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PLAINTIFF'S EXHIBIT

SH-1682

INTEROFFICE MEMORANDUM

AUGUST 26, 1992

FROM: MANAGER - ENVIRONMENTAL COMPLIANCE
TO: DISTRIBUTION LIST
SUBJECT: ASBESTOS NOTIFICATION FEES EFFECTIVE SEPTEMBER 1, 1992

The Texas Air Control Board (TACB) adopted a new regulation concerning asbestos removal notification fees. The following information outlines the requirements and impacts of the new regulation on DPMC.

Effective Date

September 1, 1992

Impact on DPMC

There are two types of asbestos removal jobs at DPMC:

1. Project Asbestos Removal Jobs

Project asbestos removal jobs are those that remove more than 260 linear feet, 160 square feet, or 35 cubic feet of asbestos containing material (ACM). A notification form must be submitted to TACB at least 10 working days prior to the start of the job. Notification procedures contained in existing DPMC Safety Order, S-125, will continue to be used to assure compliance with this requirement. The TACB will subsequently send a bill for this notification fee to the removal contractor, if one is identified on the notification form. If a removal contractor is not identified on the form, the bill will be sent to DPMC Environmental Compliance Department. The notification fee will be charged to the department conducting the project.

2. Incidental Asbestos Removal Jobs

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Incidental asbestos removal jobs comprise all other asbestos removal jobs. The TACB is notified of these jobs annually. In November, the Environmental Compliance Department will ask each department to estimate the amount of ACM that is expected to be incidentally removed in the upcoming fiscal year. This amount will be included in the annual notification. The TACB will subsequently send a bill for the notification fee to the removal contractor, if

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one is identified on the notification form. If a contractor is not identified on the notification form, the bill will be sent to DPMC Environmental Compliance Department. The notification fee will be charged to the department conducting the project.

If these costs were applicable in 1991, the estimated cost for the Complex would be \$15,000.

Requirements

The fee for asbestos removal jobs is based upon the notification forms sent to TACB and is \$20 per Asbestos Reporting Unit (ARU). ARU is defined as:

$$\begin{aligned} \text{ARU} = & \text{Amount of ACM in linear feet to be removed} / 260 + \\ & \text{Amount of ACM in square feet to be removed} / 160 + \\ & \text{Amount of ACM in cubic feet to be removed} / 35 \\ & (\text{round this total to the nearest tenth}) \end{aligned}$$

The minimum fee is \$50/notification and the maximum fee is \$7,500/notification.

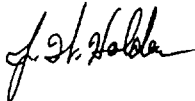
An example fee calculation is given below:

Example: 1250 square feet of ACM is to be removed.
 $\text{ARU} = 1250 / 160 = 7.8125 \text{ or } 7.8$
Fee for asbestos removal = $\$20 \times 7.8 = \156

Revisions to notifications are outlined as follows:

1. If the actual amount removed is less than the amount originally specified in the notification, TACB will refund the overpayment minus a \$25 administrative processing fee.
2. If the actual amount removed is more than the amount originally specified in the notification, a check covering the difference must accompany the revised notification.
3. If a revision to the notification is made but the amount of ACM removed is unchanged, no additional payment is required.

If you have any questions on these new requirements, please contact M. L. Haller at 6-3228.



J. W. Holden

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CAS No.	SUBSTANCE	EFFECTS SCREENING LEVEL		
		$\mu\text{g}/\text{m}^3$ (ppb)		
		30-minute or 1-hour	annual	
17068-78-9	asbestos (fibers/cc)	.001	.0001	N
	($\mu\text{g}/\text{m}^3$)	.03	.003	
8052-42-4	asphalt, vapors	350 (135)	35 (13.5)	D
	particulate fraction	50	5	T
1912-24-9	Atrazine	50	5	N,T,O
86-50-0	Azinphos-methyl	2	.2	N,T,O,M

BB

7440-39-3	barium & compounds, as Ba	5	.5	N,T,O,M
7727-43-7	barium sulfate (PM)	50 (resp)	5	N,O
68359-37-5	Baythroid	50 (PM)	5	D
	(cyfluthrin, also see pyrethrum)			
-----	Beech wood dust	10	1	N,T
17804-35-2	Benomyl (PM)	50 (resp)	5	O
98-87-3	benzal chloride	20 (3)	2 (.3)	D
71-43-2	benzene	30 (10)	3 (1)	O
95-14-7	benzene azimide (benzotriazole)	100 (20)	10 (2)	D
8032-32-4	benzine	3500 (875)	350 (88)	N
	(light petroleum distillate; VM&P naphtha)			
205-99-2	benzo[b]fluoranthene	.5	.05	E
	(see coal tar pitch volatiles)			
100-47-0	benzonitrile	505 (120)	51 (12)	D
50-32-8	benzo[a]pyrene	.03 (PM)	.003	D
95-14-7	benzotriazole (benzene azimide)	100 (20)	10 (2)	D
98-88-4	benzoyl chloride	60 (10)	6 (1)	D
94-36-0	benzoyl peroxide	50	5	N,T,O,M
140-11-4	benzyl acetate	600 (100)	60 (10)	D
100-51-6	benzyl alcohol	500 (110)	50 (11)	D
100-44-7	benzyl chloride	50 (10)	5 (1)	T,O
98-87-3	benzyl dichloride	20 (3)	2 (.3)	D
	(benzal chloride)			
7440-41-7	beryllium and compounds	see TACB Reg III		
121-46-0	bicycloheptadiene	2000	200	D
82657-04-3	Bifenthrin	25	2.5	D
92-52-4	biphenyl	2.3 (o)	1.3	T
111-44-4	bis(chloroethyl) ether	290 (50)	29 (5)	N,T,O,M
	(dichloroethyl ether)			
542-88-1	bis(chloromethyl) ether	.05 (,01)	.005 (.001)	D
1304-82-1	bismuth telluride	100 (PM)	10	N,T
	resp. fraction	50	5	N
	selenium-doped	50	5	N,T,O
80-05-7	bisphenol A	800 (vapor)	80	D
		40 (PM)	4	D

INTEROFFICE MEMORANDUM

APRIL 25, 1991

FROM: J. M. SOWLE

TO: W. G. COIT
J. A. GANDOLFO
D. G. JAEGER
H. L. LEE
G. A. PHILLIPS
T. Q. QUEENER
T. A. ROBERTS
E. V. STIGALL

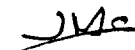
SUBJECT: INTERPRETATION CHANGE ON ASBESTOS REPORTING
REQUIREMENTS FOR RENOVATION WORK

There has been an interpretation change in the reporting requirements for renovation work involving asbestos removal. Previously, DPMC was able to include in an annual report to the Texas Air Control Board (TACB) the amount of asbestos that would be removed due to renovation work. These projects included removal jobs where the amount of asbestos removed were both above and below the reportable quantity of 160 square feet or 260 linear feet.

The change is now DPMC must report to the TACB all jobs above the reportable quantity of 160 square feet or 260 linear feet 10 days in advance. The annual report is only for estimating small jobs during the year that are less than the reportable quantity.

This change is effective immediately. If you have any questions or difficulty meeting the above reporting requirement, please contact K. C. Glauner at 6-7515.

Thank you for your cooperation,


J. M. Sowle

cc: G. C. Anderson
W. B. Austin
M. J. Boyle
M. L. Corron
A. DeMunburn - Brown & Root
N. A. Gilbert
K. C. Glauner
A. F. Schmit
ECB Satellite
Envr. Chron.

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