



Eugene City Council

125 E. 8th Ave., 2nd Floor
Eugene, OR 97401-2793
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

July 17, 2013

12:00 PM **CITY COUNCIL WORK SESSION**
Harris Hall
125 East 8th Avenue
Eugene, Oregon 97401

**Meeting of July 17, 2013;
Her Honor Mayor Kitty Piercy Presiding**

Councilors

George Brown, President	Pat Farr, Vice President
Mike Clark	George Poling
Chris Pryor	Claire Syrett
Betty Taylor	Alan Zelenka

**CITY COUNCIL WORK SESSION
Harris Hall**

**12:00 p.m. A. WORK SESSION:
Safe Demolition**

**time approximate*

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

City Council meetings and work sessions are broadcast live on the City's Web site. In addition to the live broadcasts, an indexed archive of past City Council webcasts is also available. To access past and present meeting webcasts, locate the links at the bottom of the City's main Web page (www.eugene-or.gov).

El Consejo de la Ciudad de Eugene aprecia su interés en estos asuntos de la agenda. El sitio de la reunión tiene acceso para sillas de ruedas. Hay accesorios disponibles para personas con afecciones del oído, o se les puede proveer un interprete avisando con 48 horas de anticipación. También se provee el servicio de interpretes en idioma español avisando con 48 horas de anticipación. Para reservar estos servicios llame a la recepcionista al 541-682-5010. Todas las reuniones del consejo estan gravados en vivo en Metro Television, canal 21 de Comcast y despues en la semana se pasan de nuevo.

For more information, contact the Council Coordinator at 541-682-5010,

or visit us online at www.eugene-or.gov

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Safe Demolition

Meeting Date: July 17, 2013
 Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: A
 Staff Contact: Stuart Ramsing
 Contact Telephone Number: 541-682-6801

ISSUE STATEMENT

A work session on the topic of safe demolition was requested with an interest in protocols governing demolition activities, hazardous material testing and monitoring, and sharing information with stakeholders.

BACKGROUND

Staff will provide an overview of existing regulations and the agencies that oversee them, demolition industry practices and information on how Eugene and other communities address the concern for wind-borne dusts caused by building demolition. This dust may be a respiratory irritant and contain hazardous particles of concern to residents and visitors in the community.

Structures contain many materials, some of which may be unhealthy or dangerous if they are not attended to appropriately during the demolition process. Known hazards like asbestos and fuels generally are removed before a building is demolished but other materials are left to the demolition process.

Key agencies charged with ensuring air quality are the Environmental Protection Agency (EPA) and the Department of Environmental Quality (DEQ). In Eugene and Lane County, the Lane Regional Air Protection Agency (LRAPA) administers the clean air standards by agreement with the EPA. City staff administer soil and debris erosion protections.

LRAPA regulates asbestos abatement work. A pre-demolition survey is required for commercial buildings and larger residential structures to determine the presence of asbestos-containing materials. LRAPA also regulates dust created by demolition and is generally able to provide a higher standard of responsiveness than other jurisdictions that rely on State agencies for permitting and enforcement.

Locally, Eugene Code Chapter 6 provides the City with the authority to address environmental concerns where state agencies are not able to immediately respond. Although this authority was not intended specifically for dealing with demolition hazards, it does allow the City to respond to an event when the assigned responders are unable to immediately engage.

In cases where rains may wash or erode demolition debris from a site, local mitigation plans are part of the building permit process. The program is outcome-based so regardless of the permitting status, sediment should not leave a demolition site. City staff monitor this proactively as well as in response to complaints.

Several communities in Oregon and across the nation were evaluated to benchmark Eugene's regulations as well as glean best practices used elsewhere. In Oregon, staff looked at Springfield, Salem, Portland, and Ashland. Nationally, the cities of Boulder, Seattle, San Francisco, Baltimore, and Cincinnati were evaluated. In some communities, public notice is part of the demolition process. Practices required to minimize dust appear similar to regulations administered locally.

RELATED CITY POLICIES

The desire for a safe and healthy community is woven through the council vision and goals, with specific mention of sustaining clean air, water and safe neighborhoods.

Embedded in the purpose statement of Eugene Code Chapter 6.345 is reference that in some, but not all cases, the EPA and DEQ become involved to ensure cleanup of contamination when a release of hazardous substance occurs. As noted previously, if these other agencies are not immediately able to respond, the City has the authority to do so.

COUNCIL OPTIONS

This is an informational work session, no council options at this time.

CITY MANAGER'S RECOMMENDATION

This is an informational work session, no City Manager recommendation at this time.

SUGGESTED MOTION

This is an informational work session, no council motion is offered at this time.

ATTACHMENTS

- A. Eugene Code Section 6.340
- B. LRAPA Title 48
- C. DEQ Asbestos Building Survey Requirements
- D. Website links to demolition standards in Eugene and other communities

FOR MORE INFORMATION

Staff Contact: Stuart Ramsing
Telephone: 541-682-6801
Staff E-Mail: Stuart.G.Ramsing@ci.eugene.or.us

HAZARDOUS SUBSTANCE DISCHARGE AND REMOVAL

6.340 **Hazardous Substance - Definitions.** For purposes of sections 6.345 to 6.380, the following words and phrases mean:

City Manager. City Manager or designee.

Environment. Waters in the city, surface and underground drinking water supply, land surface, subsurface strata and ambient air.

Facility. Any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located and where a release has occurred or where there is a threat of a release, but does not include any consumer product in consumer use or any vessel.

Hazardous Substance. Any hazardous waste as defined in ORS 466.005; any substance defined as a hazardous substance pursuant to Section 101(14) of the Federal Comprehensive Environmental Response, Compensation and Liability Act, P.L. 96-510, as amended, and P.L. 99-499; oil, including gasoline, crude oil, fuel oil, diesel oil, lubricating oil, oil sludge or refuse of any other petroleum-related product or waste or fraction thereof that is liquid at a temperature of 60 degrees Fahrenheit and pressure of 14.7 pounds per square inch absolute.

Owner or operator. Any person who owned, leased, operated, controlled or exercised significant control over the operation of a facility. "Owner or operator" does not include a person, who, without participating in the management of a facility, holds indicia of ownership primarily to protect a security interest in the facility.

Person. An individual, trust, firm, joint stock company, joint venture, consortium, commercial entity, partnership, association, corporation, commission, state and any agency thereof, political subdivision of the state, interstate body or the Federal Government including any agency thereof.

Release. Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment including the abandonment or discarding of barrels, containers, underground storage tanks and other closed receptacles containing any hazardous substance, or threat thereof, but excludes:

- (a) Any release which results in exposure to a person solely within a work place, with respect to a claim that the person may assert against the person's employer under ORS chapter 656;
- (b) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel or pipeline pumping station engine;

Eugene Code

- (c) Any release of source, by-product or special nuclear material from a nuclear incident, as these terms are defined in the Atomic Energy Act of 1954, as amended, if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under section 170 of the Atomic Energy Act of 1954, as amended, or, for the purposes of any removal or remedial action, any release of source by-product or special nuclear material from any processing site designated under section 102(a)(1) or 302(a) of the Uranium Mill Tailings Radiation Control Act of 1978;
- (d) A discharge in accordance with federal, state or local governing regulations or permits of the Lane Regional Air Pollution Authority, with a National Pollutant Discharge Elimination System Permit, with waste discharge requirements established by the Oregon Department of Environmental Quality (DEQ), or with the sewer pretreatment requirements of the Industrial Monitoring Section of the city's Public Works Department's Wastewater Division;
- (e) The normal application of fertilizer
- (f) Application of pesticides as defined by ORS Chapter 634, when such application is made within the provision of applicable state and federal regulations;
- (g) Application of agricultural lime, gypsum and other agricultural/horticultural soil amendments when made for that purpose and according to current industry practice;
- (h) Application of water based paint, when used as athletic field marking; and
- (l) Any release from a residential heating oil tank serving an owner-occupied single family dwelling.

Removal. The cleanup or removal of a released hazardous substance from the environment, such actions as may be necessary in the event of the threat of release of a hazardous substance into the environment, such actions as may be necessary to monitor, assess and evaluate the release or threat of release of a hazardous substance, the disposal of removed material, or the taking of such other actions as may be necessary to prevent, minimize or mitigate damage to the public health, safety or welfare which may otherwise result from a release or threat of release. "Removal" also includes but is not limited to security fencing or other measures to limit access, provision of alternative drinking and household water supplies, temporary evacuation and housing of threatened individuals and action taken under ORS 465.260.

Removal action costs. Reasonable costs which are attributable to or associated with a removal action at a facility, including but not limited to the costs of administration, investigation, legal or enforcement activities, contracts and health studies.

Eugene Code

Responsible Party. The current owner or operator; any owner or operator at or during the time of the acts or omissions that resulted in the release; any owner or operator who became the owner or operator after the time of the acts or omissions that resulted in the release, and who knew or reasonably should have known of the release when the person first became the owner or operator; any owner or operator who obtained actual knowledge of the release at the facility during the time the person was the owner or operator of the facility and then subsequently transferred ownership or operation of the facility to another person without disclosing such knowledge; any person who unlawfully hinders or delays entry to, investigation of or removal action at a facility; and any person who, by any acts or omissions, caused, contributed to, or exacerbated the release, unless the acts or omissions were in material compliance with applicable laws, standards, regulations, licenses or permits.

Underground storage tank. Any one or combination of tanks and underground pipes connected to the tank, used to contain an accumulation of a regulated substance, and the volume of which, including the volume of the underground pipes connected to the tank, is ten percent or more beneath the surface of the ground.

Waters. Includes lakes, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, canals, and all other bodies of surface or underground waters, natural or artificial, public or private, which are wholly or partially within the city or within its jurisdiction.

(Section 6.340 added by Ordinance No. 19862, enacted June 22, 1992, effective July 22, 1992; and amended by Ordinance No. 20301, enacted November 10, 2003, effective December 10, 2003.)

- 6.345 Hazardous Substance - Purpose.** The release of hazardous substances into the environment may present imminent and substantial threats to the public health, safety and welfare. In some, but not all cases, the United States Environmental Protection Agency or the Oregon Department of Environmental Quality become involved to ensure cleanup of contamination. It is not the intent of sections 6.345 to 6.380 of this code to have the city become involved where the Environmental Protection Agency and Department of Environmental Quality are involved. Due to the limited resources of the Environmental Protection Agency and Department of Environmental Quality, however, those agencies do not always have the ability to immediately respond to the release or identification of hazardous substances which threaten the public health, safety and welfare. The purpose of sections 6.345 to 6.380 is to minimize those threats by ensuring:
- (a) Prompt identification of discharges or threats of discharges into the environment of hazardous substances which present imminent risks to the public health, safety and welfare; and
 - (b) Implementation of removal actions.

The authorizations contained in sections 6.340 to 6.380 of this code are in addition to any other authority the city manager may have under other provisions of this code or applicable federal or state laws or regulations.

(Section 6.345 added by Ordinance No. 19862, enacted June 22, 1992, effective July 22, 1992.)

6.350 Hazardous Substance - City Manager Authority to Undertake Removal Action.

- (1) In addition to any other authority granted by law, the city manager, when he or she has reason to believe that hazardous substances pose imminent threats to the public health, safety or welfare, may:
 - (a) Undertake independently, in cooperation with others or by contract, investigations, studies, sampling, monitoring, assessments, surveying, testing, analyzing, planning, inspecting, training, engineering, design, construction, operation, maintenance and any other activity necessary to conduct removal action and to carry out the provisions of sections 6.345 to 6.380.
 - (b) Recover the city's removal action costs.
- (2) Each responsible party is jointly, severally and strictly liable for those removal action costs incurred by the city that are attributable to or associated with a facility.

(Section 6.350 added by Ordinance No. 19862, enacted June 22, 1992, effective July 22, 1992.)

6.355 Hazardous Substance - Prohibition on Releases. Unless authorized by state or federal law, no person may release, or cause to be released, any hazardous substance into the environment, or into the waters upstream of the boundaries of the city when such release results in detectable levels of contamination in the waters that subsequently enter the city's jurisdiction.

(Section 6.355 added by Ordinance No. 19862, enacted June 22, 1992, effective July 22, 1992.)

6.360 Hazardous Substance - Duty to Report. Any person who releases, or who causes or discovers a release of, a hazardous substance into the environment shall immediately report the release to the city if state or federal law imposes an obligation on such person to report the release to a state or federal agency.

(Section 6.360 added by Ordinance No. 19862, enacted June 22, 1992, effective July 22, 1992.)

6.365 Hazardous Substance - Assessment, Evaluation and Investigation.

- (1) The city manager, when he or she has reason to believe that hazardous substances pose imminent threats to the public health, safety or welfare, may undertake any assessment, evaluation or investigation of known or suspected contamination where necessary to protect the public health, safety and welfare. Notwithstanding the foregoing, nothing in this section 6.365 authorizes the city manager to undertake, or to order any action related to property which is subject to an enforceable order issued by the Oregon Department of Environmental Quality or United States Environmental Protection Agency if the order

Eugene Code

requires investigation or remediation of suspected or known contamination.

- (2) The city manager, when he or she has reason to believe that hazardous substances pose imminent threats to the public health, safety or welfare, may authorize any person to carry out any assessment, evaluation or investigation in accordance with any requirements of or directions from the city manager, if the city manager determines that the person will commence and complete the assessment, evaluation or investigation properly and in a timely manner.
- (3) The city manager, when he or she has reason to believe that hazardous substances pose imminent threats to the public health, safety or welfare, may require any responsible party to conduct any assessment, evaluation or investigation which the city manager determines is necessary to protect the public health, safety and welfare. An order of the city manager is appealable only as provided by subsection (4) of this section.
- (4) Any person who receives and complies with the terms of an order issued pursuant to subsection (3) of this section may, within 60 days after completion of the required action, petition the city manager for reimbursement for the reasonable costs of such action. If the city manager denies reimbursement, the person may appeal the city manager's denial to a hearings officer in accordance with the timelines and procedures established by section 2.021 of this code. To obtain reimbursement, the person must establish by a preponderance of the evidence that the person is not a responsible party, and that the costs for which the person seeks reimbursement are reasonable in light of the action required by the relevant order; these criteria are the sole basis for reimbursement.
- (5) If any responsible party fails without sufficient cause to conduct an assessment, evaluation or investigation as required by an order of the city manager under subsection (3) of this section the responsible party shall be liable to the city for the city's removal action costs and for punitive damages not to exceed three times the amount of the city's removal action costs.

(Section 6.365 added by Ordinance No. 19862, enacted June 22, 1992, effective July 22, 1992.)

6.370 Hazardous Substance - Removal Action.

- (1) The city manager, when he or she has reason to believe that hazardous substances pose imminent threats to the public health, safety or welfare, may undertake any removal action necessary to protect the public health, safety and welfare. Notwithstanding the foregoing, nothing in this section authorizes the city manager to undertake or order any action related to property which is subject to an enforceable order issued by the Oregon Department of Environmental Quality or United States Environmental Protection Agency if the order requires investigation or removal of suspected or known contamination.

- (2) The city manager, when he or she has reason to believe that hazardous substances pose imminent threats to the public health, safety or welfare, may authorize any person to carry out any removal action in accordance with any requirements of or directions from the city manager, if the city manager determines that the person will commence and complete removal action properly and in a timely manner.
- (3) The city manager, when he or she has reason to believe that hazardous substances pose imminent threats to the public health, safety or welfare, may require any responsible party to conduct any removal action necessary to protect the public health, safety and welfare. The city manager's action under this subsection may include but need not be limited to issuing an order specifying the removal action the person must take. An order of the city manager is appealable only as provided by subsection (4) of this section.
- (4) Any person who receives and complies with the terms of an order issued pursuant to subsection (3) of this section may, within 60 days after completion of the required action, petition the city manager for reimbursement for the reasonable costs of such action. If the city manager denies reimbursement, the person may appeal the city manager's denial to a hearings officer in accordance with the timelines and procedures established by section 2.021 of this code. To obtain reimbursement, the person must establish by a preponderance of the evidence that the person is not a responsible party, and that the costs for which the person seeks reimbursement are reasonable in light of the action required by the relevant order; these criteria are the sole basis for reimbursement.
- (5) If any responsible party fails without sufficient cause to conduct a removal action as required by an order of the city manager issued under subsection (3) of this section, the responsible party shall be liable to the city for the city's removal action costs and for punitive damages not to exceed three times the amount of the city's removal action costs.

(Section 6.370 added by Ordinance No. 19862, enacted June 22, 1992, effective July 22, 1992.)

6.375 Hazardous Substance - Prohibition on Building. Where the city manager has reason to believe that a proposed building site is contaminated by a release of hazardous substances, and that such contamination poses an imminent threat to the public health, safety and welfare, the city manager may refuse to issue a building permit, or where a permit has been issued, stop work on the permit, until such time as a removal action is implemented. If the responsible party can demonstrate that construction and the removal action can occur simultaneously, and satisfies the city manager that the removal action will continue even if construction is allowed to proceed, the city manager may authorize construction to continue or may issue permits prior to completion of the removal action. In order to ensure completion of the removal action, the city manager may require a bond in an amount sufficient to cover the costs of the removal action.

(Section 6.375 added by Ordinance No. 19862, enacted June 22, 1992, effective July 22, 1992.)

Eugene Code

- 6.380** **Hazardous Substance - Violations.** In addition to the penalties set forth in subsections (8), (9), and (10) of section 6.990 of this code:
- (a)** For violations of sections 6.345 to 6.375 of this code, the city manager may proceed either by imposing an administrative civil penalty pursuant to section 2.018 of this code, except that the amount of the penalty shall be governed by subsection (b) of this section or subsections (8), (9) or (10) of section 6.990, or by citing responsible party into municipal court.
 - (b)** In setting the amount of a civil penalty, the city manager (for an administrative civil penalty) and the municipal court shall impose a penalty sufficient to deter persons from violating sections 6.345 to 6.375 of this code, and shall be not less than three times the economic benefit which the responsible party would derive if the violation had not been discovered.

(Section 6.380 added by Ordinance No. 19862, enacted June 22, 1992, effective July 22, 1992.)

LANE REGIONAL AIR PROTECTION AGENCY

TITLE 48

RULES FOR FUGITIVE EMISSIONS

Section 48-001 General Policy

In order to restore and maintain Lane County air quality in a condition as free from air pollution as is practicable, consistent with the overall public welfare of the county, it is the policy of the Lane Regional Air Protection Agency to require the application of reasonable measures to minimize fugitive emissions to the greatest extent practicable.

Section 48-005 Definitions

(See Title 12, Definitions)

Section 48-010 General Applicability

1. Except for agricultural activities which are exempted by state statute, these rules apply to all sources of fugitive emissions within Lane County.
2. Examples of sources affected by these rules are:
 - A. Construction activities including land clearing and topsoil disturbance;
 - B. Demolition activities;
 - C. Unpaved traffic areas and parking lots where there are nuisance conditions;
 - D. Material handling and storage operations;
 - E. Mining and yarding activities including access and haul roads;
 - F. Storage piles of dusty materials;
 - G. Manufacturing operations.

Section 48-015 General Requirements

1. When fugitive emissions escape from a building or equipment in such a manner and amount as to violate any regulation, the Director may, in addition to other means of obtaining compliance, order that the building or equipment in which processing, handling and storage

Amended October 14, 2008

48.1

are done be tightly closed and ventilated in such a way that air contaminants are controlled or removed before discharge to the open air. Fugitive emissions creating a nuisance shall be regulated by Title 49 of these rules.

This section was amended 10/09/01

2. No person shall cause, suffer, allow or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, but not be limited to the following:
 - A. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;
 - B. Application of asphalt, approved road oil, water, or other suitable chemicals on unpaved roads, material stockpiles, and other surfaces which can create airborne dusts;
 - C. Full or partial enclosure of materials stockpiles in cases where application of oil, water or chemicals is not sufficient to prevent particulate matter from becoming airborne;
 - D. Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials;
 - E. Adequate containment during sandblasting or other similar operations;
 - F. The covering of moving, open-bodied trucks transporting materials likely to become airborne;
 - G. The prompt removal from paved streets of earth or other material which does or may become airborne.

Asbestos Building Survey Requirement

What is the survey requirement?

DEQ's survey rule requires that an inspection be performed before any demolition or renovation activities to determine the presence of friable and non-friable asbestos-containing materials (ACMs). This rule helps a building owner prevent asbestos fiber exposure when ACM is in or on their facility.

Who must get a survey done?

All facility owners, including but not limited to manufacturing facilities, public and private building owners, commercial facilities, apartment complexes, residential buildings with more than four dwelling units, undertaking a demolition or renovation project will be affected by this rule.

The survey rule does not apply to residential buildings with four or fewer dwelling units or a single private residence that is not used as a commercial business. However, contractors and building owners or operators are responsible for any asbestos rule violations that may occur from renovation or demolition work in or on their structure whether a survey is performed or not.

What is a demolition or renovation project?

Demolition is defined as wrecking that involves the removal of load-supporting members and/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?

The rule requires that an accredited inspector perform the survey. This ensures the individual doing the inspection is qualified and understands what they need to look for to complete the survey. Training is in accordance with the Asbestos Hazard Emergency Response Act (AHERA) program regulations and the Model Accreditation Program training rules in 40 CFR Part 763.

For AHERA training courses contact [PBS Environmental Building Consultants](#) at 503-248-1939. Inspector training is three days.

What does DEQ mean by survey?

Generally, DEQ will require a sample of each type of ACM suspected material to be collected and analyzed before a demolition or renovation

project takes place. DEQ will not require the inspector to conduct an AHERA type survey. AHERA surveys can be restrictive and expensive because of the detailed and extensive amount of sampling and evaluation necessary. DEQ will continue to rely upon the types of surveys and sampling it has recommended in the past.

For example: When complete demolition or extensive renovation is to be conducted, a complete building survey will be required. If only a partial renovation activity is to take place, such as a kitchen remodel, then only that area of the structure requires a survey. If a single material, such as sheet vinyl floor is to be removed and replaced then only one sample (each layer if applicable) will need to be collected (an accredited inspector need not be used to sample when a single material is involved) and analyzed. When the suspected material involves either blown or troweled on surfacing materials (i.e. ceiling texture), DEQ recommends more than one sample be collected and analyzed.

A copy of the survey report (or just a lab analysis report when appropriate) must be kept onsite during the demolition or renovation project. A survey report includes documentation of all of the samples collected, locations of where the samples were collected, results of the laboratory analysis and an evaluation of the materials to assess their condition (friable or non-friable) if applicable. Keep in mind a survey is not a 100% guarantee that all ACMs have been identified. Discoverable materials can be found in areas which were not accessible during the survey (such as behind walls, under carpet). During demolition and renovation activities, an appropriately trained person should be on site and attentive for the discovery of ACMs.

When is a survey not required?

Anyone may presume that a single material contains asbestos and have it properly abated without conducting a survey. DEQ has discretion to approve alternatives to the asbestos requirements under OAR 340-248-0270(12). Such an alternative could allow an owner or operator to assume that all suspect materials contain asbestos. In this instance, the owner or operator must contact DEQ before starting the project to obtain permission to use that method of identification.



State of Oregon
Department of
Environmental
Quality

Air Quality

Asbestos
2020 SW 4th Ave, Suite 400
Portland, OR 97201
Phone: (503) 229-5982
(800) 452-4011
Fax: (503) 229-6945
Contact: Susan Patterson
www.oregon.gov/DEQ/

06-NWR-008
Last updated: 7/10/12
By: Nancy Stellmach

Item A.

Materials that commonly contain asbestos, such as popcorn ceiling texture, cement siding, and vinyl floor tile, are candidates for materials 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. Only through laboratory analysis can a negative determination be made. DEQ can provide a list of materials suspected to contain asbestos. There may be times where DEQ asbestos staff will need to make a determination about your situation on a case by case basis.

When will a survey always be required?

A survey will be required for all public and private buildings and residential structures with more than four dwelling units before renovation, demolition, or intentional burning unless otherwise exempted. DEQ strongly recommends that building owners determine if asbestos is present in all buildings (residential or commercial) before conducting any demolition or having a structure intentionally burned.

When did these rules take effect?

The rules were adopted by the Environmental Quality Commission (EQC) on January 25, 2002, and became effective February 4, 2002. A large number of facility and building owners are already aware of the existing EPA and OSHA building survey requirements.

Copies of the guidance document, building survey Fact Sheet, consultant, laboratory, abatement contractor and landfill lists, project notification and waste shipment reports can be found on the DEQ web page:
www.deq.state.or.us/aq/asbestos.

Contact information

Clackamas, Clatsop, Columbia, Multnomah, Tillamook and Washington Counties, call the Portland office at 503-229-5982.

Benton, Lincoln, Linn, Marion, Polk and Yamhill Counties, call the Salem office at 503-378-5086 or 800-349-7677.

Lane County, call the Lane Regional Air Protection Agency at 541-736-1056 ext. 222.

Jackson, Josephine and Eastern Douglas Counties, call the Medford office at 541-776-6107 or 877-823-3216.

Coos, Curry and Western Douglas Counties, call the Coos Bay office at 541-269-2721 ext. 222.

Crook, Deschutes, Harney, Hood River, Jefferson, Klamath, Lake, Sherman, and Wasco Counties, call the Bend office at 541-633-2019.

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

Accessibility information

DEQ is committed to accommodating people with disabilities. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format.

To make these arrangements, contact DEQ Communications and Outreach in Portland at 503-229-5696 or call toll-free in Oregon at 800-452-4011; fax to 503-229-6762; or email deqinfo@deq.state.or.us.

People with hearing impairments may call 711.

Attachment D
Safe Demolition

Website Links

[Eugene Code Section 6.340](#)

[LRAPA Asbestos Rules and Regulations - Title 43](#)

[LRAPA - Rules for Fugitive Emissions - Title 48 \(See 48-015 Sec. 2\)](#)

[DEQ Asbestos Building Survey Requirements](#)

[Ashland, OR Demolition Standards](#)

[Portland, OR Demolition Standards](#)

[San Francisco, CA Building Code \(See Sec. 106A.3.2.6.1\)](#)

[Seattle, WA Demolition Standards](#)

[Boulder, CO Demolition Standards](#)

[Cincinnati, OH Demolition Handout](#)

[Baltimore, MD Demolition Guidelines](#)

[The East Baltimore Revitalization Initiative – Responsible Demolition](#)

