



## U.S. Environmental Protection Agency Applicability Determination Index

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**Control Number: C43**

**Category:** Asbestos  
**EPA Office:** Region 5  
**Date:** 05/12/1988  
**Title:** Clarification of "Facility"  
**Recipient:** Klein, Joseph  
**Author:** Pontius, Ann

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**Subparts:** Part 61, M, Asbestos

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**References:** 61.141

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### **Abstract:**

Examples of a facility include: all portions of a military installation (including dependent housing), all portions of a chemical plant, an indoor shopping mall, each school building in a school district, and each post office building. In a situation where one building is being demolished and one building is being renovated, operations must be regarded as separate.

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### **Letter:**

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
230 SOUTH DEARBORN ST.  
CHICAGO, Illinois 60604

May 12 1988

Joseph Klein, Esquire  
Wayne County Air Pollution Control Division  
2211 East Jefferson  
Detroit, Michigan 48207

Dear Mr. Klein:

Your requested that the U.S. Environmental Protection Agency (U.S. EPA) provide you with an interpretation of the definition of "facility" under the asbestos regulations found at 40 C.F.R. 61.141. Unfortunately, no official policy exists as of yet and no case law has established a more precise interpretation. Region V has given guidance to some of its state asbestos coordinators citing examples of a facility to include: all portions of a military installation, including dependent housing, all portions of a chemical plant, an indoor shopping mall, each school building in a school district, and each post office building.

In a situation where one building is being demolished and one building is being renovated, however, operations must be regarded as separate. In a renovation the operation is subject to the notification and work practice requirements if the amount of friable asbestos material to be stripped or removed is at least 260 linear feet on pipes or 160 square feet on other facility components. For demolitions, it is the total amount of friable asbestos materials in the facility being demolished that determines the applicable requirements.

I hope this provides you some assistance. Please call if you need anything else, at (312) 886-6320.

Sincerely yours,  
Ann Pontius  
Environmental Engineer  
Air Compliance Branch