



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

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**Control Number: A930010**

**Category:** Asbestos  
**EPA Office:** OAQPS  
**Date:** 08/07/1992  
**Title:** Residential Dwellings for Fire Training  
**Recipient:** Bradley, Timothy L.  
**Author:** Seitz, John S.

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

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**Abstract:**

The EPA has reviewed its ruling which governs residential dwellings which are used for live fire training exercises as institutional structures and considers the ruling to be reasonable and necessary. The preamble to the November 20, 1990 revision to the Asbestos NESHAP addresses the definition of facility and EPA's intent on what is covered by the rule. EPA considers regulating demolition by burning necessary because of the potential fiber release.

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**Letter:**

Mr. Timothy L. Bradley  
N.C. State Fire and Rescue Commission  
Department of Insurance  
State of North Carolina  
P.O. Box 26387  
Raleigh, N.C. 27611

Dear Mr. Bradley:

This is in response to your June 23, 1992 letter which was forwarded to me by Senator Terry Sanford. You expressed your concern about EPA's position governing residential dwellings which are used for live fire training exercises as institutional structures.

You state that you received and reviewed my previous response to Congressman Howard Coble (see Attachment I). This letter stated that when a structure is being intentionally burned down for the purpose of fire training, the structure is being used for institutional purposes and is therefore considered an institutional building and is subject to the requirements of the asbestos national emission standard for hazardous air pollutants (NESHAP). This letter also explains the requirements for the inspection of the building, and notification of the intent to demolish the building. Additionally, Mr. John Rasnic's June 11, 1992 letter to Mr. Paul F. Miller of the North Carolina State Fireman's Association (see Attachment II) clarified the requirements for training an inspector, the reporting procedure, and the procedures to be followed if asbestos were found, and conversely, if no asbestos were found.

EPA has reviewed the institutional ruling and considers it to be reasonable and necessary. The preamble to the November 20, 1990 Revision to 40 CFR Part 61 Asbestos NESHAP addresses the definition of facility, and EPA's intent on what is covered by the rule. The preamble states that "EPA does not consider residential structures that are demolished or renovated as part of a commercial or public project to be exempt from the rule. For example, the demolition of one or more houses as part of an urban renewal project, a highway construction project, ... would be subject to the NESHAP." Additionally as an example, "several houses located on highway right-of-way that are all demolished as part of the same highway project would be considered an "installation," even when the houses are not proximate to each other." Given this language, we believe that the institutional ruling is reasonable, and follows the same logic.

EPA considers regulating demolition by burning necessary because of the potential fiber release. Typical residential asbestos building materials (friable and nonfriable) are made friable during burning since the heat generated during a fire destroys the matrix which holds the fibers together, but does not destroy the asbestos fibers. A conventional demolition, for example, would not cause problems with roofing material and floor tile that is not friable before demolition, but would definitely create a great potential for significant fiber release if the building were demolished by burning.

I appreciate the opportunity to be of service to you, and trust this information will be helpful to you. This letter has been coordinated with EPA's Office of Enforcement, and the Emission Standards Development Branch of the Office of Air Quality Planning and Standards. If you have any additional questions, please contact Tom Ripp at (703) 308-8727.

Sincerely,

John S. Seitz  
Director  
Office of Air Quality Planning  
and Standards

cc: Senator Terry Sanford

bcc: Tom Ripp, SSCD  
Scott Throwe, SSCD  
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Asbestos NESHAP Coordinators