

LWR

file: Asbestos, LRC
TASK FORCE

1910 Sunderland Place, N.W.
Washington, D.C. 20036
202-293-2980
Fax: 202-293-2915



Memorandum

March 13, 1989

To: ORC Asbestos Task Force
ORC Occupational Safety and Health Group
ORC Western Occupational Safety and Health Group

From: Rebecca L. Daiss *Becky*

Subject: Proposed Revision of Asbestos National Emission
Standard for Hazardous Air Pollutants (NESHAP)

EPA published a proposal to revise the Asbestos NESHAP in the January 10, 1989 Federal Register (54 FR 912). The comment deadline for the proposal was March 7, 1989. EPA is now in the process of reviewing the docket and revising the proposal for final rulemaking. If you would like a copy of this proposal, please call me.

ORC member companies have expressed concern primarily about proposed revisions pertaining to demolition and renovation. Although there is general agreement that the proposal would improve the current standard in many respects, several member companies assert that the proposed revisions will result in a significant increase in the cost of these activities. A number of ORC members have submitted comments. The following is a summary of provisions that pertain to demolition and renovation. Also included is a list of concerns expressed by ORC members.

PROPOSED REVISIONS

Applicability

- o The definition of Asbestos Containing Material (ACM) would be slightly revised in the proposal to clarify that the standard applies to materials that are non-friable but may be broken or crumbled and emit asbestos fiber during demolition operations.

PLAINTIFF'S
EXHIBIT
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Notification

- o Written notice detailing all planned demolition or renovation involving trigger level amounts of ACM would be required 10 days prior to the date of the demolition or renovation.
- o General notice of all demolitions (whether or not asbestos is present) would be required.
- o Notification within 3 days of the new start date would be required if demolition or renovation will start on a date other than that given in the notice or if reported information changes.
- o Required notification would include an estimation of the amount of potentially friable ACM and the amount of non-friable ACM which cannot be broken or crumbled during demolition or renovation.
- o Required notification would include plans of actions to be taken if asbestos is found unexpectedly or if non-friable asbestos becomes friable.

Emission Control Procedures

- o Exemption from the requirement to use wet methods during demolition or renovation requires approval from EPA's Administrator.
- o The use glove bag systems and the covering of friable material in leak-tight wrapping is permitted (in addition to local exhaust ventilation and collection systems) if wetting would damage equipment or cause unsafe conditions.
- o A least one on-site supervisor of demolitions and renovations must be certified as having been trained in the provisions of the Asbestos NESHAP.
- o Under specific conditions, large pieces of asbestos-covered equipment can be removed without first being stripped of asbestos.

Waste Disposal

- o The responsibility for compliance with waste disposal provisions is shifted from the waste generator to the disposal site owner or operator.
- o Demolition and Renovation contractors will be required to maintain records of waste shipments and submit summaries of records to EPA semiannually.

- o Contractors will be required to give a copy of the waste shipment record to the disposal site owner or operator.
- o Containers of waste must be labeled with the waste generators name and location of the source of the waste.

MEMBER COMPANY CONCERNS

- o The revised definition of non-friable may significantly increase the amount of asbestos estimated to be present and the increase the number of demolition and renovation activities that would be regulated under the Asbestos NESHAP.
Also, broken, non-friable ACM would have to be handled in the same manner as friable asbestos even though it does not present the same risk.
- o The requirement for notification of demolition operations, even when no asbestos is present will likely be costly and is unwarranted.
- o Complicated renotification and scheduling requirements will result in a significant increase in paperwork without increasing the safety of demolition and renovation operations.
- o Cost of waste disposal contractors may increase do to added responsibility and increased waste disposal notification and handling requirements.
- o While planned renovations and demolitions involving less than the specified amount of asbestos are not subject to the notification and reporting provisions, non-scheduled operations that involve less than the specified amount may be subject to those provisions. A provision, contained in the original rule and clarified in the proposed revision, requires notification and reporting if the total amount of asbestos to be removed in one calendar year from all non-scheduled operations is above the level specified in the standard. Under this provision, if the combined amount of asbestos involved in non-scheduled renovation operations at several facilities exceeds the specified amount, each facility is subject to notification and reporting provisions.

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