



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

AUG - 7 2015

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

Thomas G. Laubenthal  
Technical Chief  
The Environmental Institute  
1841 West Oak Parkway, Suite F  
Marietta, Georgia 30062-2216

Dear Mr. Laubenthal:

Thank you for your November 17, 2014 letter to the Environmental Protection Agency (EPA), in which you request EPA to consider if the use of the Pre-Construction Survey, as described in ASTM E2356-14 "Standard Practice for Comprehensive Building Asbestos Surveys," demonstrates compliance with the "thorough inspection" requirement as required under the Clean Air Act Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 C.F.R. §61.145(a) – Applicability.

Compliance with the Asbestos NESHAP depends upon all of the case-specific facts and circumstances surrounding any particular renovation or demolition operation, as well as the size, type, age and condition of a building or structure. When EPA promulgated the regulations, the Agency elected not to define "thorough inspection" at §61.145(a) and did not provide a definition at §61.141. The EPA did not adopt a "one-size fits all" approach in order to accommodate the wide variety of techniques and practices that can be used to locate and identify asbestos and asbestos-containing materials used in the construction industry.

Over the past several years, several states, associations and companies have inquired if the EPA would create a checklist/report that, if completed, would satisfy the "thorough inspection" requirement. At this time, EPA does not have plans to develop such an instrument. This is due, in part, to the tremendous number and variety of buildings, structures and installations that were constructed with asbestos-containing materials in the past, and in part due to significant amount of asbestos that is still making its way into the commerce, including the construction industry.

As to inspections for asbestos and asbestos containing materials – EPA would expect an owner/operator to follow the steps described in Sections 1 through 5 and Section 8 in ASTM E2356-14 "Standard Practice for Comprehensive Building Asbestos Surveys." However, EPA would not accept the Limited Asbestos Screen (i.e., Practice E2308) described in Section 1.5 as a substitute for the Comprehensive Building Asbestos Survey. EPA would not consider the Limited Asbestos Screen a thorough inspection.

This response has been drafted in consultation with the EPA Office of General Counsel, Office of Air Quality Planning and Standards, and the Office of Civil Enforcement. EPA does not consider this response to be a final Agency action in request to a source's request for rule applicability.

Sincerely,

A handwritten signature in blue ink that reads "Edward J. Messina". The signature is written in a cursive style with a large, prominent "E" at the beginning.

Edward J. Messina, Director  
Monitoring, Assistance, and Media Programs Division  
Office of Compliance