

AIR

Asbestos / NESHAP Regulations

The Clean Air Act (CAA) requires the U.S. Environmental Protection Agency (EPA) to develop and enforce regulations to protect the general public from exposure to airborne contaminants that are known to be hazardous to human health. The EPA established the National Emission Standards for Hazardous Air Pollutants (NESHAP) under the authority of Section 112 of the CAA, and asbestos was one of the first hazardous air pollutants regulated. The Asbestos NESHAP is found in 40 CFR 61, Subpart M, and the Oklahoma Department of Environmental Quality (DEQ) has the delegated responsibility to regulate this NESHAP in Oklahoma.

The two most common categories in the Asbestos NESHAP regulated by Oklahoma:

- Demolition and Renovation
- Waste Disposal

Demolition and Renovation

The standards for demolition and renovation are found in 40 CFR 61.145. The Asbestos NESHAP applies to facilities (this does NOT include an individual home) and requires prior asbestos inspections, submittal of prior notification to DEQ before work begins, and assurance that asbestos emissions will be properly controlled during work.

When do I have to notify DEQ?

1. Notice must be given to DEQ for **ALL** demolitions, whether asbestos-containing material (ACM) was found during the inspection or not.
2. Notice must be given when the quantity of regulated asbestos containing material (RACM) to be disturbed is greater than 260 linear feet, 160 square feet or 35 cubic feet.



You do **NOT** have to notify DEQ:

- I. For renovations when the quantity of RACM to be disturbed is less than 260 linear feet, 160 square feet or 35 cubic feet.

Waste Disposal

The standards for active waste disposal sites are found in 40 CFR 61.154. The Asbestos NESHAP specifies that no visible emissions can be discharged to the outside air from the collection, processing, transport and disposal of asbestos-containing waste materials (ACWM).

The DEQ Land Protection Division and Air Quality Divisions issue permits with requirements related to the disposal of asbestos, regarding which landfills are allowed to accept ACWM. The Land Protection Division also has regulations pertaining to asbestos disposal.

Facilities Subject to the Asbestos NESHAP

A facility subject to the NESHAP can be any institutional, commercial or industrial structure, installation, or building. Examples include, but are not limited to:

- All public, commercial, industrial or institutional structures
- Active or inactive asbestos waste disposal sites
- Residential buildings with more than four units
- Single family homes to be burned for training purposes
- Two or more single family homes on a single site to be demolished or renovated for commercial purposes
- Bridges

Additional Information & Contacts

There are many more standards required under the NESHAPs regulations. Extensive information is available on the DEQ website Asbestos Page at <http://www.deq.state.ok.us/aqdnew/asbestos/index.htm>.



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There are multiple available links on the DEQ Asbestos Page including, but not limited to:

Asbestos NESHAP Regulations

http://www.deq.state.ok.us/aqdnew/asbestos/Asbestos_NESHAP_Regulations.pdf

EPA Asbestos Webpage

<http://www.epa.gov/asbestos/>

NESHAP Renovation/Demolition Notification Form

<http://www.deq.state.ok.us/aqdnew/asbestos/NESHAPfm.pdf>

Oklahoma Department of Labor, Asbestos Division – (405) 521-6100

- Information for OSHA Regulations pertaining to the handling of asbestos.
- When handling demolition or renovation of school (K - 12) structures, contractors should be aware of additional requirements under the federal Environmental Protection Agency Asbestos Hazard Emergency Response Act. The Oklahoma Department of Labor, Asbestos Division handles this function.
- All contractors who remove asbestos materials must be licensed by the Oklahoma Department of Labor.

Oklahoma DEQ - Land Protection Division (405) 702-5100

- Information regarding which landfills are allowed to accept asbestos or asbestos-containing materials.
- Information regarding the regulations pertaining to asbestos disposal.

Oklahoma DEQ - Air Quality Division (405) 702-4100

- Information regarding which landfills are allowed to accept asbestos or asbestos-containing materials.
- Information regarding the regulations pertaining to demolitions and renovations, including asbestos removal from facilities and facility components.