

**MEMORANDUM**

TO: Becky Keogh, Director *JK*

THROUGH: Stuart Spencer, Associate Director, Office of Air Quality *JK for SS*

FROM: Asbestos Section, Office of Air Quality *JK*

DATE: September 21, 2016

SUBJECT: CLARIFICATION MEMORANDUM 2016-01: Floor Tile (Resilient floor covering)

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The Asbestos Section is often asked if removing floor tile and mastic causes it to become Regulated Asbestos Containing Material. To provide clarification and the Department's position, attached is a draft of Clarification Memorandum 2016-01 (CM 2016-01) regarding floor tile, specifically resilient floor covering. CM 2016-01 attempts to provide further information and insight regarding resilient floor covering and/or mastic during renovation and demolition activities.

The Asbestos Section recommends that CM 2016-01 be reviewed and approved as general guidelines that provide the regulated Asbestos community with clarification of the Department's application of the regulations that relate to this matter.

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ)  
ADEQ CLARIFICATION MEMORANDUM (2016-01)**

FROM: Becky Keogh, Director, Arkansas Department of Environmental Quality  
DATE: September 21, 2016  
SUBJECT: Floor Tile (Resilient floor covering)

The Arkansas Department of Environmental Quality (ADEQ) is often asked if removing floor tile and mastic causes it to become Regulated Asbestos Containing Material (RACM). The answer is dependent on the condition of resilient floor covering and/or mastic prior to removal and the removal method utilized. This memorandum attempts to provide further information and insight regarding resilient floor covering and/or mastic during renovation and demolition activities.

Clarification:

Renovation-Asbestos Containing Material (ACM) resilient floor covering and/or the mastic used to attach it to the floor surface will be regulated as RACM if it is removed by sanding, abrading, drilling, chipping, bead blasting, cutting, grinding, by manual or mechanical means or is otherwise crumbled, pulverized, or reduced to powder. Resilient floor covering is generally not considered RACM if it is removed by using dry ice, heat, wet methods, and chemicals where the tile or sheeting are removed intact. Minor tears or minor breakage is acceptable where, for all intents and purposes, the floor covering is considered whole.

Demolition-Caution should likewise be exercised during demolition projects in which Category I ACM in good condition remain in place. Demolition activities that damage the floor tile left in place may cause the material to be considered RACM and therefore subject to APC&EC Reg. 21 requirements.

Regulation No. 21 as approved by the Commission on August 28, 2015 defines "RACM," "cutting," "grinding," and "abrading" as follows:

**"Regulated asbestos-containing material (RACM)" means**

- (A) Friable asbestos material;
- (B) Category I nonfriable ACM that has become friable;
- (C) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading;
- (D) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this regulation;
- (E) Category I nonfriable resilient floor covering which contains ACM that will be or has been removed by sanding, grinding, cutting, or abrading; or

- (F) Category II mastic which contains ACM that will be removed by sanding, grinding, cutting, or abrading.

**“Cutting”** means to penetrate with a sharp-edged instrument and includes sawing, but does not include shearing, slicing, or punching.

**“Grinding”** means to reduce to powder or small fragments and includes manual or mechanical chipping or drilling.

Resilient floor covering and nonfriable mastic in good condition is Category I material. Thus, it is not considered RACM unless it has been or will be removed by sanding, grinding, cutting, or abrading (item C, E&F) or has become friable (item B).

Additionally, regulation of ACM floor tile removal may differ depending upon which government regulation applies. For example, schools (K-12) are subject to EPA AHERA rules which apply to both friable and non-friable ACM floor covering. OSHA (29 CFR 1101) regarding work practices and worker safety does not contain the terms friable or non-friable, but regulates both. Accordingly, building owners should refer to these regulations as they apply.

Position:

The determination of whether floor tile and/or mastic are RACM is largely dependent on a case-by-case evaluation that considers the condition of the material and the forces which have or will act upon it. Therefore, it is not possible to provide a general statement regarding the level of tears or breakage that would cause ACM to become RACM. The general guidelines stated above should provide building owners as well as asbestos contractors and consultants with clarification of the ADEQ’s application of the regulations that relate to this matter.