



# U.S. Environmental Protection Agency Applicability Determination Index

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**Control Number: C60**

**Category:** Asbestos  
**EPA Office:** SSCD  
**Date:** 03/13/1989  
**Title:** Request for Appr. of Abatement Removal Plan  
**Recipient:** Howekamp, David P.  
**Author:** Seitz, John S.

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

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**References:** 61.145(c)  
61.150

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**Abstract:**

Friable material must be adequately wetted prior to removal. Adequately wetted means sufficiently mixed or coated with water or an aqueous solution to prevent dust emissions. Abatement plans cannot be approved in advance as a violator may try to use this as a defense.

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**Letter:**

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAR 13 1989

MEMORANDUM

**SUBJECT:** October 17, 1988 Request for NESHAP Applicability Determination

**FROM:** John S. Seitz, Director  
Stationary Source Compliance Division  
Office of Air Quality Planning and Standard

**TO:** David P. Howekamp, Director  
Air Management Division  
Region IX

Below is my response to your request for guidance regarding an asbestos removal plan by the National Abatement Corporation (NAC). I cannot approve or disapprove detailed abatement plans such as this one, since we cannot place ourselves in a position of approving such plans in advance, and thereby offer an owner or operator a defense in case of a violation.

From the information I received, it appears the asbestos containing material is friable. The fundamental work practice requirement, if this renovation is subject to NESHAP, is that the asbestos-containing material must be adequately wetted prior to removal. The material must be removed, contained, and disposed of according to the regulations. Adequately wetted means sufficiently mixed or coated with water or an aqueous solution to prevent dust emissions.

I suggest NAC more thoroughly describe their abatement process when they notify the appropriate agency about this pending renovation. In addition, 40 CFR Section 61.152 of the asbestos NESHAP regulation requires no visible emissions throughout the waste disposal process, or the use of specified alternative means of compliance.

I apologize for the delay in providing this response. Please call Ken Malmberg of my staff if you have any questions.