



Required Asbestos Compliance Notice Instructions

Required Asbestos Compliance Notice, effective 11-22-2021

To any person disturbing, removing, encapsulating, or enclosing any amount of asbestos within a public building for any purpose, including repair, renovation, dismantling, demolition, installation, or maintenance operations, or any other activity that may involve the disturbance, encapsulation, enclosure, or removal of any amount of asbestos-containing building material, whether intentional or unintentional:

[Chapter 296 of the Texas Administrative Code](#) establishes:

Who is excluded?

A single private residence or a single apartment building with no more than four dwelling units.

Who is not excluded?

A building or structure, or group of buildings or structures, at a single demolition or renovation site controlled by the same owner or operator. When there are two or more residential buildings that contain four or fewer dwelling units on the same site that are controlled by the same owner or operator.

What is required to obtain a permit? Complete the Required Asbestos Compliance Notification Form. A person obtaining a permit for renovating or demolishing a public or commercial building must provide one of the following types of documentation:

1. **Written evidence that an asbestos survey of all parts of the building affected by the planned renovation or demolition has been completed by a person licensed to perform a survey; or**
2. **Written certification from a Texas-registered architect or Texas-licensed professional engineer that:**
 - a. Identifies the name of the building, the street address, and the specific area of the building that applies to the certification.
 - b. Certifies that the Texas-registered architect or Texas-licensed professional engineer has compiled and reviewed the information from:
 - i. MSDSs and SDSs of the materials used in the original construction of the building and any renovations or alterations of all parts of the building affected by the planned renovation or demolition, has matched them by manufacturer to materials on-site in the construction; and
 - ii. Any previous asbestos survey report of the building that is conducted as required at the time of the survey.
 - c. Certifies that in the architect's or engineer's professional opinion, no part of the building, including the building materials, affected by the planned renovation or demolition contain asbestos.
 - d. Specifies the dates of each asbestos survey report reviewed.
 - e. Specifies whether the relevant work was new construction or renovation; and
 - f. Specifies the dates of completion of all original construction and renovations or alterations that apply to the certification.

References

Senate Bill 509, September 1, 2001

Exclusions: [Chapter 296, Subchapter A, §296.1 \(c\)](#)

Definition of Survey: [Chapter 296, Subchapter B, §296.21 \(92\)](#)

Definition of Survey Report: [Chapter 296, Subchapter B, §296.21 \(93\)](#)

Limited vs. Comprehensive Asbestos Survey: [Chapter 296, Subchapter K, §296.191 \(e\)](#)

Demolition of residential building with four or fewer dwelling units: [Chapter 296, Subchapter K, §296.191 \(g\)](#)

[\(4\)](#) Survey or certification required for municipal permit: [Chapter 296, Subchapter K, §296.191 \(q\)](#)

