



Kansas Asbestos Control: What Contractors Should Know

In Kansas, the asbestos program is operated by the Kansas Department of Health and Environment, or KDHE, Bureau of Air. Asbestos [control regulations and statutes](#) detail requirements for contractors, including the following:

- licensure of business entities
- qualifications of asbestos workers
- notification of asbestos projects
- work practices for asbestos-related projects

The statutes also detail violations and criminal penalties for not complying with state regulations.

In addition to state regulations, contractors must follow federally regulated asbestos requirements administered by the Occupational Safety and Health Administration and United States Environmental Protection Agency. KDHE has authority to implement the U.S. EPA National Emission Standard for Hazardous Air Pollutants, or NESHAP, for asbestos as found in [40 CFR Part 61.145](#) – Standard for Demolition and Renovation.

Business license

A business entity must be licensed by KDHE to engage in asbestos-related projects in Kansas including removal, encapsulation, dismantling and demolition. The license must be renewed annually with payment of a fee. The KDHE [business license application form](#) requests information about the company's employees' asbestos certification details, respirator protection program, mitigation equipment and work practices.

Worker qualifications

A person must be certified by KDHE to engage in (Class I Worker), or supervise (Class II Supervisor) asbestos-control work. Initially, and each year following, workers must apply for initial certification or renewal of a certificate. To obtain certifications or subsequent annual certificates, workers must successfully complete U.S. EPA-approved training or refresher courses. They must fill out and submit the KDHE application form, pay a certification or renewal fee, and submit copies of required training certification.

Notification of asbestos project

KDHE must be notified in writing before asbestos-related projects (removal, encapsulation, dismantling or demolition) will be performed in a building, structure or adjoining area accessible to the public. Use the KDHE [notification form](#) and submit it in time for KDHE to receive it 10 business days prior to the start of the asbestos project. In specific situations, such as an emergency, the 10-day notification requirement may be waived.

Work practice standards

Kansas asbestos-control regulations detail work practice procedures for asbestos containment, removal, encapsulation, cleanup and waste disposal. Contractors must comply with these requirements unless they have been waived for specific projects. Failure to follow asbestos-control regulations can result in a business entity **incurring a civil penalty in an amount up to \$5000 per violation**. In the case of a continuing violation, every day the violation occurs shall be deemed a separate violation.

Resources

- KDHE asbestos program telephone number — 785-296-1549
- KDHE asbestos website — <http://www.kdheks.gov/asbestos/indexasb.html>
- EPA asbestos website — <http://www.epa.gov/asbestos>