



U.S. Environmental Protection Agency Applicability Determination Index

Control Number: A960013

Category: Asbestos
EPA Office: METD
Date: 10/03/1994
Title: Asbestos Waste Defined
Recipient: Gorta, Mark
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Subparts: Part 61, B-Asb, Asbestos Demolition/Renovation (Now Sub. M)

References: 61.141
61.150
61.154
61.155

Abstract:

Q. Where can the definition of asbestos waste be found?

A. At section 61.141.

Q. What are the regulations for disposal of asbestos containing waste?

A. If the material is considered "asbestos-containing waste material", it must be disposed of according to section 61.150, by disposal in a landfill that meets section 61.154 requirements or to an EPA-approved site that converts it into nonasbestos according to 61.155. If it is nonregulated waste, it is generally disposed of in landfills that accept demolition debris.

Q. Is burial of asbestos waste on site permitted?

A. Yes, but the source must follow the proper notification procedures and then operate in accordance with the asbestos NESHAP.

Q. What level of clean-up must be accomplished at contaminated sites?

A. The site should be cleaned up to background levels. A soil sample can be taken to compare the site to noncontaminated soil in the area. All asbestos-containing waste material should be taken to a landfill as soon as is practical.

Letter:

Mr. Mark Gorta
Environmental Protection Authority
PO Box 1135
Chatswood, NSW Australia 2057

Dear Mr. Gorta:

This is in response to your request for information regarding the United States Environmental Protection Agency's (EPA) regulations for the disposal of asbestos waste. A copy of our regulations for the disposal of asbestos-containing waste material (40 CFR Part 61 Subpart M National Emission Standards for Hazardous Air Pollutants (NESHAP)) is enclosed. Also enclosed is a box of guidance documents for the asbestos NESHAP regulations. Answers to your specific questions are discussed below:

a) The definition of asbestos waste can be found at section 61.141.

b) Our methods for disposal of asbestos containing waste depend on whether or not the material is regulated. Any material that meets the definition of "asbestos-containing waste material" must be disposed of in accordance with section 61.150. This means that the waste must either be taken to a landfill that operates in accordance with section 61.154 or to an EPA-approved site that converts asbestos-containing waste material into nonasbestos according to the provisions of section 61.155. For nonregulated waste, we generally expect the waste to go to a landfill that accepts normal building demolition debris. Enclosed is a letter dated December 16, 1993, responding to Mr. David Wersan's request for guidance for handling asbestos-containing materials at landfills.

c) Burial of asbestos waste on site is permitted (although not common) if the source goes through the proper notification procedures and then operates in accordance with the asbestos NESHAP.

d) The asbestos NESHAP under section 61.150 (b) requires that "...all asbestos-containing waste material shall be deposited as soon as is practical by the waste generator at..." a landfill that operates in accordance with section 61.154 or at an approved conversion site. For cleanup of contaminated sites EPA has interpreted this requirement to mean that the site shall be cleaned up to background levels. It is expected that this will be accomplished through a soil sampling scheme that compares the contaminated site to soil samples in the area that have not be contaminated by the demolition or renovation activity. There is nothing currently in our regulations that allow for a varying level of asbestos contamination based on the use or location of the contaminated site.

I appreciate this opportunity to be of service to you. If you have any further questions, please call Tom Ripp of my staff at (703) 308-8727.

Sincerely,

John B. Rasnic, Director
Manufacturing, Energy, and Transportation Division Office of Compliance