

Demolition and Renovation in North Dakota

Asbestos regulations must be followed before a building can be demolished or renovated in North Dakota. To determine how these regulations may apply, you should know if your building is included in the definition of “Facility” and/or “Urban Renewal.”

Facility - any institutional, commercial, public, industrial, or residential structure, installation, church or building. This definition also covers any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but it excludes residential buildings having four or fewer dwelling units. Industrial buildings include: all municipal facilities such as drinking water storage structures, drinking water and wastewater treatment plants, and pumping stations.

Residential homes are usually exempt from asbestos regulations unless a group of homes under the same ownership are demolished or renovated as part of a larger project or the city or county government obtains ownership and plans to demolish the home/s as part of urban renewal. These home/s must then be treated as facilities.

Urban renewal - the acquisition of land, relocation of displaced site occupants, site clearance, installation of site improvements, rehabilitation of properties and disposition of acquired land. One or more houses demolished as part of an urban renewal, highway construction or private development project would be considered facilities and subject to federal and state asbestos regulations.

Regulations

Once you have determined your structure meets the definition of “Facility,” the following regulations apply:

1. A North Dakota-certified asbestos inspector must inspect all portions of the structure being demolished or renovated prior to beginning work. A current list of North Dakota-certified asbestos inspectors can be found at: <https://deq.nd.gov/publications/WM/Asbestos/AsbestosContractors.pdf>
2. All individuals and/or contractors removing more than 3 square feet, or more than 3 lineal feet of regulated asbestos-containing material must be certified/licensed by the North Dakota Department of Environmental Quality (Department).
3. All regulated asbestos-containing material that will be disturbed must be removed prior to beginning the project.

Renovation

- A “Notice of Demolition and Renovation” form must be filed with the Department 10 working days before the start of renovation if asbestos-containing material will be disturbed. You can find the form at: <https://deq.nd.gov/forms/WM/asbestos/SFN17987.pdf>
- The Department will provide a response letter to the owner/operator indicating that the notification has been approved. Do not start work until you receive the approval letter from the department.
- Any changes to the notification form must be submitted to the Department as an amended notification.

Demolition

- A “Notice of Demolition and Renovation” form must be filed with the Department 10 working days before the start of demolition whether asbestos-containing material is present or not. You can find the form at: <https://deq.nd.gov/forms/WM/asbestos/SFN17987.pdf>
- The Department will provide a response letter to the owner/operator indicating that the notification has been approved. Do not start work until you receive the approval letter from the Department.

Unsafe Buildings

A facility that is unsafe to enter, has significant structural deterioration, fire damage or has been designated by a governmental representative as unsafe is still regulated under state asbestos regulations. Contact the Department for guidance/assistance when dealing with an unsafe facility.

Disposal

All asbestos-containing waste material must be properly disposed of in an asbestos approved and permitted landfill. To find out if your local landfill is authorized to accept asbestos-containing waste, check the list of approved landfills at: <https://deq.nd.gov/Publications/WM/ApprovedLandfillFacilitiesThatWillAcceptFriableAsbestosContainingMaterialForDisposal.pdf>.

Please contact the landfill to ensure asbestos-containing waste is accepted. For non-asbestos-containing waste, contact the department’s Division of Waste Management - Solid Waste Program to find out proper disposal methods and to locate landfills in your area.

Phone: 701-328-5166 • Website: <https://deq.nd.gov/WM/> • Email waste@nd.gov

Questions?

For more information on asbestos, contact the Department’s Division of Waste Management – Asbestos Control Program.

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