



Pre-renovation or demolition requirements

Scope of this guidance

In Minnesota, hazardous and other problem wastes must be removed from a structure before it is renovated or demolished. The removed wastes must be managed properly through recycling or disposal. This fact sheet provides guidance in identifying hazardous and problem wastes and determining their proper disposal, but does not supersede any state or federal regulatory requirements applicable to a renovation or demolition project.

The Minnesota Pollution Control Agency's (MPCA) pre-renovation or demolition requirements apply to all structures in Minnesota, including residential, agricultural, governmental, commercial, and industrial structures. Note that there is no exemption from these requirements in Minnesota for farm buildings.

In addition to the Minnesota requirements, certain buildings built before 1978 may also be subject to federal requirements under the Repair, Renovation, and Painting Rule (RRP) of the U.S. Environmental Protection Agency (EPA). For more information on the RRP, visit the EPA at <http://www.epa.gov>.

Burning structures

In Minnesota, it is illegal for anyone to intentionally burn any structure, including a farm building. The only exception to this prohibition is for legitimate firefighter training. A legitimate firefighter training burn must include a prepared curriculum, specific training objectives, and documented post-training assessment. Burning a structure for disposal is not legitimate training. All of the pre-demolition requirements, including an asbestos survey and abatement, must be followed and a specific fire training burn permit obtained from the Minnesota Department of Natural Resources (DNR) prior to a legitimate firefighter training burn. For more information, contact the DNR as listed at the end of this fact sheet.

Notification

If you are going to renovate, demolish, or burn for legitimate fire training any structure regulated under the Federal National Emission Standard for Hazardous Air Pollutants (NESHAP) for asbestos, notify the MPCA at least ten working days prior to the start of the work. This NESHAP is found at 40 Code of Federal Regulations, Part 61, Subpart M. In general, all structures in Minnesota are regulated under this NESHAP except for residences having four dwelling units or less.

Note - Residential units may remain NESHAP-regulated under the following conditions: if they were converted from prior regulated uses regardless of the number of units; the demolition of multiple structures owned by the same party; or the demolition of any number of houses as part of an urban renewal project, a highway construction project; or a project to develop a shopping mall, industrial facility, or other commercial development.

Remember that whether subject to the NESHAP or not, asbestos work in structures may still be regulated under Minnesota Department of Health (MDH) requirements. For more information, contact the MDH as listed at the end of this fact sheet.

- For a renovation and for MDH-regulated work, notify the MPCA and MDH by submitting MPCA form #w-sw4-06, [Notification of Asbestos Work](http://www.pca.state.mn.us/publications/w-sw4-06.pdf), at <http://www.pca.state.mn.us/publications/w-sw4-06.pdf>.
- For a demolition or legitimate training burn, notify the MPCA by submitting MPCA form #w-sw4-21, [Notification of Intent to Perform a Demolition](http://www.pca.state.mn.us/publications/w-sw4-21.pdf), at <http://www.pca.state.mn.us/publications/w-sw4-21.pdf>.

Common wastes that must be removed before demolition

| Type of waste | More information |
|---|---|
| Appliances; such as air conditioners and furnaces. | See MPCA hazardous waste fact sheet #w-hw3-02, Recycling Appliances , at http://www.pca.state.mn.us/publications/w-hw3-02.pdf . |
| Asbestos; such as pipe lagging and furnace flues. <i>*If any asbestos-containing material (ACM) is left in place in the portion of structure to be demolished, then all resulting debris must be managed and disposed as ACM.</i> | See MPCA webpage #482, Asbestos Program , at http://www.pca.state.mn.us/tchy7f7 . |
| Electronics; such as smoke alarms and home entertainment systems. | See MPCA hazardous waste fact sheet #w-hw4-15, Managing Electronic Wastes , at http://www.pca.state.mn.us/publications/w-hw4-15.pdf . |
| Environmental and safety system controls; such as thermostats and manometers. | See MPCA hazardous waste fact sheet #w-hw4-62, Managing Universal Wastes , at http://www.pca.state.mn.us/publications/w-hw4-62.pdf . |
| Hazardous waste; such as lawn chemicals and paints. | See MPCA hazardous waste fact sheet #w-hw3-12, Managing Waste from Residential Properties , at http://www.pca.state.mn.us/publications/w-hw3-12.pdf . |
| Lead-containing items; such as pipes and roof flashing. <i>*Lead paint may remain on the structure.</i> | See MPCA hazardous waste fact sheet #w-hw4-23, Lead Paint Disposal , at http://www.pca.state.mn.us/publications/w-hw4-23.pdf . |
| Lighting components; such as fluorescent/HID lamps and ballasts. | See MPCA hazardous waste fact sheet #w-hw4-62, Managing Universal Wastes , at http://www.pca.state.mn.us/publications/w-hw4-62.pdf . |
| Oils; such as fuel oil and hydraulic fluids. | See MPCA hazardous waste fact sheet #w-hw4-30, Used Oil and Related Wastes , at http://www.pca.state.mn.us/publications/w-hw4-30.pdf . |
| Refrigerants and halons; such as chillers and halon fire extinguishing equipment. | See MPCA webpage #62, Chlorofluorocarbons (CFCs) , at http://www.pca.state.mn.us/yhiz4b8 . |
| Solid wastes; such as furniture and window treatments. | |
| Submersible well pumps, which may contain polychlorinated biphenyls (PCBs) or mercury. | Search for MDH publication #141-0434, 'Sealing Unused Wells', at http://www.health.state.mn.us/ . |
| Any other wastes not acceptable at a disposal facility; such as radioactive or infectious wastes. | |

Wastes that do not need to be removed before demolition

You do not need to test paint for lead or remove suspected or known lead paint from a structure if you are going to demolish the structure or if it will be burned for a legitimate firefighter training burn.

You also do not need to test caulking or paints for polychlorinated biphenyls (PCBs) or remove suspected or known PCB caulking or paint if you are going to demolish the structure. If the structure will be burned for firefighter training, however, the caulking and other sealants must be tested for PCBs and any PCB-containing caulking removed prior to the burn.

For more information on PCBs in caulking or paints, see MPCA hazardous waste fact sheet #w-hw4-48k, [Managing Sealants and Coatings Containing PCBs](http://www.pca.state.mn.us/publications/w-hw4-48k.pdf), at <http://www.pca.state.mn.us/publications/w-hw4-48k.pdf>.

Timeframes for removal

Remove all the wastes above and any other wastes which would be required to be removed at least two days before the intended renovation or demolition date.

However, if due to accidental or emergency circumstances that were beyond the control of the structure owner it is unsafe or unfeasible to remove all of these wastes prior to the renovation or demolition work, then you may complete the work, but must identify and remove all of these wastes from the debris prior to disposal. Note that identifying and removing hazardous and problem wastes from debris is frequently much more difficult and expensive than removing them before demolition.

Examples of accidental or emergency circumstances when this deferral could be allowed may include:

- declaration by a government entity that the structure is unsafe to enter;
- damage or partial destruction of the structure by accidental fire;
- discovery after demolition or renovation has already started of previously unknown hazardous or problem wastes which could not reasonably have been identified beforehand.

More information

Guidance and requirements in this fact sheet were compiled from Minn. R. Chapters 7035 and 7045, and incorporate regulatory interpretation decisions made by the MPCA on July 3, 2013. Visit the Office of the Revisor of Statutes at <https://www.revisor.mn.gov/pubs> to review the Minnesota Rules directly.

The MPCA has staff available to answer your waste management questions. For more information, contact your nearest MPCA solid waste staff. For information about waste and toxicity reduction, contact the Minnesota Technical Assistance Program (MnTAP).

Minnesota Pollution Control Agency

Toll free (all offices) 1-800-657-3864
Brainerd 218-828-2492
Detroit Lakes 218-847-1519
Duluth 218-723-4660
Mankato 507-389-5977
Marshall 507-537-7146
Rochester 507-285-7343
St. Paul 651-296-6300
Willmar 320-214-3786
Website <http://www.pca.state.mn.us>

Small Business Environmental Assistance

Toll free 1-800-657-3938
Metro 651-282-6143
Website <http://www.pca.state.mn.us/sbeap/>

Minnesota Technical Assistance Program

Toll free 1-800-247-0015
Metro 612-624-1300
Website <http://www.mntap.umn.edu>

Minnesota Department of Natural Resources

Toll free 1-888-646-6367
Metro 651-296-6157
Website <http://www.dnr.state.mn.us/>

Minnesota Department of Health

Toll free 1-888-345-0823
Metro 651-201-4620
Website <http://www.health.state.mn.us/>