



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC 15 2011

DEPUTY ADMINISTRATOR

**MEMORANDUM**

**SUBJECT:** Initial response to early-warning report on unapproved asbestos-removal methods

**FROM:** Bob Perciasepe *Bob Perciasepe*

**TO:** Arthur A. Elkins Jr., Inspector General

U.S. Environmental Protection Agency Administrator Lisa P. Jackson received the December 14, 2011, early-warning report: *Use of Unapproved Asbestos Demolition Methods May Threaten Public Health*. Given the seriousness of the report, the Administrator wishes to provide an immediate initial response.

The report indicated unapproved asbestos-removal methods are being used or currently being considered at multiple sites. The EPA has already begun to investigate the allegations of ongoing human-health threats from improper asbestos removal and disposal, and the agency will take whatever steps are necessary to protect the health of anyone who might be exposed. Moreover, if there have been past incidents of exposure, the EPA will take appropriate steps to identify them and to address any health threats.

The EPA's Asbestos National Emission Standards for Hazardous Air Pollutants regulations that govern removal of asbestos during building demolition have been in effect since 1984, and there are no established regulatory alternatives to the Asbestos NESHAP requirements. These regulations, which are clear and well-understood, establish containment procedures, work-practice standards and waste-disposal requirements that facility owners and their contractors must follow during the demolition of a building or structure that contains asbestos. Federal agencies, however, may deviate from NESHAP requirements, as they may deviate from other environmental requirements, in certain circumstances during Superfund removal actions as provided for under the Comprehensive Environmental Response, Compensation and Liability Act and the National Contingency Plan.

The EPA will work with our federal and state partners to ensure asbestos is being handled safely and in accordance with the law. In addition, we will do direct outreach with the industry to ensure it is understood that there are no approved alternatives to the Asbestos NESHAP requirements.