

## Demolition

A permit is required for the construction, reconstruction, moving demolition or structural alteration or change in use of a building or a structure affixed into the ground.

These requirements are N.Y State Building Codes – Village of New Hempstead Code & Zoning.

When a demolition permit is issued, the building & construction materials & concrete debris must be removed from the site. No materials can be buried on site; they must be removed.

In the case of a swimming pool removal, which some of the people in the Village have done, the concrete around the pool must be excavated and taken away. If someone wants to leave the pool in the ground, they must remove about 3 feet of concrete around it, but all concrete must be removed. No concrete can be dumped into the pool at all. When this is done and inspected, the owner can put clean dirt fill in the area and finally have it inspected by the Building Inspector for a certificate of occupancy.

Building Inspector

VILLAGE OF NEW HEMPSTEAD

\*\*\*DEMOLITION APPLICATION INSTRUCTIONS\*\*\*

The application form must be clearly filled out in duplicate by the applicant. Two inspections must be requested by the applicant and certified by the Building and Zoning Department. The first before any work is done. The Second: at the completion of all work. One copy of this form will be returned with a permit card as an indication that this office is prepared to make the first inspection. The second copy will be filed as a permanent record in this office.

FEES: A fee in keeping with the current fee schedule will apply. This is payable at the time of requesting a permit and should be made payable to the Village of New Hempstead.

SCOPE: This office is to check the following points as stated in the NEW YORK STATE BUILDING CONSTRUCTION CODE APPLICABLE TO GENERAL BUILDING CONSTRUCTION and such other matters as may be deemed necessary:

Safety During Demolition

- A - Safe and sanitary conditions shall be provided where demolition and wrecking operations are being carried on. Work shall be done in such manner that hazard from fire, possibility of injury, danger to health, and conditions which may constitute a public nuisance will be minimized, in conformity with general accepted standards.
- B - Access to utilities and public facilities, including among others, fire hydrants, fire alarm boxes, police call boxes, streetlights and manholes, shall be kept unobstructed during demolition.
- C - Gas, electric, sewer, heat, power, water and other service connections shall be disconnected, removed, or sealed, in conformity with the applicable regulations of the public utility or municipal agency having jurisdiction.
- D - A letter from the utility company stating that all gas & electric has been retired.
- E - Cost estimate
- F - Narrative of proposed demolition

FEE: Minimum \$250.00

Letter stating you are owner with no mortgage

Or

Letter from Mortgage Company/Bank approving demolition.

Insurance

- G. Submission of an asbestos survey for demolition on all structures constructed prior to January 1, 1974 by a New York State Licensed Asbestos Abatement Contractor if needed.
- H. Homeowner, or applicant to establish the location of the sewer spur, or confirm there is no Spur. Inspection must be performed by the Sewer Department.
- I. COPY OF CONTRACTOR'S LICENSE ALONG WITH INSURANCE PAPERS FOR WORKERS' COMPENSATION AND LIABILITY.

VILLAGE OF NEW HEMPSTEAD  
108 OLD SCHOOLHOUSE ROAD  
NEW CITY, N.Y. 1956

DEMOLITION PERMIT APPLICATION

DATE \_\_\_\_\_

NAME \_\_\_\_\_

STREET \_\_\_\_\_

CITY/STATE/ZIP \_\_\_\_\_

( )

TELEPHONE # \_\_\_\_\_

SECTION \_\_\_\_\_ LOT \_\_\_\_\_

Location of proposed demolition (give street number, name, side and distance from nearest cross street)  
\_\_\_\_\_

Reason for request: \_\_\_\_\_

Type and Size of Structure: \_\_\_\_\_

APPLICATION IS HEREBY MADE for the issuance of a Permit pursuant to the New York State Construction Code for the construction of buildings, additions or alterations, or for removal or demolition, as herein described. The applicant agrees to comply with all applicable laws, ordinances and regulations.

Permit No. \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

Address of applicant \_\_\_\_\_

State whether applicant is owner, leasee, agent, architect, engineer or builder: \_\_\_\_\_

Name and address of owner of premises: \_\_\_\_\_

If owner or applicant is a corporation, give name and title of two officers and signature of duly Authorized officer. \_\_\_\_\_

Name & Title of Corporate Officer \_\_\_\_\_

STATE OF NEW YORK ) ss  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_ bein duly sworn deposes and says that he/she is the applicant above named. He is the \_\_\_\_\_

(contractor, agent, corporate officer, etc.)

of said owner or owners, and is duly authorized to perform or have performed the said work and to make and file this application; that all statements contained in this application are true to the best of his knowledge and belief, and that the work will be performed in the manner set forth in the application and in the plans and specifications filed therewith.

Sworn before me

This \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Signature of applicant \_\_\_\_\_

Notary Public \_\_\_\_\_ County of \_\_\_\_\_

Village of New Hempstead  
108 Old Schoolhouse Rd.  
New City, New York, 10956  
Phone (845) 354-8100 Fax (845) 354-7121

OWNER'S CONSENT AFFIDAVIT

Section 376-145A (3) of the Zoning Ordinance. Applicant shall be made by the owner or lessee, or agent of either or by the architect, engineer, or builder employed in connection with the proposed work. When such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

\_\_\_\_\_ being duly sworn, deposes and  
(Please print)

Says that he resides as \_\_\_\_\_

In the County of \_\_\_\_\_

In the State of \_\_\_\_\_

That he s the owner in fee of all that certain lot, piece, or parcel of land situated, lying and being  
In the Village of New Hempstead aforesaid and designated as:

Property Address: \_\_\_\_\_

Section/block/lot \_\_\_\_\_

of the Ramapo Tax Map and that he is hereby authorized to make such a Building Permit  
Application in their behalf, and that the statements of fact contained in said application are true.

OWNER \_\_\_\_\_  
(Print Name)

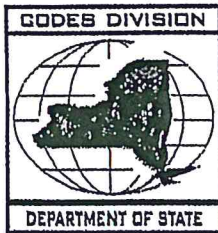
MAILING ADDRESS \_\_\_\_\_

OWNER SIGNATURE \_\_\_\_\_

Sworn or affirmed to before me this

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Notary Public  
County of Rockland



**State of New York  
Department of State  
Division of Code Enforcement & Administration**

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99 Washington Ave., Albany, New York 12231  
(518) 474-4073 fax: (518) 486-4487 [www.dos.state.ny.us](http://www.dos.state.ny.us)

**Rules and Regulations - Department of State**

**TITLE 19 (NYCRR)  
CHAPTER XXXII - DIVISION OF CODE ENFORCEMENT AND ADMINISTRATION  
PART 1202 - UNIFORM CODE: ADMINISTRATION AND ENFORCEMENT  
IN CERTAIN LOCAL GOVERNMENTS**

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This information is not the official version of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR). No representation is made as to its accuracy, nor may it be read into evidence in New York State courts. To ensure accuracy and for evidentiary purposes, reference should be made to the official NYCRR. The official NYCRR is published by West, 610 Opperman Drive, Eagan, MN 55123, 1-800-344-6009.  
This document is made possible through the courtesy of the Secretary of State of the State of New York.

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**§1202.1 Introduction.**

In general, local governments are charged with the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (Uniform Code). However, a local government has the option to decline that responsibility by adopting a local law to that effect, in which event the responsibility passes to the respective county. Counties are accorded a similar option. If a local government and a county each exercises its option, the statute provides for administration and enforcement of the Uniform Code by the Secretary of State in the place and stead of the local government. Certain other events may also result in administration and enforcement of the Uniform Code by the Secretary of State. This Part establishes the procedures applicable in circumstances in which the Secretary of State must administer and enforce the Uniform Code in the place and stead of a local government or county.

**§1202.2 Building Permits and Demolition Permits.**

(a) No person, firm, corporation, association or other organization shall commence the erection, construction, enlargement, alteration, improvement, relocation, removal or demolition of any building or structure, except a nonresidential farm building or structure, nor install heating equipment, without having applied for and obtained a permit from the Department of State. No permit shall be required for the performance of necessary repairs which do not materially affect structural elements, and/or plumbing, electrical or heating/ventilation systems, including, for example, the repair of siding and roofing with like

or similar materials, nor for the erection of fences, nor for the construction of noncommercial storage facilities of less than 140 square feet of gross floor area. Such work shall nevertheless be done in conformance with the Uniform Code.

(b) Applications for a building permit or demolition permit may be obtained from any office of the Department of State. A completed application may be delivered to any office of the department or be mailed to its office in Albany, and must include:

- (1) the signature of the applicant or authorized agent;
- (2) a description of the site on which the proposed work is to be done;
- (3) a statement of the use or occupancy of all parts of the land and of the proposed building or structure;
- (4) a brief description of the proposed work;
- (5) the full name and address of the owner and the applicant and, if either be a corporation, the names and addresses of responsible officers;
- (6) three sets of plans and specifications for the proposed work; and
- (7) the fee specified in this part.

The applicant may request that the requirement of plans and specifications be waived where the work to be done involves minor alterations or where such plans and specifications are otherwise unnecessary.

(c) The applicant shall notify the department of any changes in the information contained in the application during the period for which the permit is in effect. A permit shall be issued when the application has been determined to be complete and when the proposed work is determined to conform to the requirements of the Uniform Code. The authority conferred by such permit may be limited by conditions, if any, contained therein.

(d) A permit issued pursuant to this Part shall be prominently displayed on the property or premises to which it pertains.

(e) A permit issued pursuant to this Part may be suspended or revoked if it is determined that the work to which it pertains is not proceeding in conformance with the Uniform Code or with any condition attached to such permit, or if there has been a misrepresentation or falsification of a material fact in connection with the application for the permit.

(f) A building permit issued pursuant to this Part for the purpose of erecting, constructing, enlarging, altering, improving, or relocating any building or structure or for the purpose of installing heating equipment shall expire two years from the date of issuance

or upon the issuance of a certificate of occupancy (other than a temporary certificate of occupancy) or upon the issuance of a certificate of completion, whichever occurs first. A demolition permit issued pursuant to this Part for the purpose of removing or demolishing any building or structure shall expire six months from the date of issuance or upon the issuance of a certificate of completion of the permitted work, whichever occurs first. A building permit may, upon written request, be renewed for successive one year periods. A demolition permit may, upon written request, be renewed for successive six month periods. Renewals of permits may be granted only if:

- (1) the permit has not been revoked or suspended at the time the application for renewal is made;
- (2) the relevant information in the application is up to date; and
- (3) any applicable renewal fee is paid.

### **§1202.3 Certificates of Occupancy and Completion.**

(a) Upon completion of all projects for which a building or demolition permit has been issued, the property owner shall obtain a certificate of occupancy or completion. No building erected subject to the Uniform Code and this Part shall be used or occupied, except to the extent provided in this section, until a certificate of occupancy has been issued. No building similarly enlarged, extended, or altered, or upon which work has been performed which required the issuance of a building or demolition permit shall be occupied or used for more than 30 days after the completion of the alteration or work unless a certificate of occupancy or certificate of completion has been issued.

(b) No change shall be made in the nature of the occupancy of an existing building unless a certificate of occupancy authorizing the change has been issued. The owner or occupant of such building must demonstrate that such change will conform with all applicable provisions of the Uniform Code before a certificate of occupancy will be issued.

(c) A temporary certificate of occupancy may be issued if the building or structure or a designated portion of a building or structure is sufficiently complete so that it may be safely put to the use for which it is intended. A temporary certificate of occupancy shall expire six months from the date of issuance or at an earlier date if specified thereon. A temporary certificate of occupancy may, at the discretion of the Department of State, be renewed an indefinite number of times.

(d) No certificate of occupancy or completion shall be issued unless:

- (1) an inspection is conducted which indicates substantial completion of any work for which a permit has been issued;
- (2) no uncorrected deficiency or material violation of the Uniform Code is

observed within the area for work for which the certificate is to be issued; and

(3) any applicable fee is paid.

#### **§1202.4 Inspections.**

(a) Work for which a permit has been issued under this Part shall be inspected at appropriate stages of the project. Work shall be inspected prior to enclosing or covering any portion thereof and upon completion of each stage of construction or demolition, including but not limited to building location, site preparation, excavation, foundation, framing, superstructure, electrical, plumbing, heating, ventilating and air conditioning. It shall be the responsibility of the owner, applicant, or his agent to inform the Department of State that the work is ready for inspection and to schedule such inspection.

(b) Buildings shall be subject to periodic inspections for compliance with the Uniform Code on a yearly basis. Notwithstanding any requirement of this subdivision to the contrary, no regular, periodic inspections of occupied dwelling units shall be required; provided, however, that this shall not be a limitation on inspections conducted at the invitation of the occupant or where conditions on the premises threaten or present hazard to public health, safety or welfare.

#### **§1202.5 Orders and Violations.**

(a) Except as may be provided elsewhere in this Part the inspections required by section 1202.4 of this Part will be performed by employees or agents of the Department of State. Such inspectors are authorized to order in writing:

- (1) that any condition in violation of the Uniform Code or this Part existing in, on, or about any building or structure be corrected within a specified period of time;
- (2) that work on a building or structure which is progressing in violation of the Uniform Code or this Part be stopped until the Department of State is satisfied that such violation has been or will be corrected; and
- (3) that a building or structure constructed or maintained in violation of the Uniform Code or this part not be occupied.

(b) Orders to correct violations of the Uniform Code or this Part shall be served in person upon a responsible party or his authorized agent or by registered mail sent to the address of such responsible party. Stop work orders and not be occupied orders shall be served in person upon a responsible party or his authorized agent, or by certified or registered mail sent to the address of the responsible party, or by posting such order in a



conspicuous spot upon the building or structure which is the subject of such order. If an address for a responsible party has been set forth in any relevant application for a permit or in any relevant certificate, that address is the one which shall be used for service of an order when the order is served by mail. A responsible party who fails to comply with any order issued by the department shall be subject to a penalty as provided by law.

(c) When a stop work order has been issued in connection with a particular project, no work shall proceed on that project until the stop work order has been rescinded or unless the specific work to be undertaken has been approved in writing by an employee of the Department of State. When a not to be occupied order has been issued by the department, except for the purposes of inspecting or securing the building or structure, no building or structure which is the subject of such an order shall be occupied until such order is rescinded or unless the occupancy is specifically approved in writing by an employee of the Department of State.

#### **§1202.6 Third Party Inspections.**

A person subject to inspection under section 1202.4 of this Part may be required by the Department of State to have such inspection performed at his own cost and expense by a competent inspector acceptable to the department. Such inspector may be a registered architect, licensed professional engineer, certified code enforcement officer, or other person whose experience and training has been demonstrated to the satisfaction of the department. Such inspector shall certify the results of his inspection to the Department of State. Any person required by the department to have an inspection performed at his own cost and expense shall not be assessed the fees otherwise prescribed in this Part.



ASBESTOS CONTROL BUREAU  
STATE OFFICE BUILDING CAMPUS  
ALBANY, NY 12240

RECEIVED  
NOV - 2 1995  
VILLAGE OF  
NEW HEMPSTEAD  
November, 1995

NOTICE TO LOCALITIES RE: BUILDING DEMOLITION

The Department of Labor has been given enforcement responsibility for Code Rule 56, "Asbestos", in order to protect the public from exposure to airborne asbestos fibers. A requirement of the Code Rule is that a building survey be performed to identify the presence of asbestos prior to advertising for bids, contracting for or commencing work on any demolition work on the building. An additional requirement is that the survey must be sent to the local governmental unit responsible for issuing a demolition permit. Prior to demolition, any asbestos identified in the survey must be removed or otherwise remediated.

One option now available is to utilize Applicable Variance 100 (AV 100), which provides relief to all parties who are eligible without the need to submit a site-specific variance on the same topic. A copy of AV 100, which is entitled "Felling Asbestos Containing Buildings Condemned Due to Recent Structural Damage Incurred From Fire, Rain, Snow Loads, or Natural Disasters", is enclosed. If you would like a copy of any of the other materials listed below, check the appropriate box, enter the name and address the material should be sent to and, then, mail the tear off portion to the Department address shown below.

Your assistance would help building owners avoid being cited for a violation of the Labor Law and/or Code Rule 56.

1. Share this information with the individuals on your staff responsible for issuing demolition permits. Encourage your staff to contact the appropriate District Office of the Asbestos Control Bureau (shown on the enclosed form) should any asbestos issues arise, specifically those related to demolition.
2. Consider establishing a policy of not issuing a demolition permit until compliance with Code Rule 56 is achieved.
3. Call the appropriate District Office of the Asbestos Control Bureau when a demolition permit is issued to a contractor who has failed to provide a survey or has not removed the identified asbestos.

Any cooperation you can provide will protect the health of your community.

REQUEST FOR ASBESTOS MATERIAL

Please check off the material you would like to receive and enter your name and mailing address.

- "Asbestos" (Code Rule 56)  Applicable Variances  
 Information on Asbestos  License and/or  Certification

MAIL REQUEST TO

NYS Department of Labor  
DOSH - Asbestos Control Bureau  
State Campus - Building 12- Room 454  
Albany, New York 12240

SEND MATERIAL TO THE FOLLOWING ADDRESS

[Empty box for recipient address]



DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH

CONTACT INFORMATION  
FOR  
ASBESTOS PROJECTS

The Department of Labor regulates most asbestos control activities in the State through its Asbestos Control Bureau; all contractors must be licensed and all asbestos handlers certified by the Department License and Certificate Unit. Projects must be conducted in accordance with safety standards promulgated by the Commissioner of Labor to avoid potential public health hazards that can result from the improper handling of asbestos or asbestos material, a potential carcinogen.

For more information, call or write the New York State Department of Labor, Division of Safety and Health at one of the following locations:

ASBESTOS CONTROL BUREAU  
DISTRICT OFFICES

ALBANY

State Office Campus  
Building 12 - Room 421  
Albany, NY 12240  
Tel: (518) 457-2072

BUFFALO

65 Court Street  
Room 400  
Buffalo, NY 14202  
Tel: (716) 847-7601

SYRACUSE

450 South Salina Street  
4th Floor - Room 421  
Syracuse, NY 13202  
Tel: (315) 479-3215

NEW YORK CITY

One Main Street  
Room 811  
Brooklyn, NY 11201  
Tel: (718) 797-7017

PROGRAM MANAGER'S OFFICE To submit an Asbestos Project Notification and/or emergency notification

NYS Department of Labor, Division of Safety and Health, Asbestos Control Bureau, State Office Campus, Building 12 - Room 454, Albany, NY 12240, Tel: (518) 457-1255

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LICENSE AND CERTIFICATE UNIT Questions about obtaining and/or renewing an Asbestos License or any type of Asbestos Certificate

NYS Department of Labor, Division of Safety and Health, Industry Inspection Bureau, License and Certificate Unit, One Main Street - Room 801, Brooklyn, NY 11201, Tel: (718) 797-7657

For the purposes of this variance, a building may be determined to be structurally unsound only by a building official of the local municipality or a currently registered New York State Licensed Professional Engineer who has deemed the building condemned due to its being unsafe and in imminent danger of collapse.

**APPLICABLE VARIANCE**

A variance from the aforesaid provisions of Industrial Code Rule (ICR) 56 is hereby granted, relative to felling a structurally unsound asbestos-containing building which has been inspected and condemned by a local building official or a currently registered New York State Licensed Professional Engineer after the building was deemed structurally unsound/unsafe as a result of damage incurred from fire, rain, snow loads or other unpredictable natural disaster. Pursuant to this variance the condemned building may be felled without surveying the building for the quantity and locations of asbestos and without remediating the asbestos and asbestos containing materials prior to proceeding with building demolition, subject to the following conditions.

**THE CONDITIONS**

**Letter of Condemnation:**

1. A copy of the letter of condemnation issued by either a local building official or a currently registered New York State License Professional Engineer shall be received by the New York State Department of Labor, Division of Safety and Health, Engineering Services Unit prior to commencing the demolition.

**Work Area Isolation:**

1. The entire demolition area shall be enclosed within a barricade constructed with a minimum of 2" x 4" studding covered by a minimum of 1/2 inch plywood, eight (8) feet high; the barriers shall be so located as to protect the public during the demolition and shall be covered on the work side with two (2) layers of 6-mil polyethylene.
2. The work area shall be vacated as per ICR Section 56-8.1(a) and secured against unauthorized entry/exit.
3. Signage shall meet the requirements of ICR Section 56-8.1(b) and such signs shall be posted on the exterior of the work area barricade warning the public of the asbestos hazard.
4. All access to portions of the building being demolished, if applicable, shall be sealed in accordance with the provisions of ICR Sections 58-8.1(j) and 58-8.1(k)(1-5).

**Unauthorized Individuals:**

1. Uncertified persons shall be prohibited from the work area during the entirety of the asbestos project, that is, prior to work area preparation and until satisfactory clearance air monitoring results have been achieved.

**Personnel:**

1. Entry/exit of all persons shall be through one designated and secured "doorway" in the barrier wall which shall provide an adequate and appropriate means of egress from the work area.
2. Personal protective equipment as required by ICR Section 56-4.1(d) shall be provided and used by all persons within the work area.
3. Only persons who are directly involved with the project and who have the required certification shall be permitted within the barrier wall.

**Plasticizing:**

1. Reinforced six-mil non-fire-resistant polyethylene sheeting may be used to plasticize barrier walls and dumpsters, and to cover debris and contain waste water; however, no smoking shall be allowed in any area in which non-fire-retardant polyethylene is used.
2. Fire-resistant polyethylene shall be used with all other plasticizing in accordance with the ICR Sections 56-1.4(hhh) and 58-7.1(d).

**Decontamination Areas:**

1. A "remote" decontamination unit, which complies with the provisions of ICR Subpart 56-9, shall be placed contiguous to the "regulated" work area. The personnel decontamination unit shall be removed only after satisfactory clearance air monitoring results have been achieved.
2. A waste decontamination enclosure system, which may be removed but otherwise complies with the provisions of Subpart 56-10, shall be constructed and utilized to decontaminate construction materials as needed. Waste water from this system shall be collected and filtered through a system with at least a 5.0 micron particle size capability prior to discharge.

**PUBLIC NOTICE**

Department of Labor

In the Matter of

Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York

(Cited as 12 NYCRR 56) (As Amended Effective January 1, 1992)

Code Rule Section 56-1.4, Subdivision (hhh); Section 56-1.9, Subdivisions (a), (e); Section 56-6.1; Section 56-7.1, Subdivision (d); Section 56-8.1, Subdivision (j); Section 56-8.1, Subdivision (k), Paragraphs (1), (2), (3), (4) and (5); Sections 56-9.1 and 56-10.1, Section 56-11.1, Subdivision (b); Section 56-12.1, Subdivision (c); Section 15.2, Subdivisions (b), (c), (d) and (e); and Section 16.1, Subdivision (a)

COMMISSIONER'S DECISION

APPLICABLE VARIANCE (AV 100)

ASBESTOS FELLING ASBESTOS-CONTAINING BUILDINGS CONDEMNED DUE TO RECENT STRUCTURAL DAMAGE INCURRED FROM FIRE, RAIN, SNOW LOADS, OR NATURAL DISASTERS

DATED DECEMBER 1, 1994

Pursuant to Section 30 of the Labor Law, the Commissioner of Labor has reviewed the aforesaid provisions of Industrial Code Rule 56, as they relate to the felling of structurally unsound asbestos-containing buildings and the imminent danger said buildings present to the public, were they to collapse due to fire, rain, snow loads, or other unpredictable natural disasters.

The Commissioner of Labor has also reviewed numerous petitions for variance or other relief relative to condemned buildings and the decisions rendered relative to these petitions.

The Commissioner of Labor finds that the issuance of an applicable variance from the aforesaid provisions of Industrial Code Rule 56, as such pertain to felling structurally unsound buildings that contain asbestos or asbestos materials which meet the aforementioned qualifications, would not violate the spirit and purpose of the said rules and would secure the public safety as contemplated by the said rules.

3. An equipment decontamination area shall be cordoned off within the worksite for cleaning of heavy equipment (i.e. excavators, backhoes, front end loaders, etc.). The ground in the decontamination area shall be covered with two (2) layers of reinforced six-mil polyethylene and banked on the sides to confine the contaminated water.
4. Equipment shall be decontaminated utilizing a pressure wash system, after which all exposed surfaces shall be manually wet wiped. All water shall be collected and filtered through a three stage filtration unit with at least a 5 micron size capability to discharge. Upon completing decontamination procedures, the interior of the decontamination area shall be wet wiped.

**Air Monitoring:**

1. Air monitoring shall be performed in accordance with Code Rule Subpart 56-17.
2. In addition to the requirements of Industrial Code Rule Section 56-17.7, monitoring of the entire work area shall be conducted daily. If air sample results indicate airborne asbestos fiber concentration(s) are at or above 0.01 fibers per cubic centimeter, or background level, whichever is greater, work shall be stopped immediately, methods shall be altered to reduce the airborne asbestos fiber concentration(s) to the aforementioned level, and work shall not resume until that level is attained.
3. Work area perimeter air sampling shall be conducted during the project as per ICR Subpart 56-17.
4. Final air clearance shall be obtained after a 12-hour drying period, as per ICR Section 56-17.2(a)(1), has been observed.

**Waste Water and Filtration:**

1. The asbestos containing materials/asbestos contaminated waste shall be wetted on a continuous basis prior to, during and subsequent to its actual collection and removal. Fog nozzles, or similar type equipment, shall be used to perform the wetting.
2. Waste water shall be confined within the barrier wall and shall be collected and shall be filtered through a system with at least a 5.0 micron particle size capability prior to discharge.

**Demolition Debris:**

1. No dry disturbance or removal of asbestos material shall be permitted.
2. At all times, material being removed shall be kept completely saturated. This shall be accomplished by misting debris prior to and during removal by the loader or other equipment. Also, until each disposal container is sealed for removal from the site, each container shall be continually misted.
3. Pending disposal, all asbestos containing materials/asbestos contaminated waste shall be placed in hardwall closed containers/vehicles double lined with at least six (6) mil plastic draped loosely over the sides so as to facilitate being wrapped over the top of the load and sealed prior to transport from the site.
4. Any piles of asbestos-containing debris resulting from the felled building shall be kept wet and covered with two (2) layers of 6 mil poly sheeting, removing the sheeting as the removal work progresses in the immediate work area.
5. The earth below the rubble shall be scraped and any residual asbestos-contamination shall be removed and disposed of.

**General Conditions:**

1. A copy of this decision shall be conspicuously displayed at the entrance to the personal decontamination enclosure.
2. This DECISION is limited in its applicability to the demolition project involving the removal of asbestos-containing materials and asbestos contaminated waste from the subject premises.
3. The Petitioner shall perform inspections of the worksite, at least daily, to ensure that the provisions of this DECISION are being complied.
4. The Petitioner shall comply with all other applicable provisions of Industrial Code Rule Subparts 56-1 through 56-17.
5. This DECISION shall terminate upon the completion of satisfactory final clearance air sampling undertaken after the asbestos containing materials and debris have been removed from the premises.

This variance shall be applied by all enforcement officials to all persons and in all places to which the aforesaid provisions of Industrial Code Rule 56 pertain and which involve the felling of structurally unsound asbestos-containing buildings which have been declared so as a result of:

damage incurred from fire, rain, snow loads or natural disasters. This variance shall be applied with the same force and effect as if this variance were duly granted upon separate petition for the use and benefit of every person affected by the aforesaid provision of Industrial Code Rule 5

**PUBLIC NOTICE**

Department of Labor

**REQUIRED POSTINGS FOR THE BENEFIT OF EMPLOYEES (PRIVATE SECTOR EMPLOYERS)**

NAME OF POSTER AND LISTING BY AGENCY	STATE	AGENCY	REFERENCE NO.*
<b>BOARD OF ELECTIONS</b>			
Young-Time Allowed for Employees	Elec		ElecPos1
<b>DEPARTMENT OF HEALTH</b>			
Notice to Employees-Standards for Protection Against Radiation	Health		HLTPos9
Smoking Policy	Health		HLTPos29
<b>DIVISION OF HUMAN RIGHTS</b>			
Discrimination Based on Race, Creed, Color, National Origin, Sex, Disability or Marital Status is Prohibited	Human		HumPos1
<b>DEPARTMENT OF LABOR</b>			
Farm Labor Contractor Certificate of Registration, Application for	Labor		LabPos2
Migrant Labor Registration Certificate, Application for	Labor		LabPos3
Minimum Wage Information - Attention Employees	Labor		LabPos4
Commissary's Price List	Labor		LabPos7
Day of Rest Notice (One Day of Rest in Seven)	Labor		LabPos8
Employment Agency Law - Extracts from Article 11 of the General Business Law	Labor		LabPos9
Female Employees are Entitled to a Physical Examination by a Female Physician or to have Another Female Present if Examined by a Male Physician	Labor		LabPos11
Employee Identification Badge, Notice of Adoption	Labor		LabPos14
Notice Requirements for Fringe Benefits & Hours-Guidelines	Labor		LabPos15
Notice to Employees - Unemployment Insurance Posting	Labor		LabPos17
Schedule of Hours (Working Hours of Minors)	Labor		LabPos19
Schedule of Prevailing Rates	Labor		LabPos20
Statement of Wages to be Paid Service Employees	Labor		LabPos21
Statement to be Posted in Company Stores or Labor Camps (Re: Lodging, Meal and Clothing Charges)	Labor		LabPos22
Summary of Minimum Wage Order and Farm Work Agreement for Farm Workers	Labor		LabPos23
You Have a Right to Know (Re: Toxic Substances)	Labor		LabPos24
Illegal Wage Deductions - Restaurant Workers	Labor		LabPos25
Restriction of Industrial Homework in All Industries	Labor		LabPos190
Conditions of Employment - Special Permits and Certificate for Industrial Homework (Prohibition of Industrial Homework in the Men's and Boy's Neckwear Industry)	Labor		LabPos191
Restriction of Industrial Homework in the Glove Industry	Labor		LabPos192
<b>DEPARTMENT OF TRANSPORTATION</b>			
Discrimination Based on Race, Creed, Color, National Origin, Sex, Disability or Marital Status is Prohibited	Trans		TransPos2
Equal Employment Opportunity is the Law (OFCCP-1420)	Trans		TransPos3