



# ASBESTOS POLICY AND PROCEDURES

Effective Date: April 1, 1995

Revised: April 15, 2002

The Department of Natural Resources and Environmental Control (“DNREC”) and the Delaware Solid Waste Authority (“DSWA”) have established the following Policy concerning the handling and disposal of Asbestos-Containing Material (“ACM”).

**ANY TYPE OF ASBESTOS-CONTAINING MATERIAL MAY BE TRANSPORTED TO AN AUTHORIZED ASBESTOS LANDFILL OUT-OF-STATE, OR DISPOSED OF AT AN APPROVED DSWA FACILITY.**

Asbestos-Containing Material to be landfilled out of state:

- The asbestos material must be packaged in accordance with State of Delaware regulations or the regulations of other affected states, whichever are the more stringent. Furthermore, the out-of-state destination must be approved by DNREC<sup>4</sup> as part of the permitting procedure for a transporter Permit.

Asbestos-Containing Material to be landfilled in Delaware:

- Friable**<sup>1</sup> asbestos material must be wetted, packaged in leak-proof containers and labeled in accordance with DNREC regulations. This material may be landfilled at the Northern Solid Waste Management Center, **only**. The DSWA charges a special disposal fee for this material.
- Category I **non-friable** Asbestos-Containing Material ACM and Category II **non-friable** Asbestos-Containing Material ACM may be landfilled at any of the Delaware Solid Waste Authority Facilities at DSWA’s standard disposal fee with the following packaging requirements:

Northern Solid Waste Management Center: Category I **non-friable** ACM<sup>2</sup> must be wetted and may be removed and transported in covered dumpsters or trucks and landfilled unpackaged in the designated asbestos disposal area. Category II **non-friable** ACM<sup>3</sup> must be wetted and packaged in sealed, leakproof clear plastic wrap and labeled as asbestos. At the landfill it must be placed in the designated asbestos disposal area. Disposal of **bulk** shipments of Category I & II **non-friable** asbestos will be accepted at the Northern Solid Waste Management Center **only**.

Central and Southern Solid Waste Management Centers: Category II *non-friable* ACM<sup>3</sup> destined for these Facilities must be wetted and packaged in sealed, leak-proof clear plastic wrap, and labeled as asbestos. At the landfill, it must be placed in a roll-off container specifically dedicated for this purpose. Category I *non-friable* ACM<sup>2</sup> may be transported to these Facilities *unpacked* in a covered vehicle, and off-loaded into a roll-off container specifically dedicated for this purpose.

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Packaging of Category I, *non-friable* ACM<sup>2</sup> in the same manner as Category II non-friable ACM<sup>3</sup> is preferred but is not required.

In order to be exempt from the packaging requirements, any ACM classified and handled as Category I *non-friable* ACM<sup>2</sup> must be certified as such by a licensed Delaware Certified Professional Service Firm. This certification shall include a description of the material, where the sample originated and the date the material was sampled. This certification must be sent along with the **NOTIFICATION OF DEMOLITION/RENOVATION** to the Department of Natural Resources and Environmental Control. A copy of the Category I, *non-friable* ACM<sup>2</sup> certification must accompany the material to the landfill. All ACM must be removed by a licensed Delaware Asbestos Abatement Contractor<sup>4</sup>, unless a written waiver has been issued by the Department of Natural Resources and Environmental Control, Air Quality Management Section, Engineering and Compliance Branch. A copy of this waiver must accompany the material to the landfill.

In addition to the above requirements, disposal of all asbestos material at DSWA Facilities is subject to the DSWA Asbestos Disposal Procedures, which require at least 24-hour prior notice to the landfill of any deliveries of asbestos.

<sup>1</sup>*Friable* asbestos material means any material containing more than one (1) percent asbestos, as determined using the method specified in Appendix A, Subpart F, 40 CFR, Part 763, Section 1, *Polarized Light Microscopy*, that, when dry, can be crumbled, pulverized or reduced to powder by hand pressure. If the asbestos content is less than ten (10) percent, as determined by a Method other than point-counting by *Polarized Light Microscopy* ("PLM"), verify the asbestos content by point-counting using "PLM."

<sup>2</sup>Category I *non-friable* Asbestos-Containing Material ("ACM") means asbestos-containing packings, gaskets, resilient floor covering and asphalt roofing products containing more than one (1) percent asbestos, as determined using the method specified in Appendix A, Subpart F, 40 CFR, Part 763, Section I, *Polarized Light Microscopy*.

<sup>3</sup>Category II *non-friable* Asbestos-Containing Material ("ACM") means any material, excluding Category I, *non-friable* ACM, containing more than one (1) percent asbestos as determined using the methods

specified in Appendix A, Subpart F, 40 CFR, Part 763, Section I, *Polarized Light Microscopy* (“PLM”) that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

NOTE: asphalt/vinyl floor tiles, mastic/adhesive, transite materials and house siding are considered Category II materials.

<sup>4</sup>Homeowners are exempt from this requirement.

### **Modification Synopsis**

March 18, 2002: The Asbestos Policy was modified to allow for the removal of category I non-friable ACM by a general contractor, provided a licensed Delaware certified Professional Service Firm has certified that the material is Category I non-friable ACM. A written waiver would be issued by the Department of Natural Resources and Environmental Control, Air Quality Management Section, Engineering and Compliance Branch to allow for this.

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