

ENVIRONMENTAL PROTECTION
AGENCY

40 CFR Parts 61 and 763

(AD-FRL-OPTS-3469-4)

Asbestos NESHAP Revision, Including
Disposal of Asbestos Containing
Materials Removed From SchoolsAGENCY: Environmental Protection
Agency (EPA).ACTION: Notice of proposed rule revision
and opportunity for public hearing.

SUMMARY: These proposed amendments to the asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) require control device and fugitive emission monitoring, recordkeeping, and reporting for asbestos milling, manufacturing, and fabricating operations. For planned demolitions and renovations, the notification requirements are revised, and safety is added as a reason for exemption from the use of wet removal methods. Recordkeeping is required for asbestos waste disposal. Clarifying revisions are made to several definitions and provisions.

The existing standard and the proposed amendments implement section 112 of the Clean Air Act (CAA) and are based on the Administrator's determination that asbestos presents a significant risk to human health as a result of air emissions from one or more source categories and is therefore a hazardous air pollutant (see 36 FR 3832 (March 31, 1971)). The standard proposed today amends the asbestos NESHAP to enhance enforcement and promote compliance with the current standard without altering the stringency of existing controls.

These regulations also would implement, in part, section 303(b) of the Asbestos Hazard Emergency Response Act (AHERA) to the extent they apply to disposal of asbestos removed from school buildings.

A public hearing will be held, if requested, to provide interested persons with an opportunity for oral presentation of data or views concerning the proposed amendments.

DATES: *Comments.* Comments must be received on or before March 7, 1989.

Public Hearing. If anyone contacts EPA requesting to speak at a public hearing by January 31, 1989, a public hearing will be held on February 8, 1989 beginning at 10:00 a.m. Persons interested in attending the hearing should call Ms. Ann Eleanor at telephone no. 919-541-5578 to verify that a hearing will occur.

Request to Speak at Hearing. Persons wishing to present oral testimony must contact EPA by January 31, 1989.

ADDRESSES: *Comments.* Comments should be submitted (in duplicate if possible) to: Central Docket Section (LE-131), South Conference Center, Room 4, Attention: Docket No. A-88-28, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

Public Hearing. If anyone contacts EPA requesting a public hearing, the hearing will be held at the EPA Office of Administration Auditorium, Research Triangle Park, North Carolina. Persons who want to present oral testimony should notify Ms. Ann Eleanor, Standards Development Branch (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone no. 919-541-5578. Persons interested in attending the hearing should call Ms. Ann Eleanor to verify that a hearing will occur.

Docket. Docket No. A-88-28, containing supporting information used in developing the proposed standards revisions, is available for public inspection and copying between 8:00 a.m. and 4:00 p.m., Monday through Friday, at EPA's Central Docket Section, South Conference Center, Room 4, West Tower Lobby, Gallery 1, Waterside Mall, 401 M Street SW., Washington, DC 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: For information concerning the policy aspects of the proposed standard revisions, contact Mr. Sims Roy, Standards Development Branch, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone no. 919-541-5268. For information concerning technical aspects, contact Mr. Bruce Moore, Industrial Studies Branch, telephone no. 919-541-5490, at the same address.

SUPPLEMENTARY INFORMATION

Introduction

Section 112(a)(1) of the CAA defines a "hazardous air pollutant" as one that the Administrator judges "causes or contributes to air pollution which may reasonably be anticipated to result in an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness." Section 112(b)(1)(A) of the CAA requires the Administrator to publish a list that includes each hazardous air pollutant for which he intends to establish an emission standard under this section. Asbestos

was listed as a hazardous air pollutant under section 112 on March 31, 1971 (36 FR 8031).

Initial standards controlling milling, manufacturing, demolition, spraying, and roadway sources of asbestos emissions were promulgated on April 6, 1973 (38 FR 6820). These standards were based on the 1970 conclusion by the National Academy of Science (NAS) that asbestos emissions from major man-made sources should be minimized. On October 14, 1973, the demolition standards were revised to place additional requirements on demolitions ordered by State or local governments besides notification requirements already in effect, and the standard was expanded to cover renovation activities, use of asbestos in friable insulation, and waste disposal (40 FR 48299). Work practices covering emissions from demolition and renovation were amended on June 19, 1978 (43 FR 28372), and were reamended on April 5, 1984 (49 FR 13658), to reinstate work practice and equipment controls held not to be emission standards by the Supreme Court in its decision in *Adams Wrecking Company v. United States*, 434 U.S. 273 (1978). The 1977 amendments to the CAA authorize work practice standards when it is not feasible to prescribe an emission standard. Such an instance occurs, for example, when a pollutant cannot be emitted through a conveyance designed and constructed to emit or capture such a pollutant or when a measurement methodology is not available.

A general review of the current asbestos NESHAP was undertaken to evaluate the consistency of the existing standard with current EPA policies for NESHAP regulatory development, the availability of improved emission controls, the need to improve compliance, and the integration of the NESHAP with other regulatory requirements. The EPA determined that, when complied with, the asbestos NESHAP is effective in reducing emissions and protecting the public health. However, EPA also concluded that many demolition and renovation sources do not comply with the removal and waste disposal provisions of the current standard, and that some additional work practices should be required. Also, there is a need for an explicit requirement to monitor air pollution control devices at milling, manufacturing, and fabricating sources to assure their proper operation.

A risk-based approach was also considered in the review of the current asbestos NESHAP. However, questions regarding how EPA weighs a range of health, risk, and other factors in

structures, publicly owned buildings, ships, and waste disposal sites.

The meaning of "Facility component" is clarified by defining it as any part of a facility, including equipment.

The current definition of "Friable asbestos material" contains a threshold of 1 percent for the amount of asbestos that must be present before friable material is subject to the demolition and renovation provisions. The intent of the 1 percent threshold was to distinguish between material that contained asbestos and material that did not contain asbestos within the limits of detection of the available analytical methods. The current definition also expresses the asbestos threshold as percent by weight. The proposed standard expresses asbestos content as percent by area to make the regulation consistent with preferred analytical methodology, which gives results as percent by area, and with current practice; it does not change the stringency of the standard.

The mass of asbestos present in a bulk sample cannot be determined directly. In the context of bulk sample analysis, mass is a derived property because it is obtained by counting and sizing asbestos particles under a microscope, assuming a geometric shape for the particles, calculating their volume, and multiplying by an assumed density. The mass of nonasbestos material present in a bulk sample would be obtained by the same procedure.

On the other hand, the area and type of asbestos present in a bulk sample can be determined directly through microscopic analysis. Appendix A, Subpart F, 40 CFR Part 763, contains the approved method of bulk sample analysis for asbestos—polarized light microscopy (PLM) and point counting and is incorporated by reference in the definition. In this method, the area of an analytical slide occupied by asbestos particles and the area occupied by matrix are both measured directly. The Agency is considering incorporation of this method explicitly in the final rule if it would be more convenient to use. Therefore, EPA is requesting comments on whether the method should be incorporated by reference as it is in this proposal, or whether the method should be stated explicitly in the rule.

The relationship between percent weight and percent area has been studied by EPA (*Draft Relationship Between Visual Estimates and Weight Percentage of ACM*). This study discusses ways to convert percent area measurements to percent weight equivalents, generally concluding that percent weight and percent area are equivalent for most matrices in which

asbestos is found. Furthermore, using percent area will serve the same purpose as was intended initially, i.e., whether asbestos is present or not.

The cost and availability of methods for the identification and quantitation of asbestos vary greatly depending on the particular method. The TEM, for example, is relatively expensive with costs ranging from about \$500 to \$700 per sample analyzed. PLM costs, however, average about \$25 to \$30 per sample. Numerous laboratories are capable of performing PLM, while the number of laboratories with TEM capabilities for asbestos analysis are somewhat more limited.

An informal survey by EPA's Office of Research and Development (ORD) of analysts performing asbestos bulk sample analyses reveals that in practice they determine and report percent asbestos by area, not by weight. This is considered to be the norm rather than an exception.

The EPA also considered, but rejected, a revision to the definition of "Friable asbestos material" to include materials that can be crumbled, pulverized, or reduced to powder by the mechanical forces expected to act on the material. The intent of such a change would be to codify an interpretation already made by EPA. The interpretation states that, in effect, the demolition and renovation regulations apply to materials that are normally nonfriable (e.g., asbestos-cement sheet), which because of forces acting on the material during demolition or renovation and subsequent handling, transportation, storage or disposal operations, would result in asbestos emissions. However, as a result of numerous comments from government and industry stating that the existing definition of friable was well established and widely accepted, EPA has decided to retain the existing definition with the exception that "broken" is inserted ahead of "crumbled, pulverized, or reduced to powder." This is consistent with EPA's current interpretation and application of this definition. Throughout the regulation where the phrase "crumbled, pulverized, or reduced to powder" is used, the word "broken" has been added.

The standard will be revised where appropriate to regulate materials that are normally nonfriable but potentially can be broken, crumbled, pulverized, or reduced to powder as a result of the regulated operations. Such materials include, for example, A/C products and paper insulation. These materials must be removed from a facility prior to its demolition because they are likely to be

broken up during demolition and inaccessible after demolition for segregation and separate disposal in a NESHAP landfill. To the extent that these materials can be removed without breaking or crumbling, they do not have to be wetted and sealed in leak-tight containers, although they are to be included in determining applicability and their quantity must be included in the notification. In addition, they must be disposed of in a NESHAP landfill. Nonfriable materials that are likely to remain nonfriable and, therefore, not be subject to the demolition and renovation provisions, include packings and gaskets, floor tile, asphalt roofing shingles, roofing felt, coatings, and sealants. However, even these nonfriable materials may be subject to regulation under certain situations. For example, the sanding of asbestos floor tiles that can produce asbestos emissions is considered a renovation and subject to the regulation. Severely weathered asphaltic materials may become brittle and, therefore, be subject to the regulation. Because handling even normally nonfriable materials can result in asbestos emissions under some conditions, case-by-case determinations of friability will still be required in many instances.

A definition of "Fugitive sources" is added to help clarify the modified provisions for mills, manufacturing, and fabricating.

A definition of "Glove bag" is added because the use of glove bags will be permitted in renovations when wetting is determined not to be feasible for safety reasons or because of the potential to damage equipment. However, EPA intends for glove bags to be used with wetting inside the glove bags.

The definition of "Inactive waste disposal site" is revised by deleting reference to vehicular traffic and stipulating that an inactive site is one at which asbestos-containing waste material has not been deposited within the past year.

"Installation" is defined as a building or group of buildings at a demolition or renovation site. This definition is added to clarify the existing applicability requirements for demolition or renovation. For purposes of determining the amount of asbestos to be stripped or removed, the amounts of asbestos in a group of buildings to be demolished or renovated are summed.

"Leak-tight" is defined to help clarify the intent of the demolition and renovation and waste disposal requirements as they pertain to the use of leak-tight containers, wrappings, and

Administrator if visible emissions occur during the report period. Quarterly reports shall be postmarked by the 30th day following the end of the calendar quarter.

§§ 61.146 and 61.147. (Removed)

2. Sections 61.146 and 61.147 are removed, and § 61.145 is revised to read as follows:

§ 61.145 Standard for demolition and renovation.

(a) *Applicability.* The requirements of paragraphs (b) and (c) of this section apply to each owner or operator of a demolition or renovation activity including the removal of asbestos-containing material as follows:

(1) If the amount of asbestos-containing material in a facility being demolished is at least 80 linear meters (200 linear feet) on pipes or at least 15 square meters (100 square feet) on other facility components or a total of at least one cubic meter (35 cubic feet) on or off all facility components in a facility being demolished, all the requirements of paragraphs (b) and (c) of this section apply, except as provided in paragraph (a)(3) of this section.

(2) If in a facility being demolished, the amount of asbestos-containing material is less than 80 linear meters (200 linear feet) on pipes and less than 15 square meters (100 square feet) on other facility components and if the total amount present in or off all facility components in a facility being demolished is less than one cubic meter (35 cubic feet) or there is no asbestos, only the notification requirements of paragraphs (b)(1), (2), (3)(i) and (iv), and (4)(i) through (vi) and (4)(viii) and (xv) of this section apply.

(3) If the facility is being demolished under an order of a State or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse, only the requirements of paragraphs (b)(1), (b)(2), (b)(3)(iii), (b)(4) except (b)(4)(vii), (b)(6), and (c)(4), (5), (6), (7), (8), and (9) of this section apply.

(4) If at least 80 linear meters (200 linear feet) of asbestos-containing materials on pipes or at least 15 square meters (100 square feet) of asbestos-containing materials on other facility components or a total of at least one cubic meter (35 cubic feet) on or off all facility components are stripped, removed, or otherwise disturbed from a facility being renovated including any individual nonscheduled renovation operation, all the requirements of paragraphs (b) and (c) of this section apply.

(i) To determine whether paragraph (a)(4) of this section applies to planned renovation operations involving individual nonscheduled operations, predict the additive amount of asbestos-containing materials to be removed or stripped from one or more facilities during a calendar year of January 1 through December 31.

(ii) To determine whether paragraph (a)(4) of this section applies to emergency renovation operations, estimate the amount of asbestos-containing materials to be removed or stripped as a result of the sudden, unexpected event that necessitated the renovation.

(5) For the purpose of determining applicability, do not include materials that cannot become friable, such as packages, gaskets, asphalt roofing, and vinyl floor tile that are in good condition. Owners or operators of demolition and renovation operations are exempt from the requirements of §§ 61.003(a), 61.07, and 61.08.

(b) *Notification requirements.* Each owner or operator of a demolition or renovation activity to which this section applies shall:

(1) Provide the Administrator with written notice of intention to demolish or renovate. Update notice, as necessary, including when the amount of asbestos affected changes.

(2) Send the notice by certified mail, return receipt requested, or hand deliver the written notice.

(3) Postmark or deliver the notice as follows:

(i) At least 10 working days before asbestos stripping or removal work or other activities such as site preparation which would disturb any asbestos material in a demolition or renovation begin, if the operation is described in paragraphs (a)(1) and (4) except (a)(4)(i) and (a)(4)(ii), of this section. If the operation is described in paragraph (a)(2) of this section, notification is required 10 working days before demolition begins.

(ii) For renovations described in paragraph (a)(4)(i) of this section, send by certified mail, return receipt requested and postmarked or hand deliver notice 10 working days before the end of the calendar year preceding the year for which notice is being given.

(iii) As early as possible before, but not later than the following working day after asbestos stripping or removal work is a renovation begins, if the operation is described in paragraph (a)(4)(ii) of this section or as early as possible before or by the following working day if the operation is a demolition described in paragraph (a)(3) of this section.

(iv) If asbestos stripping or removal work in demolition or renovation operations, described in paragraphs (a)(1) and (4) except (a)(4)(i) and (a)(4)(ii) of this section, will begin on a date other than the one contained in the notice, written notice of the new start date must be sent by certified mail, return receipt requested and postmarked at least 5 working days or received at least 3 working days before asbestos stripping or removal work in a demolition or renovation begins and postmarked at least 5 working days or received at least 3 working days before the original start date. For demolitions covered by paragraph (a)(2) of this section, written notice of the new start date must be sent by certified mail, return receipt requested and postmarked at least 3 working days or received at least 3 working days prior to commencement of demolition. In no event shall an operation covered by this provision begin on a date other than the date contained in the written notice of the new start date.

(4) Include the following in the notice:

(i) Name, address, and telephone number of owner and operator.

(ii) Type of operation: Demolition or renovation.

(iii) Description of the facility including the size (square meters) (square feet) and number of floors, age, and present or prior use of the facility.

(iv) Procedure employed to detect the presence of asbestos-containing materials.

(v) Estimate of the approximate amount of asbestos-containing material, including nonfriable asbestos material that will not be broken, crumbled, pulverized, or reduced to powder in the course of operations regulated by this section, to be removed from the facility in terms of length of pipe in linear meters (linear feet), surface area in square meters (square feet) on other facility components, and volume on both in cubic meters (cubic feet). Provide separate estimates of the amounts of friable asbestos-containing material; the amount of nonfriable asbestos-containing material that has the potential to be broken, crumbled, pulverized, or reduced to powder; and the amount of nonfriable asbestos-containing material that will not be broken, crumbled, pulverized, or reduced to powder in the course of operations regulated by this section.

(vi) Location and address of the facility being demolished or renovated.

(vii) Scheduled starting and completion dates of asbestos removal work in a demolition or renovation; planned renovation operations involving

Individual nonscheduled operations shall only include the beginning and ending dates of the report period as described in paragraph (a)(4)(i) of this section.

(viii) Scheduled starting and completion dates of demolition or renovation.

(ix) Description of planned demolition or renovation work to be performed and method(s) to be employed including demolition or renovation techniques to be used and description of affected facility components.

(x) Description of work practices and engineering controls to be used to comply with the requirements of this subpart, including asbestos removal and waste handling emission control procedures and the procedures to prevent nonfriable material from being broken, crumbled, pulverized, or reduced to powder in course of operations regulated by this section.

(xi) Name and location of the waste disposal site where the asbestos-containing waste material, including nonfriable asbestos that has the potential to be broken, crumbled, pulverized, or reduced to powder in the course of operations regulated by this section will be deposited.

(xii) A certification that only an owner or operator of a demolition or renovation activity trained as required by paragraph (c)(6) of this section will supervise in the stripping and removal described by this notification.

(xiii) For facilities described in paragraph (a)(3) of this section, the name, title, and authority of the State or local government representative who has ordered the demolition, the date that the order was issued, and the date on which the demolition was ordered to begin.

(xiv) For emergency renovations described in paragraph (a)(4)(ii) of this section, the date and hour that the emergency occurred, a description of the sudden unexpected event, and an explanation of how the event has caused unsafe conditions.

(xv) Description of procedures to be followed in the event that unexpected asbestos is found or previously nonfriable asbestos material becomes broken, crumbled, pulverized, or reduced to powder.

(5) The information required in paragraph (b)(4) of this section must be reported using a form similar to that shown in Figure 3.

(c) *Procedures for asbestos emission control.* Each owner or operator of a demolition or renovation activity to whom this section applies shall comply with the following procedures:

(1) Remove asbestos-containing materials from a facility being demolished or renovated before any activities that would disturb the materials or preclude access to the materials for subsequent removal. However, asbestos-containing materials need not be removed before demolition if:

(i) They are on a facility component that is encased in concrete or other similarly hard material and are adequately wetted whenever exposed during demolition; or

(ii) They were not accessible for testing and were not discovered until after demolition began and, as a result, cannot be safely removed. If not removed for safety reasons, the exposed asbestos-containing material and any asbestos-contaminated debris must be adequately wetted.

(iii) They are materials that cannot become friable during demolition or renovation, such as, pecking, gaskets, asphalt roofing, and vinyl floor tile in good condition.

(2) When a facility component that contains asbestos or that is covered or coated with asbestos-containing materials is being taken out of the facility as units or in sections:

(i) Adequately wet any asbestos-containing materials exposed during cutting or disjoining operations; and

(ii) Carefully lower the units or sections to ground level not dropping, throwing, sliding or otherwise damaging them.

(3) When asbestos-containing material is stripped from facility components in a facility, adequately wet the asbestos-containing material during the stripping operation.

(i) In renovation operations, wetting is not required if the owner or operator has obtained written approval from the Administrator by:

(A) Asking the administrator to determine whether wetting to comply with this paragraph would unavoidably damage equipment or present a safety hazard, and supplying the Administrator with adequate information to make this determination before beginning to strip asbestos-containing material; and

(B) Using one of the following when the Administrator does determine that equipment damage would be unavoidable or that a safety hazard would exist:

(i) A local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping and removal of the asbestos materials. The system must exhibit no visible emissions to the outside air or be designed and

operated in accordance with the requirements of § 61.152.

(2) A glove-bag system designed and operated to capture the particulate asbestos material produced by the stripping of the asbestos materials.

(3) Leak-tight wrapping to contain all asbestos-containing material prior to dismantlement.

(ii) In renovation operations where wetting or the methods allowed in paragraph (c)(3)(i) of this section cannot be used, other methods may be used after obtaining written approval from the Administrator upon determination that they are equivalent to wetting or the methods allowed in paragraph (c)(3)(i) of this section.

(iii) A copy of the Administrator's written approval shall be kept at the worksite and available for inspection.

(4) After a facility component covered or coated with asbestos-containing material has been taken out of the facility as units or in sections, it must be stripped or contained in leak-tight wrapping for disposal, except as described in paragraph (c)(5) of this section. If stripped, either:

(i) Adequately wet asbestos-containing materials during stripping; or

(ii) Use a local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping. The system must exhibit no visible emissions to the outside air or be designed and operated in accordance with the requirements in § 61.152.

(5) For large facility components such as reactor vessels, large tanks, and steam generators, but not beams, the asbestos is not required to be stripped if the following requirements are met:

(i) They can be removed, transported, stored, and reused without disturbing or damaging the asbestos.

(ii) They are encased in a leak-tight wrapping.

(iii) It is labeled according to § 61.148(d)(1)(i), (ii), and (iii) during all loading and unloading operations and during storage.

(6) For all asbestos-containing materials including those that have been removed or stripped:

(i) Adequately wet the materials to ensure that they remain wet until they are collected and contained or treated in preparation for disposal in accordance with § 61.152; and

(ii) Carefully lower the materials to the ground or a lower floor, not dropping, throwing, sliding, or otherwise damaging them; and

(iii) Transport the materials to the ground via leak-tight chutes or containers if they have been removed.

placed more than 50 feet above ground level and were not removed as units or sections.

(iv) Asbestos-containing materials contained in leak-tight wrapping that have been removed in accordance with paragraphs (c)(4) and (c)(3)(i)(B)(j) of this section need not be wetted.

(7) When the temperature at the point of wetting is below 0°C (32°F):

(i) The owner or operator need not comply with paragraph (c)(2)(i) of this section and the wetting provisions of paragraph (c)(e) of this section.

(ii) The owner or operator must remove facility components coated or covered with asbestos-containing materials as units or in sections to the maximum extent possible.

(iii) During periods when wetting operations are suspended due to freezing temperatures, the owner or operator must record the temperature at the beginning, middle, and end of each work day and keep daily temperature records available for inspection by the Administrator during normal business hours at the demolition or renovation site. The owner or operator shall retain the records of temperature for at least 2 years.

(8) All asbestos-containing material shall be stripped, removed, and otherwise handled by an owner or operator of a demolition or renovation activity with at least one on-site representative, such as a foreman or management level person, trained in the provisions of this regulation and the means of complying with them. The required training shall include as a minimum: applicability; notifications; control procedures for removals including, at least, wetting, local exhaust ventilation, negative pressure enclosures, glove-bag procedures, and High Efficiency Particulate Air (HEPA) filters; waste disposal work practices; reporting and recordkeeping; and asbestos hazards and worker protection. Evidence that the required training has been accomplished shall be made available for inspection by the Administrator during normal business hours at the demolition or renovation site. This requirement shall become effective one year after promulgation of this regulation. This training does not replace the training requirements of the Office of Pesticides and Toxic Substances nor the training requirements of OSHA in 29 CFR 1926.55.

(9) For facilities described in paragraph (a)(3) of this section, adequately wet the portion of the facility that contains asbestos-containing materials during the wrecking operation.

§ 61.148 [Redesignated as § 61.146 and Amended]

9. Section 61.148 is redesignated as § 61.146 and is amended by revising paragraphs (a), the introductory text of (b), paragraph (b)(2), and paragraph (d) to read as follows:

§ 61.146 Standard for spraying.

(a) Use materials that contain 1 percent asbestos or less by area for spray-on application on buildings, structures, pipes, and conduits, except as provided in paragraph (c) of this section.

(b) For spray-on application of materials that contain more than 1 percent asbestos by area on equipment and machinery, except as provided in paragraph (c) of this section:

(2) Discharge no visible emissions to the outside air from spray-on application of the asbestos-containing material or use the methods specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(d) Owners or operators of sources subject to this paragraph are exempt from the requirements of §§ 61.03(a), 61.07, and 61.09.

§ 61.149 [Redesignated as § 61.147 and Amended]

10. Section 61.149 is redesignated as § 61.147, paragraphs (b) (1) and (2) are revised, and paragraphs (b)(3) through (b)(8) are added to read as follows:

§ 61.147 Standard for fabricating.

(b) . . .
(1) Discharge no visible emissions to the outside air from any of the operations or from any building or structure in which they are conducted or from any other fugitive sources; or

(2) Use the methods specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(3) Monitor each potential source of asbestos emissions from any part of the fabricating facility including air cleaning devices, process equipment, and buildings that house equipment for material processing and handling, at least once each day, during daylight hours, for visible emissions to the outside air during operation. The monitoring period shall be of at least 15 seconds duration per source of emissions.

(4) Inspect each air cleaning device at least once each week for proper operation and for changes that signal the potential for malfunctions including, to the maximum extent possible, the presence of tears, holes, and abrasions in filter bags and for dust deposits on the clean side of bags. For air cleaning devices that cannot be inspected on a weekly basis according to this paragraph, submit to the Administrator, and revise as necessary, a written maintenance plan to include, at a minimum, the following:

- (i) Maintenance schedule.
- (ii) Recordkeeping plan.
- (3) Maintain records of the results of visible emission monitoring and air cleaning device inspections using a format similar to that shown in Figures 1 and 2 and include the following:
 - (i) Date and time of inspection.
 - (ii) Presence or absence of visible emissions.
 - (iii) Condition of bags, including presence of tears, holes, and abrasions.
 - (iv) Presence of dust deposits on clean side of bag.
 - (v) Brief description of corrective actions taken including date and time.
 - (vi) Daily hours of operation for each control device.
- (8) Furnish upon request and make available during normal business hours for inspection by the Administrator, all records required under this section.

(7) Retain a copy of all monitoring and inspection records for at least 2 years.

(8) Submit quarterly a copy of the visible emission monitoring records to the Administrator if visible emissions occurred during the report period. Quarterly reports shall be postmarked by the 30th day following the end of the calendar quarter.

§ 61.150 [Redesignated as § 61.148 and Revised]

11. Section 61.150 is redesignated as § 61.148 and revised to read as follows:

§ 61.148 Standard for insulating materials.

No owner or operator of a facility may install or reinstall on a facility component any insulating materials that contain commercial asbestos if the materials are either molded and friable or wet-applied and friable after drying. The provisions of this paragraph do not apply to spray-applied insulating materials regulated under § 61.146.

§ 61.151 [Redesignated as § 61.149 and Amended]

12. Section 61.151 is redesignated as § 61.149 and is amended by revising paragraphs (a), (b), (c)(1)(ii) and (iii), and (c)(2), and adding new paragraphs (d) through (f) to read as follows: