



U.S. Environmental Protection Agency Applicability Determination Index

Control Number: C67

Category: Asbestos
EPA Office: SSCD
Date: 02/23/1990
Title: Nonfriable ACM Clarification
Recipient:
Author: Farmer/Seitz/Alushin

Subparts: Part 61, M, Asbestos

References: 61.141
61.145

Abstract:

This memorandum clarifies the EPA's position regarding applicability of the asbestos NESHAP to nonfriable ACM.

Floor tile, roofing material, packing, and gaskets (normally nonfriable ACM) must be inspected before demolition to determine if the ACM is in poor condition, indicated by peeling, cracking, or crumbling of the material. If normally nonfriable ACM is in poor condition, then the material must be tested for friability. If the ACM is friable, it must be handled in accordance with the NESHAP. The above four nonfriable ACM should be removed before demolition only if they are in poor condition and are friable.

If the nonfriable ACM is subjected to sanding, grinding, or abrading during demolition or renovation, then the nonfriable ACM must be handled in accordance with the NESHAP. If a building is demolished by burning, all ACM must be removed prior to the demolition.

Letter:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

February 23, 1990

MEMORANDUM

SUBJECT: Clarification of EPA NESHAP Policy - Nonfriable ACM

FROM: Jack R. Farmer, Director
Emission Standards Division (MD-13)

John S. Seitz, Director
Stationary Source Compliance Division (EN-341)

Michael S. Alushin
Associate Enforcement Counsel for Air Enforcement
(LE-134A)

TO: See Below

This memorandum clarifies the requirements of the Asbestos NESHAP regarding nonfriable asbestos containing material (ACM), such as floor tile, roofing material, packing, and gaskets.

The issue of friability and the intent of the original standards for demolition and renovation activities have been the source of many questions and comments. In recent months, we have spent considerable time discussing this issue and reviewing subsequent interpretations of the standards. The rulemaking proposed on January 10, 1989 only addresses administrative changes or clarifications to the original standards. Thus, the final rulemaking can not result in a change that would affect the stringency of the original standards.

In the original rule, published in 1973, a distinction was made between building materials that would release a significant amount of asbestos fibers and materials that would not. Floor tile, roofing material, packings, and gaskets were identified as materials that would not release significant amounts of fiber when disturbed. The term "friable" was used to make this distinction.

In December 1985, we issued a determination which stated that if nonfriable ACM could be damaged to the extent that it would be crumbled, pulverized, or reduced to powder, it should be removed prior to demolition. The 1985 determination was intended to affect only practices and ACM that could result in the release of significant quantities of asbestos. While it was unclear whether this determination was intended to affect ACM such as floor tile, roofing material, packings and gaskets that are not friable, some delegated enforcement agencies were inferring this material must be removed prior to demolition to ensure compliance with the NESHAP.

Although no research has been conducted on the conditions which will cause nonfriable materials to become friable, it is considered probable that some conditions (e.g. severe weathering, prolonged exposure to harsh chemicals) will cause this effect. Furthermore, certain practices such as burning, sanding, or grinding could crumble, pulverize, or reduce to powder nonfriable ACM.

POLICY

Therefore, we recommend the following approach:

Floor tile, roofing material, packing, and gaskets (normally nonfriable ACM) must be inspected before demolition to determine if the ACM is in poor condition, indicated by peeling, cracking, or crumbling of the material. If normally nonfriable ACM is in poor condition, then the material must be tested for friability. If the ACM is friable, it must be handled in accordance with the NESHAP. The above four nonfriable ACM should be removed before demolition only if they are in poor condition and are friable.

If the nonfriable ACM is subjected to sanding, grinding, or abrading as part of demolition or renovation, then the nonfriable ACM must be handled in accordance with the NESHAP. If a building is demolished by burning, all ACM must be removed prior to the demolition.

We believe that this approach is consistent with the original rule and the 1985 interpretation.

PLANNED FUTURE ACTION

After passage of Title III of the new Clean Air Act amendments we intend to review the asbestos NESHAP. This will allow us to further consider appropriate changes to this NESHAP.

ADDRESSEES:

Kent Anderson, OSW (WH-565E) Kathy Kaufman, OPAR (ANR-443) Mike Beard, ORD (MD-77) Bob Kellam, ESD (MD-13) Jim Crowder, ESD (MD-13) Dennis Kotchmar, ECAO (MD-52) Fred Dimmick, ESD (MD-13) Gary McAlister, ESD (MD-19) Stan Durkee, ORD (EN-340F) Bruce Moore, ESD (MD-13) Pat Embry OGC, (LE-132A) Brenda Riddle, ESD (MD-13) Robert Fegley, OPPE (PM-221) Sims Roy, ESD (MD-13) Charlie Garlow, OECM (LE-134A) Ron Shafer, SSCD (EN-341) Charles Gregg, OW (WH-556) Al Vervaert, ESD (MD-13) Bob Jordan OTS (TS-788A) Dave Wagner, OTS (TS-794) Asbestos NESHAP Coordinator, Regions I-X Roger Wilmoth, AAERL Cincinnati Gil Wood, EMB (MD-14)

cc: Bob Ajax (MD-13)

Robert Bronstrup, EPA-OIG - Chicago Ron Campbell (MD-IO) Regional Counsels, Regions I - X Regional Counsel Air Branch Chiefs