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From: Rosen.Linda@epamail.epa.gov [<mailto:Rosen.Linda@epamail.epa.gov>]
Sent: Thursday, May 14, 2009 12:24 PM
To: Alan Grimmett
Cc: Tony; Marable.Brent@epamail.epa.gov
Subject: ABCOV Asbestos Conversion Process

Hi Alan,

As we discussed this morning on the telephone, the ABCOV method was approved by EPA per the requirements of 40 CFR 61.155 to convert asbestos containing waste materials to nonabestos containing materials. The company needs to implement the process as approved by EPA. I am sending you the link to the long list of EPA approvals. The 3/28/95 letter is the approval letter of the overall process. The 3/31/96 letter clarifies that "we approved the process no matter where it is constructed or operated, as long as the conditions and controls of the process remain the same." The 3/31/96 letter goes on to say: "Please bear in mind that each time this process is constructed at a new location/facility, you do not need approval for the process. However, you must notify the local delegated agency or EPA in the event that there is no delegated agency that the "new source" exists. If any major modifications are made to the process, then the process must be resubmitted for approval, and undergo another initial startup period." Approvals subsequent to 3/28/95 dealt with revisions to the process which were all approved by EPA.

The 3/31/96 letter approval ends with this statement: "This approval to construct and operate is pursuant to the Federal requirements (40 CFR Part 61, Subpart M). You must still comply with the applicable state and local requirements."

So from a federal perspective, the ABCOV process has been approved to be implemented in Illinois (in the form as approved) and it is up to the State to now determine if any additional requirements (such as getting a permit) must be met. We will leave that up to IEPA.

Please let me know if you have any questions or concerns. Thanks

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