

“This structure was built in 2005, there is no asbestos”

Commonly, SRCAA encounters homeowners and contractors who believe that if their structure was built after 1989 it cannot have any asbestos containing materials anywhere in or on the structure. The misconception that all asbestos was banned in 1989 is responsible for multiple enforcement actions each year. Below are the current EPA regulations regarding the use of asbestos.

- 1989 - A Partial Ban on the manufacture, import, processing, and distribution of some asbestos-containing products. EPA also banned new uses of asbestos which prevent new asbestos products from entering the marketplace after August 25, 1989. These uses remain banned. The April 2019 final rule does not provide a way for these uses to return to the marketplace.
- April 2019 - A Final Rule to ensure that asbestos products that are no longer on the market cannot return to commerce without the EPA evaluating them and putting in place any necessary restrictions or prohibiting use. The uses covered under this rule were not already prohibited under TSCA (Toxic Substances Control Act) and could have returned to the market at any time.
- Risk evaluation of asbestos under TSCA - EPA is reviewing a handful of very limited, still ongoing uses of asbestos. The evaluation of the risks associated with ongoing uses of asbestos is required under TSCA section 6. If EPA finds unreasonable risk, the EPA will take prompt action to address those risks.

The April 2019 rule is not a ban. The rule requires that products such as asbestos vinyl floor tiles, insulation, cement products and roofing felt get EPA approval before they can be imported, produced or sold in the United States. [More information about the April 2019 rule.](#)

There are numerous products imported that could be contaminated with asbestos from countries such as China. Inadequate regulation and monitoring of manufacturing processes may create situations where asbestos containing materials may be inadvertently imported and used in modern construction and renovation projects.

There is simply no way to know if materials contain asbestos based only on the date of construction or what the material looks like. The only way to know for sure is to have an AHERA building inspector conduct a good faith survey.

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