

**3745-20-05 Standard for asbestos waste handling.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of rule 3745-20-01 of the Administrative Code titled "Referenced materials."]

- (A) All asbestos-containing waste material shall be deposited as soon as is practical by the waste generator at one of the following:
- (1) A waste disposal site in Ohio operated in accordance with the provisions of rule 3745-20-06 of the Administrative Code.
  - (2) A waste disposal site not in Ohio operated in accordance with the provisions of 40 CFR 61.154.
  - (3) A site that converts regulated asbestos-containing material and asbestos-containing waste material into nonasbestos (asbestos-free) material in accordance with the provisions of rule 3745-20-13 of the Administrative Code.
  - (4) The requirements of paragraph (A) of this rule do not apply to category I nonfriable ACM that is not RACM.
- (B) Each owner or operator of any demolition, renovation, manufacturing, fabricating or spraying operation to whom this rule applies, shall discharge no visible emissions to the outside air during the collection, processing (including incineration), packaging, transporting, or deposition of any asbestos-containing waste material, and use one of the methods specified in paragraphs (B)(1) to (B)(4) of this rule:
- (1) Adequately wet asbestos-containing waste material by doing all of the following:
    - (a) Mix control device asbestos waste to form a slurry; adequately wet other asbestos-containing waste material.
    - (b) Discharge no visible emissions to the outside air from collecting, mixing, wetting, and handling operations, or use the methods specified by rule 3745-20-12 of the Administrative Code to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.
    - (c) After wetting, seal all asbestos-containing waste material while wet in durable leak-tight containers or wrapping that complies with paragraph (C) of this rule.
  - (2) For facilities demolished in accordance with paragraph (A)(1) or (D) of rule 3745-20-04 of the Administrative Code, where asbestos was not removed prior to demolition, keep asbestos-containing waste material adequately wet at all times during and after demolition, and during handling, loading, transport and disposal at an active waste disposal site. Asbestos-containing waste materials covered by this paragraph shall either be sealed in leak-tight containers that comply with paragraph (C) of this rule or may be transported in bulk by leak-tight transport vehicles or containers that are securely covered or enclosed and cause no visible emissions.

(3) Process asbestos-containing waste material into nonfriable forms, as follows:

- (a) Form all asbestos-containing waste material into nonfriable pellets or other shapes.
- (b) Discharge no visible emissions to the outside air from collection and processing operations, including incineration, or use the method specified by rule 3745-20-12 of the Administrative Code to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.
- (4) Use an alternative emission control and waste treatment method that has received prior approval by the director according to paragraph (A)(3) of rule 3745-20-04 of the Administrative Code.
- (5) As applied to demolition and renovation, the requirements of paragraphs (B) and (C) of this rule do not apply to category I nonfriable asbestos-containing material waste and category II nonfriable asbestos-containing material waste that has not been crumbled, pulverized, or reduced to powder.

(C) Each waste generator shall ensure that asbestos waste containers shall meet the following minimum standards:

- (1) All containers of asbestos-containing waste material and wrapped material shall be labeled, using permanent markings with letters of sufficient size and contrast so as to be readily visible and legible, as follows:

	"DANGER	
	CONTAINS ASBESTOS FIBERS	
	AVOID CREATING DUST	
	CANCER AND LUNG DISEASE HAZARD	
	R.Q., ASBESTOS	
	CLASS 9	
	NA 2212, III"	

For wrapped material or material to be transported off the facility site, label the containers or wrapped material with the name of the waste generator and the location at which the waste was generated.

- (2) Asbestos-containing waste materials shall be sealed in plastic bags having a thickness of at least 0.006 inch (six-mils). A second clean, leak-tight plastic bag having a thickness of at least 0.006 inch (six-mils) shall fully contain the first bag.
- (3) A combination of a 0.006 inch (six-mils) plastic bag and a leak-tight steel, plastic, or fiber drum, or reinforced disposal box, leak-tight polypropylene woven fabric bag, or similar suitable and durable container. Drums shall be fitted with a matching lid

and lock-rims, and boxes shall be banded and sealed with reinforced tape or in accordance with manufacturers recommendations.

- (4) Facility components removed in units or sections, or materials that will not fit into containers without additional breaking, shall be sealed with at least 0.012 inch (twelve mils) of leak-tight plastic or at least 0.010 inch (ten mils) of leak-tight polypropylene woven fabric.
- (5) Asbestos-containing waste materials, facility components, and contaminated debris may be disposed of using an alternative disposal system or may be processed into nonfriable forms using an alternative emission control and waste treatment system or method, which has received the prior written approval of the director.
- (a) To obtain approval for an alternative asbestos waste disposal system or emission control and waste treatment method, the applicant must submit the following:
- (i) Complete details regarding the reason that an alternative disposal system or emission control and waste treatment system or method is requested.
  - (ii) The estimated quantity of materials to be disposed of or treated using this system or method.
  - (iii) A description of the disposal system or treatment method and an operating plan describing the methods which are to be utilized to ensure that there are no visible emissions during the collection, treatment, transport and disposal of the asbestos-containing waste materials.
  - (iv) The name and address of the waste disposal or treatment site where the system will be utilized contingent upon the director's approval.
- (b) Any owner or operator using an approved alternative waste disposal system or emission control and waste treatment method shall operate the system in accordance with the conditions of the director's approval.
- (D) Each waste generator shall mark vehicles used to transport asbestos-containing waste material during the loading and unloading of waste so that the signs are visible.
- (1) Display the following legend in the lower panel of a sign which conforms to the requirements for twenty inch by fourteen inch upright sign specified in 29 CFR 1910.145(d)(4):

	"DANGER	
	ASBESTOS DUST HAZARD	
	CANCER AND LUNG DISEASE HAZARD	
	Authorized Personnel Only"	

- (2) In the legend use letter sizes and styles of a visibility at least equal to the following specifications: one inch sans serif, gothic or block, in the first and second line; and

at least three-fourths inches sans serif, gothic or block, in the third line; and fourteen point gothic in the fourth line. Spacing between any two lines must be at least equal to the height of the upper of the two lines.

- (E) For all asbestos-containing waste material transported off the facility site, each waste generator and owner or operator of a waste disposal site shall maintain waste shipment records. The waste shipment record shall be legible, complete, signed and dated by the waste generator and waste disposal site operator as follows:
- (1) The waste shipment record shall include the following information:
- (a) The name and address of the work site or facility where the asbestos-containing waste was generated, the mailing address, and telephone number of the facility owner.
  - (b) The name, mailing address and telephone number of the owner or operator (waste generator) responsible for handling, packing, marking and labeling the asbestos-containing waste material.
  - (c) The name, mailing address, telephone number and site location of the active waste disposal site designated by the generator to receive the asbestos-containing waste material for disposal.
  - (d) The name and address of the local, state or USEPA regional agency responsible for administering the asbestos NESHAP program.
  - (e) A description of the asbestos-containing waste materials included in the waste shipment.
  - (f) The number and type of containers included in the waste shipment.
  - (g) The approximate volume of asbestos-containing waste material included in the waste shipment in cubic yards.
  - (h) Special handling instructions or additional information relative to the waste shipment the waste generator may specify.
  - (i) A certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.
  - (j) The name, address and telephone number of the transporter.
  - (k) A dated signature by the transporter to acknowledge receipt of the asbestos-containing waste shipment described by the waste generator in paragraphs (E)(1)(a) to (E)(1)(i) of this rule.
  - (l) A discrepancy indication space to be completed by the owner or operator of the waste disposal site if any improperly contained asbestos waste is observed or if

there is any discrepancy in the quantity of asbestos shipped and the quantity of asbestos waste received at the asbestos waste disposal site.

- (m) A dated signature by the waste disposal site owner or operator to acknowledge receipt of the asbestos-containing waste shipment described by the waste generator in paragraphs (E)(1)(a) to (E)(1)(i) of this rule except as noted in the discrepancy indication space.
- (2) The waste generator and the owner or operator of the waste disposal site shall conform to the following procedures:
- (a) Before releasing the waste shipment for off-site disposal the waste generator shall complete the information required by paragraphs (E)(1)(a) to (E)(1)(h) of this rule, and sign and date on the date of shipment, the certification required by paragraph (E)(1)(i) of this rule.
  - (b) Upon receiving the waste shipment the waste disposal site operator shall do the following:
    - (i) Sign and date the waste shipment record making note of any improperly contained asbestos-containing waste material or any discrepancy in the quantity or waste received on the discrepancy indication space and provide a copy of the waste shipment record to the transporter for the transporter's receipt and records.
    - (ii) As soon as possible and no longer than thirty days after receipt of the waste, send the original completed copy of the signed waste shipment record to the waste generator and retain the remaining copy for the waste disposal site record.
    - (iii) Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within fifteen days after receiving the waste, immediately report the discrepancy in writing to the local, state, or USEPA regional office responsible for administering the asbestos NESHAP program for the waste generator, and, if different, the local, state, or USEPA regional office responsible for administering the asbestos NESHAP program for the disposal site. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report to Ohio EPA.
- (3) When the waste generator does not receive a completed waste shipment record signed by the owner or operator of the designated disposal site, within thirty-five days of the date the waste was accepted by the initial transporter, the waste generator shall contact the transporter or the owner or operator of the designated disposal site to determine the status of the waste shipment.
- (4) The waste generator shall report in writing to the appropriate Ohio EPA field office if

a copy of the waste shipment record, signed by the owner or operator of the designated waste disposal site, is not received by the waste generator within forty-five days of the date the waste was accepted by the initial transporter. Include in the report the following information:

- (a) A copy of the waste shipment record for which a confirmation of delivery was not received.
  - (b) A cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.
- (5) The waste generator and waste disposal site owner or operator, shall retain a copy of all waste shipment records for at least two years.
- (F) Each waste generator or facility owner shall furnish upon request, and make available for inspection by the director or the director's representative, all records required to be maintained under this rule.
- (G) When removing or transporting asbestos-containing waste material to a disposal site, each owner or operator of any demolition or renovation operation to whom this rule applies shall prepare and secure any load of asbestos-containing waste material in a manner that prevents any visible emissions, load loss, and spillage or leakage of liquids.

Effective: 4/8/2018

Five Year Review (FYR) Dates: 11/30/2017 and 04/08/2023

CERTIFIED ELECTRONICALLY

Certification

03/29/2018

Date

Promulgated Under: 119.03

Statutory Authority: 3704.03(E)

Rule Amplifies: 3704.03(A), 3704.03(E)

Prior Effective Dates: 05/29/1990, 11/18/2002, 02/02/2007, 03/02/2012