



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

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**Control Number: C34**

**Category:** Asbestos  
**EPA Office:** SSCD  
**Date:** 12/04/1987  
**Title:** Creation of Friable Tiles During Implosion  
**Recipient:** Miller, Richard  
**Author:** Seitz, John  
**Comments:** EPA believes that the demo. tech. of imploding a bldg doesn't render floor tile friable; therefore, NESHAP reg don't apply

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

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**References:** 61.141

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**Abstract:**

If friable asbestos materials are created in the demolition process (using imploding), the owner and operator of the demolition operation would be responsible for complying with the notification, wetting, and disposal requirements of 40 CFR Part 61, Subpart M.

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**Letter:**

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

DECEMBER 4, 1987

Mr. Richard Miller  
Barnes and Jarvis  
216 Tremont Street  
Boston, MA 02116

Re: Vinyl Floor Tiles

Dear Mr. Miller:

This letter is in response to issues you raised with several representatives of the United States Environmental Protection Agency (EPA), Region I concerning the applicability of the Asbestos NESHAP regulations, 40 CFR Part 61, Subpart M, to the implosion of a building containing asbestos-containing vinyl floor tiles. In developing our response, we consulted EPA Region I, Office of General Counsel, Office of Enforcement and Compliance Monitoring, and the Office of Air and Radiation.

The regulations, in pertinent part, state that: "The owner or operator to whom this section applies shall . . . remove friable asbestos from a facility being demolished or renovated before any wrecking or dismantling that would break up the materials or preclude access to the materials for subsequent removal." 40 CFR 61.147(a).

The regulations define "friable asbestos" material as any material that contains more than 1 percent asbestos by weight that hand pressure can crumble, pulverize, or reduce to powder when dry. 40 CFR 61.141.

These regulations are designed to prevent the escape of asbestos fibers into the air. Therefore, if, at any point during a renovation or demolition operation, friable asbestos materials are created from non-friable forms, this additional friable material becomes subject to the regulations from the time of creation. The owner or operator must follow the notification, wetting and disposal requirements of 40 CFR Part 61, Subpart M in regard to this newly created material.

You have represented to the EPA that you plan to implode a building which contains substantial quantities of asbestos-containing vinyl floor tiles. Typically, vinyl floor tile is tightly bound and asbestos is not released under normal use. However, under certain circumstances, such as sawing, drilling, or sanding, asbestos in vinyl floor tile can become friable and result in the emission of asbestos dust.

The facts, as you represent them, are that the building will be imploded. This technique is unusual and could result in the creation of friable asbestos from the nonfriable vinyl floor tile. EPA is not in a position to determine whether friable asbestos will be created from the vinyl floor tile during the unique demolition process you plan to utilize. However, should friable asbestos materials be created in the demolition process, the owner and operator of the demolition operation would be responsible for complying with the notification, wetting, and disposal requirements of 40 CFR Part 61, Subpart M. The owner or operator would be subject to Federal enforcement procedures of Section 113 of the Clean Air Act, 42 U.S.C. 7413, for any violations of the Asbestos NESHAP which arise during the operation.

Sincerely,

John S. Seitz, Director  
Stationary Source Compliance Division  
Office of Air Quality Planning and Standards