

Asbestos Clarifications

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Asbestos NESHAP Clarification of Intent - Residential Building Exemption

EPA published this notice to clarify that, in EPA's opinion, the demolition or renovation of an isolated small residential building by any entity is not covered by the asbestos NESHAP. This notice does not affect EPA's policy regarding demolition by fire. However, EPA also believes that the demolition or renovation of multiple (more than one) small residential buildings on the same site by the same owner or operator (or owner or operator under common control) is covered by the asbestos NESHAP.

Asbestos Ban and Phase Out

On July 12, 1989, EPA issued a final rule banning most asbestos-containing products. In 1991, this regulation was *overturned* by the Fifth Circuit Court of Appeals in New Orleans. As a result of the Court's decision, the following specific asbestos-containing products remain banned: flooring felt, rollboard, and corrugated, commercial, or specialty paper. In addition, the regulation continues to ban the use of asbestos in products that have not historically contained asbestos, otherwise referred to as "new uses" of asbestos. This site contains a history of the Asbestos Ban and Phase Out and the related EPA clarification.

Asbestos NESHAP Adequately Wet Guidance

The purpose of this document is to provide guidance to asbestos inspectors and the regulated community on how to determine if friable ACM is adequately wet as required by the Asbestos NESHAP.

Clarification on Asbestos NESHAP Requirement to Perform Point Counting

Revisions to the asbestos NESHAP were promulgated on November 20, 1990 and included a requirement to perform point counting to quantify asbestos in samples where the asbestos content is below ten percent. This requirement has been the subject of many questions, and the attached guidance document has been developed to clarify when point counting is required.

Clarification on Joint Compound Analysis & Other Multi-layered Materials

The Environmental Protection Agency has received many questions about analyzing multi-layered systems for asbestos content to determine the applicability of the asbestos NESHAP since its January 5, 1994 clarification (59 FR 542). This clarification reiterates EPA's position for analysis of multi-layered samples for applicability of the asbestos NESHAP.