



# Guidance for the removal, transport, and disposal of Category I Asbestos-Containing Materials

## Asbestos Program/Solid Waste

This document offers guidance on the removal, transport, and disposal of Category I Asbestos-Containing Materials (ACM) as defined by the asbestos National Emission Standards for Hazardous Air Pollutants (asbestos NESHAP), 40 Code of Federal Regulations (CFR) pt. 61, subp. M, which has been incorporated into Minn. R. 7011.9920.

### What is Category I Asbestos-Containing Materials?

Category I ACM consists of asbestos-containing gaskets, resilient floor coverings, and asphalt roofing products that contain greater than one percent asbestos using the method described in Appendix A, subpart F, 40 CFR Part 763, section 1, Polarized Light Microscopy.

### When does the asbestos NESHAP apply?

Category I ACM is regulated by the asbestos NESHAP if it is or will become friable or rendered regulated. Friable ACM is defined that, when dry, can be crushed, crumbled, pulverized, or reduced to powder by hand pressure. In addition, Category I ACM that will be or has been subjected to sanding, cutting, grinding, abrading, or intentional burning will render it in to Regulated ACM (RACM).

Category I ACM that has or will become friable or rendered into RACM must be abated by a Minnesota Department of Health (MDH) licensed asbestos abatement contractors.

If any of the demolition materials are to be recycled it is necessary to remove any Category I ACM that may be present. The recycling process could result in previously nonfriable Category I ACM becoming RACM. If the Category I ACM is not removed prior to demolition then the building materials containing, mixed in with, or coated with Category I ACM may not be used for recycling.

### Removal of Category I Asbestos-Containing Materials

First, you must determine what materials contain asbestos. In Minnesota, only a MDH licensed asbestos inspector can perform an asbestos inspection. You do have an option to assume materials contain asbestos and handle the materials as such. Once you have identified a Category I ACM in your renovation or demolition project, the next consideration is the method of removal. If the removal involves quantities greater than 160 square feet, 260 linear feet, or 35 cubic feet RACM, then the following procedures must be followed:

1. Friable ACM must be removed by MDH licensed asbestos abatement contractors. Category I ACM that is able to be crushed or crumbled by hand pressure is friable. This determination must be made prior to any other regarding the removal of the Category I ACM. The Minnesota Pollution Control Agency (MPCA) and the U.S. Environmental Protection Agency maintain that in most cases the asbestos-containing paper backing of a linoleum product is considered to be friable material. If you elect to remove nonfriable Category I ACM the removal must be done in such a manner that it does not cause the Category I ACM to be crushed, crumbled, pulverized, or reduced to powder or subject the ACM to any sanding, cutting, grinding, or abrading rendering the Category I ACM to become RACM. Examples of removal methods that would render the Category I ACM to RACM are shot blasting, mechanical chipping, intentional burning, or specific grinding, sanding, cutting, or abrading.

2. Nonfriable Category I ACM that is removed by hand tools and not subject to more than de minimis breakage may be removed by unlicensed contractors. The removal must be careful to keep the Category I ACM as intact as possible. For example, the use of solvents, heat machines, or dry ice to loosen Category I ACM nonfriable floor tiles are examples of removal methods that are not likely to cause the Category I ACM to become RACM.
3. The MPCA reminds you that asbestos removal projects may be subject to other applicable rules and regulations regarding asbestos removal and disposal. Removal of asbestos is also governed by:
  - 29 CFR Parts 1910 et. al., Occupational Safety and Health Administration (OSHA) laws; and
  - Minn. R. 4620.3000 - 4620.3700, Asbestos Abatement Rules, administered by the MDH. For more info call 651-215-0900.
4. The determination of who is allowed to remove Category I ACM is dependent on the removal method used and the quantity of ACM involved. Proceeding with an incorrect understanding of applicable rules, regulations, or standards could lead you to be out of compliance and subject you to an enforcement action that could potentially include monetary penalties.

## **Packaging and transport of Category I Asbestos-Containing Materials**

1. All RACM/Asbestos-Containing Waste Material (ACWM) must be adequately wet, packaged in leak-tight containers, and appropriately labeled with asbestos warning signs and waste generator labels.
2. The MPCA recommends that all Category I ACM be packaged and transported in the same manner as RACM and reminds you that approved landfills will only accept ACWM that has been properly wetted, packaged, and manifested.
3. Some types of Category I ACM may have sharp edges and will need to be packaged to avoid any further breakage of the ACWM or puncturing or tearing of the containers.
4. Asbestos is considered a hazardous air pollutant and a class 9 hazardous waste. Proper labeling and transportation of ACWM includes identification of it as a class 9 hazardous waste and proper placards placed on the vehicle or dumpster. Asbestos warning signs must be placed on the vehicle or dumpster during the loading and unloading of RACM in accordance with 40CFR 61.150(c).

## **Disposal of Asbestos-Containing Material**

1. All ACM must be disposed of at a site approved by the U.S. Environmental Protection Agency which is operated in accordance with 40 CFR § 61.154. If the landfill is operated in the State of Minnesota, ensure it is a MPCA approved solid waste facility permitted to accept the waste.
2. For a complete listing of landfills currently approved to receive ACWM in Minnesota, please contact the MPCA Asbestos Program or your regional solid waste compliance and enforcement staff.

## **Category I Asbestos-Containing Material in demolition projects**

Category I nonfriable ACM may remain in place during demolition as long as it is nonfriable, in good condition, and will not specifically be subjected to sanding, cutting, grinding, abrading, or intentional burning. As a reminder, if Category I ACM is left in place, all demolition debris needs to be handled as asbestos containing and disposed of at an approved landfill.

If you have any questions regarding the classification, removal, transport, disposal, or any questions regarding asbestos rules, regulations, or standards, please feel free to contact the MPCA Asbestos Program at 651-296-6300 or 800-657-3864.

This guidance document is not intended as a substitute for reading the rules or regulations and making your own independent determination of its applicability to your asbestos removal or demolition project. Examples in the guidance document do not represent an exhaustive listing of projects or removal methods to which the regulation might apply. Visit the Minnesota Pollution Control Agency at <http://www.pca.state.mn.us>.