4.B.2. The waste generator is responsible for ensuring that a copy of the WSR is delivered to the disposal site along with the waste shipment. If a copy of the WSR signed by the disposal site operator is not returned to the waste generator within 35 days, the waste generator must contact the transporter and/or the disposal site to determine the status of the waste shipment. 40 CFR 61.150(d)(3). If the signed WSR is not received within 45 days, the waste generator must report, in writing, to the responsible NESHAP program agency and send along a copy of the WSR. 40 CFR 61.150(d)(4). Copies of WSRS, including those signed by the disposal site operator, must be retained for at least 2 years. 40 CFR 61.150(d)(5).

V. Training

5.1. For those roof removals that are subject to the NESHAP, at least one on-site supervisor trained in the provisions of the NESHAP must be present during the removal of the asbestos roofing material. 40 CFR 61.145(c)(8). In EPA’s view, this person can be a job foreman, a hired consultant, or someone who can represent the building owner or contractor responsible for the removal. In addition to the initial training requirements, a refresher training course is required every 2 years. The NESHAP training requirements became effective on November 20, 1991.

5.2. Asbestos training courses developed specifically to address compliance with the NESHAP in roofing work, as well as courses developed for other purposes can satisfy this requirement of the NESHAP, as long as the course covers the areas specified in the regulation. EPA believes that Asbestos Hazard Emergency Response Act (AHERA) training courses will, for example, satisfy the NESHAP training requirements. However, nothing in this interpretive rule or in the NESHAP shall be deemed to require that roofing contractors or roofing workers performing operations covered by the NESHAP be trained or accredited under AHERA, as amended by the Asbestos School Hazard Abatement Reauthorization Act (ASHARA). Likewise, state or local authorities may independently impose additional training, licensing, or accreditation requirements on roofing contractors performing operations covered by the NESHAP, but such additional training, licensing or accreditation is not called for by this interpretive rule or the federal NESHAP.

5.3. For removal of Category I asbestos containing roofing material where RB roof cutters or equipment that similarly damages the asbestos-containing roofing material are used, the NESHAP training requirements (§61.145(c)(8)) apply as discussed in Section I above. It is EPA’s intention that removal of Category I asbestos-containing roofing material using hatchets, axes, knives, and/or the use of spud bars, pry bars and shovels to lift the roofing material, or similar removal methods that slice, punch, or shear the roof membrane are not subject to the training requirements, since these methods do not cause the roof removal to be subject to the NESHAP. Likewise, it is EPA’s intention that roof removal operations involving Category II nonfriable ACM are not subject to the training requirements where such operations are not subject to the NESHAP as discussed in section I above.

[59 FR 31158, June 17, 1994, as amended at 60 FR 31920, June 19, 1995]
from any arsenic-containing substance
and is intended for sale or for inten-
tional use in a manufacturing process.
Arsenic that is a naturally occurring
trace constituent of another substance
is not considered “commercial ar-
senic.”
Cullet means waste glass recycled to
a glass melting furnace.
Glass melting furnace means a unit
comprising a refractory vessel in which
raw materials are charged, melted at
high temperature, refined, and condi-
tioned to produce molten glass. The
unit includes foundations, super-
structure and retaining walls, raw ma-
terial charger systems, heat exchang-
ers, melter cooling system, exhaust
system, refractory brick work, fuel
supply and electrical boosting equip-
ment, integral control systems and in-
strumentation, and appendages for con-
ditioning and distributing molten glass
to forming apparatuses. The forming
apparatuses, including the float bath
used in flat glass manufacturing, are
not considered part of the glass melt-
ing furnace.
Glass produced means the glass pulled
from the glass melting furnace.
Inorganic arsenic means the oxides
and other noncarbon compounds of the
element arsenic included in particulate
matter, vapors, and aerosols.
Malfunction means any sudden failure
of air pollution control equipment or
process equipment or of a process to
operate in a normal or usual manner so
that emissions of arsenic are increased.
Pot furnace means a glass melting
furnace that contains one or more re-
fractory vessels in which glass is melt-
ed by indirect heating. The openings of
the vessels are in the outside wall of
the furnace and are covered with re-
fractory stoppers during melting.
Rebricking means cold replacement of
damaged or worn refractory parts of
the glass melting furnace. Rebricking
includes replacement of the refrac-
tories comprising the bottom, side-
walls, or roof of the melting vessel; re-
placement of refractory work in the
heat exchanger; and replacement of re-
fractory portions of the glass condi-
tioning and distribution system.
Shutdown means the cessation of op-
eration of an affected source for any
purpose.

Theoretical arsenic emissions factor
means the amount of inorganic arsenic,
expressed in grams per kilogram of
glass produced, as determined based on
a material balance.
Uncontrolled total arsenic emissions
means the total inorganic arsenic in
the glass melting furnace exhaust gas
preceding any add-on emission control
device.

§ 61.162 Emission limits.
(a) The owner or operator of an exist-
ing glass melting furnace subject to
the provisions of this subpart shall
comply with either paragraph (a)(1) or
(a)(2) of this section; except as provided
in paragraph (c) of this section.
(1) Uncontrolled total arsenic emis-
sions from the glass melting furnace
shall be less than 2.5 Mg (2.7 ton) per
year, or
(2) Total arsenic emissions from the
glass melting furnace shall be con-
veyed to a control device and reduced
by at least 85 percent.
(b) The owner or operator of a new or
modified glass melting furnace subject
to the provisions of this subpart shall
comply with either paragraph (b)(1) or
(b)(2) of this section, except as provided
in paragraph (c) of this section.
(1) Uncontrolled total arsenic emis-
sions from the glass melting furnace
shall be less than 0.4 Mg (0.44 ton) per
year, or
(2) Total arsenic emissions from the
glass melting furnace shall be con-
veyed to a control device and reduced
by at least 85 percent.
(c) An owner or operator of a source
subject to the requirements of this sec-
tion may, after approval by the Admin-
istrator, bypass the control device to
which arsenic emissions from the fur-
nace are directed for a limited period
of time for designated purposes such as
maintenance of the control device, as
specified in §61.165(e).
(d) At all times, including periods of
startup, shutdown, and malfunction,
the owner or operator of a glass melt-
ing furnace subject to the provisions of
this subpart shall operate and main-
tain the furnace and associated air pol-
lution control equipment in a manner