

## **BACKGROUND**

Senate Bill 509 requires municipalities to verify that an asbestos survey has been conducted prior to issuing renovation or demolition permits for public or commercial buildings, and affects renovation and demolition permits for public or commercial buildings issued by municipalities on or after Monday, January 1, 2002.

## **DEFINITIONS**

**Public or Commercial Building** - Non-residential buildings and apartment complexes larger than a four-plex.

**Demolition** - The wrecking or removal of any load-supporting structural member of a building or facility or any related asbestos removal, stripping, or handling operations together with any related operations or the intentional burning of any building or facility.

**Renovation** - Additions to or alterations of the building for purposes of restoration by removal, repairing, and rebuilding.

## **PROJECTS THAT REQUIRE A SURVEY**

Any public or commercial building requires an asbestos survey before a permit may be issued for demolition or renovation. In instances where the whole building is not affected, the work area and surrounding areas affected by demolition, alteration or renovation must be surveyed.

**Note:** Where portions of the building have been altered after the date of the last survey, and the current proposed scope of work includes alterations to the areas altered after the last survey, an updated survey is required.

## **ALTERNATIVE DOCUMENTATION**

When there is no asbestos in the area affected by the renovation or demolition, a licensed architect or engineer may submit a certification letter. Certification letters shall include the license number of the asbestos inspector, or be sealed, signed, and dated by the design professional and include the following text:

*The material safety data sheets (MSDS) for the materials used in the original construction, the subsequent renovations or alterations of all parts of the building affected by the planned renovation or demolition have been reviewed; and in the engineer, architect or licensed asbestos inspector's professional opinion, all materials in the parts of the building affected by the planned renovation or demolition do not contain asbestos.*

## **BUILDINGS REQUIRED TO COMPLY**

Asbestos surveys are required on all building regardless of the year of construction. For newer buildings, the alternative documentation can be submitted.

## **EFFECTIVE DATE**

All building permit applications submitted on or after Monday, January 14, 2002, require submittal of an asbestos survey.

## **HELPFUL INFORMATION AND EXAMPLES**

- An example of a survey statement from the Texas Department of State Health Services (DSHS) is on the back of this guideline.
- Contact numbers for more information from DSHS are 1-800-572-5548 or 512-834-6600. The DSHS website is <https://www.dshs.texas.gov/>

## Example:

### Evidence for Asbestos Survey

To implement SB-509, the City of Houston may accept a letter in lieu of asbestos survey as evidence for asbestos survey, signed and dated by the owner/owner's representative with the following text:

*I hereby certify that an asbestos survey has been done in accordance with the Texas Asbestos Health Protection Rules (TAHPR) and the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the area(s) being renovated and/or demolished.*

*Date of Survey:* \_\_\_\_\_

*TDH Inspector License No.:* \_\_\_\_\_

In case, there is no asbestos survey available, the owner can submit a certification from a licensed engineer or architect or a statement from an asbestos inspector licensed by the Texas Department of State Health Services, stating that:

*The material safety data sheets (MSDS) for the materials used in the original construction, the subsequent renovations or alterations of all parts of the building affected by the planned renovation or demolition have been reviewed; and in the engineer, architect or licensed asbestos inspector's professional opinion, all materials in the parts of the building affected by the planned renovation or demolition do not contain asbestos.*