



U.S. Environmental Protection Agency Applicability Determination Index

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Category: Asbestos
EPA Office: Region 9
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Title: Asbesto NESHAP
Recipient: Kara Young
Author: Trotter, Robert

Subparts: Part 61, M, Asbestos

References: 61.141
61.145

Abstract:

Q: Is the demolition of a small structure regulated under the asbestos NESHAP?

A: If a regulated structure, such as a service building or stack is being demolished or moved, notification provisions of the NESHAP will apply. Of course, if asbestos is present in any of these structures, the asbestos must be properly removed before the material is disturbed or the structure is demolished. If the structure is a small shed or shack, such as a roadside stand, the structure is not subject to NESHAP notification requirements if no asbestos is present.

Q: Is the movement of a small structure regulated under the asbestos NESHAP?

A: Yes. As noted in a previous determination, the movement of a structure off of a foundation is classified as a demolition of that structure.

Letter:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

August 3, 1998

Kara Young
Environmental Scientist
Salt River Project
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Phoenix, AZ 85072

Dear Ms. Young:

Thank you for your request for an EPA clarification regarding the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) applicability for the moving and demolition of small structures.

In general, mobile sources are not regulated under the demolition and renovation provisions of the asbestos NESHAP. For example, vehicles such as house/office trailers, cargo carriers, other wheeled vehicles, and shipping containers used for storage are not regulated under the demolition provisions of the NESHAP. Another example of sources not regulated under the NESHAP would be vehicles registered with the Department of Motor Vehicles.

The movement of air monitoring stations are normally not regulated under the Asbestos NESHAP standard. However, if a regulated structure, such as a service building or stack is being demolished or moved, notification provisions of the NESHAP will apply. Of course, if asbestos is present in any of these structures, the asbestos must be properly removed before the material is disturbed or the structure is demolished. If the structure is a small shed or shack, such as a roadside stand, the structure is not subject to NESHAP notification requirements if no asbestos is present.

Large mobile structures used for public or commercial use are regulated under the NESHAP. For example, a portable classroom being demolished or moved to another school would require notification under the asbestos NESHAP. I have enclosed EPA's "Common Questions on the Asbestos NESHAP" that references mobile homes as regulated facilities.

Your final question is whether a building being moved is subject to the asbestos NESHAP. I have included an EPA determination which clarifies the movement of a structure off a foundation as demolition.

If you have any further questions on the Asbestos NESHAP, please feel free to contact me at (415) 744-1145.

Sincerely,

Robert S. Trotter
Asbestos NESHAP Coordinator

enclosures