

WV-0204 #51 RECEIVED

NOV 14 1986

MAINTENANCE DEPT



ENVIRONMENTAL PROTECTION - SOUTH CHARLESTON PLANT

November 12, 1986

R. L. Foster
C. H. Hancock

Copy: J. F. Dement
J. F. Dodd
EPD Circulate

SUBJECT: Asbestos Notification

The attached is for your information.

There are a number of issues involved which I will explain in more detail at a later date.

In the meantime, we will be talking with the APCC (Federal Asbestos Coordinator for West Virginia) and to Carol Febbo of EPA Region III's Air Enforcement Branch about this, and will follow this up with a written response to Mrs. Wasserman.

Jack

J. L. Worstell

JLW:cp
0590W

Attachment

UCC 006435



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

RECEIVED

NOV 12 1986

EPD

NOV 7 1986

Mr. D.H. Hanshew
Union Carbide Corporation
P.O. Box 8004
South Charleston, WV 25303

NOTICE OF DEFICIENCY: #831410025087

Deficiency in Notice to EPA of Asbestos Demolition or
Renovation Operation

Dear Mr. Hanshew:

This is to inform you that the notice of asbestos renovation postmarked October 14, 1986, for the Number 19 Batch Still at Mainland Chemicals Unit which was submitted to the United States Environmental Protection Agency (EPA) was incomplete. Therefore, Union Carbide Corporation has failed to comply with the requirements of 40 C.F.R. § 61.146, and of Section 112 of the Clean Air Act as amended (the Act), 42 U.S.C. § 7412.

Pursuant to Section 112 of the Act, EPA promulgated regulations, known as the National Emission Standards for Hazardous Air Pollutants (NESHAP) for several hazardous air pollutants, including asbestos. The NESHAP for asbestos are contained in the Code of Federal Regulations, Title 40, Part 61, Subpart M (40 C.F.R. §§ 61.140-156). The regulations require that the owner or operator (including a contractor) of a building or facility notify EPA of plans to demolish or renovate a building containing friable asbestos material. The type and extent of information required depends upon the amount of asbestos which is to be removed. The information you are required to submit may be determined by referring to 40 C.F.R. §§ 61.145 and 61.146. The regulations also require the notice to be postmarked or delivered to the Regional Office of EPA within a specified time before the work begins.

The notice Union Carbide Corporation submitted to EPA failed to include the following required information:

- . procedures being used to remove the asbestos-containing material.
- . location of waste disposal site.

Also, the notice Union Carbide Corporation submitted to EPA was deficient because it failed to provide the EPA with a notification prior to commencement of the asbestos operation as required by 40 C.F.R. § 61.146(b)(4). The scheduled starting date of the removal was stated as October 11, 1986. However, the notification was postmarked October 14, 1986.

Please submit this information to this office within three (3) days of your receipt of this letter.

Failure to comply with the asbestos NESHAP regulations could result in the issuance of an Order requiring compliance with the requirements, or the initiation of a civil action pursuant to Section 113(b) of the Act. Such an action can result in a civil penalty of up to \$25,000.00 per day of violation.

In addition, pursuant to Section 113(c)(1)(C), any person who knowingly violates the provisions of Section 112(c), which pertains to violation of certain provisions of NESHAP, is subject to fines of up to \$25,000.00 per day of violation, or by imprisonment for not more than one year, or both.

If you have any questions concerning this notice, please contact Carol A. Febbo, Air Enforcement Branch, at (215) 597-9325.

Sincerely,



Cheryl Wasserman, Acting Chief
Air Enforcement Branch

cc: Michael Bush
West Virginia Air Pollution
Control Commission

PROCEDURES TO BE USED TO COMPLY WITH SUBPART M - NATIONAL EMISSION
STANDARD FOR ASBESTOS (40 CFR): Procedures set forth in said regulation

(61.147) will be adhered to in order to prevent emissions of particulate Asbestos to
the air.

LAB TESTING BY: Not Applicable

ADDRESS/PHONE _____

NAME/LOCATION OF WASTE DISPOSAL SITE: GOFF MOUNTAIN LANDFILL

SITE APPROVED BY DNR: () NO (☒) YES Permit # WVD 005 005 509

COMMENTS: _____

SIGNATURE: _____

J. L. Worstell

10/10/86

TITLE: _____

Environmental Protection Coordinator

In addition to the West Virginia Air Pollution Control Commission, a copy of this
notice must be sent to the following agencies:

U. S. Environmental Protection Agency
Region III (3AM22)
841 Chestnut building
Philadelphia, Pennsylvania 19107
Attn: Asbestos/NESHAP Coordinator

Solid Waste Office
Division of Water Resources
WV Department of Natural Resources
1260 Greenbrier Street
Charleston, West Virginia 25311
Attn: Asbestos Coordinator

Asbestos Control
WV Health Department
4877 Brenda Lane
Charleston, West Virginia 25312
Attn: Asbestos Coordinator