



U.S. Environmental Protection Agency Applicability Determination Index

Control Number: C98

Category: Asbestos
EPA Office: SSCD
Date: 05/20/1991
Title: Asbestos Gaskets
Recipient: Lingenfelder, Jim
Author: Rasnic, John B.

Subparts: Part 61, M, Asbestos

References: 61.141
61.145
61.150

Abstract:

Asbestos gaskets are Category I nonfriable asbestos-containing material. If gaskets are not sanded, cut, ground, or abraded, they would not be considered regulated asbestos-containing material (RACM). The demolition and renovation provisions would apply to asbestos gaskets where the gaskets are considered RACM and the amount being removed exceeds 160 square feet for a single renovation or during a calendar year for individual nonscheduled operations. If asbestos gasket material is in good condition and gasket removal spray and a hand scraper are used, the material would not be considered RACM and would not be subject to the asbestos NESHAP.

Letter:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 20 1991

OFFICE OF
AIR AND RADIATION

Mr. Jim Lingenfelder
Durable Manufacturing Co.
4669 Southwest Freeway
Suite 800
Houston, Texas 77027

Dear Mr. Lingenfelder:

This is in response to your April 4, 1991 letter to Scott Throwe of my staff in which you requested a clarification of the applicability of the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) to asbestos gaskets.

In your letter you have presented your understanding of the Asbestos NESHAP as it applies to asbestos gaskets. You are correct in stating that asbestos gaskets are considered Category I nonfriable asbestos containing material (ACM). In the recently revised Asbestos NESHAP, promulgated on November 20, 1990, Category I nonfriable ACM is defined in 40 CFR Section 61.141 as "asbestos containing packings, gaskets, resilient floor covering and asphalt roofing products" containing more than 1 percent asbestos determined using the methods specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy.

In addition, the Asbestos NESHAP defines regulated asbestos containing material (RACM) in regards to Category I material as "...nonfriable ACM that will be or has been subjected to sanding grinding, cutting or abrading." Therefore, asbestos gaskets that have not been and will not be subjected to these processes would not be considered RACM.

The demolition and renovation provisions in Section 61.145 and the waste disposal provisions in Section 61.150 would apply to asbestos gaskets where the gaskets are considered RACM, as discussed above, and the amount of asbestos gaskets being removed is at least 160 square feet for a single renovation project or more likely, during a calendar year for individual nonscheduled operations.

In your April 4 letter you also describe a problem that occurs during the removal of asbestos-gaskets from flanges. You stated that in some cases the gasket may tear leaving some of the gasket on the face of the flange. You are correct in stating that the use of a sanding or abrading operation to remove the remaining gasket would render the material friable. However, if the gasket is in good condition despite the tearing, we believe the process you describe of applying a gasket removal spray and using a hand scraper will not damage the material such that it will be crumbled, pulverized or reduced to powder. Therefore, if the asbestos gasket is in good condition and gasket removal spray and a hand scraper is used, the material would not be considered RACM and would not be subject to either the demolition and renovation or the waste disposal requirements of the Asbestos NESHAP.

This determination has been coordinated with EPA's Office of Enforcement and with the Emission Standards Division of the Office of Air Quality Planning and Standards. If you have any questions, please contact Scott Throwe of my staff at (703) 308-8699.

Sincerely,

John B. Rasnic, Acting Director
Stationary Source Compliance Division
Office of Air Quality Planning and Standards

cc: Sims Roy, ESD (MD-13)
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Regional Asbestos NESHAP Coordinators