

December 28, 1995

Jim Duran
Texas Department of Health
PO Box 9428
El Paso, TX 79984-0428

Dear Mr. Duran:

As per our conversation, it is my understanding that because of the Texas Asbestos Health Protection Act (TAHPA) "public building" definition exemption for industrial facilities, we are exempt from notification requirements for renovation and demolition even when no asbestos is present. However, we do fall under National Emission Standards for Hazardous Air Pollutants for asbestos (NESHAP). Therefore, we would be required to notify TDH when a demolition project occurs or during renovation when Regulated Asbestos Containing Material (RACM) is to be removed in quantities which exceed 160 sq. feet or 260 linear feet.

It is also my understanding that an annual notification is not required unless operation and maintenance procedures are anticipated to exceed the above mentioned RACM requirements. Should a renovation or demolition project be initiated, a notification under NESHAP would be required at that time.

I appreciate your diligence and time. Please correct me if my understanding of the requirements is incorrect.

Sincerely,

Peggy Munsell
Director of Safety & Health

CC: Fern Daves
T. Martin
G. Parham