

Are You Compliant with the Asbestos NESHAP for Your Building AND Your Air Permit?

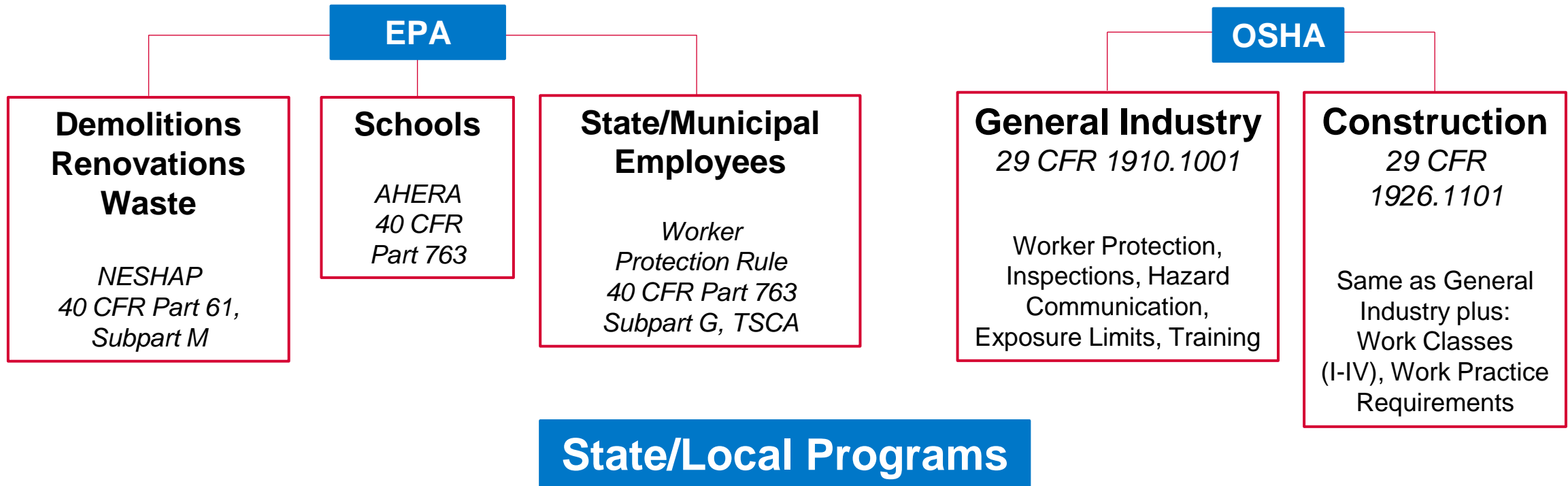
Joe Hitt

My Background – Joe Hitt



- Asbestos industry since ____
- Asbestos project manager
- Now work with companies on project bids & scoping
- iSi sees asbestos from many different sides of compliance
- Confusion/unfamiliarity with NESHAP reg requirements

The Agencies Involved in Asbestos



EPA: protect environment & public health
OSHA: protect worker health
States/Local: protect environment & public health

FAQ: OSHA Construction vs. OSHA General Industry

You may fall under both, depending on what's going on at your facility

- Daily management of ACM at your facility = General Industry
- Intentional disturbance of asbestos = Construction Industry
- Also applies to in-house workers conducting construction activities

Regulations for both standards include:

- Notifying employees of the hazards of asbestos (presence, quantity & location or when it's being removed in their area)
- Putting up signage (posting signs of known asbestos & when removing)
- Worker protection
- Acceptable exposure limits
- When respiratory protection is needed
- Medical surveillance
- Training



FAQ: OSHA Construction vs. OSHA General Industry

Construction standard: Work practice rules asbestos work activities, from full asbestos abatement to repair and maintenance activities to minor janitorial cleanups.

- Class I – Highest risk, friable (crumbly) – insulation, ceiling texture
- Class II – All other ACM, non-friable (not crumbly) – floor tile, siding, Transite
- Class III – Removal for maintenance & repair – cutting away asbestos to fix a pipe or access an electrical panel
- Class IV – Cleaning up after Class I, II and III work



What is NESHAP?

National Emission Standards for Hazardous Air Pollutants

- Standards for air pollutants that cause cancer

NESHAP and Asbestos: Applies to any renovation or demolition, asbestos removal, transportation or disposal

NESHAP and Air Compliance: Monitoring air emissions based on a list of pollutants

- Standards broken into subparts
- Asbestos rules are in Subpart M

▼ Title 40 Protection of Environment	Part / Section
▼ Chapter I Environmental Protection Agency	1 – 1099
▼ Subchapter C Air Programs	50 – 99
▼ Part 61 National Emission Standards for Hazardous Air Pollutants	61.01 – 61.359
▶ Subpart A General Provisions	61.01 – 61.19
▶ Subpart B National Emission Standards for Radon Emissions From Underground Uranium Mines	61.20 – 61.26
▶ Subpart C National Emission Standard for Beryllium	61.30 – 61.34
▶ Subpart D National Emission Standard for Beryllium Rocket Motor Firing	61.40 – 61.44
▶ Subpart E National Emission Standard for Mercury	61.50 – 61.56
▶ Subpart F National Emission Standard for Vinyl Chloride	61.60 – 61.71
<i>Subpart G [Reserved]</i>	
▶ Subpart H National Emission Standards for Emissions of Radionuclides Other Than Radon From Department of Energy Facilities	61.90 – 61.97
▶ Subpart I National Emission Standards for Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H	61.100 – 61.108
▶ Subpart J National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene	61.110 – 61.112
▶ Subpart K National Emission Standards for Radionuclide Emissions From Elemental Phosphorus Plants	61.120 – 61.127
▶ Subpart L National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants	61.130 – 61.139
▶ Subpart M National Emission Standard for Asbestos	61.140 – 61.157
▶ Subpart N National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants	61.160 – 61.165
▶ Subpart O National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters	61.170 – 61.177
▶ Subpart P National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities	61.180 – 61.186
▶ Subpart Q National Emission Standards for Radon Emissions From Department of Energy Facilities	61.190 – 61.193
▶ Subpart R National Emission Standards for Radon Emissions From Phosphogypsum Stacks	61.200 – 61.210
<i>Subpart S [Reserved]</i>	
▶ Subpart T National Emission Standards for Radon Emissions From the Disposal of Uranium Mill Tailings	61.220 – 61.226

Asbestos NESHAP



Protects public health from exposure to asbestos during:

- Renovation/Demolition
- Abatement
- Transport and Disposal

Four basic points

- Fugitive emissions from worksites
- Required removal before demolition
- Notification requirements before disturbing
- Standards for disposal

Notifications & Disposal



Notifications of activity

- Send to state/local agency asbestos departments because they manage Clean Air Act compliance
- Project notifications
- Demolition notifications

Asbestos isn't a hazardous waste, it's an "other regulated material" but you still need documentation on where it went just like HW

- Make sure you receive all proper disposal documentation from your contractor

Does Your Facility Have Asbestos?

Misconception that if built after 1980 won't have it – only applied to the manufacture of asbestos, not the installation

Must have a survey PRIOR to renovations

What's a renovation?

- Altering a facility or one or more facility components in any way, including the stripping or removal of recognized ACM from a facility component.
- Taking out or wrecking a load-supporting structural member is demolition (beams, walls, ceilings – including non-load supporting walls and ceilings)
- Includes your routine maintenance activities, which are required for your day-to-day operations of a building

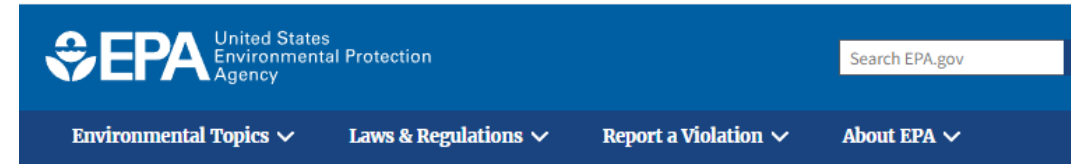
The Air Permitting Side

Two types of facilities: Major Sources and Area Sources

- Major: Potential to emit **greater than** 10 tons/year of a single HAP or 25 tons/yr. a combination of HAPs
- Area: Potential to emit **less than** 10 tons/yr. of a single HAP or 25 tons/yr. combination

Even if you don't need to have an air permit, you still have to follow NESHAPs compliance – so many on the list, likely one applies to your business

- Includes asbestos!



Related Topics: [Hazardous Air Pollutants](#)

CONTACT

Initial List of Hazardous Air Pollutants with Modifications

Under the Clean Air Act, EPA is required to regulate emissions of hazardous air pollutants. This original list included 189 pollutants. Since 1990, EPA has [modified](#) the list through rulemaking to include 188 hazardous air pollutants.

CAS Number	Chemical Name
75070	Acetaldehyde
60355	Acetamide
75058	Acetonitrile
98862	Acetophenone
53963	2-Acetylaminofluorene
107028	Acrolein
79061	Acrylamide
79107	Acrylic acid
107131	Acrylonitrile
107051	Allyl chloride
92671	4-Aminobiphenyl
62533	Aniline
90040	o-Anisidine
1332214	Asbestos
71432	Benzene (including benzene from gasoline)
92875	Benzidine

Reporting Requirements

- On air permit: Are you compliant? Yes or No
- It's up to you to know and have the backup documentation
- For example, in Kansas...
- What does your state require?



Documentation Needs

- NESHAP Survey – If you did a renovation – was it a renovation?
- Determine Presence, Quantity and Location Survey (OSHA)
- Sampling records – has that damaged tile on your floor been sampled?
- Materials Management Plan/Operations and Maintenance Plan (required for schools, best practice)
- Training Records
 - Awareness
 - Operations and Maintenance
- Abatement Records
- Waste disposal records
- State-required documentation
- What does your insurance require??



Questions & Discussion
