



December 14, 2021

Re: Use of MSDS information for Asbestos Inspection purposes.

Dear Interested Persons:

The intent of this notice is to clarify the Montana Department of Environmental Quality (DEQ) Asbestos Control Program (ACP) position on the issue of Material Data Safety Sheet information for fulfilling Asbestos inspection requirements.

- 1) EPA requires a thorough inspection prior to demolition or renovation activity at a regulated structure.
- 2) Montana ACA grants rulemaking authority to DEQ for the fulfillment of inspection requirement. **See** MCA 75-2-503(f)
- 3) ACP, through rulemaking, has established criteria on who may sample, how they must sample, how analytical results are achieved, and contents for reports.
- 4) ACP does not find results, provided on any manufacturers information sheet, that verify current Administrative Rules

17.74.352(31) The MSDS is not demolition or renovation specific

17.74.354(1) There is no proof of department Accreditation

17.74.354(3) There is no evidence that materials are visualized, touched, or sampled

17.74.354(4) There is no evidence of laboratory or analytical methods

17.74.354(5) Lack of compliance with 3 (c) through (g) means non-compliance

17.74.354(6) MSDS data sheets do not comply with report content

It is the position of ACP that those parties who develop, review, accept, or acknowledge asbestos inspection reports, be directed to base their decision on the term “thoroughly inspect”, on current Administrative Rule requirements and not on MSDS data information.

EPA has evaluated the applicability of MSDS usage and, in an August 2016 letter, found their use problematic and similarly discouraged their reliance for the purpose of a “thorough Inspection” due to limitations in the MSDS process.

The Asbestos Control Program appreciates your consideration in this matter and welcomes any questions, comments, or concerns you may have.

Sincerely,

The Asbestos Control Program  
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