



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

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**Control Number: A970003**

**Category:** Asbestos  
**EPA Office:** METD  
**Date:** 09/19/1996  
**Title:** Disposal of nonRACM/Galbestos  
**Recipient:** Bucheleres, Stephan  
**Author:** Rasnic, John

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

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**References:** 61.155

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### **Abstract:**

**Q:** Is category I nonfriable ACM, specifically Galbestos, which does not meet the definition of RACM, exempt from the definition of asbestos-containing waste material under the asbestos NESHAP?

**A:** Yes, assuming that the category I material will not be taken to an operation that will cause the material to become RACM. Generally, this means that the material will have to go to a landfill, and may not be taken to a recycle facility that will turn the otherwise nonRACM waste into RACM waste. For more details, see our March 18, 1992 letter.

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### **Letter:**

Mr. Stephen J. Bucheleres  
Brandenburg Industrial Service Company  
1905 East 4th Street  
Bethlehem, PA 18015

Dear Mr. Bucheleres:

This is in response to your August 27, 1996, letter and follow-up conversation with Tom Ripp of my staff. You requested the U.S. Environmental Protection Agency's (EPA) concurrence with your position regarding category I nonfriable asbestos-containing material (ACM). You believe that category I nonfriable ACM, specifically Galbestos, which does not meet the definition of regulated asbestos-containing material (RACM), is exempt from the definition of asbestos-containing waste material under the asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP).

This position is correct assuming that the category I ACM will not be taken to an operation that will cause the material to become RACM. For example, Galbestos panels may be removed from one building, and reinstalled on another building, so long as the Galbestos removed is nonfriable ACM, and that the activity does not cause the Galbestos to become RACM. Additionally, the Galbestos may be taken to any landfill or EPA approved conversion facility operating in accordance with 40 CFR 61.155. However, as discussed with Tom Ripp by telephone, it is generally expected that the nonfriable material will be taken to a landfill, and may not be taken to a recycle facility that will turn the otherwise nonRACM waste into RACM waste. Please see the enclosed March 18, 1992, letter to Ms. Ann Bieller for more details.

This determination has been coordinated with EPA's Office of Regulatory Enforcement and the Emission Standards Division of the Office of Air Quality Planning and Standards. If you have any questions, please call Tom Ripp of my staff at (202) 564-7003.

Sincerely,

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

Enclosure

cc: Asbestos NESHAP Coordinators  
Regions I - X