NEW YORK STATE | Department of Labor

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NYS ASBESTOS SURVEY REQUIREMENTS

The New York State Department of Labor's Asbestos regulations, Industrial Code Rule 56 (12 NYCRR Part 56), protects the public from exposure to asbestos fibers. According to 12 NYCRR Part 56, if demolition, renovation, remodel, or repair work is to be performed on a building, structure, or portion(s) thereof, the property owner must first obtain an asbestos survey that is conducted by a certified New York State Asbestos Inspector.

12 NYCRR 56-5.1 contains the requirements for surveys. Before work begins, a survey must be conducted and a copy of the survey must be provided to the local jurisdiction that will issue the demolition permit as well as to the local Asbestos Control Bureau District Office where the building is located. There are some exemptions to the survey requirements listed in 12 NYCRR 56-5.1 (b) such as an agricultural building, a building built on or after January 1, 1974, and for certain condemned buildings. However, 12 NYCRR 56-5.1 (c) requires these buildings to be assumed to contain asbestos and demolished as an asbestos project unless there is a survey that appropriately documents that there is no asbestos in the building or structure.

Additionally, 12 NYCRR 56-5.1 (d) clarifies that any exemptions in this section does not provide relief from any survey requirements under EPA, OSHA or any other sections of 12 NYCRR Part 56. Thus, surveys are required for all demolitions, renovations, remodels, or repairs regardless of construction date. Otherwise, the building or structure must be assumed to contain asbestos.

NEW YORK STATE ASBESTOS CONTROL BUREAU

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