



U.S. Environmental Protection Agency Applicability Determination Index

Control Number: C49

Category: Asbestos
EPA Office: SSCD
Date: 06/22/1988
Title: Friability of Roofing Material Containing Asbestos
Recipient: Harvey, Richard H.
Author: Seitz, John S.
Comments: Unless Cat.I mat.have become friable, will be or have been sand,grind,cut,abrad.,or are in a fac.to be demo'd-no regltd

Subparts: Part 61, M, Asbestos

References: 61.141
61.145(b)
61.150
61.154

Abstract:

A blanket determination about whether or not friable asbestos emissions will be created from reroofing operations cannot be made. The owner or operator is responsible for insuring that asbestos-containing material is removed in a manner so that the material does not become friable. If friable material is created during the operation, the owner or operator is responsible for compliance with NESHAP.

Letter:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C. 20460

Jun 22 1988

Richard H. Harvey
Director of Roofing Services
The Roofing and Sheet Metal
Contractors Association
4333 Kelly Drive
Philadelphia, PA 19129-1797

Dear Mr. Harvey:

Your letter to Mr. Steve Copeland was forwarded to this office for a reply. You made no specific request for a determination, but on page two you asked for our position concerning the nonfriability of asbestos in roofing materials. You also asked for applicable disposal requirements for asbestos containing waste.

The NESHAP regulations at 40 CFR 61, Subpart M, explicitly address friability of asbestos containing materials. Since so many building materials, including roofing materials, contain asbestos, this Agency adopted a case-by-case method of determining whether or not an owner or operator of a specific facility is subject to the regulations.

Your concern is with removal of asbestos-containing roofing materials for "tens of thousands" of reroofing projects in three States. A brief synopsis of the NESHAP regulations requires the owner or operator of a renovation facility which contains friable asbestos to conduct the following four steps.

1. Notify EPA before the operation begins;
2. Assure, through work practices, that no friable asbestos is released to the ambient air;
3. Properly containerize all asbestos containing waste;
4. Dispose of that waste in conformance with all applicable transport and disposal requirements. (This also includes compliance with 40 CFR 257 (RCRA)). The NESHAP regulations require advance notification and approval of the intended disposal site.

We cannot make a blanket determination about whether or not friable asbestos emissions will be created from reroofing operations. The owner or operator is responsible for insuring that asbestos-containing material is removed in a manner so that the material does not become friable. If during the operation the material becomes friable, the owner or operator would be responsible for complying with the notification, work practices, visible emissions, and disposal regulations under Subpart M (steps 1-4 above). The owner or operator would also be subject to federal enforcement procedures of Section 113 of the Clean Air Act.

Thank you for this opportunity to reply to your concerns. Mr. Kenneth Malmberg (202-382-2870) of my staff can be contacted if you wish to meet and discuss these points.

Sincerely

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

cc: Air and Waste Management Division Director
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