

Southeastern States Asbestos Conference 2006 November 13-15, 2006 West Palm Beach, Florida

Questions and Answers & Discussion Topics / Updates

EPA has responded to the following questions to the best of the Agency's ability given EPA's understanding of the questions and given the limited information provided. These responses do not represent official EPA applicability determinations about any specific situation. It is always better to present a specific case scenario and ask the EPA to respond to it than to ask general questions.

QUESTIONS and ANSWERS

1) The following questions relate to trailer parks. Since this appears to be an area in which circumvention of the regulations is quite possible, EPA Region 4 will be requesting a formal applicability determination from Headquarters to address these questions in greater detail. The preliminary answers herein have been discussed with EPA Headquarters. SESAC attendees will be asked to provide additional specific scenarios which they would like to be addressed in the applicability determination.

(A) Would 40 C.F.R. Part 61, Subpart M, apply if the trailer park is purchased by a developer, and a trailer transport company purchases or otherwise takes control of a group of individual trailers from the original trailer owners, and the trailer transport company or other parties later dismantle the trailer for scrap? The trailer park developer's intent is to eliminate all of the trailer homes within the park.

(B) Would 40 C.F.R. Part 61, Subpart M, apply if the trailer park is purchased by a developer, and a trailer transport company purchases or otherwise takes control of a group of individual trailers from the original trailer owners, and the trailers are later resold by the trailer transport company to another party? All transactions are made by the original trailer owner and the trailer transport company. The trailer park developer's intent is to eliminate all of the trailer homes within the park.

(C) Would 40 C.F.R. Part 61, Subpart M, apply if the trailer park is purchased by a developer, and a metal scavenger purchases or otherwise takes control of a group of individual trailers for the purpose of removing aluminum components for recycling? The aluminum scavenging includes the removal of load bearing structures (car ports). All transactions are made by the original trailer owner and the metal scavenger. The trailer park developer's intent is to eliminate all of the trailer homes within the park.

In all three scenarios provided, a **group** of individual trailers is taken control over from the same project (the future development of the trailer park) at the same site. Therefore, each of these groups of trailers referred to in the above scenarios are considered to be an installation. In all three scenarios provided, the Asbestos NESHAP applies since each group of trailers is considered to be a residential installation. If only one, single trailer was involved in the transfer

of control or ownership, the residential exemption would be applicable to its demolition or renovation, and the Asbestos NESHAP would not apply. The Asbestos NESHAP, when applicable, applies to both the owner and the operator.

2) Would a building or structure that was suspected of being contaminated with asbestos and showing a greater than 1% result for wipe samples but with no visible emissions be regulated under NESHAP?

If the building or structure were to be demolished or renovated, it may be subject to the Asbestos NESHAP. Bulk samples would need to be taken since wipe samples are not recognized by the Asbestos NESHAP. In order to determine which Asbestos NESHAP requirements would be applicable, amounts of regulated asbestos-containing material (RACM) that would be involved in the renovation or demolition would need to be determined.

3) This is a quote from the Environmental Information Association's website. What's EPA's current take on the acceptability of this method?

The "Fort Worth Method" of asbestos abatement allows for the demolition of a structure with the asbestos-containing material still in place! In order to assure that asbestos does not become airborne during demolition, the method specifies the use of a fire hose with a variable rate 11-G (11 gpm) or 30-G (30 gpm) fire hose to adequately wet asbestos-containing material in the building. While water is being applied, the structure is bulldozed or collapsed. After the structure is demolished, a "NESHAP trained individual" will sift through the waste material to determine what parts of the demolition debris must be disposed of as "asbestos-contaminated waste". The method goes one step further, and specifies that "if RACM is isolated on the structure, the contractor will be advised to demolish the other areas of the structure first, taking care not to disturb the RACM, and to load the demolition debris separately. Then the part of the structure containing the RACM will be demolished and that debris will be disposed of as asbestos-containing material",

The "Fort Worth Method" is no longer under consideration. In that method, all materials were left in place and wetted prior to demolition. What was actually carried out at the Fort Chaffee Redevelopment Authority was side-by-side demolitions of two identical structures (military barracks) at Fort Chaffee, Arkansas this past spring. On one structure, the Alternative Asbestos Control Method (AACM) was used. The AACM uses amended water before and during the demolition. Some specific ACM was removed prior to demolition (pipe wrapping). Candidate structures are limited in height, and all debris is disposed of as ACWM. No water leaves the site, and two inches of soil are removed after the demolition and disposed of as ACWM. The standard NESHAP demolition process was used for the demolition of the other structure. The AACM is different in many respects from what the City of Fort Worth proposed under the XL Program several years ago. The website for the AACM demolitions is <<http://epa.gov/region6/6xa/asbestos.htm>>.

A multitude of samples were taken during the demolitions. The final report on the findings will be ready to go for internal review next week. After that, it will be reviewed by the members of the Quality Assurance Project Plan Technical Development Team. After that, it will go to formal peer review and public comment. The final report should be completed by the

spring of 2007. EPA will then use the data from this report along with other information as they desire to determine if the Asbestos NESHAP should be revised.