



U.S. Environmental Protection Agency Applicability Determination Index

Control Number: A970006

Category: Asbestos
EPA Office: Region 5
Date: 06/20/1997
Title: Demolition of Airport Taxiway
Recipient: Nurre, Larry
Author: Czerniak, George

Subparts: Part 61, M, Asbestos

References: 61.141
61.145

Abstract:

Q: Does subpart M apply to the demolition of an asbestos-containing asphalt taxiway at the Mankato, Minnesota Municipal Airport?

A: No. The asphalt taxiway is neither a "facility" nor a "facility component" as defined in 40 CFR 61.141.

Letter:

(AE-17J)

June 20, 1997

Mr. Larry V. Nurre
Southern Minnesota Construction Co., Inc.
1905 Third Avenue
P.O. Box 3069
Mankato, Minnesota 56002-3069

Re: Demolition of Asphalt Taxiway
at Mankato Municipal Airport

Dear Mr. Nurre:

This is in response to your letter dated June 16, 1997, concerning applicability of Federal rules to the proposed demolition of an asphalt taxiway at Mankato Municipal Airport. According to your letter and the additional information you sent to our office, the asphalt is approximately 7 inches thick, including a top layer about 1.5 inches thick containing 3.5-4.4 percent chrysotile asbestos. You propose a removal process that involves separately wet milling the asbestos containing top layer and sending it to an approved asbestos landfill. You also propose to test this material once it has reached the landfill, to explore its possible future use.

The Federal rule promulgated at 40 C.F.R. 61, Subpart M - National Emission Standard for Asbestos is designed to prevent asbestos fibers from becoming airborne and therefore a threat to human health. We have researched your specific project, however, and we find that the asphalt taxiway at Mankato Municipal Airport is neither a "facility" nor a "facility component" as defined in 40 C.F.R. 61.141. The taxiway is neither a "structure, installation, or building," nor does it contain any specific "load-supporting structural members." Therefore, the demolition project as described in your letter of June 16, 1997, does not fall under the applicability of 40 C.F.R. 61.145 - Standard for demolition and renovation.

Nevertheless, we do believe that the procedure described in your June 16, 1997, letter concerning the removal and disposal of the asbestos-containing asphalt layer takes important precautionary measures toward reducing risk to human health. We highly recommend adequately wetting the material to reduce the risk of any asbestos fibers becoming airborne, as well as disposing of the material in an approved asbestos landfill.

Thank you for this opportunity to discuss this matter with you. If you have any further questions regarding this issue, please contact Julie Brandt, of my staff, at (312)886-6768.

Sincerely yours,

George Czerniak, Chief
Air Enforcement and Compliance Assurance Branch

cc: Ann Foss
MPCA