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 waste must be packaged and disposed of in the same manner as friable waste. 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
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.