



# Guidance for the removal, transport, and disposal of Category II Asbestos-Containing Materials

## Asbestos/Solid Waste Program

This document offers guidance on the removal, transport, and disposal of Category II Asbestos-Containing Materials (ACM) as defined by the asbestos National Emission Standards for Hazardous Air Pollutants (asbestos NESHAP), 40 Code of Federal Regulations (CFR) pt. 61, subp. M, which has been incorporated into Minn. R. 7011.9920.

### What is Category II Asbestos-Containing Materials?

Category II ACM consists of any material, excluding Category I nonfriable ACM (i.e. floor tile, gaskets, asphalt roofing products), containing more than one percent asbestos as determined using the methods specified in Appendix A, subpart F, 40 CFR part 763, section 1, Polarized Light Microscopy that, when dry, cannot be crumbled, pulverized or reduced to a powder by hand pressure.

The most common form of Category II ACM is cementitious asbestos board, which is often referred to by its trade name "Transite." Other possible Category II ACM includes but is not limited to, Transite shingles and siding, conduits, pliable adhesives, and asbestos cement piping.

### When does the asbestos NESHAP apply?

Category II ACM is regulated (therefore Regulated Asbestos Containing Material [RACM]) by the asbestos NESHAP if it is or will become friable, subject to intentional burning, and/or crushed, crumbled and reduced to a powder, due to the forces expected to act on the ACM during a renovation or demolition project. Friable ACM is any ACM that can be crushed, crumbled, pulverized, or reduced to powder by hand pressure when dry.

### Removal of Category II Asbestos-Containing Materials

First, you must determine what materials contain asbestos. In Minnesota, only a Minnesota Department of Health (MDH) licensed asbestos inspector can perform an asbestos inspection. You do have an option to assume materials contain asbestos and handle the materials as such. Once you have identified a Category II ACM in your renovation or demolition project, the next considerations are the quantity of ACM and the methods of removal. If the removal involves quantities greater than 160 square feet, 260 linear feet, or 35 cubic feet of RACM then the following procedures must be followed:

1. RACM must be removed by licensed asbestos removal contractors. Category II ACM that is able to be crushed or crumbled by hand pressure is friable. The determination of friability must be made prior to the removal of the Category II ACM. If you elect to remove nonfriable Category II ACM, the removal must be done in such a manner that does not cause the Category II ACM to be crushed, crumbled, pulverized, or reduced to powder which would cause the Category II ACM to become RACM. Examples of removal methods that would render the Category II ACM to RACM are smashing it, dropping it to the ground, intentional burning, subjecting it to crushing by heavy machinery, or specific grinding, sanding, cutting, or abrading.
2. Nonfriable Category II ACM that is carefully removed by hand tools and not subject to more than de minimis breakage may be removed by unlicensed contractors. During the removal, care must be

taken to keep the Category II ACM as intact as possible. For example, in removal of Category II ACM panels, the bolts or nails holding the panels in place can be removed first allowing for the panel to be removed intact which is not likely to cause the Category II ACM to become RACM.

3. The Minnesota Pollution Control Agency (MPCA) reminds you that asbestos removal projects may be subject to other applicable rules and regulations regarding asbestos removal and disposal. Removal of asbestos is also governed by:
  - 29 CFR Parts 1910 et. al., Occupational Safety & Health Administration (OSHA) laws; and
  - Minn. R. 4620.3000 - 4620.3700, Asbestos Abatement Rules, administered by the MDH. For more information call 651-215-0900
4. The determination of who is allowed to remove Category II ACM is dependent on the removal method used and the quantity of ACM involved. Proceeding with an incorrect understanding of applicable rules, regulations, or standards could lead you to be out of compliance and subject you to an enforcement action that could potentially include monetary penalties.

## **Packaging and transport of Category II Asbestos-Containing Materials**

1. All RACM must be adequately wet, packaged in leak-tight containers, and appropriately labeled with asbestos warning signs and waste generator labels.
2. All Category II ACM must be packaged and transported in the same manner as RACM. In addition, landfills will only accept RACM that has been properly wetted, packaged, and manifested.
3. Some types of Category II ACM may have sharp edges and will need to be packaged to avoid any further breakage of the RACM or puncturing or tearing of the containers.
4. Asbestos is considered a hazardous air pollutant and a class 9 hazardous waste. Proper labeling and transportation of ACWM includes identification of it as a class 9 hazardous waste and proper placards placed on the vehicle or dumpster. Asbestos warning signs must be placed on the vehicle or dumpster during the loading and unloading of RACM in accordance with 40CFR 61.150(c).

## **Disposal of Asbestos-Containing Material**

1. All ACM must be disposed of at a site approved by the U.S. Environmental Protection Agency which is operated in accordance with 40 CFR § 61.154. If the landfill is operated in the State of Minnesota, ensure it is a MPCA approved solid waste facility permitted to accept the waste.
2. For a complete listing of landfills currently approved to receive RACM in Minnesota, please contact the MPCA Asbestos Program or your regional solid waste compliance and enforcement staff.

## **Category II Asbestos-Containing Material in demolition projects**

The MPCA believes that in most cases the typical forces expected in a demolition project will cause Category II ACM to be crushed, pulverized, crumbled, and/or reduced to a powder. Therefore, the MPCA recommends that all Category II ACM be removed prior to the commencement of demolition.

If you have any questions regarding the classification, removal, transport, disposal, or any questions regarding asbestos rules, regulations, or standards, please feel free to contact the MPCA Asbestos Program at 651-296-6300 or 800-657-3864. If you intend to remove Category II ACM on your own please call for instructions specific to your situation.

This guidance document is not intended as a substitute for reading the rules or regulations and making your own independent determination of their applicability to your asbestos removal or demolition project. Examples in this guidance document do not represent an exhaustive listing of projects or removal methods to which the regulation might apply. Visit the Minnesota Pollution Control Agency at <http://www.pca.state.mn.us>.