

**Environmental Protection Agency**

**§ 61.157**

name and location of the purchaser or disposal site to which the output materials were sold or deposited, and the date of sale or disposal.

(7) Retain records required by paragraph (f) of this section for at least 2 years.

(g) Submit the following reports to the Administrator:

(1) A report for each analysis of product composite samples performed during the initial 90 days of operation.

(2) A quarterly report, including the following information concerning activities during each consecutive 3-month period:

(i) Results of analyses of monthly product composite samples.

(ii) A description of any deviation from the operating parameters established during performance testing, the duration of the deviation, and steps taken to correct the deviation.

(iii) Disposition of any product produced during a period of deviation, including whether it was recycled, disposed of as asbestos-containing waste material, or stored temporarily on-site until analyzed for asbestos content.

(iv) The information on waste disposal activities as required in §61.154(f).

(h) Nonasbestos (asbestos-free) output material is not subject to any of the provisions of this subpart. Output materials in which asbestos is detected, or output materials produced when the operating parameters deviated from those established during the start-up performance testing, unless shown by TEM analysis to be asbestos-free, shall be considered to be asbestos-containing waste and shall be handled and disposed of according to §§61.150 and 61.154 or reprocessed while all of the established operating parameters are being met.

[55 FR 48431, Nov. 20, 1990]

**§ 61.156 Cross-reference to other asbestos regulations.**

In addition to this subpart, the regulations referenced in Table 1 also apply to asbestos and may be applicable to those sources specified in §§61.142 through 61.151, 61.154, and 61.155 of this subpart. These cross-references are presented for the reader's information and to promote compliance with the cited regulations.

TABLE 1—CROSS-REFERENCE TO OTHER ASBESTOS REGULATIONS

| Agency | CFR citation                     | Comment  |
|--------|----------------------------------|--|
| EPA    | 40 CFR part 763, subpart E ..... | Requires schools to inspect for asbestos and implement response actions and submit asbestos management plans to States. Specifies use of accredited inspectors, air sampling methods, and waste disposal procedures. |
|        | 40 CFR part 427 .....            | Effluent standards for asbestos manufacturing source categories.   |
|        | 40 CFR part 763, subpart G ..... | Protects public employees performing asbestos abatement work in States not covered by OSHA asbestos standard.  |
| OSHA   | 29 CFR 1910.1001 .....           | Worker protection measures—engineering controls, worker training, labeling, respiratory protection, bagging of waste, permissible exposure level.  |
|        | 29 CFR 1926.1101 .....           | Worker protection measures for all construction work involving asbestos, including demolition and renovation-work practices, worker training, bagging of waste, permissible exposure level.                          |
| MSHA   | 30 CFR part 56, subpart D .....  | Specifies exposure limits, engineering controls, and respiratory protection measures for workers in surface mines.   |
|        | 30 CFR part 57, subpart D .....  | Specifies exposure limits, engineering controls, and respiratory protection measures for workers in underground mines.   |
| DOT    | 49 CFR parts 171 and 172 .....   | Regulates the transportation of asbestos-containing waste material. Requires waste containment and shipping papers.  |

[55 FR 48432, Nov. 20, 1990, as amended at 60 FR 31920, June 19, 1995; 68 FR 54793, Sept. 18, 2003; 69 FR 43324, July 20, 2004]

**§ 61.157 Delegation of authority.**

(a) In delegating implementation and enforcement authority to a State under section 112(d) of the Act, the authorities contained in paragraph (b) of

this section shall be retained by the Administrator and not transferred to a State.

(b) Authorities that will not be delegated to States: