



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, Ca. 94105-3901

April 20, 1994

Chris Ralph
Washoe County District Health Department
Air Quality Management Division
1001 East 9th Street
Reno, Nevada 89512

Dear Mr. Ralph:

Thank you for your inquiry regarding the applicability of the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP). Your specific question deals with whether the NESHAP demolition and renovation standards apply to structures built recently, during a period when many asbestos containing building materials were banned.

There is no waiver of the Asbestos NESHAP based on the date a structure is built. All notification, inspection, and work practice standards mandated by the regulation must be followed regardless of the date the structure was built.

Although the Asbestos NESHAP banned the use of asbestos spray-on and thermal insulation in the 1970's, other uses of asbestos in building materials continued. For example, asbestos flooring felt was produced or imported for use in the United States through 1984. Certain roofing felts, millboard, vinyl asbestos tile, and asbestos cement products (transite), were produced into the 1990's and may still be produced today.

In addition, many buildings have been proven to contain asbestos even when contracts have called for asbestos-free building material.

Since there is no guarantee that newer structures do not have regulated asbestos containing material, the Federal provisions of the NESHAP must be enforced. Of course, since Washoe County has delegated authority to enforce the asbestos NESHAP, the County must enforce the NESHAP regulation to the stringency of Federal requirements.

If you have any further questions on the Asbestos NESHAP, feel free to call me at (415) 744-1145.

Sincerely,

Robert S. Trotter

Robert S. Trotter
Asbestos NESHAP Coordinator

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