



SAMPLING MISCELLANEOUS MATERIALS

In a recent asbestos FAQ, the EPA has stated that there should be a minimum of two samples to be collected from each homogeneous area of a miscellaneous material:

37. Q: How many samples do you have to take for friable miscellaneous material under the Asbestos Hazard Emergency Response Act (AHERA)?

A: 40 CFR part 763.86(c) says that “an accredited inspector shall collect bulk samples [plural] from each homogeneous area of friable miscellaneous material that is not assumed to be asbestos containing material.” Therefore, at least two samples must be taken.

39. Q: Under the Asbestos Hazard Emergency Response Act (AHERA), how many samples do you have to take for non-friable suspected asbestos-containing building material?

A: 40 CFR part 763.86(d) says that “...an accredited inspector shall collect, in a manner sufficient to determine whether the material is asbestos-containing material or not asbestos-containing material, bulk samples [plural] from each homogeneous area of non-friable suspected asbestos-containing building material that is not assumed to be asbestos-containing material.” Therefore, at least two samples must be taken.

43. Q: How many samples of miscellaneous material or nonfriable suspected material must be taken to determine if the material is asbestos-containing material (ACM) under the Asbestos Hazard Emergency Response Act (AHERA)?

A: For miscellaneous material, 40 CFR part 763.86(c) states that “in a manner sufficient to determine whether material is asbestos-containing material (ACM) or not ACM, an accredited inspector shall collect bulk samples from each homogeneous area of friable miscellaneous material that is not assumed to be ACM.” Although a specific number of samples are not mentioned, at least two samples from each homogeneous area of miscellaneous material must be taken due to the plural use of the word “samples.” An accredited inspector may determine that more than two samples are necessary to determine whether or not the material is ACM. In regards to nonfriable suspected material, 40 CFR part 763.86(d) also uses the plural word “samples” and therefore also requires a minimum of two samples. An accredited inspector can use his or her discretion to take more than two samples.

The requirement for sampling miscellaneous materials in Colorado Regulation No. 8, Part B, Section IV.D.3. states: “In a manner sufficient to determine whether material is ACM or not ACM, a certified Inspector shall collect bulk samples (emphasis added) from each homogeneous area of friable miscellaneous material that is not assumed to be ACM.” Section IV.D.4. states: “If any homogeneous area of nonfriable suspected ACBM is not assumed to be ACM, then a certified Inspector shall collect, in a manner sufficient to determine whether the material is ACM or not ACM, bulk samples (emphasis added) from the homogeneous area of nonfriable suspected ACBM that is not assumed to be ACM.” Since these sections also use the plural of the word sample, beginning February 28, 2018, the CDPHE will require a minimum of two samples to be collected from each homogeneous area of a miscellaneous material.

EPA FAQ: https://www.epa.gov/sites/production/files/documents/asbestosfaqs_0.pdf