

Fact Sheet

Oregon's Updated Asbestos Rules

Fall 2018

The Oregon Department of Environmental Quality regulates the handling, removal and disposal of asbestos-containing material to protect public health and the environment.

What's asbestos?

Asbestos is a natural occurring mineral that has been used extensively in a variety of construction materials in the U.S. When asbestos-containing material is disturbed, tiny hazardous fibers are released into the air and may cause lung cancer and other illnesses. There's no known safe level of exposure.

Asbestos requirements

In fall 2018, Oregon adopted additional requirements for handling asbestos-containing material.

DEQ requires property owners and contractors to identify asbestos-containing material and to properly handle, package and dispose of asbestos waste from demolition and renovation projects.

New requirement 1:

Residential renovation asbestos survey

All houses and other residential buildings constructed prior to 2004 must now have an asbestos survey conducted by an accredited inspector prior to demolition and renovation activities, with one exception. Owner-occupants doing their own home renovation work are exempt from this rule. This exemption does not apply when the residence is going to be demolished.

Previous rules exempted residential renovation projects from the asbestos survey requirement that applied to commercial projects and residential demolition projects. However, residential property owners and contractors were still required to follow asbestos abatement requirements for licensing, certification, notification, handling, packaging and disposing of asbestos.

Requiring an asbestos survey for residential renovation projects ensures property owners and contractors know whether or not materials planned for renovation contain asbestos. This requirement reduces the risk that homeowners, contractors, neighbors and disposal site workers could be inadvertently exposed or sites contaminated with asbestos.



New requirement 2:

Updated disposal requirements for nonfriable materials

Nonfriable asbestos waste must now be packaged the same as friable waste. Friable materials are those that can be easily crumbled and release asbestos fibers.

Nonfriable materials can become friable if improperly handled, increasing the risk of exposure to asbestos fibers. Applying the same packaging standard for nonfriable and friable materials streamlines the packaging requirements for all asbestos waste and ensures a safer work environment for employees, residents, neighbors and disposal facility workers.

New requirement 3:

Accredited laboratories for asbestos testing

Laboratories analyzing bulk asbestos samples must participate in a nationally recognized accreditation or testing program by January 1, 2021.

This new requirement establishes a common level of competency and reliability in analysis to properly identify asbestos content. DEQ will maintain a public list of accredited laboratories on its website.

New requirement 4:

Asbestos survey reports

Asbestos survey reports submitted to DEQ must now meet standard requirements. This requirement ensures survey reports include all required information. Learn more about asbestos survey requirements at:

<https://www.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-Information.aspx>



State of Oregon
Department of
Environmental
Quality

Asbestos Program

Contact Information:

Clackamas, Clatsop,
Columbia, Multnomah,
Tillamook and Washington
Counties, call the
Northwest Region –
Portland Office at 503-
229-5982, 503-229-5364 or
800-452-4011.

Benton, Lincoln, Linn,
Marion, Polk and Yamhill
Counties, call the **Western
Region** – **Salem Office** at
503-378-5086 or 800-349-
7677.

Jackson, Josephine and
Eastern Douglas Counties,
call the **Western Region** –
Medford Office at 541-
776-6107 or 877-823-3216.

Coos, Curry and Western
Douglas Counties, call the
Western Region – **Coos
Bay Office** at 541-269-
2721, ext. 222.

Crook, Deschutes, Harney,
Hood River, Jefferson,
Klamath, Lake, Sherman
and Wasco Counties, call
the **Eastern Region** – **Bend
Office** at 541-633-2019 or
866-863-6668.

Baker, Gilliam, Grant,
Malheur, Morrow,
Umatilla, Union, Wallowa
and Wheeler Counties, call
the **Eastern Region** –
Pendleton Office at 541-
278-4626 or 800-304-3513.

Lane County, call the **Lane
Regional Air Protection
Agency** at 541-736-1056.

Overview of Oregon's asbestos rules (new and previously existing)

Asbestos survey:

DEQ requires an accredited inspector conduct an asbestos survey prior to demolition and renovation activities on:

- Residential renovation and demolition projects on buildings constructed before 2004.
- All commercial renovation and demolition projects regardless of construction date.

Asbestos abatement project notification:

Contractors conducting asbestos abatement must submit notifications to DEQ prior to beginning work. Require notifications include:

- ASN-1 Project Notification for abatement of friable asbestos-containing material.
- ASN-6 Project Notification for nonfriable asbestos removal.

Owner-occupants performing renovation projects on their homes are exempt from the notification requirement. Find information about required notification forms at:

<https://www.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-Forms.aspx>

Friable asbestos abatement (materials that easily crumble):

Only DEQ-licensed asbestos abatement contractors and owner-occupants of residential homes may perform friable abatement projects.

An owner-occupant is a person who owns the residence and resides as their primary residence. The owner-occupant is required to properly package the asbestos waste before transferring the material outside and must dispose of the asbestos at a landfill permitted by DEQ to accept asbestos waste.

Work practice requirements for contractors removing friable materials:

- Friable asbestos abatement must occur within a negative-pressure enclosure through a HEPA filtration system. The enclosure must have a two foot by two foot viewing window installed per 5,000 square-feet of enclosure space.
- Wet-method must be applied during asbestos removal and packaging.

Nonfriable asbestos abatement (materials that don't easily crumble):

Nonfriable asbestos abatement projects can be conducted by licensed asbestos abatement contractors, Construction Contractors Board (CCB) licensed contractors, homeowners, business owners, and property owners, provided the nonfriable material is not rendered friable during removal and packaging.

Waste handling and disposal:

Accumulation and storage of friable asbestos containing material is prohibited. Asbestos-containing material must be packaged in a minimum of two 6-mil thick plastic bags or similar leak-tight packaging with an asbestos hazard warning label, and must be disposed of at a landfill permitted by DEQ to accept asbestos waste.

Prior to transport, asbestos waste containers must have a label attached with the name of the generator (person doing the removal) and the address from where the waste was removed. A completed Asbestos Waste Shipment Report Form (ASN 4) must be provided to the landfill at the time of disposal.

Contact the landfill prior to delivering asbestos. Landfills may have additional requirements and may only accept asbestos by appointment.

More information

Visit www.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-Information.aspx

Find all DEQ's asbestos requirements in [Oregon Administrative Rules 340, Division 248](#). People handling asbestos must also follow other state and local government requirements, include requirements of [Oregon OSHA](#) and [Construction Contractors Board](#).

If you have questions or need technical assistance, contact asbestos program staff.

Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.

Fact Sheet

Asbestos Information

What contractors and business owners need to know before starting renovation or demolition

The Oregon Department of Environmental Quality regulates the handling, removal and disposal of asbestos-containing material to protect public health and the environment.

Asbestos is a natural occurring mineral that has been used extensively in a variety of construction materials in the U.S. When asbestos-containing material is disturbed, tiny hazardous fibers are released into the air and may cause lung cancer and other illnesses. There's no known safe level of exposure.

If you perform or manage remodeling, renovation, repair, maintenance or demolition activities, you need to be aware of the rules that may affect your ability to perform these activities.

Before any building is renovated or demolished, all asbestos-containing materials must be identified and properly abated. Abatement includes handling, removing, disposing, repairing, salvaging, enclosing or encapsulating any asbestos-containing materials.



Asbestos survey requirements

All commercial buildings regardless of construction date and residential buildings constructed before 2004 must have an asbestos survey conducted by an accredited inspector prior to any demolition or renovation activities done by a contractor, business owner or property manager.

A copy of the asbestos survey must be on-site during all renovation or demolition activities, and must be provided to DEQ upon request.

Types of asbestos materials

There are two general types of asbestos-containing materials, friable and nonfriable, which have different abatement requirements.

Friable asbestos-containing materials are easily crushed, crumbled or pulverized. Examples of friable materials include sheet vinyl flooring, underlayment, insulation on pipes, ductwork and boilers, fireproofing, ceiling texture, roof paper commonly found under wood shingles, silver roof paint, and soundproofing material.

Eligible to perform friable abatement:

- Licensed asbestos abatement contractors and certified asbestos workers. DEQ has training courses that meet these certification needs
- Owner-occupants of single family homes

Nonfriable asbestos-containing materials have a binder that holds the asbestos fibers within a solid matrix so asbestos fibers will not easily release unless mishandled or damaged. Examples of nonfriable materials include vinyl floor tile, black mastic, cement water pipe, and siding, roofing or paneling, also known as transite.

Eligible to perform nonfriable abatement:

- Licensed asbestos abatement contractors
- Home, business, and property owners
- Construction Contractors Board (CCB) licensed contractors

Nonfriable materials must remain in predominantly whole pieces and must be kept adequately wet throughout the removal and disposal process. If nonfriable materials are crushed or crumbled, they become friable and can only be handled and disposed of by DEQ-licensed asbestos contractors.

Project notification requirements

Those conducting nonfriable asbestos abatement are required to submit a nonfriable ASN 6 notification and fee to DEQ five days prior to beginning work. Owner-occupants of single family homes conducting their own abatement are exempt from the notification requirements.



State of Oregon
Department of
Environmental
Quality

Asbestos Program

Contact Information:

Clackamas, Clatsop, Columbia, Multnomah, Tillamook and Washington Counties, call the **Northwest Region – Portland Office** at 503-229-5982, 503-229-5364 or 800-452-4011.

Benton, Lincoln, Linn, Marion, Polk and Yamhill Counties, call the **Western Region – Salem Office** at 503-378-5086 or 800-349-7677.

Jackson, Josephine and Eastern Douglas Counties, call the **Western Region – Medford Office** at 541-776-6107 or 877-823-3216.

Coos, Curry and Western Douglas Counties, call the **Western Region – Coos Bay Office** at 541-269-2721, ext. 222.

Crook, Deschutes, Harney, Hood River, Jefferson, Klamath, Lake, Sherman and Wasco Counties, call the **Eastern Region – Bend Office** at 541-633-2019 or 866-863-6668.

Baker, Gilliam, Grant, Malheur, Morrow, Umatilla, Union, Wallowa and Wheeler Counties, call the **Eastern Region – Pendleton Office** at 541-278-4626 or 800-304-3513.

Lane County, call the **Lane Regional Air Protection Agency** at 541-736-1056.

Asbestos abatement contractors conducting friable asbestos abatement are required to submit a friable ASN 1 project notification and fee to DEQ 10 days prior to beginning work. DEQ can waive the waiting period on a case-by-case basis in emergency situations.

Find more information about required notifications at www.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-Forms.aspx

Waste handling and disposal

Accumulation and storage of friable asbestos containing material is prohibited. Asbestos waste material must be packaged in a minimum of two 6-mil thick plastic bags or similar leak-tight packaging with an asbestos hazard warning label, and must be disposed of at a landfill permitted by DEQ to accept asbestos waste.

Prior to transport, asbestos waste containers must have a label attached with the name of the generator (person doing the removal) and the address from where the waste was removed. A completed Asbestos Waste Shipment Report Form (ASN 4) must be provided to the landfill at the time of disposal.

Contact the landfill prior to delivering asbestos. Landfills may have additional requirements and may only accept asbestos by appointment.

Special considerations

Some materials and projects are exempt from certain rules.

- **Asbestos survey exception:** Owner-occupants of a single family home doing their own home renovation work are exempt from the asbestos survey requirement.
- **Small projects:** Maintenance and comparable activities limited to less than three square feet or three linear feet, provided the removal is part of a needed repair operation, may be exempt from certain rules.

- **Roofing and flooring** mastics that are fully encapsulated with a petroleum based binder and are not hard, dry or brittle are exempt from certain rules. The exemption ends if the materials are burned, crumbled, pulverized or reduced to dust.

- **Cement pipe:** It's prohibited to abandon asbestos-containing cement pipe in the ground once it has been exposed. There are special cases that allow cement pipe to be left in the ground, such as when the AC cement pipe is under an existing roadway or under a building.
- **Siding:** Installation of new siding over transite is not allowed because the installation process renders the transite friable. Sanding, grinding, abrading, or the use of power tools on transite is prohibited.

Additional information

Visit <https://www.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-for-Businesses.aspx>

Find all DEQ's asbestos requirements in [Oregon Administrative Rules 340, Division 248](#). People handling asbestos must also follow other state and local government requirements, include [requirements of Oregon OSHA](#) and [Construction Contractors Board](#).

If you have questions or need technical assistance, contact asbestos program staff.

If asbestos-containing material is disturbed or mishandled, it may expose the public to asbestos fibers. Violations of asbestos rules and statutes may subject the contractor or business owner to civil penalties.

Alternative Formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.

Asbestos Survey Requirement for Commercial Buildings

What is the survey requirement?

DEQ's asbestos survey rule requires a thorough inspection of a building or facility before any demolition or renovation activities to determine the presence of friable and nonfriable asbestos-containing materials, commonly known as ACM.

Who must conduct a survey?

All facility owners, including but not limited to manufacturing and industrial facilities, public and private building owners and operators, commercial facilities, and apartment complexes undertaking demolition or renovation requires an asbestos survey.

What is a demolition or renovation project?

Demolition is defined as wrecking that involves the removal of any load-supporting member or intentional burning.

Renovation is defined as altering in any way one or more facility components that does not involve removing a load-supporting member.

Who can perform the survey?

Only an accredited inspector may perform the asbestos survey. An accredited inspector must complete training and receive accreditation under the Model Accreditation Program training rules in 40 CFR Part 763.

For training courses, contact PBS Environmental Building Consultants at 503-248-1939 or the Asbestos Training Project at 503-233-7707.

What does DEQ mean by survey?

Generally, DEQ requires a sample of each type of material suspected to contain asbestos to be collected and analyzed before any demolition or renovation activity. A list of laboratories that perform asbestos analysis is available on DEQ's asbestos website.

When complete demolition or extensive renovation is to occur, a thorough asbestos survey is required. When partial renovation activity is to occur, such as a kitchen remodel, a survey is required for that area of the structure only. If a single material, such as sheet vinyl flooring is to be removed, only one sample of each layer of flooring needs to be collected and analyzed. When a single material is involved an accredited inspector is not required.

When the suspected material involves either blown or troweled on surfacing material such as popcorn ceiling texture DEQ recommends collecting several samples from different locations in the project area and having all of the samples analyzed. DEQ recommends that accredited inspectors follow the EPA "Asbestos in Buildings: Simplified Sampling Scheme for Friable Surfacing Materials" guidance.

A copy of the survey report must be kept onsite during the demolition or renovation project and DEQ can request a copy of the survey report. A survey includes the sampling of materials suspected to contain asbestos, laboratory analysis results to determine asbestos content and an evaluation of the materials to assess their condition.

A survey is not an absolute guarantee that all ACMs have been identified. Other suspect materials can be found in areas which were not accessible during the survey such as materials behind walls, under carpet, etc. During the demolition and renovation activities, an appropriately trained person should be on site.

When is a survey not required?

One may presume that a single material contains asbestos and therefore have it properly abated without conducting a survey.

Materials that commonly contain asbestos, such as popcorn ceiling texture, cement siding, and vinyl floor tile, are candidates for material that may be presumed to contain asbestos and properly abated in accordance with the rules.

However, you cannot assume that a material does not contain asbestos. Laboratory analysis is the only method to verify a material does not contain asbestos.

For demolitions of residential buildings, DEQ has the discretion to approve, on a case-by-case basis, requests to waive the asbestos survey requirement. The owner or operator of the residential building must submit a written request to DEQ, along with supporting documentation that demonstrates to DEQ's satisfaction that a survey is not warranted. The owner or operator of the residential building must obtain DEQ's written approval waiving the



State of Oregon
Department of
Environmental
Quality

Asbestos Program
www.oregon.gov

Contact Information:

Clackamas, Clatsop,
Columbia, Multnomah,
Tillamook and Washington
Counties, call the
**Northwest Region –
Portland Office** at 503-
229-5982, 503-229-5364 or
800-452-4011.

Benton, Lincoln, Linn,
Marion, Polk and Yamhill
Counties, call the **Western
Region – Salem Office** at
503-378-5086 or 800-349-
7677.

Jackson, Josephine and
Eastern Douglas Counties,
call the **Western Region –
Medford Office** at 541-
776-6107 or 877-823-3216.

Coos, Curry and Western
Douglas Counties, call the
**Western Region – Coos
Bay Office** at 541-269-
2721, ext. 222.

Crook, Deschutes, Harney,
Hood River, Jefferson,
Klamath, Lake, Sherman
and Wasco Counties, call
the **Eastern Region – Bend
Office** at 541-633-2019 or
866-863-6668.

Baker, Gilliam, Grant,
Malheur, Morrow,
Umatilla, Union, Wallowa
and Wheeler Counties, call
the **Eastern Region –
Pendleton Office** at 541-
278-4626 or 800-304-3513.

Lane County, call the **Lane
Regional Air Protection
Agency** at 541-736-1056.

survey requirement prior to any demolition activity.

When will a survey always be required?

An asbestos survey will always be required before the intentional burning of any public and private buildings, including residential buildings.

When did these requirements take effect?

The initial survey rules were adopted by the Oregon Environmental Quality Commission on Jan. 25, 2002 and the rules became effective on Feb. 4, 2002. The temporary survey rules for the demolition of residential building were adopted by the commission on Dec. 9, 2015 and became effective on Jan. 1, 2016.

DEQ's asbestos rules can be found in the Oregon Administrative Rules 340, Division 248. If you have questions or need additional technical assistance, contact asbestos program staff. Additional information is available on DEQ's asbestos website.

Residential Buildings

All demolition activities at residential buildings with four or fewer dwelling units constructed prior to Jan. 1, 2004 require an asbestos survey.

Renovation activities at residential buildings with four or fewer dwelling units are exempt from the survey requirements. However, DEQ strongly suggests hiring an accredited inspector to perform an asbestos survey.

Contractors and building owners or operators are responsible for ensuring that all ACMs are properly handled, removed and disposed of prior to any renovation or demolition activity.

Alternative Formats

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.

Fact Sheet

Asbestos Survey Requirements



State of Oregon
Department of
Environmental
Quality

Asbestos Program

Contact Information:

Clackamas, Clatsop, Columbia, Multnomah, Tillamook and Washington Counties, call the **Northwest Region – Portland Office** at 503-229-5982, 503-229-5364 or 800-452-4011.

Benton, Lincoln, Linn, Marion, Polk and Yamhill Counties, call the **Western Region – Salem Office** at 503-378-5086 or 800-349-7677.

Jackson, Josephine and Eastern Douglas Counties, call the **Western Region – Medford Office** at 541-776-6107 or 877-823-3216.

Coos, Curry and Western Douglas Counties, call the **Western Region – Coos Bay Office** at 541-269-2721, ext. 222.

Crook, Deschutes, Harney, Hood River, Jefferson, Klamath, Lake, Sherman and Wasco Counties, call the **Eastern Region – Bend Office** at 541-633-2019 or 866-863-6668.

Baker, Gilliam, Grant, Malheur, Morrow, Umatilla, Union, Wallowa and Wheeler Counties, call the **Eastern Region – Pendleton Office** at 541-278-4626 or 800-304-3513.

Lane County, call the **Lane Regional Air Protection Agency** at 541-736-1056.

All commercial buildings regardless of construction date and residential buildings constructed before 2004 must have an asbestos survey conducted by an accredited inspector prior to any demolition or renovation activities.

A copy of the asbestos survey report must be on-site during all renovation or demolition activities, and must be provided to DEQ upon request.

Owner occupants of a single family home performing their own home renovation project are exempt from the asbestos survey rule. However, DEQ recommends owner occupants have an asbestos survey performed or take samples of suspect materials and send to a lab for analysis prior to renovation projects even though it's not required. Owner occupants are required to follow all asbestos packaging, labeling and disposal requirements, and lab analysis is the only way to identify if asbestos is present in materials.

Demolition and renovation

Demolition is defined as wrecking that involves the removal of any load-supporting component or intentional burning.

Renovation is defined as altering one or more building components that does not involve removing a load-supporting component. Renovation includes the replacement, stripping, or repair of building components, such as mechanical ventilation systems, pipes, ceilings, walls, flooring, and insulating materials.

Who can perform the survey and produce the asbestos survey report?

Only an accredited AHERA inspector may perform the asbestos survey and produce an asbestos survey report.

For training courses, contact PBS Environmental Building Consultants at 503-248-1939 or Asbestos Training Project at 503-233-7707.

What does the survey involve?

DEQ generally requires a sample of each type of material suspected to contain asbestos to be collected and analyzed at a laboratory before any demolition or renovation activity.

When complete demolition or extensive renovation is planned, an asbestos survey of the entire facility is required. When partial

renovation is planned, such as a kitchen remodel, a survey is required for that area of the structure only. If a single material, such as sheet vinyl flooring is to be removed, then an accredited inspector must take a sample of each layer of flooring and have it analyzed. Alternatively, the material can be presumed to contain asbestos, in which case it must be treated, removed, handled, managed, transported and disposed of as asbestos-containing material.

An asbestos survey report includes all of the following:

- Dates the asbestos survey was performed
- A copy of the accredited inspectors certificate and their phone numbers
- The project site address and location where the survey was performed
- The facility owner or operator's name and phone
- Description of the facility and area surveyed, including past and current use, area square footage, approximate construction date and number of floors
- The purpose of the asbestos survey
- Description of any limitation of the asbestos survey
- A table listing all of the materials sampled and identified as asbestos-containing or presumed asbestos-containing including the percent asbestos and type of asbestos, description of the material color, texture and pattern, the location of the material, description of the material condition as in good condition or in poor condition, identification of the material as friable or nonfriable and the approximate quantity of the material;
- A recommended response action
- A complete copy of the laboratory report including the laboratory name, address and phone number, unique sample analysis identification number, bulk sample analysis results, name of the analyst and the completed chain of custody for the samples.

Additional information

Visit www.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-Information.aspx

Find all DEQ's asbestos requirements in [Oregon Administrative Rules 340, Division 248](#).

An asbestos survey may not be required if the project meets certain conditions. If you have

questions or need technical assistance, contact asbestos program staff.

Contact a professional asbestos abatement contractor with any concerns about proper asbestos removal.

If asbestos-containing materials are disturbed or mishandled, the public and the environment may be exposed to asbestos fibers. Violations of asbestos rules and statutes may subject the property owner or operator or the contractor to civil penalties.

Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.