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REQUIRED INSPECTIONS FOR ASBESTOS

The Department of Natural Resources and Environmental Control (DNREC) Division of Air Quality is sending this letter to all towns, municipalities, and local governments issuing approvals for asbestos renovations or demolitions.

DNREC would like to promote a broad understanding of and compliance with the regulation that applies to asbestos. It is your responsibility to understand the requirements of Delaware's asbestos program under Section 10 of 7 DE Admin. Code 1121 - Emission Standards for Hazardous Air Pollutants. (22) All building owners, including both residential and commercial, should be aware of what steps should be taken to properly identify and address the hazards of asbestos prior to beginning any renovation or demolition work that might disturb asbestos-containing materials (ACM).

First, a thorough inspection must be conducted for the presence of ACM prior to any building renovation or demolition. The inspection must be conducted by a Delaware-licensed certified professional service firm. (23) If ACM is found during the inspection and will be disturbed during any renovation or repair work, the ACM must be properly removed and disposed of at an approved landfill. (24) Likewise, all ACM must be removed prior to any building demolition project. In most cases, asbestos abatement activities must be performed by a Delaware-licensed certified asbestos abatement contractor.

For renovation projects, written notification is required electronically to DNREC at least 10 working days prior to any asbestos abatement performed if the abatement involves greater than 260 linear feet, or 160 square feet, or 35 cubic feet of ACM. No notification is required for renovations if the amount of ACM is less than required minimum amounts, or if there is no asbestos present.

For demolition projects, each facility owner must provide written notification electronically to DNREC at least 10 working days before any building demolition occurs. This notification is required for all demolition projects, regardless of the amount of ACM present, even when no ACM is present. The 10-day notification process is a federal requirement of the U.S. EPA National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asbestos under 40 CFR 61.145.

Facility owners and asbestos contractors must register and apply online to submit renovation/demolition notifications electronically via the Digital DNREC portal: <https://epermitting.dnrec.delaware.gov/>. DNREC will review each online application to ensure all state and federal requirements for ACM are met. Towns, municipalities, and local governments may only issue approvals for notifications after the 10-day notification has been provided to and approved by DNREC.

Should you have any questions, please contact Deanna Cuccinello at 302-739-9402.

22 <https://regulations.delaware.gov/AdminCode/title7/1000/1100/1121.shtml>

23 Lists of certified professional services, and certified asbestos abatement contractors are maintained by Delaware's Office of Management and Budget – Division of Facilities Management at <https://dfm.delaware.gov/envsry/asbestos/>

24 A list of approved landfills is maintained by DNREC's Division of Waste and Hazardous Substances at <https://dswa.com/facilities/landfills/>