

CITY OF EAST PRAIRIE, MISSOURI

DEMOLITION POLICY, CHECKLIST, AND APPLICATION

Demolition Policy Requirements

- Prior to the issuance of a demolition permit, the demolition contractor shall first purchase a business license from the City Collector and post all applicable certificates of insurance and/or bonds as may be required by the City of East Prairie, Missouri, including but not limited to Workers Compensation Insurance, Liability Insurance, any applicable bonds.
- The owner, the owner's authorized agent or the contractor shall first obtain a demolition permit prior to any demolition work commencing.
- An asbestos inspection to test for any asbestos containing materials (ACM) shall be conducted by a Missouri Department of Natural Resources licensed asbestos inspector. A copy of the inspection report shall be submitted to the East Prairie Code Enforcement Office.
- In the event asbestos containing materials (ACM) are determined to be present within the scope of the demolition project area, a Missouri Department of Natural Resources licensed remediation contractor shall be utilized to remove all hazardous materials.
- All footings, foundations, pier blocks, porches, storm cellars, basement walls/floors and driveways and sidewalks (on the property) must be removed from the site. Sidewalks not to include sidewalks parallel to the street meant to serve as pedestrian ways.
- No demolition debris shall be permitted to accumulate on the ground. All demolition waste shall be placed in roll off dumpsters or trailers with solid side walls.
- No demolition debris shall be buried on the demolition site or at any location within the corporate limits of East Prairie, MO. Demolition debris, not limited to the following is defined as; lumber, shingles, masonry of any kind, concrete of any kind, interior finishes, mechanical equipment, all debris generated from the demolition and cleanup process.
- No demolition debris shall be burned on the demolition site or at any location within the corporate limits of East Prairie, MO. Demolition debris, not limited to the following is defined as; lumber, shingles, masonry of any kind, concrete of any kind, interior finishes, mechanical equipment, all debris generated from the demolition and cleanup process.
- All demolition debris shall be disposed of in an approved manner per Missouri Department of Natural Resources guidelines. Except any provision for burying or burning shall not take place within the corporate limits of East Prairie, MO.
- All voids left from the demolition and over digging process shall be filled with clean soil, to be level with the adjacent undisturbed ground, once settled and compacted.
- All fill used to level the site shall be clean fill and shall be seeded and strawed.
- It is the responsibility of the owner, owner's agent, or authorized person to ensure that all site utilities are properly located, disconnected, discontinued, and terminated back to a point so as not to damage the adjacent property utilities or the city's infrastructure.

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Checklist

☐ Obtain a City of East Prairie, Missouri Business/Contractor License from the City Collector. The City Collector can be contacted by,

- Telephone – (573) 649-3057 ext. 101
- Email - citycollector@eastprairiemo.net

☐ Complete and submit a demolition permit application.

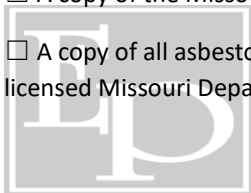
☐ Return the completed form to the East Prairie, Missouri Code Enforcement Office via any of the following methods.

- Personal delivery
- Email to: codeenforcement@eastprairiemo.net
- USPS to the following.

City of East Prairie
127 E. Main St.
East Prairie, MO 63845
ATTN: Code Office

☐ A copy of the Missouri Once Call locate ticket shall be submitted with the permit application.

☐ A copy of all asbestos containing materials inspection reports as well as all remediation documents from a licensed Missouri Department of Natural Resources (MoDNR) hazardous materials remediation contractor.



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DEMOLITION PERMIT APPLICATION

APPLICATION # _____

PERMIT # _____

DATE: _____

BUILDING OFFICIAL: _____

PROPERTY INFORMATION

ADDRESS: _____

LEGAL DESCRIPTION: _____

PARCEL IDENTIFICATION NUMBER: _____

APPLICANT/PROJECT CONTACT: _____

MAILING ADDRESS: _____

TELEPHONE: _____

PROPERTY OWNER: _____

OWNER ADDRESS: _____

TELEPHONE: _____

CONTRACTOR: _____

CONTRACTOR MAILING ADDRESS: _____

TELEPHONE: _____

CITY BUSINESS LICENSE NUMBER: _____

- **NOTE – ALL CONTRACTORS MUST HAVE A VALID CITY BUSINESS/CONTRACTOR'S LICENSE PRIOR TO THE ISSUANCE OF A PERMIT & PRIOR TO THE START OF ANY WORK**

PROJECT DESCRIPTION

ESTIMATED COST: _____

SQUARE FOOTAGE OF AREA TO BE DEMOLISHED: _____

TYPE OF MATERIAL BEING DEMOLISHED: (e.g. lumber, brick, block, shingles)

USE OF STRUCTURE BEING DEMOLISHED: _____ RESIDENTIAL _____ COMMERCIAL

PROJECT INSPECTIONS

DATE

APPROVED BY

- ASBESTOS INSPECTION/REPORT _____
- ASBESTOS ABATEMENT _____
- REMOVAL OF ALL DEBRIS AS REQUIRED BY THE CITY _____
- PROPERTY RETURNED TO GRADE SO AS NOT TO HOLD STORMWATER _____

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The location, termination, discontinuance, and removal of all site utilities are the responsibility of the contractor or owner.

All site utilities are to be terminated back to where the utility enters the property.

Asbestos inspections, determination if present, mitigation, removal and disposal are the responsibility of the contractor. The handling of all aspects of asbestos must comply with the regulations of the Department of Natural Resources (DNR) and all other regulatory agencies.

Demolition of all structures are to include the removal of all concrete footings, foundations, porches, private sidewalks, driveways, storm cellars, root cellars and any other concrete development on the property. All debris generated by the demolition and removal of all structures and site utilities, are to be removed from the property.

The City of East Prairie does require that any and all debris generated from a demolition project must be kept or stored in a dumpster or a trailer and covered so as not to allow debris to be blown out by wind. Any demolition debris allowed to leave the site and blown onto adjacent properties or City right of ways, is the contractor/owner's responsibility to abate and is subject to legal proceedings in Municipal Court.

This application and any permits issued, does not convey any right to occupy any street, alley or sidewalk or any part thereof, either temporarily or permanently. Encroachments on public property not specifically permitted under the building code, must be approved by the jurisdiction. The issuance of this application/permit does not release the applicant from the condition of any applicable subdivision restrictions.

Any desired street lane closures shall first be approved in writing by the East Prairie, MO Police Department, The East Prairie Fire Department and the East Prairie Public Works department.

By signing this application/permit you agree to comply with **ALL** Building Codes, Zoning, FEMA, DNR and the City of East Prairie regulations and rules. Construction and demolition waste shall be disposed of in a sanitary landfill or other authorized sites as per DNR Regulations. **NO CONSTRUCTION AND OR DEMOLITION WASTE SHALL BE PERMITTED TO BE BURIED OR BURNED ON SITE OR WITHIN THE CORPORATE LIMITS OF THE CITY OF EAST PRAIRIE.**

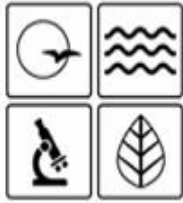
I HEREBY CERTIFY THAT I HAVE READ, EXAMINED AND UNDERSTAND THIS APPLICATION/PERMIT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS AND LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE THE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY STATE OR LOCAL LAW REGULATING CONSTRUCTION, THE PERFORMANCE OF CONSTRUCTION OR DEMOLITION.

Signature of Contractor or Authorized Agent: _____ Date: ____/____/____

Signature of Owner: _____ Date: ____/____/____

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Missouri Department of Natural Resources

Asbestos Requirements for Demolition and Renovation Projects

Air Pollution Control Program fact sheet
Division of Environmental Quality Director: Ed Galbraith

05/2017
PUB02157

Disclaimer: The statements in this document are intended solely as guidance. This document is not intended, nor can it be relied on, to create any rights enforceable by any party in litigation. This guidance may be revised without public notice to reflect changes in law, regulation or policy.

Introduction

This document is one in a series of fact sheets about the Missouri Department of Natural Resources' asbestos requirements. This particular document contains information regarding how to determine if your demolition or renovation project is regulated by the department's air pollution control requirements. It also will help explain the basic requirements for asbestos inspection and asbestos abatement as well as for notification of regulated demolition and renovation projects. In addition, it discusses requirements for disposing of asbestos waste.

Determining if Your Project Will Involve Regulated Structures

The first step in determining if your demolition or renovation project is regulated is to determine the type of structure that will be affected. The department regulates demolition and renovation projects involving institutional, commercial, public, industrial, or residential structures, installations or buildings. An exception to this regulation is a single residential structure that contains four or fewer dwelling units. Projects that involve two or more residential structures are not exempt. Two or more residential structures being demolished as part of an urban or rural renewal or an unsafe building abatement program are not exempt, regardless of their proximity to each other. Projects that involve demolition of two or more mobile homes are not exempt. If the structure has been used for any purpose other than residential, such as being converted from residential to commercial use or converted from commercial to residential use, it is not exempt. Any residential structure used in fire training

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exercises is not exempt.

Should a regulated structure be demolished by a catastrophic event, such as a tornado or accidental fire, the department's Air Pollution Control Program should be contacted for guidance.

Inspection Requirements

Prior to demolition or renovation activities, regulated structures or those areas that will be subject to demolition or renovation activities must be thoroughly inspected by a Missouri certified asbestos inspector to determine if any asbestos-containing materials are present. The inspector should identify all potential asbestos-containing (suspect) materials that may be disturbed by the demolition or renovation activity. Samples of the suspect materials should be collected and submitted for laboratory analysis to determine if they contain asbestos. The inspector should generate a report of his or her findings from the inspection. The report should identify all suspect materials present, and indicate the amount, location, category and condition of the suspect materials. The report should also include a copy of the analytical results and chain of custody for all samples collected.

If a regulated structure is structurally unsound, it may not be possible to thoroughly inspect the entire structure. An inspection should be performed in all areas of the structure where it is safe to do so. The final inspection report should clearly indicate what areas, if any, were not inspected. Areas of the building that were not inspected will require special handling during demolition.

A list of Missouri certified asbestos inspectors is available on the department's website at www.dnr.mo.gov/env/apcp/asbestos.htm.

Categories of Asbestos-Containing Materials

There are three categories of asbestos-containing materials that may be identified by an inspector.

- **Friable asbestos-containing material** - Any material containing more than one percent asbestos that, when dry, can be crumbled, pulverized or reduced to powder by hand pressure. Examples include sprayed or troweled-on materials such as acoustical ceiling spray or boiler insulation, paper pipe insulation and drop-in ceiling tile.
- **Category I nonfriable asbestos-containing material** - Asbestos-containing packings, gaskets, *resilient floor covering and asphalt roofing products containing more than one percent asbestos. *(Any asbestos-containing vapor barrier on resilient floor coverings such as sheet vinyl or tile is considered friable asbestos).

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- **Category II nonfriable asbestos-containing material** - Any nonfriable material, other than Category I materials, containing more than one percent asbestos. Examples of Category II materials include asbestos cement wall or roof shingles and cement pipe.

Depending on the type or category of the asbestos-containing materials identified from the inspection and the forces that will eventually act upon them during demolition and renovation, the materials may or may not be regulated by the department's asbestos requirements. To determine the applicability of the department's asbestos requirements, you must determine if the asbestos from your project will meet the definition of regulated asbestos-containing material, or RACM.

RACM includes friable asbestos-containing materials; Category I nonfriable materials that have become or will become friable, or have been subject to sanding, grinding, cutting, burning, or abrading; or Category II nonfriable materials that have a high probability of becoming, or have become, crumbled, pulverized or reduced to powder by the work practices used during the course of demolition or renovation.

Requirements for Abatement of Regulated Asbestos-Containing Material

If the asbestos inspection determines 160 square feet, 260 linear feet, 35 cubic feet (threshold quantities), or more of RACM will be impacted by demolition or renovation activities, all of the RACM must be removed by a Missouri registered asbestos abatement contractor.

Abatement contractors are trained in the proper procedures for safely removing and disposing of asbestos-containing material and may only employ workers trained and subsequently, certified by the department to participate on a regulated project. A list of Missouri registered asbestos abatement contractors is available on the department's website at www.dnr.mo.gov/env/apcp/asbestos.htm.

If a building is structurally unsound and unsafe to enter, there may be provisions that would allow the building to be demolished without being inspected or having the RACM removed. In this event contact the Air Pollution Control Program.

Requirements for Abatement of Nonfriable Asbestos-Containing Materials

Most nonfriable materials are not considered RACM unless they are in poor condition or are rendered into RACM by the work practices during demolition or renovation. Category I nonfriable materials can generally be left in place during demolition activities provided the method of demolition will not make the material into RACM. However, for certain types of Category I materials, such as floor tile and linoleum, the

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department generally recommends removal prior to demolition because these materials could easily be rendered into RACM during the demolition process. Also, leaving these materials in place may increase the amount of material considered as asbestos waste and the cost of disposal. If Category I ACM is left in place, work practices must be implemented to ensure the material is not made into RACM during removal or demolition. Any activity that will result in the material being subject to sanding, grinding, cutting, abrading, or burning may cause the material to become subject to regulation, depending on the quantity involved.

If threshold quantities of Category II materials will be impacted, then they must be removed prior to demolition or renovation activities. This removal must be performed in a manner that does not render the material into RACM. If the material is crumbled, pulverized or reduced to powder during the demolition or removal process, the material may become subject to regulation depending on the quantity involved.

The Occupational Safety and Health Administration, or OSHA, has specific work practice standards for friable and nonfriable Category I and Category II asbestos-containing materials. While the removal of nonfriable materials may not be regulated by the department, the material can still pose a safety risk if handled improperly. For any project involving asbestos, whether regulated by the department or not, the use of trained asbestos professionals that are familiar with OSHA standards should be considered for any work involving asbestos.

Notification Requirements

There are two types of notifications required by the department in regard to demolition and renovation projects, asbestos abatement project notification and demolition project notification. Asbestos abatement project notifications must be submitted to the department at least 10 working days prior to the start of a regulated asbestos abatement project. A copy of the asbestos inspection report and laboratory analytical results must accompany the notification. The notification period allows the department time to inspect the project and ensure it is being performed in compliance with all of the applicable requirements. A \$200 review fee is required for each notification of an asbestos abatement project.

Alternate notification provisions may apply in emergency situations. In this event contact the Air Pollution Control Program.

The second type of notification is demolition notification. Demolition notifications must be provided to the department at least 10 working days prior to the demolition of any regulated structure. A \$100 review fee is required for each demolition notification.

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This notice is required even if there is no asbestos identified in the structure being demolished. This notification period provides the department the opportunity to inspect the structure prior to demolition to ensure all asbestos issues have been properly addressed. A copy of the asbestos inspection report and laboratory analytical results must accompany this notification. In the event a structure is in danger of imminent collapse and has been ordered demolished by a state or local government agency, the department can waive the 10 working day notification period. In this case, notice should be provided as early as possible before, but no later than the following working day. A copy of the government order must also be included with the notification.

It is the obligation of the owner and any contractors involved to ensure these notifications are provided to the department. Failure to submit the notification is a violation of the department's requirements. The department will issue a notice of receipt letter for all asbestos abatement and demolition project notifications. The notice of receipt letter will list any deficiencies in the notification of abatement or demolition.

Copies of the required notification forms are available on the department's website at www.dnr.mo.gov/env/apcp/asbestos.htm.

Asbestos Waste Disposal Requirements

Asbestos waste from regulated projects involving threshold quantities of RACM must be handled in strict accordance with the department's requirements for asbestos waste disposal. Wastes from these projects must be transferred to an approved sanitary landfill or transfer station by registered asbestos abatement contractors, who are trained in the provisions for proper waste disposal.

Non-friable asbestos-containing materials that are not made into RACM are not regulated by the department's asbestos requirements. However, this material is considered a solid waste and must be properly disposed of at an approved landfill or transfer facility in accordance with the Solid Waste Management Law. You should contact the facility where you plan to dispose of your asbestos waste for information on how the material should be packaged and delivered to their facility for disposal.

Asbestos Contact Information

For more information on the department's asbestos requirements, you may contact the department's Air Pollution Control Program or one of the department's other offices:

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Local Agencies

In Missouri, there are two local agencies that have an agreement with the department to enforce Missouri's asbestos requirements as well as local ordinances. These local agencies are:

Jurisdiction	Agency	Telephone
Kansas City	Kansas City Health Department Air Quality Program	816-513-6314
St. Louis County	St. Louis County Health Department	314-615-8924

Two additional local agencies do not enforce Missouri's asbestos requirements but may have local ordinances concerning asbestos which they enforce:

Jurisdiction	Agency	Telephone
St. Louis (city)	St. Louis Division of Air Pollution Control Air Quality Program	314-613-7300
Springfield	Springfield-Greene County Health Department of Environmental Services	417-864-1412

Prior to performing a project in one of these jurisdictions, you should contact the appropriate agency to determine if any additional requirements apply.

Missouri Department of Natural Resources
Air Pollution Control Program
P.O. Box 176
Jefferson City, MO 65102
573-751-4817
573-751-2706 fax
<http://www.dnr.mo.gov/env/apcp/>

Other Department Offices

Regional Offices

Kansas City Regional Office
500 NE Colbern Road
Lee's Summit, MO 64086-4710

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816-251-0700
816-622-7044 fax

Northeast Regional Office
1709 Prospect Dr.
Macon, MO 63552-2602
660-385-8000
660-385-8090 fax

St. Louis Regional Office
7545 S. Lindbergh, Suite 210
St. Louis, MO 63125
314-416-2960
314-416-2970 fax

Southeast Regional Office
2155 N. Westwood Blvd.
Poplar Bluff, MO 63901
573-840-9750
573-840-9754 fax

Southwest Regional Office
2040 W. Woodland
Springfield, MO 65807-5912
417-891-4300
417-891-4399 fax

Additional Asbestos Related Guidance Documents

For more specific information about the department's requirements in regard to asbestos, reference the additional guidance documents listed below or contact the department or appropriate local agency at the contact information found in this fact sheet.

These documents are available for free download from the department's website at www.dnr.mo.gov/pubs/index.html.

- [Asbestos: What is it and why is it a concern?, Fact Sheet--PUB2077](#)
- [How to Handle Asbestos-Containing Debris, Fact Sheet--PUB2121](#)
- [Management of Nonfriable Asbestos Containing Materials, Fact Sheet--PUB2156](#)

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- [Requirements for Fire Training Exercises Involving Structures, Fact Sheet--PUB2029](#)
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Nothing in this document may be used to implement any enforcement action or levy any penalty unless promulgated by rule under chapter 536 or authorized by statute.

For more information

Missouri Department of Natural Resources

Air Pollution Control Program

P.O. Box 176

Jefferson City, MO 65102-0176

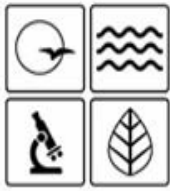
573-751-4817 or 800-361-4827

<http://dnr.mo.gov/env/apcp/>



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Missouri Department of Natural Resources

MANAGING CONSTRUCTION AND DEMOLITION WASTE

Solid Waste Management Program fact sheet

12/2017

Division of Environmental Quality Director: Ed Galbraith

PUB2045

This guidance is provided primarily for construction and demolition contractors, waste haulers, roofing contractors, remodeling businesses, homebuilders and homeowners. Cities and counties that issue building permits may also find the information helpful. The guidance covers only wastes commonly produced during building construction, renovation and demolition.

Information about managing other wastes is available by contacting the sources listed on the last page of this fact sheet.

This fact sheet is not intended for guidance on the management of surface coatings removed from bridges, water towers or other similar outdoor structures.

Waste Types

During construction, renovation and demolition activities you may produce one or more of the following types of residuals:

- Clean fill
- Recovered materials
- Regulated construction and demolition waste
- Hazardous materials and hazardous wastes
- Asbestos-containing materials

Management requirements differ for each of these.

Clean Fill

Clean fill is “uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinder blocks, brick, minimal amounts of wood and metal and inert (non-reactive) solids...for fill, reclamation or other beneficial use” (§260.200.1.(6), of the Revised Statutes of Missouri [RSMO]). Minimal means the smallest amount possible. For example, concrete containing wire mesh or rebar may be used as clean fill. However, exposed rebar must be removed before use. Under no circumstances are roofing shingles, sheet rock wood waste or other construction and demolition wastes defined as clean fill.

If asphaltic concrete or painted block and brick is to be used as clean fill, it is recommended that it not be crushed or ground any smaller than necessary. This will help to minimize the leaching of chemicals and toxic metals found within.

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Although not regulated as waste, placement of clean fill materials may be subject to requirements of the Missouri Department of Natural Resources' Water Protection Branch if it is placed in contact with surface or subsurface waters of the state, or would otherwise violate water quality standards. Contact the Water Protection Program at 573-751-1300 if you have any questions. Local requirements concerning the use of clean fill may apply as well.

Recovered Materials

Recovered materials are those removed for reuse (lumber, doors, windows, ceramic tile, and glass) and those removed to be recycled into new products. Potentially recyclable construction and demolition wastes may include scrap metals, asphalt shingles, sheet rock, lumber, glass, and electrical wire. However, it is important to remember that recovered materials must be used in some way.

Separating out certain wastes to be recycled into new products without having a market for them is expensive and needless. Storing recovered materials indoors is expensive. Storing them outdoors may lower their value, since most will degrade or deteriorate when exposed to the weather. Depending on how they are stored, they may harbor rodents, provide breeding grounds for insects, or be a potential fire hazard. Recyclables may not be collected and dumped on the ground while waiting for markets to develop. Therefore, before you deliver recyclable materials to a processing or recovery facility, be sure the facility performs legitimate recycling.

The department's Solid Waste Management Program has information regarding many recycling facilities in Missouri. You may contact the program at 573-751-5401 or available on the web at recyclesearch.com/profile/modirectory.

If you plan to remove reusable or recyclable materials from construction and demolition waste, the sorting must take place at the construction or demolition site. The wastes cannot be hauled from the site and dumped for later sorting, except at a permitted processing facility or at a facility that has received a permit exemption from the Solid Waste Management Program. Although the department strongly encourages the recovery or recycling of potential waste materials whenever possible, these activities must be conducted legally.

Regulated Construction and Demolition Wastes

Regulated construction and demolition wastes are those not classified as clean fill and not being reused or recycled. Regulated non-hazardous construction and demolition wastes must be disposed at a permitted landfill or transfer station.

To avoid violating air and solid waste laws, regulated non-hazardous construction and demolition wastes:

- Cannot be burned. An open burning permit may be applied for and must be obtained prior to burning untreated wood waste. Contact your nearest regional office for permit information and conditions.
- Cannot be buried (except in a permitted landfill).
- Cannot be hauled to private or public property and dumped, burned or buried, even with the landowner's permission.

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If this happens, everyone involved, including the contractor(s), subcontractor(s), the hauler(s) and the landowner(s) can, and will be held liable for the illegal disposal (§§260.210, 260.211 and 260.212, RSMo).

If you are a building contractor, you need to know that burying construction waste from a building anywhere on the property is illegal (§§260.210.1, 260.211 and 260.212, RSMo). See page four of this fact sheet for a description of penalties for illegal disposal of construction and demolition waste.

Hazardous Materials and Hazardous Wastes

Although you may find a variety of hazardous materials in old buildings, lead-based paint and universal wastes such as fluorescent lamps and batteries are the most common items dealt with by demolition contractors. Households and farmers are exempt from hazardous waste requirements under RSMo 260.380.1. The following information applies to generators of waste other than those meeting the definition of a farmer or household. This category includes commercial and business enterprises, institutions and industrial buildings, churches, schools, municipal structures and other structures not specifically identified.

It is the generator's responsibility to determine if materials generated during construction and demolition are hazardous wastes. This determination can be made by representative sampling or by applying verifiable historical knowledge of the materials in question. The most typical contaminants are lead and other heavy metals. Demolition-related waste categories typically include:

- Paint residue - Paint chips, paint scrapings, and contaminated blast residue from building renovations or demolition projects
- Demolition debris - Metal and boards that have been painted with lead-based or other heavy metal-based paint (note: painted metal and boards may not be used as clean fill)
- Scrap metal - Metal objects that contain lead or other heavy metals
- Universal waste - Lamps, batteries and mercury containing equipment such as thermostats and switches

Paint Residue – Unless there is sufficient historical knowledge of types of paint and whether or not they contained heavy metals to make an accurate determination that the residue is either hazardous or non-hazardous, paint residue must be laboratory tested before disposal. The appropriate test method is the Toxicity Characteristic Leaching Procedure (TCLP), EPA Method 1311, referenced in the Code of Federal Regulations, Title 40, Part 261(40 CFR 261). The test must include the eight metals noted in 40 CFR Part 261.24 (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver). Environmental laboratories capable of conducting a TCLP may be found in the telephone directory's Yellow Pages. If one or more of analytical limits meets or exceeds the regulatory limit, the waste is hazardous.

Demolition Debris – While it is unlikely that a representative sample of the debris would fail the TCLP mentioned above, all solid wastes must receive a hazardous waste determination when generated. If generator knowledge of the material is insufficient to make an accurate hazardous waste determination, then testing of the debris would be needed. Demolition debris should not be chipped, shredded, milled, ground, mulched or similarly processed that would increase their leachability prior to disposal.

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Scrap Metal – When scrap metals are sent to a salvage yard for recycling it is not necessary to make a hazardous waste determination on those materials. If such disposal is not possible, the metal would also be subject to a hazardous waste determination as described above.

Universal Waste – Most materials falling into this category are considered hazardous waste when disposed; however, universal waste regulations streamline the hazardous waste management standards for these wastes that are commonly generated by a wide variety of establishments. Universal waste categories are as follows: batteries, pesticides, mercury-containing equipment and lamps. More information on universal waste management can be found at epa.gov/hw/universal-waste#types. Hazardous wastes must be managed while onsite, transported and disposed according to the Missouri Hazardous Waste Management Law and Regulations. This may require the generator to send paint residue, demolition debris or scrap metal to a permitted hazardous waste disposal facility and assure specific universal wastes are managed in compliance with those regulations. If laboratory analysis show paint residue is non-hazardous, it must be disposed at a sanitary landfill as “special waste.” Paint residue may not be disposed in a demolition landfill.

Procedures for managing special wastes are included in the Special Waste (PUB2050) fact sheet available on the department’s website at dnr.mo.gov/pubs/pub2050.htm. The landfill may require you to complete a special waste disposal request form, and provide the results of testing on the paint waste to show that it is not hazardous before accepting the waste.

Asbestos

All public, institutional, or commercial buildings, and in some instances residential structures, must be inspected for asbestos before renovation or demolition activities. Before planning a demolition project, bidding a project, letting a bid or beginning the demolition, it is important to know if the building has any asbestos-containing materials and who is responsible for removing them. Buildings may contain asbestos in materials such as ceiling or floor tile, as insulation or soundproofing on ceilings, pipes, ductwork, boilers; on the outside as transite siding; or in shingles. The presence of asbestos-containing materials cannot be confirmed just by looking.

A thorough inspection of any regulated building must be conducted by a Missouri certified asbestos inspector to determine the presence and condition of asbestos-containing materials. Depending upon the results of the inspection, a registered asbestos abatement contractor may be required. Contact the department’s Air Pollution Control Program’s Asbestos Unit at 573-751-4817 for more specific information about managing asbestos-containing materials. Visit

dnr.mo.gov/env/apcp/asbestos/index.htm for more information about asbestos requirements. If the asbestos-containing materials is to go to a landfill or transfer station, contact the facility in advance to see if they will accept materials and if they have any special handling or packaging requirements.

Penalties for Illegal Disposal of Construction and Demolition Wastes

The Missouri Solid Waste Management Law provides for civil penalties for persons who dispose of, or allow the disposal of regulated construction and demolition wastes in unpermitted areas.

The law also contains criminal provisions for certain types of illegal construction and demolition waste disposal. There may be additional penalties for violations of air, water pollution, and hazardous waste management laws depending on the situation and means of disposal.

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Solid Waste Management Law Violations:

- **Civil Penalties** - Any person who disposes of construction and demolition waste, or allows the disposal of construction and demolition waste in an area not permitted for such disposal may be assessed a civil penalty of up to \$5,000 per day per violation (§260.240, RSMo).
- **Criminal Penalties** - Any person who purposely or knowingly disposes of, or causes the disposal of regulated quantities of construction and demolition waste or other solid waste may be prosecuted for violating the criminal provisions of §§260.211 and 260.212, RSMo.

Convictions may include fines of \$20,000 or more, community service and/or cleanup of the illegally dumped waste. Conviction under §§260.211 and 260.212 is a class E Felony for the illegal disposal of residential or commercial waste, and for accepting construction and demolition wastes for payment, whether in cash or trade, without a permit. In some cases, persons convicted of illegal dumping have served time in jail.

The Missouri Air Conservation Law and regulations provide for civil penalties of up to \$10,000 per day per violation for persons who violate the requirements for handling, packaging, transporting, or disposing of asbestoscontaining materials. The federal Clean Air Act also contains civil and criminal penalties for violations. The same penalties apply for persons who illegally dispose of construction and demolition waste by burning.

Hazardous Waste Management Laws, Section 260.425 RSMo, provides for civil penalties of up to \$10,000 per day per violation for persons who violate these laws and regulations. Administrative penalties, not to exceed \$10,000 per day per violation, may be sought for persons who violate these laws and regulations pursuant to Section 260.412 RSMo and Code of State Regulations, Title 10, Division 25-14 (10 CSR 25-14).

Other Requirements

Other legal requirements related to managing construction and demolition wastes include:

- Anyone engaged in building construction, modification or demolition must maintain a record of all sites used for construction and demolition waste disposal for one year. The records must be made available to department staff upon request (§260.210.7, RSMo).
- Cities and counties issuing building permits are required to notify each permittee in writing of the legal requirements for construction and demolition waste disposal (§260.210.8, RSMo).
- A person shall be guilty of conspiracy if he knows or should have known that his agent or employee has violated the civil or criminal provisions of the law related to illegal disposal of construction and demolition waste or other solid waste (§260.212.9, RSMo).
- Anyone selling, conveying or transferring property that contains construction and demolition waste or other solid waste (whether buried or not), must disclose the existence and location of the waste disposal site to a potential buyer early in the negotiation process (§260.213, RSMo).
- Anyone hauling materials that could fall or blow from a vehicle, including construction and demolition waste, must cover the load or secure it so that none of it can become dislodged and fall from the vehicle (§307.010, RSMo). In addition, many landfills and transfer stations in Missouri require all incoming loads to be covered. Some facilities accept open loads, but may charge you extra for them.

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- A person commits the crime of littering if they throw or place, or cause to be thrown or placed, any garbage, trash, refuse or rubbish of any kind on the right-of-way of any public road or highway; in or on any waters of the state or the stream banks; and on any public or private property (owned by another and without their consent) (§577.070, RSMo).

Additional Information

You may obtain additional information about properly managing construction and demolition wastes from the sources listed below.

Missouri Department of Natural Resources

- Air Pollution Control Program 573-751-4817
- Hazardous Waste Program 573-751-3176
- Solid Waste Management Program 573-751-5401
- Water Protection Program 573-751-1300
- Kansas City Regional Office 816-622-7000
- Northeast Regional Office (Macon) 660-385-8000
- St. Louis Regional Office 314-416-2960
- Southeast Regional Office (Poplar Bluff) 573-840-9750
- Southwest Regional Office (Springfield) 417-891-4300

On the Web

Construction and demolition information dnr.mo.gov/env/swmp/index.html

Environmental publications dnr.mo.gov/pubs/

Additional Considerations and Sources

Hazardous waste requirements are found in the Missouri Hazardous Waste Management Laws, Sections 260.350 through 260.575 RSMo. The Missouri Hazardous Waste Management Regulations are found in 10 CSR 25. Most of the federal environmental requirements in 40 CFR are adopted by reference into the Missouri regulations.

Solid waste requirements are found in the Solid Waste Management Law in Sections 260.200 through 260.345 RSMo, and the regulations in 10 CSR 80. Copies of the Revised Statutes of Missouri are available through the Revisor of Statutes at 573-526-1288, or are available online at moga.mo.gov.

Copies of the Missouri Code of State Regulations are available through the Missouri Secretary of State at 573-751- 4015, or are available online at www.sos.mo.gov/adrules/csr/csr.

Federal regulations are available at federal depository libraries or may be purchased from a U.S. Government Bookstore, the U.S. Government Printing Office, or from a commercial information service such as the Bureau of National Affairs. Federal Regulations are also available online at ecfr.gov/cgi-bin/ECFR?page=browse.

Other Guidance

The Missouri Department of Health and Senior Services - Office of Lead Licensing and Accreditation may

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be contacted for information regarding training, licensure, and work practice standards for lead abatement activities. Disposal is an abatement activity. See 701.300 and 701.338 RSMo.

Please note that many municipalities have their own additional requirements that might be stricter than those discussed above.

For more information

Missouri Department of Natural Resources
Solid Waste Management Program
P.O. Box 176 Jefferson City, MO 65102-0176
800-361-4827 or 573-751-5401
dnr.mo.gov/env/swmp

Missouri Department of Natural Resources
Air Pollution Control Program
P.O. Box 176 Jefferson City, MO 65102-0176
800-361-4827 or 573-751-4817 office
573-751-2706 fax
dnr.mo.gov/env/apcp/index.html

Missouri Department of Natural Resources
Hazardous Waste Program
P.O. Box 176 Jefferson City, MO 65102-0176
800-361-4827 or 573-751-7560 office
573-751-7869 fax
dnr.mo.gov/env/hwp/index.html

Missouri Department of Health and Senior Services
Office of Lead Licensing and Accreditation
P.O. Box 570 Jefferson City, MO 65102-0570
888-837-0927 or 573-526-5873
573-526-0441 fax
dhss.mo.gov/Lead/

<p>Nothing in this document may be used to implement any enforcement action or levy any penalty unless promulgated by rule under chapter 536 or authorized by statute.</p>

For more information

Missouri Department of Natural Resources
Waste Management Program
P.O. Box 176 Jefferson City, MO 65102-0176
800-361-4827 or 573-751-5401
<http://dnr.mo.gov/env/swmp>