

# Asbestos/Cement Pipe: April 25th U.S. Environmental Protection Agency Federal Register Notice Addressing Proposed Alternative Work Practice



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The United States Environmental Protection Agency (“EPA”) in an April 25th Federal Register notice requests comment on an Alternative Work Practice (“AWP”) to:

... use new technology and work practices developed for removal and replacement of asbestos cement (A/C) pipe.

See 83 Fed. Reg. 18042.

EPA previously promulgated pursuant to the Clean Air Act an Asbestos National Emission Standard for Hazardous Air Pollutants (“NESHAP”) which encompassed a set of work practice standards designed to minimize the release of asbestos – including the handling, processing, and disposal of asbestos-containing materials.

EPA denominates asbestos-contaminated material encompassed by the Asbestos NESHAP as “regulated asbestos-containing material (“RACM”). The NESHAP defines RACM as:

1. Friable asbestos-containing material
2. Category I nonfriable asbestos-containing material that has become friable
3. Category I nonfriable asbestos-containing material that has been or will be sanded, ground, cut or abraded
4. Category II nonfriable asbestos-containing material that has already been or is likely to become crumbled, pulverized, or reduced to powder by the forces acting upon it

The NESHAP further provides that if the regulatory threshold for RACM is met or exceeded in a renovation operation, then all friable asbestos-containing material in the operation, and in certain situations, nonfriable asbestos-containing material in the operation, are subject to the work practice standards of the NESHAP.

The general provisions of 40 CFR Part 61 provide that under certain circumstances EPA may approve an alternative means of emission limitation. The alternative means of emission limitation must achieve a reduction of emissions of at least equivalent to the reduction achieved by the work practices required under an existing standard. Further, the Federal Register document permitting the use of the alternative must be published after notice and an opportunity for a hearing.

EPA states it has received a request from Trenchless Consulting, LLC, or an approval of an AWP, known as the:

“Close Tolerance Pipe Slurrification” method (“Method”)

The Method would be applicable to the removal and replacement of A/C pipes.

A second AWP requested is stated to involve a technique described as “pipe bursting.” EPA states that this AWP is still under consideration and is not being discussed at this point.

The April 25th Federal Register notice provides detailed background information on:

- Replacement of asbestos cement pipes
- The Asbestos NESHAP
- AWP Approval Process
- Application of the Asbestos NESHAP to replacement of A/C pipes
- Techniques approved for removal and replacement of A/C pipes

The Federal Register notice also provides a detailed discussion on the AWP that is being requested.

[A copy of the Federal Register notice can be downloaded here.](#)