



U.S. Environmental Protection Agency Applicability Determination Index

Control Number: A960023

Category: Asbestos
EPA Office: METD
Date: 01/25/1995
Title: Boarding House
Recipient: Newton, Cheryl
Author: Rasnic, John

Subjects: Part 61, B-Asb, Asbestos Demolition/Renovation (Now Sub. M)

Abstract:

Q. Is a boarding house a regulated facility under the asbestos NESHAP?

A. If there are four or more contracts/leases to the boarding house, then it is covered under the asbestos NESHAP. A single boarding house with four or more contracts/leases is considered to be the same as a residential building having four or more dwelling units.

Letter:

95-02

MEMORANDUM

SUBJECT: Asbestos NESHAP Applicability Determination on "Boarding House"

FROM: John B. Rasnic, Director
Manufacturing, Energy and Transportation Division
Office of Compliance

TO: Cheryl Newton, Chief
Permits and Grants Section
Air and Radiation Division
Region V

This is in response to your letter, dated December 22, 1994, requesting a clarification of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for asbestos. Your office wanted to know if a "boarding house" is a regulated facility under the asbestos NESHAP.

It is my understanding that the boarding house in question contains two floors. Both of the floors of the boarding house contain many bedrooms and one or two living rooms, bathrooms, and kitchens. Furthermore, each of the boarders operates under a contract with the management company. The management company operates other boarding houses in the same area. However, this boarding house is owned by one party.

After reviewing the information provided by the Region, we have determined that if there are four or more contracts/leases to the boarding house then the boarding house is covered under the asbestos NESHAP. A single boarding house with four or more contracts/leases is considered to be the same as a residential building having four or more dwelling units.

This determination has been coordinated with the Office of Regulatory Enforcement, Office of General Counsel and the Office of Air Quality Planning and Standards. If you have any questions please contact Chris Oh of my staff at (202) 564-7004.

cc: Regional Asbestos NESHAP Coordinators
Charlie Garlow, AED (2242A)
Sims Roy, ESD (MD-13)