

ASBESTOS, DEMOLITION OR RENOVATION, SANDBLASTING, AND GRINDING STANDARDS

The purpose of City Code 11-4-2150 - 11-4-2190 is to reduce the potential risk of harm to the public's health, safety and welfare or to the environment from releases of dust, debris and other materials occasioned by the demolition, renovation, alteration, repair, cleaning or maintenance of certain types of buildings, facilities or other structures within the City of Chicago. In the past many buildings, facilities or other structures within the city were constructed or decorated in part with materials, including but not limited to, asbestos containing materials or lead paint, that can pose hazards to the public health or the environment if those materials are not adequately and appropriately handled and controlled during demolition, renovation, alteration, repair, cleaning or maintenance activities.

SPECIFIC REQUIREMENTS

(a) **Demolition of buildings, facilities or other structures:**

(See section 11-4-2170 (a) of the Chicago Municipal Code)



No demolition of a building, facility or other structure shall be initiated within the city of Chicago unless a written notice of intent to demolish, accompanied by the fee required has been filed with, and approved by, the department of health at least ten working days prior to the commencement of demolition. The ten working day period shall not apply if the building, facility or other structure to be demolished has been found to be structurally unsound and in danger of imminent collapse by the building commissioner or state

authority or court of competent jurisdiction; provided, however, any person or contractor demolishing such building, facility or other structure shall file a written notice with the department of health regarding such demolition as soon as practicable, and must have a properly licensed asbestos abatement contractor on site during the demolition.

For your convenience, Form DM is provided below. In addition to completing the demolition notice of intent (Form DM), the federal asbestos NESHAP form must also be completed for any residential building with two or more units, commercial or industrial buildings. The demolition permit required pursuant to Section [13-32-010](#) of the Chicago Municipal code must be posted in a conspicuous place at the demolition site.

Demolition and renovation safeguards

(see 11-4-2170 (b) of the Chicago Municipal Code)

The owner(s) of any building, facility, or other structure to be demolished or renovated and any contractor or other person retained or otherwise authorized by the owner(s) to perform the demolition or renovation activity shall be responsible for assuring that the following safeguards are utilized to minimize the emission of airborne dust:

(1) Adequate wetting to prevent the emission or dispersion of dust shall be employed before and during any demolition or renovation activity; provided, however, if outside temperature causes water to freeze and wetting is not possible, the demolition or renovation activity shall be performed in such a way that does not cause the emission or dispersion of dust, including but not limited to manual deconstruction.

(2) All debris from any demolition or renovation activity shall be removed from the building, facility, or other structure through dust-tight chutes or by lowering it in buckets or containers and no debris shall be dropped or thrown from any floor. All debris shall be adequately wetted to prevent dust emission or dispersion at the point it exits a dust-chute or reaches the ground.

(3) All debris from any demolition or renovation activity shall be adequately wetted before loading into trucks, vehicles, or other containers. During transport, all such debris shall be enclosed or covered to prevent dust emissions.

(4) All dust and debris from any demolition or renovation activity shall be removed daily from adjacent streets, sidewalks and alleys unless otherwise directed or authorized pursuant to a permit duly issued by the city.

(5) Dust created from any use of power hand tools, including, but not limited to, the cutting of concrete or other building materials, shall be minimized through the use of vacuum attachments, water or containerization of the work area.

Removal of storage tanks or containers required at time of demolition.

(see section 11-4-2170 (c) of the Chicago Municipal Code)

No notice of intent to demolish any building, facility or other structure shall be approved by the department unless the person submitting the notice of intent either: (1) provides satisfactory proof that there are no storage tanks or containers (either underground or above ground) on or below the property at which the building, facility or other structure is located; (2) provides documentation that any storage tanks or containers present have been abandoned in place in accordance with the requirements of [15-28-1220](#); or (3) demonstrates that any storage tanks or containers present conform with all applicable city, state and federal regulations governing the continued use of such tanks or containers. If there are storage tanks or containers present that have not been properly abandoned in place or are not in compliance with applicable city, state and federal regulations governing the continued use of such tanks or containers, then approval of the notice of intent to demolish by the department shall include a requirement for the owner to remove all such tanks or containers at the time of demolition of the building, facility or other structure.

Disposal of debris from demolitions and renovations.

(see 11-4-2170 (d) of the Chicago Municipal Code)

Debris from demolitions or renovations, excluding demolition fill material as defined in Section [11-4-2150](#) which is used exclusively to fill below grade into the existing foundation or excavation area of a building left open by the demolition of said building, constitutes waste as that term is defined in Section [11-4-120](#) and, except as otherwise provided in Section [11-4-1935](#), shall only be properly disposed of or recycled at a facility duly licensed to accept such material.

Performance standards for facility demolitions or renovations requiring asbestos abatement. *(see 11-4-2170 (e) of the Chicago Municipal Code)*



(1) *Licensed asbestos professionals:* No asbestos abatement shall be performed in any facility within the City of Chicago unless all persons performing such abatement work are licensed and approved in accordance with the applicable rules and regulations for licensure established by the State of Illinois in Title 77, Part 855, Subpart B of the Illinois Administrative Code, as they may be amended from time to time, which regulations are adopted and incorporated by reference and made a part of this section of the Chicago Municipal Code as if fully set forth herein.

(2) *Performance standards for asbestos abatement:* Any asbestos abatement performed in connection with any facility within the City of Chicago shall be performed in accordance with the rules and regulations for asbestos abatement established by the State of Illinois in Title 77, Part 855, Subparts C and D of the Illinois Administrative Code, as they may be amended from time to time, which regulations are adopted and incorporated by reference and made a part of this section as if fully set forth herein.

(3) *Notification required:* Any person performing asbestos abatement at any facility within the City of Chicago shall provide the department with notice of the abatement by submitting the following forms, accompanied by the environmental review fee required by this section: (i) a fully completed copy of all notification forms required pursuant to Title 40, Part 61 of the Code of Federal Regulations, entitled “National Emission Standards for Hazardous Air Pollutants (NESHAP),” and Section 855.220 of Title 77, Part 855 of the Illinois Administrative Code; and (ii) in the case of a demolition of a facility with asbestos containing material, a fully completed and signed notice of intent to demolish form, in accordance with subsection (a) of this section.

(4) *Timing of notifications:*

(i) A copy of the notification form required pursuant to Section 855.220 of Title 77, Part 855 of the Illinois Administrative Code shall be filed with the Department at the same time the notification is required to be provided to the state.

(ii) The Notice of intent to demolish shall be made to the department at least ten working days prior to the demolition. The requirement to file the notice of intent to demolish ten working days prior to the demolition shall not apply in the event of a demolition involving a building, facility or other structure that has been found to be structurally unsound and in danger of imminent collapse by a proper city or state authority or court of competent jurisdiction.

(5) *Rescheduling of demolition starting dates.*

(1) In the event that any owner or operator intends to begin a demolition at a date later than the start date contained in any notification required to be filed under this section, then that person must: (i) notify the department that the demolition will not begin on the original start date by telephone or fax as soon as possible before the original start date; and (ii) provide written notification to the department of the new start date at least ten working days prior to the new start date.

(2) In the event that any owner or operator intends to begin a demolition at a date earlier than the start date contained in any notification required to be filed under this section, then that person must provide written notification to the department of the new start date at least ten working days before the demolition work begins.

(3) In no event shall a demolition operation begin on a date other than the date contained in the written notice of the new start date unless authorized pursuant to the emergency provisions set forth in Subsection (a) of this section.

Environmental fees.

(see 11-4-2170 (g) of the Chicago Municipal Code)

The fees are as follows:

Residential structures with four or fewer units	\$300.00
Residential structures with more than four units	\$450.00
All other (Nonresidential) structures	\$600.00

A mixed-use structure shall be assessed at the highest applicable rate. Work performed by or for the city shall not be subject to the fee set forth in this subsection.

(b) Sandblasting, grinding and chemical washing of buildings, facilities or other structures
(see section 11-4-2190 of the Chicago Municipal Code)



The owner(s) of any building, facility or other structure to be sandblasted, ground, or chemically washed and any contractor or other person retained or otherwise authorized by the owner(s) to perform any sandblasting, grinding or chemical washing of any building, facility or other structure shall be responsible for complying with the following requirements:

(a) *Permits required for sandblasting, grinding or chemical washing of buildings, facilities or other structures.* No person shall sandblast, grind or chemically wash any building, facility, structure, statue or other architectural surface without having first been issued a permit by the department; provided, however, no permit shall be required for graffiti removal activities conducted by the department of streets and sanitation. A permit shall be required for each individual building, facility, structure, statue or other architectural surface.

(1) *Minimum requirements:* Applications for sandblasting, grinding or chemical wash permits shall be in such form as shall be prescribed by the commissioner. The owner(s) of the building, facility, structure, statue or other architectural surface to be sandblasted, ground or chemically washed shall sign the permit application as co-permittees with any contractor or other person retained or otherwise authorized by the owner(s) to perform the sandblasting, grinding or chemical washing operation. Form SC is provided below.

(2) *Permits available for review:* Copies of the permit and any laboratory testing results and dust minimization plans required under Subsection (d) of this section must be maintained at the location being sandblasted, ground or chemically washed for the duration of the sandblasting, grinding or chemical washing operation and must be made available to city inspectors upon request.

(b) *Notification to occupants within the building.* At least 48 hours prior to the commencement of any sandblasting, grinding or chemical washing, the permittees shall provide notice of the sandblasting, grinding or chemical washing operation to all the occupants of the building to be sandblasted, ground or chemically washed. Said notice shall be in writing and shall be by mail or otherwise and shall include the name, address and telephone number of the person performing the sandblasting, grinding or chemical washing; the address where the sandblasting, grinding or chemical washing will occur; the estimated start date for the sandblasting, grinding or chemical washing; and the estimated duration of the sandblasting, grinding or chemical washing operation. In addition, the written notice shall also be conspicuously posted in the common area of the building and shall have attached to it a copy of the permit and permit application.

(c) *Notification to neighboring area.* The permittees shall also provide the notice required in subsection (b) of this section to all the occupants of every residential building of less than ten dwelling units and the owners, managing agent or occupants of every residential building of ten or more dwelling units and every nonresidential building located within a 75-foot radius of the surface to be sandblasted, ground or chemically washed when the building, facility, structure, statue or other architectural surface being sandblasted, ground or chemically washed is four or less stories in height. With respect to buildings, facilities, structure, statues or other architectural surfaces more than four stories in height, the radius of the notification shall be determined by the commissioner, giving due consideration to the public interest.

(d) *Sandblasting, grinding or chemical washing of painted surfaces; laboratory testing; minimization plan for dust from lead containing paint.*

(1) *Paint testing:* If any surface to be sandblasted, ground or chemically washed is painted, representative paint samples must be taken from that surface by a lead inspector duly licensed by the State of Illinois and tested for lead content by a laboratory certified by a duly authorized federal or state agency, or a recognized laboratory accreditation organization acceptable to the commissioner. For purposes of this section, a representative paint sample means a sample containing all layers of paint on any surface to be sandblasted, ground or chemically washed. The number of, and locations from which, representative samples shall be taken shall be subject to the approval of the commissioner. All test results from the laboratory must be attached as part of the permit application and shall be submitted on a form signed by the laboratory and containing the laboratory's name, address, telephone number and certification or accreditation number.

(2) *Lead containing paint:* If the paint contains more than five-tenths of one percent lead by weight, the paint shall be considered to be "lead containing" and the applicant must retain a state- licensed lead assessor to develop a minimization plan to ensure that dust emissions will be minimized during and after sandblasting, grinding or chemical washing operations. **The minimization plan must be attached to the permit application and shall be submitted on a form signed by the lead assessor and containing the lead assessor's name, address, telephone number and state license number.**

(e) *Rescheduling sandblasting, grinding or chemical washing project.* In the event the permittees cannot perform the sandblasting, grinding or chemical washing on the estimated date(s) contained in the permit or within 72 hours thereafter, the permittees shall provide written notification to the Commissioner and all other persons required to receive notice under Subsections (c) and (d) of this section at least 24 hours prior to the commencement of the rescheduled sandblasting, grinding or chemical washing operation.

(f) *Removal and disposal of dust, debris or waste water from sandblasting, grinding or chemical washing operations.* Dust, debris and waste water generated by sandblasting, grinding or chemical washing operations constitute waste as that term is defined in Section [11-4-120](#). Dust, debris and waste water generated by sandblasting, grinding or chemical washing operations must be removed from the site of the sandblasting, grinding or chemical washing operation on a daily basis and must be disposed of at a landfill duly licensed in accordance with Section [11-4-1500](#) to accept such material or a permitted waste water treatment facility.

(g) *Dust minimization – Containment, wetting or vacuuming; plan required.* Dust generated from any sandblasting, grinding, or chemical washing operation shall be minimized through the use of dust containment, wetting, vacuum attachments or other such mechanical means as appropriate. A written dust minimization plan shall be prepared prior to beginning any work and the plan shall be implemented throughout the sandblasting, grinding or chemical washing operation. A copy of the plan shall be maintained at the site throughout the course of the operation and shall be made available to the commissioner of health or his designees upon request.

(h) *Permit fees.* The fee for a permit to sandblast, grind or chemically wash any building, structure, statue or other architectural surface shall be \$200.00 per building, structure, statue or other architectural surface. The permit fee shall be waived for any unit of federal, state or local government.

Applicable Forms:

- 1) [Form DM](#) : Demolition Notice of Intent
- 2) [Form SC](#): Architectural Surface Cleaning
- 3) [NESHAP Form](#): National Emission Standards for Hazardous Air Pollutants (NESHAP)