



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

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**Control Number: C48**

**Category:** Asbestos  
**EPA Office:** Region 5  
**Date:** 07/29/1988  
**Title:** Facility Component Factor Explained  
**Recipient:** Smotherman, Ira J.  
**Author:** Pontius, Ann  
**Comments:** If 1 cubic meter of RACM is to be removed, such removal is a regulated activity

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**Subjects:** Part 61, M, Asbestos

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**References:** 61.141  
61.145(a)

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### **Abstract:**

A facility component is any pipe, duct, boiler, tank, reactor, turbine or furnace at or in a facility, or any structural member of a facility. If the operation in question does not entail removal or stripping of friable ACM from a facility component, then the operation is not subject to NESHAP. It was suggested that OSHA answer questions about removal of loose materials.

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### **Letter:**

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
230 SOUTH DEARBORN ST.  
CHICAGO, ILLINOIS

JUL 29 1988

Ira J. Smotherman, Jr., Esquire  
Stokes, Shapiro, Fussel & Wedge  
2300 First Atlanta Tower  
Atlanta, Georgia 30383-1301

Dear Mr. Smotherman:

Thank you for your letter of June 24, 1988, concerning cleaning up of loose asbestos-containing material (ACM). My letter of June 3, 1988, sought to explain that the asbestos National Emission for Hazardous Air Pollutants (NESHAP), 40 C.F.R. 61.140 et seq. applies to, among other things, asbestos removal operations if the ACM is removed or stripped from a facility component. A facility component is any pipe, duct, boiler, tank, reactor, turbine or furnace at or in a facility, or any structural member of a facility. If the operation in question does not entail removal or stripping of friable ACM from a facility component, then the operation is not subject to NESHAP. However, your question as to whether cleaning up of loose ACM constitutes a removal as defined in 29 C.F.R. 1926.58(b) is best answered by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), who administers the regulation you cite. You may wish to contact the regional OSHA office in Atlanta or the national office in Washington, D.C. If you have any other question on the asbestos NESHAP, please call me at (312) 886-6320.

Sincerely yours,

Ann Pontius, Environmental Engineer Air Compliance Branch