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Portland demolition rules targeting lead dust, asbestos take effect

By Elliot Njus | The Oregonian/OregonLive | Posted July 12, 2018 at 05:00 AM | Updated July 12, 2018 at 09:26 AM



A house in Southeast Portland's Eastmoreland neighborhood is demolished on Monday, Oct. 20, 2014. (Mark Graves/The Oregonian)

A new set of home demolition regulations intended to control the spread of toxic asbestos and lead dust took effect this month in Portland, though dozens of demolitions already planned aren't required to adhere to the new rules.

The new rules require contractors to take down parts of homes by hand if using heavy equipment could release lead or asbestos, and it also requires water misting to further stop the spread of dust.

The new rules are among the strictest around lead dust in the nation. Federal regulations that require lead dust control during home renovations don't apply to demolitions.

Those intended to protect demolition workers, meanwhile, don't address people who live nearby.

"Where you're looking at a landscape where there are relatively few regulations that dictate the control of fugitive dust, having any rules at all makes you among the most strict," said Perry Cabot, who manages Multnomah County's lead safety program.

More demolition coverage: [City watchdog says Portland demolition delay policy undermined by bureaucratic errors](#)



A house in the North Portland neighborhood of Portsmouth is demolished on April 26, 2017. Neighbors worked extensively with the developer, the city, the Environmental Protection Agency and other groups to ensure safe removal of the asbestos siding on the house. New city rules would require their removal by hand, as well as water misting to contain dust. (Beth Nakamura/Staff)

Exposure to asbestos fibers in the air can cause cancer and other lung ailments, while lead dust can lead to brain damage.

The new rules are intended to keep airborne particles from leaving the work site for an adjacent property, where they could be inhaled by neighbors.

"This is just common sense," Cabot said. "These rules do increase the cost and time that these projects take, but they're not whimsical and arbitrary."

In addition, each site will be inspected before, during and after the demolition. Previously, demolition sites were only inspected after the tear-down was complete to ensure the sewer line was capped and the site was safe to passersby.

Justin Wood, a homebuilder who chairs the city's Development Review Advisory Committee, which helped draft the rules, said the regulations probably wouldn't be a major burden for most contractors.

"I do think this strikes a good balance," he said. "I just want to see how it's enforced and how it plays out."

More demolition coverage: [22 Portland neighborhoods ranked](#)



Work crews demolished a house on Southeast Hawthorne Boulevard on October 16, 2015. New city rules requiring the control of dust and debris took effect in July 2018. (Stuart Tomlinson/Staff)

The new regulations were approved by the City Council in February, but administrative rules weren't in place until July 1.

There are dozens of demolitions in the offing that won't be held to the new standards. Contractors who applied for permits before the new rules took effect won't be required to undergo inspections or prevent the spread of dust.

There have already been 144 homes demolished this year, while contractors had applied for or received permits for more than 100 more as of July 1. Last year saw 277 home demolitions in Portland, while there were 320 the year prior.



A crew from Lovett Deconstruction disassembles a Southeast Portland house by hand in Portland on April 14, 2015. The city mandated deconstruction for historic homes, which also served to minimize toxic dust, but advocates argued the policy offered public health benefits mostly to well-off neighborhoods. (Mike Francis/Staff)

The city in 2016 passed rules requiring that homes built before 1916, or otherwise designated historic, be taken apart by hand, rather than demolished by machine, so the materials can be recycled.

That had the side effect of helping curb the spread of dust -- but mostly in the close-in neighborhoods where older houses abound, and home values tend to be high.

"Children in those neighborhoods received a significant protection from exposure to lead dust resulting from demolition," said Tony Green, the city's deputy ombudsman. Other sections of the city, including wide swaths of East Portland, didn't get such protections, he said.



A house in the North Portland neighborhood of Portsmouth is demolished on April 26, 2017. Neighbors worked extensively with the developer, the city, the Environmental Protection Agency and other groups to ensure safe removal of the asbestos siding on the house. New city rules would require their removal by hand, as well as water misting to contain dust. (Beth Nakamura/Staff)

A 2015 investigation by the Oregonian/OregonLive found that about half of Portland homes likely to contain asbestos that were demolished between 2011 and 2014 had the material removed first, and the state's standards to handle asbestos were the **weakest in the country**.

Two years later, the state Legislature gave cities more power to regulate lead and asbestos in demolitions.

-- Elliot Njus

enjus@oregonian.com

503-294-5034

[@enjus](#)