as determined by using polarized light microscopy according to the method specified in Appendix E, Subpart E, 40CFR, Part 763, Section 1, Polarized Light Microscopy.

Response Action—a method, including actions during demolition or renovation that provides for removal, encapsulation, enclosure, repair, and operations and maintenance activities, that protects human health and the environment from RACM.

* * *

Small-Scale, Short-Duration (SSSD) Activities—
Repealed

State Building—Repealed

* * *

Urban Renewal—demolitions or renovations of blighted or condemned properties authorized or conducted by government entities (city, parish, or state) as part of commercial or public projects.

* * *

Waste Shipment Record—the shipping document, asbestos disposal verification form, (ADVF), required to be originated and signed by the waste generator or the owner or operator of a demolition, or renovation, response action or ACD activity, used to track and substantiate the disposition of asbestos-containing waste material to a RAL.

Wet Methods—for resilient floor coverings, wetting sufficiently to cause the coverings to break loose or lift from the substrate in whole pieces.

Work Area Controls—work practices and engineering procedures that shall be used when removing RACM, as outlined in OSHA 29 CFR 1926.1101.g.

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C. - E.8. ...

F. Emission Standard for Demolition, Renovation, Asbestos-Contaminated Debris Activities, Response Actions and Major Fiber Release Episodes

1. Applicability. To determine which requirements of Paragraphs F.1, 2 and 3 of this Section apply to the owner or operator of a response action, ACDA, demolition, or renovation, response action or ACD activity and prior to the commencement of the activity, the owner/operator shall either assume that RACM, as defined in Subsection B of this Section, is present or an accredited inspector shall thoroughly inspect the affected facility or part of the facility where the activity will occur for the presence of asbestos, including Category I and Category II nonfriable ACM. All homogeneous areas that potentially contain asbestos shall either be assumed to be RACM or samples shall be collected and submitted for analysis. The requirements of Paragraphs F.2 and 3 of this Section apply to each owner or operator of a demolition, or renovation, response action or ACD activity as defined in Subsection B of this Section, as follows.

a. In a facility being demolished, all the requirements of Subparagraphs F.2.a, b, d, and f, Clauses F.2.c.i and v, and Paragraph F.3 of this Section apply, except when the facility is being demolished under an order by a state or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse as provided in Subparagraph F.1.c of this Section, if the combined the amount of RACM is:

- i. at least 60 linear feet on pipes;
- ii. at least 64 square feet on other facility components; or
- iii. at least 27 cubic feet of f facility components where the length or of area could not be measured previously.

b. In a facility being demolished, only the notification requirements of Subparagraphs F.2.a and b and Clauses F.2.c.ii and v, d.i-vii, ix, xiv and xvii of this Section apply, if ACM is present as Category I or II Nonfriable ACM present in the facility will remain in good condition, would not be rendered RACM as a result of the demolition activity (any Category I or II Nonfriable ACM that may be rendered RACM as a

result of the demolition activity, such as asbestos-cement products, must be counted toward the thresholds below), and ~~or if~~ the combined amount of RACM (including Category I or II Nonfriable ACM that may be converted to RACM) is:

- i. less than 60 linear feet on pipes;
- ii. less than 64 square feet on other facility components; or
- iii. less than 27 cubic feet of facility components where the length ~~of~~ or area could not be measured previously.

c. If the facility is being demolished under an order of a state or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse only the requirements of Subparagraphs F.2.a and b, Clause F.2.c.iii, Subparagraph F.2.d (except Clause F.2.d.viii), Subparagraph F.2.f, and Paragraph F.3 (except Subparagraph F.3.a) of this Section apply.

d. If a facility is demolished ~~or renovated~~ prior to an inspection or notification, then all debris at the site is categorized as *asbestos-contaminated debris (ACD)*, as defined in Subsection B of this Section unless the owner/operator affirmatively demonstrates there is no RACM in the debris. The owner/operator shall follow the procedures and requirements as provided in Subparagraphs F.2.a, b, d, and f and Clauses F.2.c.i and v of this Section, and shall handle and dispose of the debris in accordance with Paragraph F.3 and Subsection J of this Section.

e. In a facility being renovated, including a response action and any individual nonscheduled renovation operation, all the requirements of Paragraphs F.2 and 3 of this Section apply if:

i. the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is:

- (a). at least 60 linear feet on pipes;
- (b). at least 64 square feet on other facility components; or
- (c). at least 27 cubic feet of facility components where the length ~~of~~ or area could not be measured previously.

ii. To determine whether Subclause F.1.e.i.(a), (b), or (c) of this Section applies to planned renovation operations involving individual nonscheduled operations, predict the combined additive amount of RACM to be removed, stripped dislodged, cut, drilled, or similarly disturbed during a calendar year of January 1 through December 31 based on past operating experience.

iii. To determine whether Subclause F.1.e.i.(a), (b), or (c) of this Section applies to emergency renovation operations, including those associated with major fiber release episodes and response actions, estimate the combined amount of

RACM to be removed, stripped, dislodged, cut, drilled, or similarly disturbed as a result of the sudden, unexpected event that necessitated the renovation.

iv. If Clause F.1.e.i. of this Section is not applicable to the renovation activity, it is exempt from any further requirements of this Section (except to conduct the inspection or assume material is RACM pursuant to Paragraph F.1 of this Section).

f. Owners or operators of demolition, and renovation, response actions and ACD operations are exempt from the requirements of LAC 33:III.5105.A, 5109.E, 5111.A and 5113.A.

g. Residential structures including those with four and fewer dwelling units that are demolished or renovated as part of a commercial or public project, such as urban renewal or highway right-of-way projects, are considered installations and are subject to the provisions of this Subchapter.

h. A person contracted to perform a demolition, renovation, or response action which disturbs RACM or conducts ACDA shall ~~be recognized by~~ comply with any applicable requirements of the Louisiana State Licensing Board for Contractors to perform asbestos abatement, and shall comply with the requirements of Paragraphs F.2 and 3 of this Section, and shall only use persons who are trained and accredited in accordance with Subsection P of this Section to conduct asbestos activities in facilities regulated by this Section. The supplying of regulated personnel on an hourly, monthly, or other time basis to another company is considered contracting (i.e., abatement workers, supervisors, air monitoring, or project monitoring personnel).

i. If the activities are emergency demolition operations, all the requirements of Subparagraphs F.2.a, b, d, e, and f, and Paragraph F.3 of this Section apply.

j. When greater than 64 square feet of either resilient floor covering, as defined in Subsection B of this Section, is removed by using dry ice, heat, wet methods, and chemicals where the tiles or sheeting are removed intact (minor tears or minor breakage is acceptable where, for all intents and purposes, the flooring is considered whole) or asbestos-containing mastic removed by chemical or other means that results in the asbestos fibers in the ACWM being bound within a macro substrate and cannot reasonably become airborne unless further forces are applied, Subparagraphs F.2.a and b, and Clauses F.2.c.vi, d.i-vii, ix, and xv-xvii of this Section apply;

k. Paragraphs F.2 and 3 of this Section (except Subparagraph F.3.a of this Section) apply to any ACDA.

1. An asbestos renovation or demolition project, or ACDA shall not begin until an ADVF is issued Asbestos Notification of Renovation and Demolition Form AAC-2 is received by the department, except in the case of an emergency.

2. Notification Requirements. Each owner or operator of a demolition, renovation, response action or ACD activity to which this Subsection applies shall:

a. provide the Office of Environmental Services with typed notice of intention to demolish, renovate, conduct a response action, or an ACDA by completing and submitting the latest version of Notification of Demolition and Renovation and Asbestos-Contaminated Debris Activity Form, AAC-2, and fees, if applicable. This form is available from the Office of Environmental Services or through the department's website. Delivery of the notice by U.S. Postal Service, commercial delivery service, hand delivery, or email is acceptable. The use of a prior version of the AAC-2 Form is acceptable unless the department has previously provided the owner ~~or~~ operator with notice of or a copy of the current version, or the owner ~~or~~ operator is aware of the latest version.

i. After review of the notification, if the application is incomplete, inaccurate, or the fee is not submitted, a response shall be faxed or emailed to the company indicating the application is incomplete, and processing will be discontinued until all applicable information is completed and submitted to DEQ.

ii. Any unauthorized renovation, demolition, or ACDA project, including those not processed due to incompleteness or inaccurate information on Form AAC-2 is a violation of this Section.

b. Update by highlighting or circling revisions on, a revised Form AAC-2, as necessary, (i.e., when the amount of asbestos affected changes by plus or minus 20 percent) and indicate revised total amount of the entire project in cubic yards, or if there is a change in transporter, contractor, or designated landfill.

c. Postmark or deliver the notice as follows:

i. at least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge, or similarly disturb asbestos material), if the activity is a demolition or renovation of a facility where RACM is present as described in Subparagraphs ~~F.1.a-e~~ F.1.a and e (except Clauses F.1.e.ii; [nonscheduled operations] and ~~iii~~ [emergency operations]) of this Section;

ii. at least five working days before demolition begins, if a facility is being demolished

where ~~no~~ RACM is below threshold levels present or where Category I Nonfriable ACM in good condition is present as provided described in Subparagraph F.1.b of this Section;

iii. as early as possible before, but not later than the following working day, when the facility is being demolished under an order issued by a state or local government agency because the facility is structurally unsound and in danger of imminent collapse, according to Subparagraph F.1.c of this Section, or if the operation is an emergency renovation described in Clause F.1.e.iii of this Section;

iv. at least 10 working days before the end of the calendar year preceding the year for which notice is being given for renovations described in Clause F.1.e.ii of this Section;

v. for activity covered by Subsection F (except Clauses F.1.e.ii and ~~iii and iv~~), that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the DEQ as follows:

(a). when activity covered by Subsection F will begin after the date contained in the notice (AAC-2 Form):

(i). notify the DEQ regional office responsible for inspecting the project site of the new start date by fax or email as soon as possible before the original start date; and

(ii). provide the Office of Environmental Services with a revised AAC-2 Form written notice of the new start date as soon as possible before, and no later than, the original start date. Delivery of the updated notice by U.S. Postal Service, commercial delivery service, fax, email, or hand delivery is acceptable;

(b). when the activity covered by Subsection F will begin on a date earlier than the original start date, submit a revised AAC-2 Form notification with the new start date. The revised notice shall meet the requirements of Subparagraph F.2.c; and

(c). In no event shall an operation covered by this Subsection begin on a date other than the date contained in the written notice (AAC-2) of the new start date.

v. Notify the DEQ regional office by fax or email three days prior to the start of the removal of *resilient floor covering*, as defined in Subsection B of this Section, by using dry ice, heat, wet methods, and chemicals where the tiles or sheeting are removed intact or asbestos-containing mastic removed by chemical or other means that results in the asbestos fibers in the ACWM being bound within a macro substrate and cannot reasonably become airborne

~~unless forces are applied when required by as provided in~~ Subparagraph F.1.j.

d. In the notice include:

i. an indication of whether the notice is the original, additional, emergency, revised (including canceled), or nonscheduled maintenance operation (annual) notification, the number of ADVFs requested, and/or note if the structure is being demolished under an order of a state or local government agency;

ii. name, address, telephone number, and email address of a contact person of both the facility owner and operator and the asbestos removal contractor owner or operator, with the current DEQ identification number assigned by the administrative authority;

iii. type of operation: demolition, renovation, response action, or ACDA;

iv. a description of the facility or affected part of the facility including the size (square feet, linear feet, and number of floors), age, and present and prior use of the facility;

v. the procedure, including analytical methods, employed to detect the presence of RACM and Category I and Category II nonfriable ACM, or check the "Known or Assumed" box if assumed to be asbestos and no analytical data is provided;

vi. estimate of the approximate amount of RACM to be removed from the facility in terms of length of pipe in linear feet, surface area in square feet on other facility components, or volume in cubic feet if off the facility components. Also, estimate the approximate amount of Category I and Category II nonfriable ACM in the affected part of the facility that will not be removed before the demolition. In the case of asbestos-contaminated debris pile(s), estimate the approximate total volume of the debris to be disposed. Total volume of all RACM and ACD shall be documented in cubic yards;

vii. location and street address (including building number or name and floor or room number, if appropriate), city, parish, and state, of the facility being demolished, renovated, or for ACDA;

viii. scheduled starting and completion dates of asbestos removal work (or any other activity, such as site preparation that would break up, dislodge, or similarly disturb asbestos material) in a demolition, renovation, or ACDA; planned renovation operations involving individual nonscheduled operations shall include the beginning and ending dates of the annual report period as described in Clause F.1.e.ii of this Section;

ix. scheduled starting and completion dates of demolition, renovation, response action, or ACDA;

x. description of planned demolition, renovation work, response action, or ACDA to be

performed and method(s) to be employed, including demolition or renovation techniques to be used and description of affected facility components;

xi. description of work practices and engineering controls to be used to comply with the requirements of this Section, including asbestos removal and waste handling emission control procedures;

xii. name, telephone number, mailing address, and physical location of the RAL where the asbestos-containing waste material will be deposited;

xiii. a signed certification that personnel performing the demolition or renovation activity, response action, or ACDA are trained and accredited as required by Subparagraph F.3.h of this Section when RACM is present.;

xiv. for demolitions where ~~no~~ RACM is below threshold levels as provided in Subsection F.1.b of this Section~~present~~, a signed certification stating that ~~no known~~ RACM is below threshold levels~~present~~;

xv. for facilities demolished under an order of a state or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse, the name, title, and authority of the state or local government representative who has ordered the demolition, the date that the order was issued, and the date on which the demolition was ordered to begin. A copy of the order shall be attached to the notification;

xvi. for emergency renovations, including emergency renovation operations of an estimated amount of RACM to be removed or stripped as a result of a sudden, unexpected event that necessitated the renovation, the date and hour that the emergency occurred, a description of the sudden, unexpected event, and an explanation of how the event caused an unsafe condition, or would cause equipment damage or an unreasonable financial burden;

xvii. description of procedures to be followed in the event that unexpected RACM is found or Category II nonfriable ACM becomes RACM;

xviii. name, mailing address, telephone number, and DEQ identification number of the solid waste transporter(s) carrying the waste to the RAL and offsite/temporary storage area; and

xix. current ADVF numbers if they have been issued for the project;

e. for emergencies ~~during normal working hours (8:00 a.m. – 4:30 p.m.)~~, provide ~~prompt fax or email notification, to the Office of Environmental Services and DEQ regional office responsible for inspecting the project site. After normal working hours~~, provide notification by phone, fax, email, or voice mail to the Office of Environmental Services and DEQ regional office responsible for inspecting

the project site as soon as possible, but in no case later than four ~~within 24~~ hours after learning of the incident that required emergency response action, demolition or renovation operations:

i. the emergency notification shall include the following:

(a). the reason for the emergency;

(b). steps taken to minimize hazards to workers and the public; and

(c). estimated quantities of friable and nonfriable ACM to be handled;

ii. within five working days after the emergency notification is made, a typed AAC-2 form ~~written notification~~ together with required fees as specified in Subparagraphs F.2.a and d of this Section shall be submitted to the Office of Environmental Services in order to obtain an ADVF;

f. use the following procedures in order that the department can trace disposal of ACWM:

i. each properly completed and submitted demolition, renovation, response action, or ACDA notification received by the department that is associated with a project that generates asbestos-containing waste material shall result in issuance of an ADVF with a specific ADVF project number to the owner/operator ~~owner or operator~~. The ADVF, or a copy, shall be kept at the facility, except as provided in Subparagraph F.1.1 of this Section, and available for inspection by the department during demolition, renovation, response action, and ACDA. Alterations of the ADVF shall invalidate the ADVF.

ii. the owner or operator of a demolition, renovation, response action, or ACDA shall complete and sign their portion of the valid ADVF, including the quantity shipped in cubic yards, the date the project is scheduled to be completed (or has been completed as applicable), printed name, signed and dated certification, and relinquish the valid ADVF to the waste transporter prior to the off-site shipment;

iii. the waste transporter shall transport the asbestos-containing waste material with the ADVF to a RAL and complete name, dates received and delivered, sign the transporter portion, then relinquish the ADVF to the RAL site owner or operator at the time the asbestos waste is delivered for burial;

iv. upon receipt from the transporter, the RAL owner or operator shall verify the ADVF, enter the date received, indicate the quantity received in cubic yards, print and sign the disposal facility portion of the ADVF, and mail the original ADVF to the Office of Environmental Services within 30 working days. A copy of the valid ADVF is to be returned to the waste generator within 30 working days;

v. the ADVF shall expire 90 days from the date of issue. ADVFs for nonscheduled operations

shall expire on December 31 of the year for which they are issued;

vi. the ADVF shall be completed in its entirety by the applicable person as indicated in the particular section of the form. Information entered onto the form must be legible;

vii. acceptance of an invalid ADVF by a contractor, waste transporter, or disposal site owner or operator is a violation of this Subchapter; and

viii. all ADVFs that are not used shall be returned by the owner operator ~~or operator~~ to the Office of Environmental Services within 30 working days after expiration.

3. Procedures for Asbestos Emission Control. Each owner or operator of a demolition, renovation, response action, or ACD activity ~~ACDA~~ to whom this Section applies, according to Paragraph F.1 of this Section, shall maintain the ADVF or a copy on-site, except for the provisions in Subparagraph F.1.1 of this Section and comply with the following procedures.

a. ...

i. it is Category I nonfriable ACM that is not in poor condition and has a low probability that it will become RACM;

ii. ...

iii. it was not accessible for testing and was, therefore, not discovered until after demolition began and, as a result of the demolition, the material cannot be safely removed. If not removed for safety reasons, the exposed RACM and any ACD shall be treated as ACWM and adequately wet at all times until disposed of; and

(a). the RACM and any ACD shall be adequately wet, and contained in leak-tight, clear transparent wrapping; and

(b). the leak-tight, clear transparent wrapping shall be sealed and labeled according to Clause J.1.a.iv of this Section during all loading and unloading operations, transportation, and during storage.

iv. it is Category II nonfriable ACM and the probability is low that the materials will become RACM.

b. – b.ii. ...

c. When RACM is removed during a response action or stripped from a facility component while it remains in place in the facility, adequately wet the RACM prior to and during the response action or the stripping operation. The *work area controls* as defined in Subsection B of this Section shall be employed to prevent the release of ACM to the outside air, and the controlled work area shall, when feasible, be visible to inspectors outside the work area (i.e., transparent window which is easily accessible).

i. In renovation operations, wetting is not required only if:

c.i.(a). – d.(ii). ...

e. For large facility components such as reactor vessels, large tanks, and steam generators, but not beams (which shall be handled in accordance with Subparagraphs F.3.b, c, and d of this Section), the RACM is not required to be stripped if the following requirements are met:

i. the component is removed, transported, stored, disposed of, or reused without disturbing or damaging the RACM;

ii. the component is encased in a leak-tight, clear, transparent wrapping; and

iii. the leak-tight, clear, transparent wrapping is labeled according to Clause J.1.a.iv of this Section during all loading and unloading operations, transportation, and during storage.

f. - f.iii. ...

iv. RACM contained in leak-tight, clear, transparent wrapping that has been removed in accordance with Subclause F.3.c.i.(a) of this Section need not be wetted provided written authorization from the administrative authority is maintained on site during this exception to the wetting requirements.

g. ...

i. The owner/operator or operator need not comply with Clause F.3.b.i of this Section and the wetting provisions of Subparagraph F.3.c of this Section, provided written authorization from the administrative authority is maintained on-site during this exception to the wetting requirements.

ii. – iii. ...

h. Personnel and Accreditation

i. No demolition or renovation activity that disturbs RACM or ACDA response action shall be conducted at a facility regulated by this Subsection unless at least one asbestos abatement contractor/supervisor trained in accordance with Subsection P of this Section is physically present.

ii. All asbestos abatement workers who are performing demolition or renovation activity that disturbs RACM or ACDA response action shall be trained in accordance with Subsection P of this Section and supervised by a trained asbestos contractor/supervisor supervised by an asbestos contractor/supervisor.

iii. Contractor/supervisors and workers employed by a contractor licensed by the Louisiana State Licensing Board and performing demolition or renovation activity that disturbs RACM or ACDA shall be accredited in accordance with Subsection P of this Section.

iv. Evidence of the required training or accreditation shall be made available for inspection

by the administrative authority at the demolition or renovation site. Evidence of required training or accreditation shall include, but not be limited to, the appropriate training certificates, DEQ issued identification card or accreditation certificates. For contracted abatement personnel, evidence of accreditation shall be made available for inspection by the administrative authority at the demolition, renovation, response action, or ACDA site.

i. ...

j. If a facility or residential structure is demolished by intentional burning, including activities related to the training of fire personnel, testing firefighting materials, or equipment, all RACM including Category I and Category II nonfriable ACM shall be removed in accordance with this Section before burning.

k. There shall be no discharge of asbestos contaminated liquids from the demolition, renovation, response action, or ACDA which are contaminated with asbestos material if it is reasonably anticipated that such asbestos may become airborne.

l. Prior to completion of a renovation, demolition, ACDA, or response action involving RACM, the work area (described area where the renovation, demolition, response action, or ACDA occurs) shall be cleaned by:

i. - ii. ...

m. Within 24 hours after the demolition, renovation, response action, or ACDA has ended and the work area has been cleaned in accordance with Subparagraph F.3.l of this Section, notify by fax or email the DEQ regional office responsible for inspecting the project site of the conclusion of the cleanup. Only after the DEQ has been notified of project completion will the abatement activity be complete.

n. After completion of a demolition activity, where no load-supporting structural member of a facility is left, no asbestos-containing floor covering or asbestos-containing mastic shall remain on surfaces where the material has the potential to become RACM.

G. Standard for Spraying. The owner or operator of an operation in which asbestos-containing materials are spray applied shall comply with the following requirements.

1. For spray-on application on buildings, structures, pipes, and conduits, do not use material containing more than one percent asbestos as determined using the method specified in Appendix E, Subpart E, 40CFR, Part 763, Section 1, Polarized Light Microscopy, except as provided in Paragraph G.3 of this Section.

2. For spray-on application of materials that contain more than 1 percent asbestos as determined using the method specified in Appendix E, Subpart E, 40CFR, Part 763, Section 1, Polarized Light Microscopy, on equipment and machinery, except as provided in Paragraph G.3 of this Section.

G. 2.a – I.4. ...

a. mark vehicles used to transport ACWM during the loading and unloading of waste so that the signs are visible. The markings shall:

i. be displayed in such a manner and location that a person can easily read the legend and;

ii. conform to the requirements for signs specified in 29 CFR 1910.145(d)(4); and

iii. display warning signs and labels with letter sizes and styles of sufficient size and contrast so as to be readily visible and legible as specified in 29 CFR 1926.1101(k)(8)(i-vi).

b. for off-site disposal, provide a copy of the waste shipment record (ADVF) described in Subparagraph I.5.a of this Section, to the disposal site owner or operator at the same time as the ACWM arrives at the disposal site:

5. for all ACWM transported off the facility site:

a. the owner or operator shall maintain a copy of the asbestos waste shipment records, using an ADVF form, which includes the following information:

i. the name, DEQ identification number, and physical address of the waste generator, and project location;

ii. the quantity of the ACWM shipped in cubic yards;

iii. the name and telephone number of the recognized asbestos disposal facility owner or operator;

iv. the name and physical site location of the disposal facility;

v. the date the waste was transported from the project location;

vi. the names, DEQ identification number, and telephone number of the transporter(s); and

5.vii – 6.

J. Standard for Waste Disposal for Manufacturing, Fabricating, Demolition, Renovation, Major Fiber Release Episodes, ACDA, Response Actions, and Spraying Operations. Each owner or operator of any source covered under the provisions of Subsection E, F, or G of this Section shall comply with the following provisions.

1. Avoid crushing the ACWM and discharge no visible emissions to the outside air during collection, processing (including incineration), packaging, or transporting or deposition of any asbestos-containing waste material generated by the

source, and use one of the emission control and waste treatment methods specified in Subparagraphs J.1.a-d of this Section. The ACWM shall be maintained as intact as practicable. The ACWM shall not be needlessly fragmented or crushed.

a. - a.ii. ...

iii. after wetting, seal all asbestos-containing waste material in leak-tight, clear, transparent containers (i.e., bags) while wet; or, for materials that will not fit into containers without additional breaking, put materials into leak-tight, clear, transparent wrapping, ensuring that the ACWM is securely wrapped and sealed. If utilizing plastic drums to contain ACM, the transparent wrapping requirement is not necessary. If drums are used to store bagged material, the bags must be transparent;

iv. label the containers or wrapped materials specified in this Subsection using warning labels specified by the Occupational Safety and Health Standards of the Department of Labor, Occupational Safety and Health Administration (OSHA) under the OSHA asbestos construction standard, 29 CFR 1926.1101(k)(8)(i) – (vi). The labels shall be printed in letters of sufficient size and contrast so as to be readily visible and legible;

v. ...

vi. store all wrapped and contained asbestos-containing waste material in a labeled, secured area away from the public, where it will not be subject to disturbance or tampering until it can be transported to a waste disposal site recognized asbestos landfill (RAL) by the department. For the purposes of this Subchapter, ACWM shall be disposed of in appropriate solid waste facilities as follows: Disposal of ACWM shall comply with any other applicable requirements, including but not limited to appropriate hazardous waste (LAC 33:Part V) and solid waste (LAC 33:Part VII) regulations. In particular:

(a). RACM shall be disposed of in an industrial or municipal solid waste landfill (Type I or Type II), or a hazardous waste landfill permitted by the department to accept RACM not be disposed in a Louisiana Type III (construction & demolition) landfill or processed in a composting facility.

(b). Louisiana landfills accepting ACWM shall be properly permitted or authorized under appropriate regulations and recognized pursuant to this section to accept the waste. Category II nonfriable ACM shall be disposed of in an industrial or municipal solid waste landfill (Type I or Type II) permitted by the department to accept Category II nonfriable ACM.

(c). Disposal of ACWM in an out of state landfill shall be in a RAL, as defined in this section and authorized by that state's authority to accept

~~ACWM. Category I nonfriable ACM may be disposed of in a construction/debris landfill (Type III) permitted by the department to accept ACM.~~

[Note: Although landfills are permitted to accept asbestos wastes, a landfill should be contacted prior to transport to the solid waste facility to verify that the ACWM will be accepted and whether the facility has other requirements prior to disposal at that location.]

b. - b.ii. ...

c. For facilities demolished where the RACM is not removed prior to demolition according to Clauses F.3.a.i, ii, iii, and iv of this Section or for facilities demolished according to Subparagraph F.1.c or d of this Section, avoid crushing the ACM and adequately wet asbestos-containing waste material at all times prior to, during, and after demolition and keep wet during handling, storage, and loading for transport to a disposal site. The ACWM shall be maintained as intact as practicable. The ACWM shall not be needlessly fragmented or crushed. Asbestos-containing waste materials covered by this Subparagraph shall be sealed in leak-tight containers or leak-tight, clear transparent wrapping then transported and disposed of at a solid waste Type I or Type II or hazardous waste landfill authorized permitted by the department to accept RACM.

d. Use an alternative emission control and waste treatment method that has received prior written approval by the administrative authority according to the procedure described in Subparagraph I.3.b of this Section.

e. As applied to demolition and renovation, the requirements of Paragraph J.1 of this Section do not apply to Category I and Category II nonfriable ACM waste that did not become RACM prior to or during the course of removal, storage, transportation, and disposal.

2. All asbestos-containing waste material shall be deposited as soon as is practical by the waste generator at:

a. ...

b. an approved site that converts RACM and ACWM into nonasbestos (asbestos-free) material according to the provisions of Subsection L of this Section;

c. the requirements of Paragraph J.2 of this Section do not apply to Category I nonfriable ACM that is not RACM.

3. Mark vehicles used to transport ACWM during the storage, loading, and unloading of waste so that the signs are visible. The markings shall conform to the requirements in Clauses I.4.a.i, ii, and iii of this Section.

4. For all ACWM transported off the facility site:

a. the owner, operator, and transporter shall maintain waste shipment records, using an ADVF Form, and include the following information:

i. the name of the waste generator, DEQ identification number, physical address, and telephone number of the waste generator and project location ~~of the demolition, renovation, major fiber release episode, response action, or ACDA;~~

ii. the name and address of the administrative authority responsible for administering the asbestos Louisiana Emission Standards for Hazardous Air Pollutants (LESHAP) program;

iii. the approximate quantity of ACWM in cubic meters (cubic yards) ~~the name, address, and telephone number of the contractor;~~

iv. the name and telephone number of the disposal site owner or operator ~~the name of the transporter and the DEQ identification number;~~

v. the name and physical site location of the disposal site ~~the date the waste was transported from the project site location;~~

vi. the date transported ~~the approximate quantity of the ACWM shipped, in cubic yards;~~

vii. the name, address, and telephone number of the transporter(s) and disposal facility owner or operator;

viii. a certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations;

J.4.b. - K.12.c. ...

2. unless a natural barrier adequately deters access by the general public, install and maintain warning signs and fencing as follows, or comply with Subparagraph K.1.b. of this Section:

a. display warning signs at all entrances and along the property line of the site or along the perimeter of the sections of the site where ACWM was deposited, at intervals of 165 feet or less. The warning sign shall:

i. be displayed in such a manner and location that a person can easily read the legend;

ii. conform to the requirements for signs specified in 29 CFR 1910.145(d); and

iii. display warning signs and labels using the appropriate legend with letter sizes and styles of sufficient size and contrast so as to be readily visible and legible as specified in 29 CFR 1926.1101(k)(7).

b. - c. ...

3. the owner or operator may use an alternate control method that has received prior approval by the administrative authority rather than comply with the requirements of Paragraph K.1 or 2 of this Section;

4. - 5.b....

c. the site is subject to LAC 33:III.Chapter 51.Subchapter M.

L. - M.3. ...

4. for sources subject to Subsections I and J of this Section:

a. ...

b. the average volume of asbestos-containing waste material disposed of, measured in yd^3/day ;

M.4.c. - N.12.e. ...

2. Unless a natural barrier adequately deters access by the general public, warning signs and fencing shall be installed and maintained as follows:

a. Warning signs shall be displayed at all entrances, and along the property line of the site or along the perimeter of the sections of the site where ACWM is deposited, at intervals of 165 ft or less. The warning signs shall:

i. ...

ii. conform to the requirements for signs specified in 29 CFR 1910.145(d); and

iii. display warning signs and labels using the appropriate legend with letter sizes and styles of sufficient size and contrast so as to be readily visible and legible as specified in 29 CFR 1926.1101(k)(7).

2.b - c....

3. At the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos-containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall:

a. be covered with at least 6 inches of compacted nonasbestos-containing waste material; or

b. ...

4. Rather than meet the no visible emission requirement of Paragraph N.1 of this Section, use an alternative emissions control method that has received prior written approval by the administrative authority according to the procedures of Subparagraph I.3.b of this Section.

5. For all ACWM asbestos-containing waste material received, the owner or operator of the active waste disposal site shall:

a. maintain waste shipment records using the ADFV form and including the following information:

i. - ii. ...

ii. the name, DEQ identification number, address, and telephone number of the transporter(s);

iii. the quantity of ACWM asbestos-containing waste material in cubic yards and date received;

iv. the presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the administrative authority identified in

the ADFV, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the ADFV along with the report; and

v. the date buried;

b. - d. ...

6. Maintain, until closure, records of the location, depth and area, and quantity in cubic yards of ACWM within the disposal site on a map or diagram of the disposal area.

N.7. - O.4.c. ...

P. Training and Accreditation Requirements

1. Asbestos Discipline

a. Worker. A person shall required by this Section to be trained as a worker in accordance shall comply with Subsections B, C, and D of LAC 33:III.2799.Appendix A—Agent Accreditation Plan, Paragraph B.5 in order to perform response actions, operations and maintenance, demolition or renovation activities that disturb RACM, renovations, demolitions, and ACDA in a facility or site regulated as required by this Section.

b. Contractor/Supervisor. A person shall required by this section to be trained as a contractor/supervisor—in accordance shall comply with Subsections B, C, and D of LAC 33:III.2799.Appendix A—Agent Accreditation Plan, Paragraph B.4 in order to supervise response actions, operations and maintenance, and demolition or renovation activities that disturb RACM, renovations, demolitions, and ACDA in a facility or site regulated as required by this Section.

c. Inspector. A person shall be accredited trained as an inspector in accordance with LAC 33:III.2799.Appendix A—Agent Accreditation Plan, Paragraph B.1 and accredited in order to inspect for asbestos materials in facilities regulated by this Section.

d. Air Monitor Personnel. A person shall be accredited trained as an asbestos contractor/supervisor in accordance with LAC 33:III.2799.Appendix A—Agent Accreditation Plan, Paragraph B.4 to conduct air monitoring for an asbestos abatement project or related activity in facilities regulated by this Section.

2. Contracted Personnel

a. When RACM is disturbed in any manner, including removal, encapsulation, enclosure, maintenance, or repairs by contracted personnel, those persons shall be accredited by DEQ in accordance with LAC 33:III.2799.Appendix A – Agent Accreditation Plan in one of the applicable disciplines: worker, contractor/supervisor, inspector, and air monitor.

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