



# U.S. Environmental Protection Agency Applicability Determination Index

---

**Control Number: A930024**

**Category:** Asbestos  
**EPA Office:** SSCD  
**Date:** 02/03/1993  
**Title:** Residential Structure  
**Recipient:** Hobson, Peter James  
**Author:** Rasnic, John B.

---

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

---

**Abstract:**

This letter indicates that an earlier response given by SSCD did not reflect the factual circumstances of a case relating to a residential structure. If a "residential building" was once used for commercial purposes, or any portion of the building was used to support the operation in the commercial addition to the building, the building is subject to the Asbestos NESHAP.

---

**Letter:**

Mr. Peter James Hobson  
Attorney at Law  
606 E. Madison Street  
Tampa, FL 33602

Dear Mr. Hobson:

On November 6, 1992, we responded to your request for clarification regarding the asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) definition of facility. Based on the information in your letter, we provided a determination applicable to the situation described. During a follow-up conversation between you and Chris Oh and Tom Ripp of my staff, it was determined that our response did not reflect the factual circumstances of your case. Therefore, we are writing this letter to address the factual situation and the applicability of the asbestos NESHAP.

If one or more of the following conditions listed below are applicable to your current situation, the residential structure in question is subject to the asbestos NESHAP:

- The "residential building" referenced in your letter was once used for commercial purpose.
- Any portion of the "residential building" was used to support the operation in the commercial addition to the building.

If you have any questions, please contact Chris Oh of my staff at (703) 308-8732.

Sincerely,

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

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