

**VILLAGE OF SPECULATOR DEPARTMENT OF FIRE PREVENTION &
BUILDING CODE ENFORCEMENT**

VILLAGE HALL
P. O. Box 396 – 2875 State Route 8
Speculator, N. Y. 12164
(518) 548-7354

APPLICATION FOR BUILDING PERMIT OR CHANGE OF USE

(FOR OFFICE USE ONLY)

DATE RECEIVED _____	LUEO _____	DEC _____
DATE EXAMINED _____	APA _____	DOH _____
DATE ISSUED _____	PL. BD. _____	NYBFC _____
	W/S DEPT. _____	

PERMIT NO. _____

INSTRUCTIONS:

1. This application must be completely filled in by typewriter or ink and submitted to the above address.
2. Plot plan showing location of lot and of buildings on premises, relationship to adjoining premises or public streets or areas, location of water supply, location of sewer or septic system, and giving a detailed description of layout of property must be drawn on a minimum size 8 1/2" x 11" sheet and attached to this application.
3. This application must be accompanied by a complete set of plans showing proposed construction and a complete set of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be installed, and the details of structural, mechanical, electrical and plumbing installations.
4. The work covered by this application may not be commenced before the issuance of a Building Permit.
5. Upon approval of this application, the Village of Speculator Fire Prevention and Building Code Department will issue a building permit to the applicant.
6. No building shall be occupied or used in whole or in part for any purpose whatsoever until an application is made for and a Certificate of Occupancy shall have been granted by the Village of Speculator Fire Prevention & Building Code Department.

LOCATION (ADDRESS OF PROPOSED WORK): _____

BRIEF DIRECTIONS TO LOCATION: _____

TAX MAP. NO _____

APPLICATION IS HEREBY MADE to the Village of Speculator Fire Prevention and Building Code Department for the issuance of a Building Permit pursuant to the New York Uniform Fire Prevention and Building Code for the construction of building, additions or alteration, or for removal or demolition, as herein described. The applicant agrees to comply with all applicable laws, ordinances, and regulations.

Name of Applicant (print) _____	Home Phone _____
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Business Phone _____

Address of Applicant: _____

Check whether Applicant is: owner _____, lessee _____, agent _____, architect _____
engineer _____, or builder _____

Name and address of Owner of premises if different than above:

If Owner or Applicant is a corporation, give names and titles of two officers and signature of duly authorized officer.

_____ _____	_____ _____ Name and Title of Corporate Officer
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OCCUPANCY
(Please check one)

NATURE OF WORK PROPOSED
(Please check one)

Al One-Family Dwelling _____
A2 Two-Family Dwelling _____
B1 Multiple Dwelling Permanent Occupancy _____
B2 Multiple Dwelling - Transient Occupancy _____
B3 Multiple Dwelling - Senior Cit. Housing _____
B4 Multiple Dwelling - Adult Residential Care _____
C1 Business _____
C2 Mercantile _____
C3 Industrial _____
C4 Storage _____
C5 Assembly _____
C6 Institutional _____
C7 Miscellaneous _____

Construction of a New Building _____
Addition to a Building _____
Alteration to a Building _____
Demolition of a Building _____
Other Work - Describe: _____

ESTIMATED COST: \$ _____ (Costs for the work described in the Application for Building Permit including the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land.

1. If business, commercial or mixed occupancy, specify nature and extent of each type of use:

2. Dimensions of existing structure, if any: Front: _____ Rear: _____

Depth: _____ Height: _____ Number of Stories: _____

3. Dimensions of entire new construction: Front: _____ Rear: _____

Depth: _____ Height: _____ Number of Stories: _____

4. Size of Lot: Front: _____ Rear: _____ Depth: _____

5. Name of Compensation Insurance Carrier: _____

6. Name of Architect: _____

Name of Contractor: _____

Address: _____

Address: _____

Phone: _____

Phone: _____

I hereby apply under the Land Use Code and the Building Code of the Village of Speculator, New York, for a permit to construct or alter a building and/or accessory structure or to change the use as set forth above, and I certify that the statements herein contained are true to the best of my knowledge and belief.

Signature of Applicant: _____ Owner
Address (if not Owner) _____ Lessee

Phone: _____

Date* _____

APPLICANT grants permission to Code Enforcement Officers to enter the property and structure(s) thereon, as frequently as he shall deem necessary, to inspect the same for compliance with The Uniform Code.

Signature

Workers Compensation and Disability Requirements

Contractors with employees

Contractors with employees must furnish a copy of their Worker's Compensation Insurance Certificates and Disability Insurance Certificate once a year.

These are either:

(Worker's Comp) Form # U26.3 from the State Insurance Fund or #C105.2 from any other carrier
Form # DB120.1 - Disability coverage from any carrier.

Private Homeowners

This is for owner occupied residence who are doing the work themselves or hiring someone for less than 40 weeks. All liability is covered under the homeowner's policy. The homeowner must submit the **Form # BP-1** with each permit application. (These can be obtained at the Codes Office)

Business Sole Proprietor

Business Sole Proprietor with **no employees** doing work on small jobs must fill out a CE-200 online (this is a certificate of exemption). You must print the form from the website (www.wcb.state.gov), sign, date and submit with EVERY PERMIT APPLICATION. They must be Job specific.

Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

*****This form cannot be used to waive the workers' compensation rights or obligations of any party. *****

Under penalty of perjury, I certify that I am the owner of the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- ☐ I am performing all the work for which the building permit was issued.
- ☐ I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- ☐ I have a homeowners insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- ◆ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a CE-200 exemption form; OR
- ◆ have the general contractor, performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

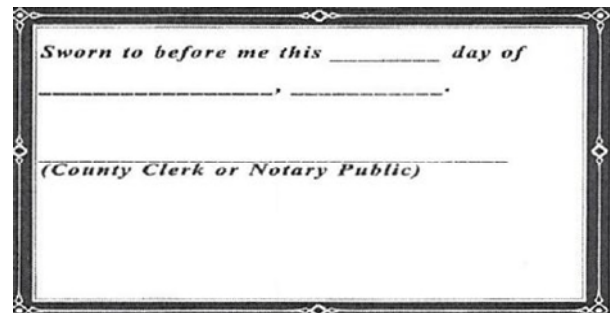
(Signature of Homeowner)

(Date Signed)

Phone Number: _____

(Homeowner's Name Printed)

Property Address that requires the building permit:



Once notarized, this RP-I form serves as an exemption for both workers' compensation and disability benefits insurance coverage.

VILLAGE OF SPECULATOR

Code Enforcement Department

Office: (518) 548-7354

Cell: (860) 428-6951

Email: buildinginspector@villageofspeculator.com

It is the Responsibility of the Property Owner or the Contractor to give the Code Enforcement Officer a minimum of 24-Hour Notice prior to the need for the following required inspections:

- FOOTING FORMS - Before Pouring Concrete
- FOUNDATION FORMS - Before Pouring
- FOUNDATION - Before Backfill
- FRAMING - Before Enclosing
- ELECTRICAL ROUGH-IN - Before Insulation
 - Electrical Certificate will be required for Certificate of Occupancy
- PLUMBING & HEATING - **Before** Enclosing
- INSULATION - Before Enclosing
- FINAL INSPECTION
- EXCAVATION FOR SEPTIC TANK - Before Setting Tank
- SEPTIC SYSTEM - Before Backfill

Plot Plan

**Show new construction (including dimensions)
in relation to buildings, sidelines, waterbodies and water sources
If engineered plan is not required, also include detailed diagram of work to
be done.**

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Village of Speculator
Code Enforcement Department

Fee Schedule (revised 6/13/2022)

New Construction:

Buildings up to 1500 square feet	0.5% of total building cost
1500 square feet – 3000 square feet	0.5% of total building cost
Over 3000 square feet	0.5% of total building cost

Additions:

Additions up to 250 square feet	\$100 or 0.5% of building cost
250 square feet – 500 square feet	\$150 or 0.5% of building cost
Over 500 square feet	\$200 or 0.5% of building cost
Decks / Porches	\$100 or 0.5% of building cost

Other Permits & Fees:

Septic System – Repair	\$100 or 0.5% of building cost
Septic System – New	\$100 or 0.5% of building cost
Alterations (described below)	\$100 or 0.5% of building cost
All other Permits (described below)	\$100 or 0.5% of building cost
Permit Renewal (1 year)	\$100
Demolitions	\$100
Demolition – Transfer Station fee billed upon receipt from County	\$68 per ton
Stop Work Order Removal Fee	\$ 200
Building Without a Permit	5X the Permit Fee

Alterations to buildings include but are not limited to, electrical, plumbing, and HVAC.
(not counting minor repair or maintenance)

All other permits include but are not limited to, Wells, Sheds, Solid Fuel Burning Devices, Renewals, and Demolitions.

Construction and demolition debris must be brought to the Transfer Station and is paid for by weight. Please remember to supply the Transfer Station with your name, permit number, phone number and address.



Development in the Adirondack Park - Potential State & Federal Permitting Agencies

In addition to local (town/village/county) building or subdivision permits, please be aware that you may also need a separate permit from one or more of the following state/federal agencies (this list may not be comprehensive).

It is the landowner's responsibility to obtain the appropriate permits for a project.

NYS Adirondack Park Agency

Jurisdictional Inquiry (JIF) Office

PO Box 99

Ray Brook, NY 12977

(518) 891-4050

www.apa.ny.gov

APA Permits/Approvals may be needed for:

- Construction of dwellings
- Subdivisions of land
- Activities in or affecting wetlands
- Change in use of certain buildings
- New commercial & industrial uses
- Towers & other structures over 40 feet in height
- Shoreline structures (including retaining walls)
- Waste disposal areas
- **Other activities - please contact APA, ask for the Jurisdictional (JIF) Office**

Department of Health

NYS DOH District Offices

Saranac Lake

Glens Falls

(Essex, Franklin, Hamilton) (Saratoga, Warren, Washington)

(518) 891-1800

(518) 793-3893

Canton

Herkimer

Watertown

(St. Lawrence)

(Fulton, Herkimer)

(Jefferson, Lewis)

(315) 386-1040

(315) 866-6879

(315) 785-2277

County DOH Offices (administer NYS DOH jurisdiction)

Clinton County

Oneida County

DOH

DOH

(518) 565-4870

(315) 798-5064

DOH Permits may be needed for:

- Septic systems
- Realty Subdivisions (5 or more lots, each lot 5 acres or less in size within any 3 year period)
- Shared ("community") household water supplies
- Food service establishments
- **Other activities - please contact DOH**

NYS Department of Transportation

NYS DOT Regional Offices

Region 1 Office

Region 2 Office

Region 7 Office

(Essex, Saratoga,

(Fulton, Hamilton,

(Clinton, Franklin,

Warren,

Herkimer)

Jefferson, Lewis,

Washington)

Utica, NY

St. Lawrence)

Albany, NY
(518) 457-3522

(315-793-2447)

Watertown, NY
(315) 785-2333

DOT Permits may be needed for:

- Work in State Highway ROWs including new driveway access, underground & overhead utilities
- **Other activities - please contact DOT**

NYS Department of Environmental Conservation

Regional Permit Administrator

DEC Region 5

Headquarters

Warrensburg Office

PO Box 296

232 Golf Course Road

Ray Brook, NY 12977

Warrensburg, NY 12885

(518) 897-1234

(518) 623-1282

(Clinton, Essex, Franklin,
Hamilton Counties)

(Warren, Washington, Fulton,
Saratoga Counties)

DEC Region 6

(Herkimer, Jefferson, Lewis, Oneida, St. Lawrence Counties)

Region 6 Headquarters

317 Washington ST

Watertown, NY 13601

(315) 785-2245

DEC Permits may be needed for:

- Disturbance of bed or banks of streams, lakes, rivers (including bridges, boathouses, shoreline stabilization)
- Large wastewater systems
- Floating objects in navigable waters
- Public water supplies
- Stormwater discharge for construction sites of 1 acre or more
- Solid waste & hazardous waste disposal
- **Other activities - please contact DEC**

US Army Corps of Engineers

Upstate NY Field Office

Watervliet, NY

(518) 266-6350

- Structures in/over/under navigable US waters
- Discharge of dredged or fill material into US waters
- **Other activities - please contact USACE**

Other Potential Agencies*:

Lake George Park Commission

(Docks, moorings, marinas, stormwater in Lake George Basin)

(518) 668-9347

NYS Office of General Services

(Activities on submerged lands owned by NYS)

(518) 474-2195

Hudson River/Black River Regulating District

(Activities on land under the jurisdiction of the HRBRD
i.e. docks & marinas on Sacandaga)

(518) 661-5535

Office of Parks, Recreation and Historic Preservation

NY State Historic Preservation Office

(518) 237-8643

**List may not be comprehensive*

THOMSON REUTERS

WESTLAW New York Codes, Rules and Regulations19 CRR-NY 1203.3
NY-CRROFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK
TITLE 19. DEPARTMENT OF STATE
CHAPTER XXXII. DIVISION OF CODE ENFORCEMENT AND ADMINISTRATION
PART 1203. UNIFORM CODE: MINIMUM STANDARDS FOR ADMINISTRATION AND ENFORCEMENT

19 CRR-NY 1203.3

19 CRR-NY 1203.3

1203.3 Minimum features of a program for administration and enforcement of the Uniform Code.

A program for administration and enforcement of the Uniform Code shall, include all features described in subdivisions (a) through (j) of this section. A government or agency charged with or accountable for administration and enforcement of the code must provide for each of the listed features through legislation or other appropriate means.

(a) Building permits.

(1) Building permits shall be required for work which must conform to the Uniform Code. A government or agency charged with or accountable for administration and enforcement of the Uniform Code may exempt from the requirement for a permit the categories of work listed in subparagraphs (i) through (xii) of this paragraph. An exemption from the requirement to obtain a permit shall not be deemed an authorization for work to be performed in violation of the Uniform Code. The following categories of work may be excluded from the requirement for a building permit:

(i) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88m²);

(ii) installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(iii) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(iv) installation of fences which are not part of an enclosure surrounding a swimming pool;

(v) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(vi) construction of temporary motion picture, television and theater stage sets and scenery;

(vii) installation of window awnings supported by an exterior wall of a one- or two- family dwelling or multiple single-family dwellings (townhouses);

(viii) installation of partitions or movable cases less than 5'-9" in height;

(ix) painting, wallpapering, tiling, carpeting, or other similar finish work;

(x) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(xi) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; and

(xii) repairs, provided that such repairs do not involve:

(a) the removal or cutting away of a loadbearing wall, partition, or portion thereof, or of any structural beam or load bearing component;

(b) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress;

(c) the enlargement, alteration, replacement or relocation of any building system;

(d) the removal from service of all or part of a fire protection system for any period of time.

Notices of Adoption
Rules amending and updating the Uniform Code and Energy Code

EFFECTIVE May 12, 2020

On December 6, 2019, the State Fire Prevention and Building Code Council (the "Code Council") adopted rules that amend and update the New York State Uniform Fire Prevention and Building Code (the "Uniform Code") and the State Energy Conservation Construction Code (the "Energy Code").

The Department of State, acting on behalf of the Code Council, has filed Notices of Adoption of these rules. The Notices of Adoption will appear in the February 12, 2020 edition of the *State Register*. On and after February 12, 2020, the Notices of Adoption can be viewed by clicking the "February 12" link at: <http://www.dos.ny.gov/info/register/2020.html>.

The rules will become effective on May 12, 2020.

Uniform Code

The Uniform Code (19 NYCRR Parts 1219 to 1229) now includes the 2015 editions of the code books published by the International Code Council (the "2015 I-Codes"), as amended by the publication entitled the *2017 Uniform Code Supplement* (publication date: July 2017).

The rule adopted by the Code Council on December 6, 2019 repeals the current version of the Uniform Code and adopts an amended and updated version of the Uniform Code. The amended and updated version of the Uniform Code incorporates by reference the following publications:

- 2020 Residential Code of New York State (publication date: November 2019)
- 2020 Building Code of New York State (publication date: November 2019)
- 2020 Plumbing Code of New York State (publication date: November 2019)
- 2020 Mechanical Code of New York State (publication date: November 2019)
- 2020 Fuel Gas Code of New York State (publication date: November 2019)
- 2020 Fire Code of New York State (publication date: November 2019)
- 2020 Property Maintenance Code of New York State (publication date: November 2019)
- 2020 Existing Building Code of New York State (publication date: November 2019)

(collectively, the NYS Code Books)

Certain provisions of the 2020 Residential Code of New York State and 2020 Building Code of New York State are also amended as set forth in the rule adopted amending 19 NYCRR Parts 1220 and 1221.

Prior to May 12, 2020, the Uniform Code will continue to include the 2015 I-Codes, as amended by the *2017 Uniform Code Supplement*. On and after May 12, 2020, the Uniform Code will include the 2020 NYS Code Books.

Effective Date: The effective date of the 2020 NYS Code Books will be May 12, 2020. There will be no transition period. Beginning on May 12, 2020, regulated parties submitting building permit applications must comply with the 2020 NYS Code Books.

Energy Code

The Energy Code (19 NYCRR Part 1240) now includes the *2015 International Energy Conservation Code* (the "2015 IECC") and the 2013 edition of ASHRAE 90.1 ("ASHRAE 90.1-2013"), as amended by the publication entitled the *2016 Supplement to the State Energy Conservation Construction Code (Revised August 2016)*, sometimes referred to simply as the *2016 Energy Code Supplement*.

The rule adopted by the Code Council on December 6, 2019 repeals the current version of the Energy Code and adopts an amended and updated version of the Energy Code. The amended and updated version of the Energy Code incorporates by reference the following publications:

- 2020 Energy Conservation Construction Code of New York State (publication date: November 2019)
- 2016 edition of the Energy Standard for Buildings Except Low-Rise Residential Buildings ("ASHRAE 90.1-2016")

Certain provisions of ASHRAE 90.1-2016 are amended as set forth in the rule adopted amending 19 NYCRR Part 1240.

Prior to May 12, 2020, the Energy Code will continue to include the 2015 IECC and ASHRAE 90.1-2013, as amended by the *2016 Energy Code Supplement*. On and after May 12, 2020, the Energy Code will include the 2020 ECCCNY and ASHRAE 90.1-2016, as amended by 19 NYCRR Part 1240.

Effective Date: The effective date of the modifications to Part 1240 will be May 12, 2020. There will be no transition period. Beginning on May 12, 2020, regulated parties submitting building permit applications must comply with the 2020 ECCCNY and ASHRAE 90.1-2016, as amended by 19 NYCRR Part 1240.

Parts 1264 and 1265

19 NYCRR Part 1264 includes provisions relating to placement of signs or symbols on commercial buildings that utilize truss type construction. 19 NYCRR Part 1265 includes provisions relating to placement of signs or symbols on residential buildings that utilize truss type, pre-engineered wood or timber construction.

Parts 1264 and 1265 include references to the *2017 Uniform Code Supplement*. Because the rule that amends the Uniform Code will replace the *2017 Uniform Code Supplement* with the 2020 NYS Code Books effective May 12, 2020, the rule amending the Uniform Code adopted by the Code Council on December 6, 2019 also makes corresponding changes to Parts 1264 and 1265. The rule makes no substantive changes to Part 1264 or Part 1265.

Effective Date: The effective date of the amendments to Parts 1264 and 1265 will be May 12, 2020. There will be no transition period.

2020 NYS Code Books

The 2020 NYS Code Books can be viewed for free on the International Code Council (ICC) website at, [https://codes.iccsafe.org/category/New%20York?year\[\]=Current+Adoption&page=1](https://codes.iccsafe.org/category/New%20York?year[]=Current+Adoption&page=1) (click "current adoption" from the drop down menu titled "Year" on the left of the page), or purchased at, <https://shop.iccsafe.org/state-and-local-codes/new-york-state.html>.



NEW YORK
STATE OF
OPPORTUNITY.

**Safety and
Health**



Asbestos in New York State

Facts and Responsibilities

DANGER

ASBESTOS

CANCER AND LUNG DISEASE HAZARD

AUTHORIZED PERSONNEL ONLY



A Division of the New York State Department of Labor

What is asbestos?

Asbestos is a naturally occurring mineral formed of very strong fibers that are resistant to heat and corrosion. There are several kinds of asbestos. Individual asbestos fibers are so small and light that they cannot be seen with the naked eye and can easily become airborne.

Where has asbestos been used?

Asbestos has been used for a wide range of manufactured goods and building materials. The amount of asbestos in asbestos containing materials (ACM) varies from greater than 1% to 100%. Examples of products that might contain asbestos are:

- fireproofing and insulation in buildings
- insulation for pipes and boilers
- roofing shingles and tars
- plaster, wallboard and joint compound
- putties, caulks, paints, and cements
- floor and ceiling tiles
- friction products, such as clutch facings and brake linings in vehicles

Some vermiculite products, widely used in insulation applications, may also contain asbestos. When ACM can easily be crumbled by hand pressure, it is called "friable" asbestos. Friable ACM is the type of greatest concern because it can easily release fibers into the air. As the binders (such as plaster and cement) that hold asbestos fibers in place deteriorate, are damaged or are disturbed, the likelihood of fiber release increases. ACM that is likely to be friable includes fireproofing on structural beams, sprayed-on ceiling texture or insulation, thermal pipe insulation and troweled-on plaster or acoustical insulation.

You cannot tell whether a material contains asbestos by looking at it. A sample must be analyzed by a qualified laboratory.

What are the health effects?

Breathing high levels of asbestos fibers can lead to an increased risk of lung cancer, mesothelioma (a cancer of the chest and abdominal linings) and asbestosis (irreversible lung scarring that can be fatal). The risk of lung cancer and mesothelioma increases with the number of fibers inhaled. Most people with asbestos-related diseases were exposed to high concentrations on the job.

Are any types of asbestos safe?

No. Although there are indications that some types of asbestos may be more dangerous than others, asbestos-related disease can be caused by all types of asbestos. However, ACM in good condition or encapsulated (contained within a sealant) generally does not pose a health hazard.

Is there any safe level of asbestos exposure?

There is no known safe level of exposure to asbestos. Any exposure can cause illness.



How does asbestos enter the body?

The most common way for asbestos to enter the body is through the air. Asbestos can also enter the digestive tract when you eat, drink or smoke in a contaminated area. Asbestos does not pass through the skin. Once they are inhaled, the fibers can remain and accumulate in the lungs.

How soon will asbestos-related symptoms or illnesses develop?

Though any asbestos exposure can cause illness, many people who are exposed will never develop an asbestos-related illness. Asbestos does not cause any immediate effects, such as coughing or illness. The diseases caused by asbestos appear 15 to 40 years after first exposure. This time lag is called the latency period. Even if you feel healthy while you are working with asbestos, you may get sick years later.

What should be done?

Usually, it is best to leave asbestos material that is in good condition alone. Generally, material in good condition will not release asbestos fibers. Try to prevent the material from being damaged, disturbed or touched. Asbestos in poor repair must be removed by specially trained and equipped workers following strict procedures to ensure that airborne asbestos does not spread to nearby areas (see next section for specific regulations and requirements).

Who can do asbestos work?

Workers or contractors who disturb ACM in any way must be certified and licensed according to New York State law, as regulated by the Department of Labor. There are 9 types of certifications:

- Asbestos Handler
- Restricted Asbestos Handler
- Air Sampling Technician
- Inspector
- Management Planner
- Operations and Maintenance
- Supervisor/Contractor
- Project Monitor
- Project Designer

To be certified by the Department of Labor, asbestos workers or supervisors must complete training courses approved by the New York State Department of Health. In these courses, they learn to follow the required safety procedures to ensure that asbestos fibers are not released into the air. Employers must also comply with notice and record keeping requirements.

Questions about asbestos abatement training and health-related issues should be directed to the New York State Department of Health, Center for Environmental Health, Bureau of Occupation Health and Injury Prevention at (518) 402-7900.



Asbestos Abatement in New York State

The New York State Department of Labor's Asbestos regulations (Industrial Code Rule 56) protect the public from exposure to asbestos fibers. This law requires that all work that disturbs ACM be done by trained workers following special procedures and engineering controls to prevent the spread of asbestos into the air and ensure ACM has been properly removed. The regulation protects people who live and work in buildings with asbestos and the workers who disturb the asbestos. The New York State Asbestos Regulation is posted on the internet at: www.labor.ny.gov/formsdocs/wp/cr56.pdf.

This regulation does not require building owners to inspect for or remove ACM that is present in their buildings. Often it is best to leave ACM that is in good condition alone. However, if demolition or renovation work is to be performed in a building, the owner must first determine if ACM will be disturbed. In order to make this determination, an asbestos survey must be conducted. The asbestos survey must be performed by a certified Asbestos Inspector. If the survey indicates that ACM will be disturbed by the planned project, the ACM must be abated prior to any work being done that would disturb it.

Questions concerning asbestos abatement projects in New York State should be directed to the New York State Department of Labor, Engineering Services Unit at (518) 457-1536. To find a certified asbestos inspector in your area, visit the Department of Labor website.

NEW YORK STATE DEPARTMENT OF HEALTH (NYSDOH):

NYSDOH regulates the training of employees who work in the asbestos abatement industry. Direct questions about training to the NYSDOH Center for Environmental Health, Bureau of Occupation Health and Injury Prevention at (518) 402-7900.

Direct questions about health-related issues, including public concern about exposure, to the NYSDOH Toxic Substance Assessment Program at (518) 402-7800.

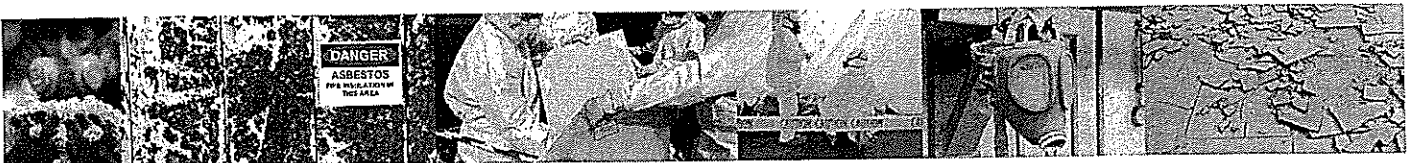
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC):

NYSDEC regulates the transportation and disposal of debris and materials generated from an asbestos abatement and removal project.

After the asbestos has been removed, the waste must be properly packaged and sealed prior to transport to a solid waste landfill. This process is regulated by the New York Code of Rules and Regulations, Part 364, regarding Waste Transporter Permits. The areas covered by Part 364 include concerns about asbestos waste transportation, transport permits and asbestos transportation tracking. Part 360 of the same Code includes a definition of asbestos waste, regulation of transfer stations and land disposal issues.

Direct questions about asbestos transportation to the New York State Department of Environmental Conservation, Division of Materials Management, Part 364 Waste Transporter Permit Program at (518) 402-8792.

Direct questions about asbestos disposal to the NYSDEC Division of Materials Management, Bureau of Permitting and Planning at (518) 402-8678.



Asbestos Abatement in New York City

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Most asbestos handling in New York City, including abatement and transportation, is governed by New York City rules and regulations. Direct questions about asbestos issues in New York City to the New York City Department of Environmental Protection, Asbestos Technical Review Unit at (718) 595-3682.

In New York City, the New York State Department of Labor licenses and certifies companies and workers who do asbestos work, and must also be notified about all New York City asbestos projects. The New York State Department of Labor has jurisdiction on work practices for projects conducted by or on the behalf of state agencies or public authorities, or on land owned or leased by state agencies or public authorities.

Federal Rules

THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (USEPA):

The USEPA regulates the list of National Emission Standards for Hazardous Air Pollutants (NESHAP). The NESHAP regulations include the emission of asbestos-containing material. Direct questions about the federal regulations for asbestos materials to the USEPA Region II asbestos coordinator at (212) 637-3476.

THE UNITED STATES OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA):

OSHA has three standards to protect workers from the hazards of asbestos depending on the type of workplace. The three standards cover general industry, shipyards and construction. For complete information on all of the requirements, see the standard specific to the type of workplace on their website (see below).

Additional Information Sources

USEPA: www2.epa.gov/asbestos

OSHA: www.osha.gov/SLTC/asbestos/index.html

NYSDOL: www.labor.ny.gov/asbestos

NYSDOH: www.health.ny.gov/environmental/indoors/asbestos/index.htm

NYSDEC: www.dec.ny.gov/chemical/8791.html

NYCDEP: www.nyc.gov/html/dep/html/air_and_noise/asbestos.shtml



Frequently Asked Questions

- Q. When does a property owner have to get an asbestos survey done?
- A. An asbestos survey must be completed by a certified Asbestos Inspector whenever all or part of a building or structure will be demolished, renovated, remodeled or repaired. The survey will determine if the planned work will disturb asbestos material.
- Q. How do I find workers certified to do the asbestos-related work I need?
- A. The Department of Labor maintains a list of licensed contractors: <http://labor.ny.gov/workerprotection/safetyhealth/active-asbestos-contractor-list.shtm>.
- Q. The licensed Asbestos Abatement Contractor I hired is preparing a notification for the Department of Labor and says there is a fee. What are the notification fees?
- A. Asbestos abatement projects are charged a notification fee based on their size. They are measured in linear feet, square feet, or both. Linear foot measurements are for projects where pipe insulation is being abated. Everything else is measured in square feet. The fees for each type of project is as follows:

Linear feet:	Square feet:
0-259 - \$0	0-159 - \$0
260-429 - \$200	160-259 - \$200
430-824 - \$400	260-499 - \$400
825-1649 - \$1000	500-999 - \$1000
1650 or more - \$2000	1000 or more - \$2000

Please note that if you have a project measured in both linear feet and square feet, you must pay the appropriate notification fee for each measurement.

- Q. The licensed Asbestos Abatement Contractor I hired has told me that the asbestos in my project cannot be abated in accordance with New York State law. What happens now?
- A. You must hire a licensed Asbestos Project Designer to prepare a site-specific variance request to be submitted for review by the Department of Labor. This will allow you to still have the abatement work done, as long as it adheres to the plan the Project Designer prepares and the Department of Labor approves. There is a \$350.00 fee to request the variance.
- Q. My property has fallen down or has burned down. What is required to clean up the debris?
- A. Buildings that are structurally unsound must have a letter of condemnation from the appropriate local official (often a Municipal Building Inspector or Municipal Fire Inspector). Then, the building may be demolished with the asbestos in place. The demolition must take place in accordance with Industrial Code Rule 56-11.5. This section of the code requires certain procedures for demolition, containment and disposal of debris, and decontamination of equipment and earth surfaces. These procedures protect against release of the asbestos into the environment.
- If the building is already completely destroyed, it can be cleaned up in accordance with Industrial Code Rule 56-11.5 without a condemnation letter. However, it is treated as asbestos debris cleanup and requires a site specific variance from the Department of Labor.
- In both cases, a licensed Asbestos Abatement Contractor must be hired to do the work. This is because an Asbestos Survey cannot be done, so debris must be considered to be asbestos-contaminated waste.
- Q. There is an abandoned building that is a public hazard in my town. What can be done?
- A. If the building has been condemned by the appropriate local official, the local municipality may have the building demolished and the debris pile cleaned up in accordance with Industrial Code Rule 56-11.5. If it has not been condemned, the property owner is responsible for the maintenance of the property and for any asbestos abatement in accordance with Code Rule 56.
- Q. I want to do work on my own home. Must I get an Asbestos Survey?
- A. Industrial Code Rule 56 does not apply to owner-occupied single family dwellings where the owners perform the work themselves. However, because of the health risks associated with exposure to asbestos we recommend hiring an asbestos contractor to do the work.
- Q. How do I contact the Department of Labor Asbestos Control Bureau?
- A. See the list of Asbestos Control Bureau district offices at: www.labor.ny.gov/asbestos.

Guide for Property Owners

I am a property owner* and I want to do renovations in or demolish a property. What must I do?

Hire a certified Asbestos Inspector to do an Asbestos Survey. Does the Asbestos Survey say that the work will disturb any Asbestos Containing Material (ACM)?

NO

Proceed with planned construction work as usual.

YES

Hire a certified Asbestos Abatement Contractor to abate the ACM before you have the renovation or demolition work done.

Submit a copy of the survey to the local government agency responsible for issuing permits for the planned work (all projects) and to the appropriate Department of Labor (DOL) Asbestos Control Bureau office (controlled demolitions only).

Does the Asbestos Abatement Contractor say the asbestos can be abated in accordance with Industrial Code Rule 56?

NO

Hire a certified Project Designer to prepare a Site Specific Variance. The variance must be reviewed and approved by DOL before the abatement work is done.

The licensed Asbestos Abatement Contractor must submit a notification to the Department of Labor and the United States Environmental Protection Agency 10 days or more before the work starts.

Notify any residential or business occupants of the building on the floor(s) on which the work is being done and the floors above and below about the asbestos abatement. Notification must be in writing or verbally. Post a notice on all means of access to the floor(s), including doors, stairways, elevators, etc. Leave these postings in place until the work is complete.

Hire an approved air monitoring contractor to perform required air sampling during the course of the asbestos abatement work.

Once the asbestos abatement is done:

The certified Asbestos Abatement Contractor must provide a copy of the Project Record to you. Keep this record on site in accordance with federal regulations (typically for the life of the building).

*This guide does not apply to property owners of single family, owner-occupied properties where the owners do the asbestos abatement work themselves.

Contact Information

If you have any license or certification questions, e-mail: license&certificate@labor.ny.gov

If you have any asbestos questions, e-mail: asbestoscontrolbureau@labor.ny.gov

ENGINEERING SERVICES UNIT

State Office Campus, Room 154, Albany, NY 12240
(518) 457-1536 FAX (518) 457-1301

If you have any questions regarding Code Rule 56 or asbestos related variances, email:
ESU.SH@labor.state.gov

ABESTOS CONTROL BUREAU DISTRICT OFFICES

ALBANY DISTRICT:

Counties - Albany, Clinton, Columbia, Dutchess, Essex, Fulton, Green, Montgomery, Orange, Putnam, Rockland, Rensselaer, Saratoga, Schenectady, Schoharie, Sullivan, Ulster, Warren, Washington.

State Office Campus, Room 157, Albany, NY 12240
(518) 457-1255 FAX (518) 485-8054
(518) 457-2072 FAX (518) 485-8054 (Field Office)

BUFFALO DISTRICT

Counties - Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Wayne, Wyoming, Yates.

65 Court Street, Rm. 405, Buffalo NY 14202
(716) 847-7601 (716) 847-7126 FAX (716) 847-7138

NEW YORK CITY DISTRICT

Counties - Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Westchester.

One Hudson Square, 75 Varick Street (7th Floor), New York, 10013
(212) 775-3532

SYRACUSE DISTRICT

Counties - Broome, Cayuga, Chemung, Chenango, Cortland, Delaware, Franklin, Hamilton, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, Otsego, St. Lawrence, Schuyler, Seneca, Steuben, Tioga, Tompkins.

450 S. Salina Street, Syracuse NY 13202
(315) 479-3215 FAX (315) 479-3333

A Division of the New York State Department of Labor