PLAINTIFF'S EXHIBIT

UC-3705

Federal Register Volume 38, Number 66, Paragraph 61.22(e), (f), and Paragraph 61.23.

"(e) Spraying: There shall be no visible emissions to the outside air from the spray-on application of materials containing more than one percent asbestos, on a dry weight basis, used to insulate or fireproof equipment and machinery, except as provided in paragraph (f) of this section. Spray-on materials used to insulate or fireproof buildings, structures, pipes, and conduits shall contain less than one percent asbestos on a dry weight basis."

"(f) Rather than meet the no-visible-emission requirements of paragraphs (a), (c), and (e) of this section, an owner or operator may elect to use the methods specified by §61.23 to clean emissions containing particulate asbestos material before such emissions escape to, or are vented to, the outside air."

"§61.23 Air-Cleaning.

If air-cleaning is elected, as permitted by §61.22(f), the requirement of this section must be met.

(a) Fabric filter collection devices must be used, except as noted in paragraphs (b) and (c) of this section. Such devices must be operated at a pressure drop of no more than 4 inches water gage, as measured across the filter fabric. The airflow permeability, as determined by ASTM method D737-69, must not exceed 30 $ft^3/min/ft^2$ for woven fabrics or 35 $ft^3/min/ft^2$ for felted fabrics except that 40 $ft^3/min/ft^2$ for woven and 45 $ft^3/min/ft^2$ for felted fabrics is allowed for filtering air from asbestos ore dryers. Each square yard of felted fabric must weight at least 14 ounces and be at least one-sixteenth inch thick throughout. Synthetic fabrics must not contain fill yarn other than that which is spun.

(b) If the use of fabric filters creates a fire or explosion hazard, the administrator may authorize the use of wet collectors designed to operate with a unit contacting energy of at least 40 inches water gage pressure.

(c) The administrator may authorize the use of filtering equipment other than that described in paragraphs (a) and (b) of this section if the owner or operator demonstrates to the satisfaction of the administrator that the filtering of particulate asbestos material is equivalent to that of the described equipment.

(d) All air-cleaning equipment authorized by this section must be properly installed, used, operated, and maintained. Bypass devices may be used only during upset or emergency conditions and then only for so long as it takes to shut down the operation generating the particulate asbestos material."



*Union Carbide trial exhibit UC-3705: Excerpt of Federal Register Vol. 38, No. 66 on Asbestos Spraying and Air-Clea...* Published by AsbestosClaims.Law
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