

POLICY FOR THE HANDLING AND DISPOSAL
OF "NON FRIABLE" ASBESTOS WASTE

PLAINTIFF'S EXHIBIT

BIR-678

Background

It has been clearly established that asbestos fibers are a hazard to human health when inhaled. For this reason EPA has published very specific procedures for the removal, handling, transport, and disposal of asbestos-containing material.

There are two properties of asbestos which make it particularly suitable for disposal by sanitary landfill:

- (1) The mineral fibers resist degradation and are inert and insoluble in water. As such, they do not represent a threat to ground-water supplies as the result of leaching.
- (2) Because of its fibrous nature asbestos tends to lodge in the voids between individual grains of sand and gravel, unless the material at the point of land disposal is exceptionally coarse or the area is subject to flooding.

EPA and State Policy

In accordance with the Clean Air Act, EPA has published emission standards for asbestos mills, roadways, manufacturing processes, and demolition and renovation operations (40 CFR, Part 61, Subpart B, Section 61.22). The State is enforcing the federal regulations as they are written:

It has become apparent, however, that there is widespread misunderstanding of the purpose and meaning of these regulations. In order to clear up this confusion, a distinction must be made between "friable" and "non-friable" asbestos material:

"Friable asbestos material" means any material that contains more than 1 percent asbestos by weight and that can be crumbled, pulverized, or reduced to a powder, when dry, by hand pressure."

(40 CFR, Part 61, Subpart B,
Section 61.21)

It is possible to treat asbestos materials or wastes with a wetting agent and water so that they are in a state so that fibers cannot become entrained in the air. Caution must be exercised to make certain that such wastes remain in a wetted, or "non-friable," state while they are being handled, transported, or disposed of.

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- (c) a trench is opened at the landfill;
- (d) both contaminated work clothes and "non-friable" asbestos slurry are deposited directly into the trench;
- (e) the entire waste load is covered shortly after delivery (before any of the wetted asbestos becomes dry and, therefore, friable);
- (f) precaution is taken to select an area which will not be subject to future excavation; and
- (g) the location of the asbestos waste is noted for future reference on a plan of the landfill area on file with DEQE.

Method II

Properly wetted and bagged asbestos waste may be placed at the active face of an approved, large landfill for disposal. If the waste material is placed there early in the day, sufficient wettes will be brought in during the operating day for the asbestos waste to be thoroughly covered before it dries out and, therefore, becomes friable.

- (a) advance notice should be given to the disposal facility operator;
- (b) adequate daily cover shall be placed over that section of the landfill which contains asbestos waste.

Compliance with Other Regulations

It should be noted that asbestos is a special waste as defined in the Department's "Regulations for Disposal of Solid Waste by Sanitary Landfill," published in 1971. Attention is called to the provisions of Regulation 16, which require that permission of the assigning authority (i.e., local Board of Health) be obtained for such disposal, and that copies of the approval be sent to both the Department's Regional Environmental Engineer and the appropriate office of the Division of Water Pollution Control.

This policy in no way changes the applicable rules and regulations of any other State or Federal agency having jurisdiction over the removal and handling of asbestos-containing materials.

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