



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

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**Control Number: C6**

**Category:** Asbestos  
**EPA Office:** Region 5  
**Date:** 03/24/1980  
**Title:** Alternative Req. for Collection and Disp.  
**Recipient:** Hemp, Jack D.  
**Author:** Cohen, Eric  
**Comments:** NOTE: Asb. Reg.s were in Sub. B (61.20 et seq.) before 4/85

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**Subparts:** Part 61, B-Asb, Asbestos Demolition/Renovation (Now Sub. M)

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**References:** 61.145(c)  
61.150(a)  
61.152  
61.154

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### Abstract:

The incoming letter questioned if the no visible emission requirement is applicable if an owner or operator of an asbestos source elected to use air cleaning. By properly installing, using, operating and maintaining the air cleaning equipment, there should be no visible emissions to the ambient air. The no visible emission standard is not applicable if an asbestos waste disposal site is covered with six inches of non-asbestos-containing material at the end of an operating day or at least once every 24-hour period while in continuous operation. Under 40 CFR 61.25(d), warning signs and fencing are not required if the owner or operator of the site is following the procedures set forth in 61.25(e)(1) relating to covering the site regularly with six inches of dirt.

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### Letter:

March 24, 1980

Mr. Jack D. Hemp  
Air Pollution Control Specialist  
Regional Air Pollution Control Agency  
451 West Third Street  
P.O. Box 972  
Dayton, Ohio 45422

Dear Mr. Hemp:

Thank you for your letter of February 13, 1980, in which you requested clarification of certain NESHAPS regulations concerning control of asbestos emissions during collection and disposal.

Your first inquiry concerned 40 CFR 61.22(f). You questioned if the no visible emission requirement was not applicable if an owner or operator of an asbestos source elected to use air cleaning equipment under 40 CFR 61.23. The air cleaning equipment is a fabric filter device used to collect particulate asbestos material. A method for the correct operation of these fabric filters for woven fabrics or felted fabrics is included in 40 CFR 61.23(a). By properly installing, using, operating and maintaining the air cleaning equipment, there should be no visible emissions to the ambient air.

Your second inquiry concerned 40 CFR 61.25(a). You questioned whether the no visible emission requirement was enforceable if an asbestos waste disposal site was covered with clean dirt once every 24 hours. Under 40 CFR 61.25(e), the no visible emission standard is not required if an asbestos waste disposal site is covered with 6 inches of non-asbestos containing material at the end of an operating day or at least once in a 24-hour period while in continuous operation. According to 40 CFR 61.22(j)(1), there shall be no visible emissions during deposition of any asbestos containing waste material.

Your third inquiry concerned 40 CFR 61.25:b) and (c). You questioned whether warning signs and fencing were required if the owner or operator of an asbestos waste disposal site followed the procedures set forth in 40 CFR 61.25(e)(1). Under 40 CFR 61.25(d), warning signs and fencing are not required if the owner or operator of the site is following the procedures set forth in 61.25(e)(1).

If you have existing local regulations that are more stringent than the federally delegated NESHAPS regulations we encourage you to enforce them.

I hope this has been responsive to your concerns. If you have any further questions please do not hesitate to contact us again.

Sincerely yours

Eric Cohen, Chief  
Compliance Section  
Air Enforcement Branch

cc: Charles Taylor, Chief  
Air Pollution Control  
Ohio Environmental Production Agency

bcc: Bruce Varner  
Engineering