



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

NOV 8 2007

## MEMORANDUM

**SUBJECT:** Request for Enforcement Discretion - Alternative Asbestos Control Method;  
National Emissions Standard for Hazardous Air Pollutant, Asbestos Demolition  
and Renovation Standard, 40 C.F.R. Part 61, Subpart M

**FROM:** Richard E. Greene *R. Greene*  
Regional Administrator

**TO:** Granta Nakayama  
Assistant Administrator  
Office of Enforcement and  
Compliance Assurance

The purpose of this memorandum is to request enforcement discretion to allow EPA to evaluate an Alternative Asbestos Control Method (AACM) of demolition for buildings containing asbestos building materials. There have been two previous tests of the AACM. The first test was conducted in April, 2006, and was a side-by-side comparison of the AACM and the NESHAP methods at two buildings located at Ft. Chaffee, Arkansas. This test was granted a No Action Assurance by OECA on August 10, 2005 which expired June 26, 2006. The second test of the AACM was conducted in July, 2007 and utilized a building also located at Ft Chaffee. This test did not require a NAA because it was conducted in compliance with the provisions of the NESHAP for buildings that are deemed structurally unsound and in danger of imminent collapse. This third test of the AACM demolition method will help EPA collect additional scientific data to determine how best to reduce health and safety risks associated with asbestos removal pertaining to asbestos popcorn ceilings, which were not present in the first two test buildings.

A technical team has worked to identify a suitable location for evaluating this third AACM demolition method test. It is a building which is under the control of the City of Fort Worth and is an apartment complex administration located at 5901 Boca Raton, Fort Worth, Texas. This building is located at a site that is one of many that the City of Fort Worth has targeted for redevelopment where a structure or structures exists and have been identified to contain asbestos-containing materials. The selection of this building was determined by the type of asbestos-containing material that existed, addressing the Agency's need to test the AACM on a building containing a type of asbestos material not included in the previous two tests. A plan has been prepared by the technical team and the City of Fort Worth staff on securing all associated AACM activities from public exposure. The potential site is a minimum of 300 feet from any occupied structures which are located dominantly upwind from the proposed demolition. The site is completely fenced to prevent access from the neighborhood and is bounded by a multi-lane road, which the City of Fort Worth has agreed to close on the day of the

demolition. Access to all sidewalks and to public transportation stops will be detoured on the day of the demolition. Nearby structures, albeit upwind, will be covered with plastic to assure ultimate public protection from incidental exposure.

### The Alternative Asbestos Control Method

Briefly described, the Alternative Method would remove much of the potentially friable asbestos before demolition, but would leave some asbestos-containing materials (primarily wall systems, popcorn ceilings) in place. The demolition would then proceed using water suppression before, during and after demolition, in order to trap asbestos fibers and minimize their potential release into the air. Wastewater generated during the demonstration would be contained and filtered before disposal to the sewer and all contaminated materials would be disposed of properly as asbestos-containing materials. A minimum of three inches of soil will be removed from the site, where soil exists, at the completion of the demolition and disposed as asbestos-containing wastes. The demonstration would include extensive environmental monitoring of air, soil and surface water, and would allow for a representative of the City, State Health Department, or EPA to stop work if conditions so merited. The demonstration also has the safeguard of a remediation plan in the unlikely event of a significant release.

### General Information

This 1970's era building is of a composition and structure which is ideal for the testing and collection of data evaluating the AACM in a community setting. It is these types of structures which populate communities across our nation. The building has a clearance in excess of 300+ linear feet in all directions. The demonstration protocol includes provisions to account for distance, wind speed, wind direction, etc. to ensure maximum human health protection.

A technical team of EPA scientists and engineers is assembled to review and further refine the demolition protocol. A site specific Quality Assurance Project Plan (QAPP) will be developed and internally peer reviewed. A draft final report will be prepared to discuss the technical findings of the research program and will be peer reviewed by the public and by several offices within our Agency. Public involvement of local residents will be solicited at various stages throughout the project, and will be an integral part of the project plan.

EPA continues to emphasize development of technologies for the improvement to environmental compliance. Demonstration of the AACM will help us evaluate potential improvements to the existing demolition practices of the Asbestos NESHAP with the potential of improving environmental compliance if the Alternative Method is found to be equivalent or superior to existing regulations.

I appreciate your help in moving this project forward. If you have any questions or concerns with this request, please contact me at (214) 665-2100.