



## **Sac Metro Air District Asbestos Program FAQs**

### **A. Why are asbestos surveys required by law?**

The Clean Air Act (CAA) requires the U. S. Environmental Protection Agency (EPA) to develop and enforce regulations to protect the general public from exposure to airborne contaminants that are known to be hazardous to human health. In accordance with Section 112 of the CAA, EPA established National Emissions Standards for Hazardous Air Pollutants (NESHAPS) to protect the public. Asbestos was one of the first hazardous air pollutants regulated under Section 112. On March 31, 1971, EPA identified asbestos as a hazardous pollutant, and on April 6, 1973, EPA first promulgated the Asbestos NESHAPS in 40 CFR Part 61. The Sacramento AQMD administers an asbestos removal program under Rule 902, Asbestos.

### **B. What is a regulated facility and in what instances is an asbestos inspection/survey required?**

SacMetro AQMD Asbestos Rule 902 requires a thorough inspection for the presence of asbestos prior to the start of all renovations and/or demolitions of any "facility". As defined in the regulation, a "facility" is 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, but excluding residential buildings having four or fewer dwelling units); any ship; or any active or inactive waste disposal site. Any building, structure or installation that contains a loft used as a dwelling is not considered residential. Any structure, installation, or building that was previously subject to the Rule 902 is not excluded, regardless of its current use or function.

### **C. Who is responsible for submitting an application -- the owner of the building, which is being demolished or renovated, or the contractor?**

Sac Metro Air Quality Asbestos Rule 902 states that either the owner of the building or operator of the demolition or renovation operation can submit the application. Usually, the two parties decide together who will apply. If no adequate notice is provided, one or both parties can be held liable.

**D. How big does my project have to be in order to be subject to Asbestos Rule 902?**

Asbestos Rule 902 must be followed for all renovations of facilities with at least 160 square or 260 linear feet of suspect asbestos containing materials. Suspect asbestos containing building materials are anything except wood, glass or metal. These amounts are known as the "threshold" amounts.

Demolitions of any size are jurisdictional requiring notification to the Sacramento AQMD prior to commencement of the project.

**E. Will Sac Metro Air Quality test my building for asbestos for me?**

No. Owners and operators are responsible for arranging testing by a Certified Asbestos Consultant prior to commencement of construction.

**F. Am I required to submit an application for a renovation/demolition project when no asbestos is present?**

Yes. All renovations with jurisdictional amounts of "suspect" asbestos containing building materials and demolitions of any size require application to be submitted to the Sac Metro Air Quality prior to project commencement.

**G. Do I need to get an asbestos survey before the Building Department will issue my permit?**

Yes. In most cases, the Building Department will inform you of Sac Metro Air District Asbestos Survey requirements. Please be advised it is ultimately your responsibility to understand if your project needs an Asbestos Survey and arrange for it to be conducted. Survey requirement information can be found on this webpage [Asbestos in Building Materials \(www.airquality.org\)](http://www.airquality.org).

**H. Are recently constructed facilities subject to the asbestos regulations?**

Yes. There is no exclusion date in the asbestos regulations for new facilities.

**I. Are single-family private residences regulated by the Asbestos Rule 902?**

Under most circumstances, no. Please call the Sac Metro AQMD Asbestos Staff if you want a jurisdictional determination for your project.

**J. Are single-family private residences that are demolished or renovated to build non-residential structures regulated by the Asbestos Rule 902?**

Yes. For example, the Asbestos Rule 902 regulates multiple residential structures that are demolished as part of an urban renewal project, a highway construction project, or a project to develop a shopping mall. A single home which is converted into a non-residential structure is

also regulated by the Asbestos Rule 902. For example, if someone buys a house and converts it into a grocery store, the renovation is subject to the Asbestos Rule 902.

**K. What is a renovation?**

A renovation is altering a facility or one or more facility components in any way, including the stripping or removal of Regulated Asbestos Containing Materials (RACM) from a facility component. It includes (but is not limited to) any interior or exterior remodel project disturbing and or removing RACM but does not affect load-supporting structural members.

**L. What is a demolition?**

A demolition means the relocating, wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning (i.e. training burns) of any facility. Moving portable buildings is considered a demolition by the EPA.

**M. Does the Sac Metro AQMD provide consultation for renovation/demolition projects?**

Yes. Consulting hours are Monday – Friday, 9:00 AM – 12:00 PM.

**N. Is there an "official" renovation/demolition application form?**

Yes. You may apply via the [Online Service Portal](https://www.airquality.org/Services) at AirQuality.org/Services. If you do not have access to the internet, please contact the District at 279-207-1122 for additional submittal options.

**O. Can I pay demolition or asbestos abatement fees online?**

Pay Demolition and Abatement fees via the [Online Service Portal](https://www.airquality.org/Services) via credit card/echeck or in person by check or credit card.

**P. Is there a fee for notifying renovations with no asbestos being disturbed on the project?**

No.

**Q. What are the fees for demolitions and asbestos abatement projects?**

Standard fee for single demolition projects and small asbestos abatement projects <500 square feet is \$435.00. [Asbestos plan fees are linked here.](#) Please call Sac Metro AQMD at 279-207-1122 for the fee schedule for larger abatement projects or visit [www.airquality.org](http://www.airquality.org).

**R. What is the notification time period for renovations with no asbestos impacted?**

Most renovation notifications with no asbestos impacted are reviewed and returned during the same business day but can take up to 2 days to process depending on staff availability and other scheduling considerations.

**S. What is the notification time period for demolitions or asbestos abatement projects?**

There is a 10-day notification period for demolitions and asbestos abatement projects.

**T. Where do I send my survey and application?**

Completed surveys and applications (and fees when applicable) may be submitted to Sac Metro Air Quality via the [Online Services Portal](#) or:

Fax: 279-207-1144

US Mail or Hand Delivery:  
777 12th Street, Suite 300  
Sacramento, CA 95814

**U. What asbestos-containing materials (ACMs) are regulated under the Asbestos Rule 902?**

ACM regulated under the Rule 902 is referred to as "Regulated Asbestos-Containing Material" (RACM). RACM is defined in Rule 902 and includes: (1) Friable asbestos-containing material; (2) Category I non-friable ACM that has become friable; (3) Category I non-friable ACM that has been or will be sanded, ground, cut, or abraded; or (4) Category II non-friable ACM that has already been or is likely to become crumbled, pulverized, or reduced to powder by hand pressure.

**V. What will happen if I violate the Asbestos Rule 902?**

Sanctions vary. In some cases, Notices to Comply (NTC) -- written warnings -- or Notices of Violation (NOVs) are issued to owners or operators who violate notification requirements. Violators of the work practice or disposal standards may be subject to NOVs and/or civil penalties up to \$75,000 per day per violation, depending upon the seriousness of the violation. Federal EPA may also bring criminal charges against violators. Some owners and operators who have knowingly violated the Federal EPA Asbestos Rule have been sentenced to prison terms. For more information on penalties and enforcement, see the EPA Public Information Document entitled "Asbestos NESHAP Enforcement."

**W. What is the maximum penalty which can be assessed for Asbestos Rule 902 violations?**

\$75,000 per day, per violation, with no absolute maximum, per the California Health & Safety Code.

**X. Does SMAQMD Rule 902, Asbestos, Require Point Counting?**

Sac Metro Air District Rule 902, Section 501.2, mandates that asbestos surveys reporting asbestos content <10% be verified using the point counting method (40 CFR Part 763, Polarized Light Microscopy). While point counting increases initial survey costs, it provides a more accurate analysis and may ultimately reduce overall project expenses. If point counting determines that the material contains <1% asbestos, it is not regulated by the Sac Metro Air District, potentially lowering notification, abatement, and disposal fees. However, other agencies may still regulate the project.

CACs, SSTs, and EPA Building Inspectors must inform clients of this requirement so they can assess whether the additional analysis cost is appropriate for their project. Clients may choose to decline point counting, in which case the material will be assumed to be Asbestos Containing Material (ACM), subject to notification, abatement, and disposal fees. This Consultant/Client discussion must be documented in the asbestos survey report. Failure to comply with the point count requirement could result in report rejection and a violation of Rule 902, Asbestos.

**Y. How do I revise or update my Asbestos application?**

Applications, or revisions to existing applications, can be submitted to Sac Metro Air Quality for review by visiting in person, mail or via the [Online Services](#) Portal at [AirQuality.org/Services](http://AirQuality.org/Services).

**More questions?**

Email us at [asbestos@airquality.org](mailto:asbestos@airquality.org) or call 279-207-1122, Option 6.