



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

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SUBJECT: Vermiculite Ore Asbestos Sites: Evaluating Potential Indoor Residential Contamination

FROM: *Deborah Y. Dietrich*
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TO: Superfund Division Directors, Regions 1- 10
Regional Removal Managers, Regions 1-10

PURPOSE

The purpose of this memorandum is to provide EPA Regions with guidance¹ for conducting removal site evaluations² at residential asbestos contamination sites. Specifically, the guidance addresses potential indoor residential asbestos contamination associated with vermiculite ore from Libby, MT. It is important that we maintain a consistent national approach to these assessments.

BACKGROUND

EPA has identified 19 sites around the country where removal actions are, or were, needed to address asbestos contamination from vermiculite ore received from Libby, MT (See Attachment A). EPA has conducted indoor residential assessments and cleanup at the Libby, MT National Priorities List (NPL) site. The removal of vermiculite insulation as part of the indoor residential response at the Libby, MT NPL site was made necessary by unique site conditions.³ The residents were exposed to amphibole asbestos via multiple pathways, and cumulative exposures likely contributed to observed asbestos-related health effects. The continued exposure of this population to any single amphibole asbestos release may have further impacted their health.

¹ This document provides technical and policy guidance to U.S. Environmental Protection Agency (EPA) staff. It also provides information to the public and to the regulated community on how EPA intends to exercise its discretion in implementing the Superfund program. This document does not substitute for statutes EPA administers nor their implementing regulations, nor is it a regulation itself. This document does not impose legally-binding requirements on EPA, states, or the regulated community. This document will be applied on a case-by-case basis and may not apply to a particular situation based upon the specific circumstances.

² The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) provides for removal site evaluations [40 CFR 300.410] under authority of section 104(b) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

³ "Action Memorandum Amendment for the Time-Critical Removal Action at the Libby Asbestos Site – Libby, Lincoln County, Montana," May 9, 2002

EPA has recently determined that indoor site evaluations should be conducted at certain residences in northeastern Minneapolis, MN, to determine whether asbestos-containing material from the Western Minerals Processing exfoliation plant may have caused indoor asbestos contamination at potentially harmful levels. Western Minerals Processing is one of the facilities that received vermiculite ore from Libby, MT. Regions have not identified other sites where such indoor site evaluations may be needed. However, because of the number of vermiculite ore processing sites around the country, and the potential for future site evaluations, OEM is providing Regions with the following procedure for initiating indoor residential site evaluations.

IMPLEMENTATION

Removal Site Evaluations: For vermiculite ore asbestos sites, OEM requests that Regions begin consultation with their HQ regional coordinator prior to initiating an indoor residential site evaluation. An indoor site evaluation may encounter indoor asbestos contamination from products that are part of the building structure (e.g. building materials). Response actions to address such contamination are expressly limited under CERCLA §104(a)(3). When consulting with OEM, Regions should prioritize potential indoor residential site evaluations according to the degree to which residences meet either of the following conditions:

1. Residences that have had contaminated outdoor source material (e.g., driveway fill, garden amendment or landscaping) in such quantities or in such locations that it was likely transferred indoors. EPA's experience in Libby is that such sources are the most likely cause of potentially harmful levels of indoor contamination.
2. Residences of someone who likely brought contamination into the home regularly on their clothes or other articles (e.g., a worker at the facility, or children who played in contaminated yards or on waste piles at the facility).

Regions should not conduct indoor site evaluations at residences where the only likely source of indoor asbestos contamination is from building materials that are part of the structure, such as vermiculite insulation, and there is no release or threat of release into the environment. Regions should provide these residents with information on how to address asbestos in their homes. The EPA web page: <http://www.epa.gov/asbestos/> includes extensive written information on asbestos and vermiculite, as well as telephone numbers for the EPA Toxic Substances Control Act (TSCA) hotline and the Asbestos Ombudsman.

Cleanup Actions: If a removal site evaluation finds unacceptable levels of indoor asbestos, indoor CERCLA response actions may be warranted to address contamination that has been transferred indoors.

Existing OSWER guidance, "Response Actions at Sites with Contamination Inside Buildings" (OSWER 9360.3-12; August 12, 1993) notes that response actions to address indoor contamination that is released to the environment (or poses a threat of release), may be considered "nationally significant or precedent setting." In addition, OSWER's "Guidance on

Non-NPL Removal Actions Involving Nationally Significant or Precedent Setting Issues” (OSWER 9360.0-19; March 3, 1989) designates removals involving asbestos, when it is the principal contaminant of concern, as nationally significant or precedent setting. Regions should continue to follow these guidance documents, which instruct Regions to consult with Headquarters and receive written concurrence or approval from the OEM Office Director (except in emergency situations) when appropriate, prior to taking indoor response actions and actions where asbestos is a principal contaminant of concern.

If you have any questions or comments about this guidance, please contact Kevin Mould (202-564-2525) in the Program Operations and Coordination Division of OEM.

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ATTACHMENT – A

19 Libby Related Asbestos Sites: Removal Actions Completed or Further Action Needed

1. Region 2: Zonolite Co/WR Grace. Hamilton Township, NJ: One removal action completed by PRP. A second PRP removal action is planned during the summer of 2006.
2. Region 2: Zonolite Co/WR Grace. Weedsport/Brutus, NY: Further sampling planned inside an unoccupied building in 2006.
3. Region 3: Zonolite Co/WR Grace. Ellwood City, PA: Further bulk soil sampling recommended based on ATSDR's Public Health Evaluation.
4. Region 4: Zonolite Company, WR Grace Wilder Plant. Wilder, KY: Completed removal action.
5. Region 5: Western Minerals Processing. Minneapolis, MN: One completed removal action. Further residential indoor removal assessment planned.
6. Region 5: Zonolite Company, WR Grace. Dearborn, MI: Completed removal action.
7. Region 8: WR Grace Vermiculite Mine. Libby, MT: Completed Initial removal actions. NPL cleanup action is ongoing.
8. Region 8: Western Minerals Products Co. Denver, CO: Completed removal action.
9. Region 8: Moat's Residence. Cascade, MT: Completed removal action.
10. Region 8: Vermiculite Intermountain. Salt Lake City, UT: Completed removal action
11. Region 8: Intermountain Insulation Co. Salt Lake City, UT: Completed removal action.
12. Region 8: Robinson Insulation Company. Minot, ND: Completed removal action.
13. Region 9: Solomon's Mines/Diversified Insulation WRG. Phoenix, AZ: Completed removal action.
14. Region 9: Ari-Zonolite/Buster's Street Rods. Glendale, AZ: Completed removal action.
15. Region 9: CA Zonolite/Divers Insulation/WR Grace/Steeler, Inc. Alameda, CA. Completed removal action.
16. Region 9: California Zonolite Co/WR Grace. Los Angeles, CA. Completed removal action.
17. Region 9: Vermiculite of Hawaii Inc. Honolulu, HI. Completed removal action.
18. Region 10: Vermiculite Northwest Inc., Portland, OR: Ongoing PRP removal action.
19. Region 10: Vermiculite Northwest, Inc./WR Grace, Spokane, WA: Further investigation is warranted. Cleanup is currently under state lead oversight.