

Chair Greenlick and Committee Members:

Thank you for hearing SB 705, a bill designed to mitigate the impact of residential demolitions on neighborhoods. It's a bill that truly came from the ground up, from constituent input provided during several of my monthly constituent coffees.

Within my district we're seeing many neighborhoods being transformed as a result of older homes being demolished and replaced by new, often larger homes or by multi-family residences. These demolitions have created many issues for neighbors. Among them is the negative health effect of dust and debris that may contain carcinogens and other harmful materials, such as asbestos.

Currently, if a residential building contains five units or more, the owner is required to conduct an asbestos survey to make sure that asbestos carcinogens are identified and their harmful effects mitigated. However, if a single-family residence or a residential building with four units or less is to be demolished, there is no such requirement. Contractors are required to mitigate and dispose of asbestos if there is asbestos present, but there is no specific regulation that requires an asbestos survey. Neighbors are concerned that this leads to a lack of accountability and potential carcinogens in the air. They have every right to be concerned. SB 705A clears up that loophole by requiring a survey of the residence before demolition begins.

SB 705A will address this problem and bring consistency to the way that we address residential demolitions, no matter the size of the residence. The existing asbestos protocol that is currently overseen by DEQ's Air Quality Asbestos program will be required to extend to all residential demolitions. It will require the home to be tested for asbestos prior to demolition. The -5 amendments clarify that the demolition cannot proceed unless an asbestos survey has been conducted by an accredited inspector. If asbestos is detected, the protocols for mitigation will need to be followed. Any costs related to DEQ oversight will be funded through fees that are assessed for the survey.

In addition, another danger resides in the potential appearance of lead-based paint in the residential structure. We had wanted to make this a part of SB 705 as well, but over the course of our research it became evident that we don't have clear lines of authority for lead paint mitigation in the same way that we do for asbestos. The solution here isn't as clear and simple. We will address this issue during the 2015 interim, bringing together local and state stakeholders to identify the appropriate lines of oversight authority to clarify which agency should have authority over this matter. We're hoping to have a definitive legislative concept ready in time for the 2016 session, one that will create the right path for dealing with lead paint and demolitions.

Colleagues, SB 705 is an important step in addressing this growing problem. Thank you for your consideration and support.

State Senator Michael Dembrow