



## Division of Air Pollution Control Response to Comments

**Rules:** Ohio Administrative Code (OAC) Chapter 3745-20, "Asbestos Emission Control"

### Agency Contact for this Package

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Ohio EPA held a 30-day public comment period ending February 24, 2017 regarding the above-mentioned rules. This document summarizes the comments and questions received during the comment period.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. The name of the commenter follows the comment in parentheses.

### General/Overall Concerns

- Comment 1:** In 3745-20-01, the definition for "annual notification or blanket notification" seems to imply that it is intended to allow for non-scheduled projects that do not exceed 160 square feet (note the draft rule reads 120 square feet in error), 260 linear feet or 35 cubic feet (note the spelling of 35 is incorrect in the draft rule). Does this mean that any project that exceeds these thresholds is not allowed to be conducted under an annual/blanket notification?  
**(Timothy S. Bowen, EA GROUP)**
- Response 1:** Correction of the definition will read the threshold for regulated asbestos containing material as 160 s.f./ 260 l.f./ 35 cu.ft., for the annual notification or blanket notification. These notifications are allowed to be submitted under the conditions described in the term. However, discrete projects that exceed the threshold values are required to submit an original notification in accordance with 3745-20.
- Comment 2:** In 3745-20-01 the definition for "asbestos-contaminated debris" calls out both "asbestos material" and "asbestos-containing material". The definition for "asbestos material" would apply to materials that may contain 1% or less asbestos which are not considered "asbestos containing materials".

Since the definition for "asbestos-containing waste materials" now includes "asbestos-contaminated debris", does that imply that under 3745-20-05(A) debris that is contaminated with asbestos from a source that contained 1% or less asbestos would have to be disposed of as if it was an asbestos-containing material?

**(Timothy S. Bowen, EA GROUP)**

**Response 2:**

For demolition and renovation, Ohio EPA applies the term "asbestos contaminated debris" to mean regulated asbestos-containing material waste that has covered or been comingled with construction, demolition and renovation debris. The definition is edited as such:

*"Asbestos-containing waste materials" means mill tailings or any waste that contains commercial asbestos and is generated by a source subject to the provisions of this chapter. This term includes filters from control devices, friable asbestos-containing material, materials contaminated with asbestos including disposable equipment and clothing and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing material waste, and regulated asbestos contaminated debris.*

*(see asbestos-contaminated debris).*

**End of Response to Comments**