

# ASBESTOS CONTROL PROGRAM

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## Analysis and Treatment of Multi-Layered Systems (i.e. Wall Board)

According to EPA guidance, each layer of a multilayer system must be analyzed separately when the result of composite sample analysis indicates that the multilayered system, as a whole, contains asbestos in the amount of one percent or less, but greater than none detected. Analysis by layers is required to ensure that no layer in the system contains greater than one percent asbestos. If any layer in the system contains greater than one percent asbestos, that layer must be treated as asbestos containing. This will result in all layers in a multilayered system being treated as asbestos containing if the layers cannot be separated.

EPA has carved out an exception to layer by layer analysis for wallboard where joint compound and/or tape is applied to cover joints and nail holes only, and the entire wall board is not coated. In the case where joint compound or tape is applied only to nail holes and joints, EPA finds the joint compound and tape become an integral part of the wall board system and composite analysis of the system may be conducted (60 Fed. Reg. 65243 (1995)). This exception is based on practical enforcement issues and not on scientific data. See Applicability Determination Index (ADI) A960011. EPA determined that it would be difficult, in such systems, to determine if the federal 160 square foot threshold has been met or exceeded.

In Montana, the regulatory threshold for ACM is more stringent, at 10 square feet, and DEQ has determined that a typical sheet of wall board (4 foot by 8 foot) with a six inch border of tape would exceed Montana's 10 square foot threshold. Therefore, DEQ does not exempt wall board systems, where joint compound or tape is applied only to nail holes and joints, from the requirement to analyze and report results for each layer of a multilayered system. If an activity becomes an "asbestos project," involving regulated asbestos containing materials greater than 10 square feet, 3 linear feet, or 3 cubic feet, the owner or operator of the facility must comply with the Act and submit a permit application to DEQ.

The solid waste regulations within Montana, specifically Montana Code Annotated 75-10-802, define a "Special Waste" as "a solid waste that has unique handling, transportation, or disposal requirements to ensure protection of the public health, safety, and welfare and the environment." Asbestos that is not regulated under NESHAP (non-friable and greater than none detected) cannot be disposed of in a Class III landfill. Regardless of the designation of "Asbestos" or "Special Waste," all material with asbestos content must, at a minimum, be disposed of at a licensed Class IV landfill approved to accept the waste (or a Class II if designated "regulated" under the Act).