

SWAPCA 476 - Standards for Asbestos Control

Summary of Responses to Public Comments

SWAPCA 476-030 Definitions:

Public Comment

(1) PacificCorp requests deletion of the word "continuous" from SWAPCA 476-030(1). They believe it is not feasible to continuously spray. Also, continuous spraying is not necessary to adequately wet the material.

(2) PacificCorp comments that as defined in 476-030(5), asbestos projects include building maintenance and other non-abatement projects that may minimally disturb asbestos-containing material (ACM). They state that the regulation should allow for these minimal risk activities.

(3) PacificCorp requests in SWAPCA 476-030(6) that SWAPCA allow sampling in a manner other than randomly generated sampling locations, especially for materials that are to be left in place.

(4) PacificCorp requests in SWAPCA 476-030(8) that Washington offer reciprocity for certified asbestos workers, inspectors, and management planners trained in other states.

(5) PacificCorp requests that SWAPCA define "other persons authorized by the WISHA" in SWAPCA 476-030(11).

(6) PacificCorp commented on 476-030(15) and (16) that encapsulation and enclosures do not control the release of asbestos fibers into the air. They recommended replacing the word "control" with a word such as "inhibit".

(7) PacificCorp requested that the definition of visible emissions in 476-030(23) should be defined to mean emissions outside of containment.

Response/Recommendation: (1) Agree with PacificCorp  
(2) Agree with PacificCorp  
(3) Disagree with PacificCorp  
(4) Disagree with PacificCorp  
(5) Agree with PacificCorp  
(6) Disagree with PacificCorp  
(7) Disagree with PacificCorp

(1) The word "continuous" Will be deleted from this section. Continuous spraying is not necessary to adequately wet the material.

(2) The word "maintenance" will be deleted from this definition. In addition, the following phrase will be added

at the end of this definition: "...Nor does this include routine maintenance and other non-abatement projects that may minimally disturb ACM.

(3) SWAPCA believes the option requested by PacificCorp already exists in the proposed regulation. The last phrase in the definition reads: " or an alternate method that has received prior approval of the authority".

(4) SWAPCA's contacted the Washington Department of Labor and Industries and learned that asbestos personnel must be Washington certified to work in this state.

(5) For purposes of clarity, SWAPCA will add the abbreviation "WISHA" after Washington Industrial Safety Act.

(6) SWAPCA believes that the word "control" best defines the meaning intended in this section.

(7) The proposed definition is consistent with 40 CFR Subpart M. Containment is not always erected for some small jobs.

**SWAPCA 476-040 Notification requirements and fees:**

**Public Comments**

(1) PacificCorp requests that 476-040(3) and 476-040(3)(a)(ii) allow long term projects to be included in the provisions for annual notification.

(2) PacificCorp requested that 476-040(c) be rewritten to make it more clear that asbestos waste only needs to be handled as dangerous waste when it is mixed with a dangerous waste.

(3) PacificCorp requested that 476-040(4)(b) note that the approval date will be from the date that all required submittals are received at SWAPCA.

**Response/Recommendation: (1) Disagree with PacificCorp  
(2) Agree with PacificCorp  
(3) Agree with pacificCorp**

(1) PacificCorp wants on-going projects, such as multi-year re-insulation projects to be included in the provisions for the annual notification. The purpose for the annual notification is only for small amounts of ACM removal for the purpose of emergency repair or general maintenance.

(2) SWAPCA will make this clarification in the final regulation.

(3) SWAPCA will make this clarification in the final regulation.

SWAPCA 476-050 Procedures for asbestos emission control:

**Public comment**

(1) PacificCorp stated that the use of the term "asbestos project" in 476-050(1) makes these requirements apply to routine building maintenance and other non-abatement projects that may minimally disturb asbestos-containing material.

(2) PacificCorp requested that if 476-050(1)(c) is intended to mean visible emissions outside containment, it should be so stated.

(3) PacificCorp stated that SWAPCA should define the phrase "mechanical assemblies or components" used in 476-050(1)(e).

(4) PacificCorp requested that 476-050(4)(c) be rewritten to clarify the question of how is ACM that is not accessible because of hazardous conditions, such as presence of toxic materials or lack of structural integrity of the building, to be kept "adequately wet at all times".

**Response/recommendation:** (1) Agree with PacificCorp  
(2) Disagree with PacificCorp  
(3) Disagree with PacificCorp  
(4) Agree with PacificCorp

(1) SWAPCA will revise "asbestos project" in the final regulation to include the phrase: "Nor does this include routine maintenance and other non-abatement projects that may minimally disturb asbestos-containing material.

(2) SWAPCA's proposed definition is consistent with 40 CFR Subpart M (NESHAPS).

(3) The definition of "mechanical assemblies or components" as intended in this definition is that which a reasonable individual would utilize.

(4) In the case of hazardous conditions, such as the presence of toxic materials, the phrase "when feasible" will be added to the final regulation.

SWAPCA 476-060 Disposal of asbestos-containing waste material:

**Public Comment**

(1) PacificCorp stated in response to 476-0060(1)(a)(iii) that no method exists to ensure that labels or marks will be permanent. They suggested replacing "permanently" with language indicating the use of indelible markers or labels made with indelible ink.

(2) PacificCorp requested that the phrase "asbestos storage

facility" in 476-060(2) be defined.

(3) PacificCorp commented on 4760060(2)(c)(ii) that 40 CFR 61.150 does not include storage in the 45 day requirement for the return of the waste shipment record. They state the 40 CFR 61.150(b) states, "All asbestos-containing waste material shall be deposited as soon as practical at..." and requested SWAPCA to utilize this language.

**Response/recommendation: (1) Agree with PacificCorp  
(2) Disagree with PacificCorp  
(3) Agree with PacificCorp**

(1) SWAPCA agrees that additional language would help clarify the intent of the word "permanent". It will be included in the final regulation.

(2) The information provided by SWAPCA in this section adequately provides the definition of what is needed to be done to get a storage facility on a facility's grounds.

(3) SWAPCA will add the following language to the final regulation to address this comment: "...or alternative storage handling, or disposal time frame that has received prior approval by the Authority".



July 15, 1993

Jerry Bradford, Air Quality Control Specialist  
Southwest Air Pollution Control Authority  
1308 Northeast 134th Street  
Vancouver, Washington 98685-2747

Dear Mr. Bradford:

We at PacifiCorp would like to express our appreciation to you and to SWAPCA for allowing us the opportunity to provide our input on the new asbestos regulations. We particularly appreciate you taking the time to visit with us at our electric power generation plant near Centralia, Washington. Your visit on June 24, 1993, to talk with us personally and see our operation first hand, demonstrates to us SWAPCA's commitment to consider impacts on industry when pursuing solutions to complex environmental problems. Such an open, cooperative approach will help achieve solutions acceptable to all.

Please let us know when the new asbestos regulations are published. If you can, we would appreciate it if you would send one copy of the regulations to Tom at the Centralia Plant and one copy to me in Portland.

We look forward to working with you in the future.

Sincerely,

David N. Wilson  
Sr. Environmental Engineer

cc: T. Emrich - Centralia Plant

