

# OHIO DEPARTMENT OF HEALTH

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BOB TAFT  
Governor

## MEMORANDUM

TO: All Licensed Asbestos Hazard Abatement Contractors

FROM: Mark Needham, Asbestos Program Administrator *MKN*

SUBJECT: Emergency Prior Notifications

DATE: January 15, 1999

In the Ohio Administrative Code 3701-34-03 (H) it states:

The director may waive the requirements for a license or certificate in an emergency that results from a sudden, unexpected event that is not a planned asbestos hazard abatement project. "Emergency" includes operations necessitated by nonroutine failures of equipment or by actions of fire and emergency medical personnel pursuant to duties within their official capacities. Any person who performs an asbestos hazard abatement activity under emergency conditions shall notify the director within three days after performance thereof.

The only other situation that would also be included as an emergency would be if friable asbestos-containing material (ACM) was assessed by a certified asbestos hazard evaluation specialist (AHES) as being in a significantly damaged state per 40 CFR 763 of the AHERA regulations and was causing a public health hazard.

If you would like to have the 10-day prior notification requirements waived, the Ohio Department of Health (ODH) must receive a letter accompanying your completed prior notification form which explains why your project is an emergency. If you are requesting a waiver of the 10-days due to significantly damaged ACM then an AHES must sign the letter and include the individual's certification number. If this letter is not received with a notification marked emergency the notification will be considered an original notification and enforcement action will be taken against you for not notifying ODH at least 10 business days prior the start of the asbestos hazard abatement project.

Fax all emergency notifications to ODH at (614) 752-4157 as soon as the start date is set and then mail to ODH. Please call ODH before submitting your emergency notification. If you have any further questions, please call David Holston at (614) 466-0061.