



COMMONWEALTH OF KENTUCKY  
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION FOR AIR QUALITY  
803 Schenkel Lane  
Frankfort, Kentucky 40601-1403

August 23, 1995

Mr. Tony Nocito, President  
ABCOV, Inc.  
214 Sullivan Street, Suite 3A  
New York, NY 10012

RE: ABCOV Asbestos Conversion

Dear Mr. Nocito:

Based on your April 7, June 2, and July 13 submittals requesting approval of ABCOV's asbestos-conversion process, and on clarifications and understandings expressed in my April 25 and June 13 replies, this Division has approved the process for use in Kentucky, provided that:

- All phases of the process will be carried out under full containment, with the containment under an adequate, negatively pressurized, HEPA-filtration system providing at least four air changes per hour from the time asbestos disturbance begins until satisfactory clearance is obtained, pursuant to 401 KAR 63:042, Section 4(1).
- Containment and decontamination-system construction must be as specified in 401 KAR 63:042, Section 4(1), unless an approvable alternative has been submitted pursuant to Section 4(4).
- All personnel, equipment, materials, wastes, etc., exiting the containment will be either thoroughly decontaminated and asbestos-free or sealed in leak-tight, labeled containers as asbestos wastes, pursuant to 401 KAR 57:011, §61.152, and 401 KAR 63:042, Section 4(1).
- Certain materials exiting the containment as decontaminated materials or non-asbestos materials will need to be analyzed for asbestos content, using appropriate methodology (e.g., PLM by 40 CFR 763, Subpart F, Appendix A, or TEM by Perkins's and Harvey's "Method for the Determination of Asbestos in Bulk Building Materials," EPA/600/R-93/116, June 1993). These materials would include filters, spent charcoal and other porous materials used in the process (e.g., exposed wood surfaces), sludges, and any other items whose capacity for decontamination may be questionable because of their coarse physical texture or other physical characteristics that are conducive to retention of asbestos fibers. As noted in my June 13 letter, this testing could be performed the first few times the process is used and then phased down to similar testing at periodic intervals subsequently.



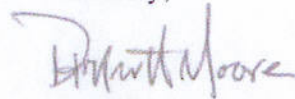
Mr. Tony Nocito  
August 23, 1995  
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- As I advised in my April 25 letter, entities using this process in Kentucky will need to be certified, pursuant to 401 KAR 63:042, Sections 3 and 5 through 10.
- A demonstration of the process will need to be performed in Kentucky, with representatives of this agency and other appropriate agencies given an opportunity to witness and evaluate the process prior to its use in Kentucky.
- The process must be constructed and operated in a manner that complies with other applicable laws and legal requirements, including those of the state and federal Occupational Safety and Health agencies, the U.S. Environmental Protection Agency (EPA), Kentucky's Divisions of Water and Waste Management. As I have advised previously, EPA cannot delegate to state agencies such as this one the federal authority to approve asbestos-conversion operations.

Copies of the aforementioned correspondence and regulations are enclosed for reference.

Your proposal seems to be a promising one that could provide an asbestos abatement and conversion technology that is economical, effective, and safe. I will be pleased to help you contact other state and federal agencies that would likely need to be involved in the approval process for using the ABCOV Method in Kentucky. Please feel free to contact me at (502) 573-3382 if you have any questions or require further information on this matter.

Sincerely,



Parker H. Moore, Manager  
Special Programs Branch

PHM/ptt  
Enclosures

JAMES E. BICKFORD  
SECRETARY



PAUL E. PATTON  
GOVERNOR

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803 SCHENKEL LN  
FRANKFORT KY 40601-1403

February 26, 1996

Mr. Tony Nocito, President  
ABCOV, Inc.  
214 Sullivan Street, Suite 3A  
New York, NY 10012

RE: ABCOV Asbestos Conversion

Dear Mr. Nocito:

This is to advise that analyses of samples from your bench-scale demonstration of the ABCOV conversion process indicate successful conversion to a non-asbestos material; accordingly, the process is approved for use in Kentucky under the conditions specified in my August 23, 1995, letter to you (copy enclosed). Additionally, because the process would be regarded as a potential air-contaminant source under Kentucky statutes and would be regulated as an asbestos-conversion operation under 401 KAR 57:011, you will need to contact Mr. J. Daniel Gray, Manager of this Division's Permit Review Branch, for further information on applying for a permit to construct and operate the process in Kentucky.

As I have advised previously, I will be pleased to help you contact other state and federal agencies that would likely need to be involved in the approval process for using the ABCOV Method in Kentucky. Please feel free to contact me at (502) 573-3382 if you have any questions or require further information on this matter.

Sincerely,

A handwritten signature in blue ink that reads "Parker H. Moore".

Parker H. Moore, Manager  
Special Programs Branch

PHM/ptt  
cc: J. Daniel Gray  
Enclosure

