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MAINTENANCE DEPT

SOUTH CHARLESTON PLANT

ENVIRONMENTAL PROTECTION

UNION CARBIDE

Bldg. 406 - 2nd. Floor
South Charleston, WV 25303

PLAINTIFF'S EXHIBIT
UC-2293

TO: J. R. Dement

DATE: May 6, 1987

COPY: J. R. Soice
J. L.Worstell
EPD Staff (Circulate)

SUBJECT: ENVIRONMENTAL CONCERNS FROM THE HEALTH, SAFETY, AND ENVIRONMENTAL REVIEW INSULATION UPGRADE PROJECT, SOUTH CHARLESTON

REFERENCE: MEMO TO J. R. DEMENT FROM H. W. WEGERT & G. M. WHIPPLE DATED 10-30-86

I have reviewed the subject memo, in conjunction with the Maintenance Safety Procedure XVIII - Asbestos Handling, and have the following comments about Messers Wegert's and Whipple's concerns:

CONCERN 1 - No reference to WVAPCC Regulation 15:

Page ~~14~~ 15 of Safety Procedure XVIII is a checklist for asbestos removal/disposal which specifically asks if:

Proper Environmental Notifications made ___ YES ___ NO ___ N/A
(APCC, EPA, DNR, and Health Department)

Appendix I on page ~~16~~ 17 of Safety Procedure XVIII lists the required delivery times for asbestos notifications. Appendix II on pages ~~17~~ 18 and ~~18~~ 19 is a copy of the WVAPCC Asbestos Removal Notification form. Although there is no specific mention of "Regulation 15", I believe Safety Procedure XVIII adequately addresses the requirements of Regulation 15.

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CONCERN 2 - No reference to the State requirement of notification to the DNR prior to landfilling asbestos:

Appendix II (pages ~~17~~ 18 and ~~18~~ 19) is the WVAPCC Asbestos Removal Notification form. This page of the form states that in addition to the WVAPCC, copies of the form must be sent to EPA, DNR, and the Health Department. It is the practice of the EPD to send the notification form to those four agencies. There are no known regulatory requirements that DNR or the Department of Health be notified of asbestos removal projects. Notification to the DNR and to the Department of Health of asbestos removal projects has always been done as a courtesy.

Again, Safety Procedure XVIII adequately addresses all notification requirements.

CONCERN 3 - No reference to NESHAPs 40 CFR §61.152 and 61.156, pertaining to disposal container labels and warning signs at landfills.

§61.152(b)(iv) of NESHAPs outlines a label to be used on disposal containers:

C A U T I O N

CONTAINS ASBESTOS -
AVOID OPENING OR
BREAKING CONTAINER
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH

However, §61.152(b)(iv) further states in part, "Alternatively, use warning labels specified by ....(OSHA) ...."
§61.156(b) and (c) state that a landfill must have:

1) A natural barrier to deter access by the general public, or
2) warning signs and fencing, or
3) covered the waste asbestos with at least 6 inches of non-containing asbestos materials at least once every 24 hours.

Thus, the NESHAPs regulation does not automatically require warning signs at all landfills. However, most landfills that accept asbestos wastes do have warning signs (as does Goff Mountain Landfill, which is Plant 514's present asbestos disposal site).

In summary, Safety Procedure XVIII is more than adequate from an environmental viewpoint. I believe the Health, Safety, and Environmental Review team reviewed a 4th Q or earlier draft of Safety Procedure XVIII - not the final review draft dated February, 1987.

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To insure that disposal needs for the insulation upgrade project are met, EPD needs an estimate (in cubic yards) of the disposal loads. This estimate should be broken down into a monthly schedule. In accordance with Safety Procedure XVIII, an estimate of the disposal load in cubic yards is a prerequisite for obtaining an approved Asbestos Removal Notificaqation from EPD.

As noted in previous correspondence to you from J. L. Worstell (dated October 27, 1986, and January 28, 1987,) EPD recommends that no additional large-scale insulation removal jobs be undertaken until a suitable disposal site is available. Goff Mountain will soon phase out accepting asbesto insulation on a routine basis (except for chemical-saturated insulation).

Purchasing has recently contacted several landfills to obtain information on availability, standards, cost and etc. However, as of this date no alternative landfill has been located.

Dennis H. Hanshew

Dennis H. Hanshew

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