



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MEMORANDUM

December 22, 2021

SUBJECT: Asbestos Notifications Sent to Delegated State or Local authorities Should No Longer be Sent to EPA Region 3

FROM: Carol Amend, Chief
Air, RCRA and Toxics Branch
Enforcement and Compliance Assurance Division
EPA Region III

TO: State and Local Authorities Delegated the Asbestos NESHAPs (40 CFR Part 61, Subpart M)

Process Change

The process of sending required asbestos notifications to both the delegated state/local authority and EPA Region 3 has been changed. Complete and timely notifications must be sent to the state or local authority where the work is occurring, but they do not need to be sent to EPA. This applies to any demolition or renovation work occurring in Pennsylvania, including Allegheny County and Philadelphia; Delaware; Maryland; West Virginia; and Virginia. For any demolition or renovation work occurring in the District of Columbia, asbestos notifications are still required to be sent to both DC and EPA Region 3.

Background

The asbestos notification requirement is for the owner or the operator of a renovation or demolition operation to notify the EPA Administrator before any demolition, or before any renovations of buildings that contain a certain threshold amount of regulated asbestos-containing material [see National Emission Standards for Hazardous Air Pollutants (NESHAPs) under the Clean Air Act [40 CFR 61.145\(b\)](#)]. This notification is called "Notification of Demolition and Renovation" ("notification"). In many states or local jurisdictions, the authority to implement and enforce 40 CFR Part 61, Subpart M is delegated to the state or local agency, which means that the notification goes to the delegated authority and does not need to be sent to EPA. The District of Columbia has not been delegated the authority to implement and enforce 40 CFR Part 61, Subpart M.

For questions about this change or any other asbestos related questions, you may contact Rich Ponak, EPA Region 3 Asbestos NESHAPs Coordinator at ponak.rich@epa.gov. Full contact information for all EPA Regional asbestos NESHAP Coordinators is located here: <https://www.epa.gov/stationary-sources-air-pollution/asbestos-national-emission-standards-hazardous-air-pollutants#additional-resources>