



**New York State Department of Labor**

**Eliot Spitzer**, *Governor*

**M. Patricia Smith**, *Commissioner*

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OCTOBER, 2007

Dear Sir or Madam:

I would like to take this opportunity to offer you some useful information associated with the asbestos exposure associated with the demolition/renovation of buildings in your locality. A copy and updates to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Cited as 12 NYCRR Part 56), a Guidance Document with frequently asked questions and answers, and variance information may be obtained by going on-line to, [www.labor.state.ny.us](http://www.labor.state.ny.us)

I wish to request your assistance in our enforcement efforts thereby protecting the health of your community, specifically in the area of building demolition/renovations. Please feel free to incorporate the enclosed: **NOTICE RE: BUILDING DEMOLITION/RENOVATION** and **NOTICE TO BUILDING PERMIT APPLICANTS** with the information you provided to contractors when a demolition/renovation permit is issued.

Should you have any questions, please contact the Asbestos Control Bureau District Office nearest to you (listed on the enclosed sheet) or myself at the NYS Department of Labor, Asbestos Control Bureau, State Office Building Campus, Building 12, Room 157, Albany, New York 12240 or by telephone (518) 457-1255.

Enclosures



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**CONTACT INFORMATION  
FOR  
ASBESTOS PROJECTS**

The Department of Labor regulates most asbestos control activities in the State through its Asbestos Control Bureau; all contractors must be licensed and all asbestos handlers certified by the Department's Worker Protection Central Processing Unit. Projects must be conducted in accordance with safety standards promulgated by the Commissioner of Labor to avoid potential public health hazards that can result from the improper handling of asbestos or asbestos material, a potential carcinogen. A copy and update to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Cited as 12 NYCRR Part 56), a Guidance Document with frequently asked questions and answers, and variance information may be obtained by going on-line to, [www.labor.state.ny.us](http://www.labor.state.ny.us).

For more information, call or write the New York State Department of Labor, Division of Safety and Health at one of the following locations:

**ASBESTOS CONTROL BUREAU  
DISTRICT OFFICES**

**ALBANY**

State Office Campus  
Building 12, Room 157  
Albany, NY 12240  
Tel: (518) 457-2072

**BUFFALO**

65 Court Street  
Room 405  
Buffalo, NY 14202  
Tel: (716) 847-7126

**SYRACUSE**

450 South Salina St.  
4<sup>th</sup> Floor – Room 401  
Syracuse, NY 13202  
Tel: (315) 479-3215

**NEW YORK CITY**

75 Varick St.  
7<sup>th</sup> Floor  
New York, NY 10013-1917  
Tel: (212) 775-3538

**TO SUBMIT:  
ASBESTOS PROJECT NOTIFICATION  
AND/OR EMERGENCY NOTIFICATION**

Asbestos project notifications may be made on-line by going to: [www.labor.state.ny.us](http://www.labor.state.ny.us), quick links, to Asbestos Notification, by licensed asbestos contractors. Emergency notifications must initially be called in for approval: (518) 485-9263. After the approval process, the contractor may proceed to pay and fill out the appropriate on-line notification. You may also mail in your paperwork to: NYS Department of Labor, Worker Protection Central Processing Unit, State Office Campus, Building 12, Room 290, Albany, NY 12240, Tel: (518) 485-9263.

Questions about obtaining and/or renewing an Asbestos license or any type of Asbestos Certification may also be obtained from the Worker Protection Central Processing Unit.



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**NOTICE  
RE:  
BUILDING DEMOLITION/RENOVATION**

Industrial Code Rule 56 established work practice, asbestos contractor license, and asbestos worker training and certification requirements that protect the public from cancer causing airborne asbestos fiber that can arise from various construction activities, including the demolition/renovation of a building. One very important aspect of the Code covers requirements that specifically address the potential public health hazards associated with the significant amount of airborne asbestos fiber that can be released during the demolition/renovation of a building that contains asbestos or asbestos-containing materials.

New York State Labor Law (Article 10, Section 241section 241.10) and the Code require a survey of the impacted portion of the building to be performed to identify the presence of asbestos prior to advertising for bids or contracting for or commencing work on any demolition/renovation work on a building. **The Code requires that this survey must be sent to the local government unit responsible for issuing the demolition/renovation permit. Note that only copies of the demolition or pre-demolition survey must be sent to the Department of Labor, Asbestos Control Bureau.** Also, prior to commencement of demolition/renovation work, the impacted asbestos identified in the survey must be removed.

Your assistance, as specified below, would facilitate our enforcement efforts and help avoid the necessity of citing building owners who violate the statute and code:

1. Share this information with the individuals on your staff responsible for issuing demolition/renovation permits. Encourage your staff to contact the appropriate District Office of the Asbestos Control Bureau on the enclosed list should any asbestos issues arise, specifically those related to demolition/renovation.
2. Consider establishing a policy of not issuing a demolition/renovation permit until compliance with Industrial Code Rule 56 is achieved.
3. Call the appropriate District Office of the Asbestos Control Bureau when a demolition/renovation permit is issued to a contractor that has **failed** to provide a survey or has **not removed** the identified asbestos.

Any cooperation you can provide will not only assist in our enforcement efforts but protect the health of your community.



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## NOTICE TO BUILDING PERMIT APPLICANTS

An asbestos survey is required for all renovation, remodeling, repair and demolition of all interior and exterior building materials.

As per NYS Industrial Code Rule 56, asbestos material must be abated by licensed contractors utilizing certified asbestos handlers, with the exception of owner-occupied single family homes, where the owner may remove the asbestos and renovate these structures themselves. However, it is not recommended that the owner perform abatement, as the owner could potentially expose themselves, their family and neighbors to asbestos fibers if adequate engineering controls and work methods are not utilized during the abatement. For further information and updates, please see the NYS website at: [www.labor.state.ny.us](http://www.labor.state.ny.us)