



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 21 1992

OFFICE OF  
AIR AND RADIATION

John B. Moran, Director  
Occupational Safety and Health  
Laborers' Health & Safety Fund of North America  
905 16th Street, NW  
Washington, DC 20006-1765

Dear Mr. Moran:

This is in response to your letter dated October 25, 1992 requesting that I suggest an approach to resolving the dilemma that you presented. In your letter, you submitted the following background information:

1. Demolition of the LTV Steel mill in Chicago began in 1989. The large mill buildings contained transite panels on the sides, gable ends and roofs.
2. During 1989-90 the transite panels were removed on all but the roofs. Several of the buildings were then laid-down after clipping the vertical columns. The roofing material was wetted during and after the drop. The transite roof sections were then removed after the buildings had been pulled over.
3. This procedure was in compliance with procedures agreed to by the Illinois Environmental Protection Agency.
4. Monitoring for airborne asbestos during the above mentioned activities indicated "very low" levels of airborne asbestos based on the data that you have seen.
5. Demolition of the buildings has stopped because of a determination made by EPA (January 8, 1992) which states "Any demolition operation (i.e., use of a wrecking ball; implosion; use of a bulldozer, backhoe or other heavy machinery to knock the building over) will extensively damage Category II ACM such that it is crumbled, pulverized or reduced to powder." This essentially means that Category II ACM must be removed prior to demolition of a facility. [This determination was addressed to James J. Burke, Chief of Toxics and Pesticides Branch in Region III and dealt with circumstances that would similarly cause Category II nonfriable ACM to become regulated.]

6. The owner has expressly prohibited the contractor from allowing workmen onto the roof, especially since the building has been prepared for dropping (the columns have been clipped). Even if workers were allowed onto the roof to remove the transite material, it is unclear how the panels may be safely dropped to ground level so as to minimize breakage.

Based on this background information, you request that I suggest an approach to resolving this dilemma in a way which protects the workers involved and the environment as well.

After receiving your letter, my staff contacted EPA Region V to obtain additional information on the LTV steel mill demolition activities. As a follow-up to numerous conversations, and a letter from Republic Environmental Services, Inc., Region V wrote a letter dated October 22, 1991 (enclosed) stating that the demolition operation was subject to the provisions of the asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP). In conversations with Region V, they had the impression that the Illinois EPA was not aware that the transite panels would remain on the building during the demolition.

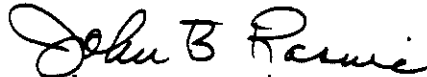
The Stationary Source Compliance Division supported Region V's position in 1991, and continues to support the position that the operation is subject to the requirements of the NESHAP. The January 8, 1992 applicability determination and the November 20, 1990 revision to the asbestos NESHAP did not alter the stringency of the rule, but merely clarified it. This type of demolition was subject to the NESHAP prior to the November 20, 1990 revision. Regardless of the air monitoring results for airborne asbestos, the NESHAP requires that all RACM be removed from a facility being demolished before any activity begins that would break up, dislodge or similarly disturb the material (see 40 CFR §61.145(c)(1)).

The Illinois EPA may not have properly applied the requirements of the NESHAP to this demolition or may not have understood the entire demolition procedure. They may have led the contractor to believe that their proposed method of demolition would meet the requirements of the NESHAP. The claim that the transite panels cannot be safely removed from the structure because the vertical supports were cut in preparation for demolition does not relieve the contractor from the requirements of the NESHAP. We are willing to work out possible solutions to the dilemma presented by you provided that you demonstrate that all potential options for proper removal of the transite panels have been examined and judged to be unsafe.

After receiving your letter, Tom Ripp of my staff contacted you to explain the requirements of the rule, and to indicate that our response would support Region V's decision. We believe that Region V is in the best position to decide how to proceed with the demolition and suggested that you continue to work with Region V to resolve the issues. Realizing that the structure has been weakened and that it may be unsafe to remove the transite panels (even though the building has been in this weakened state for well over a year), we recommended that Region V and you contact OSHA, arrange for a joint inspection of the facility and provide recommendations that would protect the workers and the environment.

We will continue to work with Region V to resolve the situation. If you have any questions please contact Tom Ripp of my staff at (703) 308-8727.

Sincerely,



John B. Rasnic

Stationary Source Compliance Division  
Office of Air Quality Planning and Standards

Enclosures

cc: Tom Ripp, SSCD  
Chris Oh, SSCD  
Charlie Garlow, OE (LE-134A)  
Sims Roy, ESD (MD-13)  
Regional Asbestos NESHAP Coordinators  
Linda Hamsing, Region V (5AT-18J)

*Jenda*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION 5  
 230 SOUTH DEARBORN STREET  
 CHICAGO, IL 60604

OCT 22 1991

REPLY TO THE ATTENTION OF:

W.F. Halishak, President  
 Republic Environmental Services, Inc.  
 4100 Brockpark Road  
 Cleveland, Ohio 44134

Re: Demolition at IIV Steel Mill  
 Chicago, Illinois

Dear Mr. Halishak:

This is a follow up to your October 22, 1991, letter, our phone conversation of the same day, and numerous, previous conversations between myself and representatives from Brand Company, regarding demolition of the D-Bay building at the IIV Steel Mill on Chicago's south side. I hereby summarize in writing the asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) provisions with respect to when asbestos-containing transite material (ACM) must be removed before demolition.

As we discussed on the telephone, the November 20, 1990, revisions to the asbestos NESHAP (Fed. Reg. 48406) introduced the term Category II nonfriable ACM, which is defined in Section 61.141, as "any material, excluding Category I nonfriable ACM, containing more than 1 percent asbestos as determined using the method specified in appendix A, subpart F, 40 C.F.R. part 763, section 1, Polarized Light Microscopy that, when dry cannot be crumbled, pulverized, or reduced to powder by hand pressure." Category I nonfriable ACM is also defined in Section 61.141, as "asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1 percent asbestos as determined using the method specified in appendix A, subpart F, 40 C.F.R. part 763, Polarized Light Microscopy." Based on these definitions, asbestos-containing transite is considered Category II nonfriable ACM.

The revised asbestos NESHAP introduces another term, regulated asbestos-containing material (RACM), which is defined in Section 61.141 as including "... (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart." Therefore, Category II nonfriable ACM is subject to the asbestos NESHAP if it has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of the demolition or renovation.

According to Section 61.145(c) of the revised asbestos NESHAP, all RACM must be removed from a facility being demolished or renovated before any activity



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begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal. This does not include Category II nonfriable ACM only if this material has a low probability of becoming crumbled, pulverized, or reduced to powder, unless the facility is demolished by intentional burning pursuant to Section 61.145(c)(10).

If you have any questions, please call me at (312) 886-6810.

Sincerely yours,



Linda L. Hansing, Environmental Engineer  
Enforcement Section (SAR-26)  
Regulation Development Branch

cc: Otto Klein  
Division of Air Pollution Control  
Illinois Environmental Protection Agency

Robert Malec  
Department of Consumer Services  
City of Chicago

J.P. Singh, Acting Chief  
Central District Office  
Environmental Science Division

Al Cross  
LTV Steel