

STATE OF COLORADO

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Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

Asbestos Inspection Requirements for Single Family Residential Dwellings

February 11, 2010

The Indoor Environment Program at the Colorado Department of Public Health and Environment, Air Pollution Control Division ("the division") has received numerous inquiries recently concerning the requirement to inspect a single-family residential dwelling ("SFRD") prior to renovation or demolition activities.

These inquiries have been prompted by a letter that was written and distributed by an insurance carrier to its preferred contractors, stating that Regulation No. 8, Part B, does not require the inspection of a SFRD for the presence of asbestos prior to renovation, remodeling or demolition work.

The division has long held that inspections of a SFRD are required by Regulation No. 8, Part B, and anyone failing to do an asbestos inspection prior to renovation or demolition activities could, if asbestos is present, jeopardize the health of anyone involved, including the residents of the SFRD. Moreover, the division may initiate enforcement actions against the appropriate parties in situations where renovation or demolition activities have been conducted in a SFRD in which there has not been the required inspection done of all of suspect materials to be impacted.

Background

During the 2001 legislative session, the Department of Regulatory Agencies ("DORA"), having just completed a review of Colorado's asbestos abatement regulatory program, recommended to the legislature that the same legal protections from improper disturbance and abatement of asbestos that apply to public and commercial buildings be extended to a SFRD. The legislature responded to DORA's recommendation by amending C.R.S. 25-7-501 et seq., granting authority to the Air Quality Control Commission ("the AQCC") to revise Regulation No. 8, Part B, such that a SFRD is treated the same as public and commercial buildings, albeit with different trigger levels than those in public and commercial buildings. Those revisions were approved by the AQCC on January 16, 2003, and became effective on March 30, 2003.

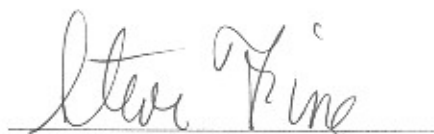
To repeat: An asbestos inspection by a certified asbestos building inspector is required in a SFRD in Colorado if the trigger level of suspect materials to be disturbed is exceeded. An exemption is possible only if the requirements of Colorado Regulation No. 8, Part B, Section III.A.1.d., are met, where it can be shown that, for buildings constructed after October 12, 1988, only, no ACM was specified in any construction document for the building or no ACM was used as a building material in the building.

Failure to perform required inspections may result in the division taking enforcement actions against the appropriate parties.

If you have any questions regarding this letter or the requirements of Colorado's Regulation No. 8, Part B, please contact the division at 303-692-3100 and ask to speak with one of our asbestos staff.

Sincerely,

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT



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Indoor Environment Program
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