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Arkansas Department of Environmental Quality "Clarification Memorandum": Does Removing Floor Tile and Mastic Cause it to Become Regulated Asbestos Containing Material?

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The Arkansas Department of Environmental Quality ("ADEQ") issued a Clarification Memorandum (2016-01) in September 2016 that provided an interpretation in regards to the removal of asbestos in certain circumstances.

The Memorandum is directed to ADEQ Becky Keogh and originates from the Asbestos Section of the agency's Office of Air Quality.

The Memorandum notes that the agency 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.

Note that RACM is addressed by ADEQ through Arkansas Pollution and Ecology Commission Regulation No. 21.

By way of "clarification," ADEQ states that RACM:

. . . 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.

A similar "caution" is deemed equally applicable during demolition projects in which Category I Asbestos Containing Material in good condition remains in place. Further, the Memorandum states that demolition activities that damage the floor tile left in place may cause the material to be considered RACM and therefore subject to Regulation No. 21 requirements.

Resilient floor covering and nonfriable mastic in good condition is deemed Category I material. Consequently, it is not deemed RACM unless it has been or will be removed by sanding, grinding, cutting, or abrading or has become friable.

The Memorandum also cautions that the regulation of Asbestos Containing Material floor tile removal can differ depending upon which regulation applies (citing EPA AHERA rules and OSHA requirements).

[A copy of the Memorandum can be found here.](#)