



U.S. Environmental Protection Agency Applicability Determination Index

Control Number: C88

Category: Asbestos
EPA Office: ESD
Date: 02/06/1991
Title: Nonfriable Asbestos-Containing Material
Recipient: Hitchings, Gary C.
Author: Weigold, James B.

Subparts: Part 61, M, Asbestos

References: 61.141
61.145(a)
61.145(c)

Abstract:

Floor tile and vinyl covering (linoleum) are included in the term "resilient floor coverings" and the term "asphalt roofing products" includes tar paper; these materials are classified as Category I materials. Other nonfriable materials, e.g. cement boards and floor tile mastic are included in Category II and determinations for these materials must be made on a case-by-case basis. Floor tile mastic, electric wiring and caulking compounds may be treated as Category I materials. Category II materials are subject to the NESHAP unless they are removed without damage.

In determining the adequacy of wetting, factors in addition to the absence of visible emissions are considered.

Letter:

Control Number: C88

Mr. Gary C. Hitchings
Technic Services Inc.
5630 Silverado Way, Suite A
Anchorage, Alaska 99518

Dear Mr. Hitchings:

This is in response to your letter of December 10, 1990 to the United States Environmental Protection Agency's (EPA's) Office of Air Quality Planning and Standards. You requested a response to an earlier letter regarding questions on the EPA asbestos NESHAP policy for nonfriable asbestos-containing materials (ACM), and you had a question regarding the definition of adequately wet.

We did receive the July 17, 1990 letter; however, we could not locate a final reply and have concluded that the response to your letter was lost or misplaced. I apologize for any inconvenience to you. We are addressing the substance of both letters in this reply.

In your letters, you had specific questions regarding a clarification to the EPA policy regarding nonfriable ACM. You suggested that other materials could fall into the same category as the four materials mentioned in a February 23, 1990 memorandum (i.e., floor tile, roofing material, packings and gaskets) in which EPA's policy on nonfriable materials was stated. Since the February 23, 1990 memorandum was issued, we reevaluated the terms used in the listed materials in the category and have made the following clarifications: (1) floor tile was replaced by the term resilient floor covering and (2) roofing material was replaced by the term asphalt roofing products. The EPA policy on nonfriable materials was codified in the November 20, 1990 promulgation of the revisions to the asbestos NESHAP. Vinyl floor covering (linoleum) is included in the term resilient floor coverings, and tar paper is included in the term asphalt roofing products. These materials are classified as Category I materials. The other materials that were mentioned, cement asbestos board, raybestos board, floor tile mastic and all other ACM materials, are included in category II, and a determination for those materials must be made on a case-by-case basis taking into account the condition of the material and the methods of demolition or renovation that will be used. Materials such as floor tile mastic, electrical wiring, and caulking compounds might be treated like Category I materials; however, this determination must be made on a case-by-case basis. Asbestos siding shingles and cement asbestos board would usually be covered by the asbestos NESHAP regulation unless they are removed without being damaged.

In your December 10, 1990 letter you had a question regarding what "However, the absence of visible emissions is not sufficient evidence of being adequately wet" means in the definition of adequately wet. This means that there are other factors that will be considered besides visible emissions in determining adequate wetness, e.g., the degree to which the ACM was mixed or penetrated with liquid.

The EPA's Stationary Source Compliance Division (SSCD) is currently preparing guidance documents which will explain EPA's policy on nonfriable ACM and on the definition of adequately wetted. These documents will be available within the next few weeks and we will send you a copy when these documents are published.

I hope that this response answers your questions, and I appreciate the opportunity to be of service to you. If you have any further questions, please call Sims Roy at (919) 541-5263.

Sincerely,

James B. Weigold
Acting Director
Emission Standards Division

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