

# U.S. Environmental Protection Agency Applicability Determination Index

Control Number: A070003

Category: Asbestos
EPA Office: CAMPD
Date: 11/21/2005

Title: 260 Linear Feet Regulatory Threshold

Recipient: Griffin, Michael
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Comments:

Part 61, M Asbestos

References: 61.145(a)(1)(i) 61.145(a)(4)(i)

#### Abstract:

Q: Could EPA clarify to the City of Newport News, Virginia, whether the regulatory threshold of 260 linear feet applies to other materials, other than pipes, such as caulking or roof flashing, under NESHAP, 40 CFR part 61, subpart M?

A: EPA explains that the regulatory threshold of 260 linear feet is applicable only to pipes under 40 CFR part 61, subpart M. Other materials, such as caulking or roof flashing, would be subject to the 160 square foot standard. It is acknowledged that using the square foot requirement may reduce the chance of these materials triggering the regulated threshold.

## Letter:

Mr. Michael Griffin Architectural Field Engineer City of Newport News Department of Engineering 2400 Washington Avenue Newport News, Virginia 23607

### Dear Mr. Griffin:

This regulatory interpretation is in response to your June 28, 2005 letter, in which you asked if the regulatory threshold of 260 linear feet for pipes applies to caulking and roof flashing that qualify as regulated asbestos-containing material (RACM). You expressed concern that the use of the square foot measurement for caulking and roof flashing reduces the likelihood of triggering the regulated threshold.

Under the asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP), Part 61, subpart M, section 61.145, the full notification and emission control requirements apply to demolition and renovation activities if the combined amount of RACM is "[a]t least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components.†[40 CFR 61.145(a)(1)(i) and (a)(4)(i)]. Therefore, the linear measurement applies only to RACM on pipes. For caulking and roof flashing, the square footage threshold of 160 square feet applies.

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I appreciate your concern about the measurement of asbestos-containing materials. This determination has been reviewed by the Office of Civil Enforcement, the Office of Air Quality Planning and Standards, and the Office of General Counsel.

Very truly yours,

Michael S. Alushin Compliance Assessment and Media Programs Division Office of Compliance

cc: Charlie Garlow, OCE Susan Fairchild, OAQPS Chris Kaczmarek, OGC