



U.S. Environmental Protection Agency Applicability Determination Index

Control Number: C113

Category: Asbestos
EPA Office: SSCD
Date: 12/20/1991
Title: Trained On-site Supervisor
Recipient: Reed, Bob
Author: Rasnic, John B.

Subparts: Part 61, M, Asbestos

References: 61.141
61.145(c)

Abstract:

During the course of a calendar year, if it is predicted that the combined amount of regulated asbestos-containing material (RACM) to be removed or stripped from a facility exceeds the threshold limit, a yearly notification must be submitted. The requirement of having at least one on-site representative trained in the provisions of the regulation and the means of complying with them will be met if that trained person is at the facility where the removal or stripping operation is being conducted. This does not necessarily mean that the trained representative must be at the actual work site during the course of the removal or stripping. The trained representative shall be at the work site prior to commencement of the job to ensure that proper abatement materials are available, and that proper work practices will be used. In addition, if it is an extended project, the trained representative should periodically monitor the work at the site to ensure compliance with the regulations. When the trained representative is not at the site, he/she must still be available at the facility for consultation.

Letter:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF AIR AND RADIATION

MEMORANDUM

Mr. Bob Reed, Training Supervisor
Power Generation
Kansas Gas and Electric Company
4400 N. Seneca

Wichita, KS 67204

Dear Mr. Reed:

This is in response to your September 26, 1991 request for a written clarification of 40 CFR Section 61.145(c)(8), of the Asbestos NESHAP Revision; Final Rule, dated November 20, 1990.

In your letter, you present your understanding of the asbestos NESHAP as it applies to the requirements for having a trained person on site according to paragraph,(c)(8). Your understanding is that a "trained person" need not be present if a yearly notification has been submitted, and the individual job being done is a small job where less than the threshold amount (260 linear feet of pipe insulation, or 160 square feet of other asbestos-containing material) is being removed, as long as the "trained person" is always available for consultation.

During the course of a calendar year, if it is predicted that the combined amount of regulated asbestos-containing material (RACM) to be removed or stripped from a facility exceeds the threshold limit, a yearly notification must be submitted. In addition, the remainder of the requirements of the asbestos NESHAP apply. This includes Section 61.145(c)(8) regardless of the size of the job or whether or not the "to date" cumulative amount of RACM disturbed has exceeded the threshold amount. If it is not predicted that the combined amount of RACM to be removed or stripped during a calendar will exceed the threshold amount, then the job is not regulated by the NESHAP unless the threshold is actually exceeded. If the threshold is actually exceeded, then the NESHAP would have applied to all of the jobs done that calendar year. Finally, if any individual job (whether it is scheduled or nonscheduled) is over the threshold amount, a notification must be submitted, and all of the requirements of the asbestos NESHAP apply.

The requirement of having at least one on-site representative trained in the provisions of the regulation and the means of complying with them will be met if that trained person is at the facility where the removal or stripping operation is being conducted. This does not necessarily mean that the trained representative must be at the actual work site during the course of the removal or stripping. The trained representative shall be at the work site prior to commencement of the job to ensure that proper abatement materials are available, and that proper work practices will be used. In addition, if it is an extended project, the trained representative should periodically monitor the work at the site to ensure compliance with the regulations. When the trained representative is not at the site, he/she must still be available at the facility for consultation.

This determination has been coordinated with EPA's Office of Enforcement and with the Emission Standards Division of the Office of Air Quality Planning and Standards. If you have any questions, please contact Tom Ripp of my staff at (703) 308-8727.

Sincerely,

John B. Rasnic
Stationary Source Compliance Division
Office of Air Quality Planning and Standards

cc: Sims Roy, ESD (MD-13)
Charlie Garlow, OE (LE-134A)
Omayra Salgado, SSCD (EN-341W)
Scott Throwe, SSCD (EN-341W)
Regional Asbestos NESHAP Coordinators