




ILLINOIS
ENVIRONMENTAL
CONTRACTORS
ASSOCIATION

April 26, 2013

To: IECA Members
From: Daniel Day
Executive Director 
Re: City of Chicago Asbestos Removal Code Enforcement

Dear IECA Contractor:

As requested by some members who regularly have ACM removal projects in Chicago, IECA's legal representative was directed to make contact with the City's environmental compliance personnel and attorneys to clarify the City's asbestos removal Code enforcement policies and interpretations. As a result of the dialog among them, we are pleased to report that plans have been made to clarify the City of Chicago asbestos removal Code provisions to address the following concerns of the abatement industry:

1. Advance written notice and payment of notice review fees are not required for asbestos abatement projects at single-family residences (I.e., residential buildings or structures containing fewer than two dwelling units). If you have been giving such notices and paying such fees, you may discontinue doing so.
2. Advance written notice will no longer be required for emergency ACM abatement projects. The City of Chicago is contemplating adopting the federal asbestos NESHAP rule in that regard. If you have such a project, IECA recommends that you contact Barb Kay (312-656-0774) or Otis Omenazu (312-745-7206) for guidance while the City updates its Code in that regard.
3. Advance written notice and payment of fees will still be required for projects at commercial and public buildings within the City's jurisdiction, including residential buildings containing two or more dwelling units, whether or not such notice must be given under the federal asbestos NESHAP or Part 855 of state regulations. The City has determined that it will continue to require a 10-day notice consistent with both the federal asbestos NESHAP (where that applies) and the demolition notice requirement in the City's Code. Thus, except in the instances described in paragraphs 1 and 2 above, you are advised to continue to give 10-day notices to the City either in the form of a copy of the notice given to other federal or state agencies, or in the form of an original document in the customary format if not required by other agencies. It is our understanding that this is your current practice.

If you previously gave notice to the City of Chicago and paid the "environmental review fee" for a single-family dwelling residential building ACM removal project, please advise IECA of that occurrence, and please provide the details. It may be possible to recover the fee payment, and IECA will obtain further information in that regard at a later date.

Please feel free to contact me if you have questions or concerns.