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Asbestos Laws and Regulations

This page provides a listing of the laws and regulations pertaining to asbestos implemented by EPA and certain other federal agencies. Learn more about EPA actions to protect the public from asbestos exposure including banned/prohibited uses. [link to page at beginning of this file]

EPA Asbestos-Related Laws

- The Asbestos Hazard Emergency Response Act (AHERA)
- The Asbestos Information Act (AIA)
- The Asbestos School Hazard Abatement Reauthorization Act (ASHARA)
- The Clean Air Act (CAA)
- Safe Drinking Water Act (SDWA)
- The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

EPA Asbestos Regulations

- TSCA Section 6(a) Asbestos Part 1; Chrysotile Asbestos; Regulation of Certain Conditions of Use Under the Toxic Substances Control Act (TSCA)
- TSCA Section 8(a)(1) Reporting and Recordkeeping Requirements for Asbestos
- Restrictions on Discontinued Uses of Asbestos (40 CFR Parts 9 and 721)
- Asbestos-Containing Materials in Schools Rule (40 CFR Part 763, Subpart E)
- Asbestos Worker Protection Rule (40 CFR Part 763, Subpart G)
- Asbestos Ban and Phaseout Rule (Remanded) (40 CFR Part 763, Subpart I)
- Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) Regulations (40 CFR Part 61, Subpart M)

- CERCLA Hazardous Substances and Reportable Quantities

Other Federal Agencies with Asbestos Regulations

- Occupational Safety and Health Administration (OSHA)
- Consumer Product Safety Commission (CPSC)
- Mine Safety and Health Administration (MSHA)

EPA Asbestos-Related Laws

The Asbestos Hazard Emergency Response Act (AHERA) (Toxic Substances Control Act (TSCA) Title II)

This law required EPA to promulgate regulations (e.g., the Asbestos-Containing Materials in Schools Rule) requiring local educational agencies to inspect their school buildings for asbestos-containing building material, prepare asbestos management plans and perform asbestos response actions to prevent or reduce asbestos hazards. AHERA also tasked EPA with developing a model plan for states for accrediting persons conducting asbestos inspection and corrective-action activities at schools. The Toxic Substances Control Act defines asbestos as the asbestiform varieties of: chrysotile (serpentine); crocidolite (riebeckite); amosite (cummingtonite/grunerite); anthophyllite; tremolite; and actinolite.

- TSCA Subchapter II: Asbestos Hazard Emergency Response (15 U.S.C. § 2641-2656)
[✉ <http://www.gpo.gov/fdsys/pkg/uscode-2011-title15/pdf/uscode-2011-title15-chap53-subchapii.pdf>](http://www.gpo.gov/fdsys/pkg/uscode-2011-title15/pdf/uscode-2011-title15-chap53-subchapii.pdf)

Asbestos Information Act (Public Law 100-577)

This law helped to provide transparency and identify the companies making certain types of asbestos-containing products by requiring manufacturers to report production to the EPA.

- 15 U.S.C. § 2607(f) [✉ <http://www.gpo.gov/fdsys/pkg/uscode-2011-title15/pdf/uscode-2011-title15-chap53-subchapi-sec2607.pdf>](http://www.gpo.gov/fdsys/pkg/uscode-2011-title15/pdf/uscode-2011-title15-chap53-subchapi-sec2607.pdf)

Asbestos School Hazard Abatement Reauthorization Act (ASHARA)

This law extended funding for the asbestos abatement loan and grant program for schools. ASHARA also directed EPA to increase the number of training hours required

for the training disciplines under the Asbestos Model Accreditation Plan (MAP) and to expand the accreditation requirements to cover asbestos abatement projects in all public and commercial buildings in addition to schools.

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- Asbestos School Hazard Abatement Reauthorization Act of 1990
<<https://epa.gov/asbestos/asbestos-school-hazard-abatement-reauthorization-act-1990-one-hundred-first-congress>>
- Asbestos Model Accreditation Plan [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte-appc.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte-appc.pdf>>
- February 3, 1994 Federal Register Notice: Asbestos Model Accreditation Plan [↗](http://www.gpo.gov/fdsys/pkg/fr-1994-02-03/html/94-2281.htm)
<<http://www.gpo.gov/fdsys/pkg/fr-1994-02-03/html/94-2281.htm>>

Clean Air Act (CAA) (42 USC § 7401 et seq.) [↗](http://www.gpo.gov/fdsys/pkg/uscode-2011-title42/pdf/uscode-2011-title42-chap85.pdf) <<http://www.gpo.gov/fdsys/pkg/uscode-2011-title42/pdf/uscode-2011-title42-chap85.pdf>>

This law defines the EPA's responsibilities for protecting and improving the nation's air quality and the stratospheric ozone layer and includes provisions for the EPA to set national emission standards for hazardous air pollutants, including asbestos.

- Section 112- National Emission Standards for Hazardous Air Pollutants [↗](http://www.gpo.gov/fdsys/pkg/uscode-2011-title42/pdf/uscode-2011-title42-chap85-subchapi-partasec7412.pdf)
<<http://www.gpo.gov/fdsys/pkg/uscode-2011-title42/pdf/uscode-2011-title42-chap85-subchapi-partasec7412.pdf>>

Safe Drinking Water Act (SDWA) [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol23/pdf/cfr-2011-title40-vol23-sec141-62.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol23/pdf/cfr-2011-title40-vol23-sec141-62.pdf>>

The Safe Drinking Water Act (SDWA) is the federal law that helps ensure the quality of Americans' drinking water. Under the SDWA, EPA sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards.

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) [↗](http://www.gpo.gov/fdsys/pkg/uscode-2011-title42/html/uscode-2011-title42-chap103.htm)

<<http://www.gpo.gov/fdsys/pkg/uscode-2011-title42/html/uscode-2011-title42-chap103.htm>>

This law, also known as Superfund, was enacted to address abandoned hazardous waste sites in the U.S. The law has subsequently been amended, by the Superfund Amendments and Reauthorization Act of 1986 (SARA), and the Small Business Liability Relief and Brownfields Revitalization Act of 2002. CERCLA authority may be appropriate to respond to the release or potential release of asbestos into the environment.

EPA Asbestos Regulations

TSCA Section 6(a) Asbestos Part 1; Chrysotile Asbestos

On March 28, 2024, EPA finalized a rule to prohibit the manufacture (including import), processing, distribution in commerce, and commercial use and disposal of chrysotile asbestos to prevent unreasonable risk of injury to health in accordance with TSCA section 6(a), 15 U.S.C. 2605(a).

- 40 CFR Part 751, subpart F- Chrysotile Asbestos [↗](https://www.ecfr.gov/current/title-40/chapter-i/subchapter-r/part-751/subpart-f) <<https://www.ecfr.gov/current/title-40/chapter-i/subchapter-r/part-751/subpart-f>>

TSCA Section 8(a)(1) Reporting and Recordkeeping Requirements for Asbestos

EPA has finalized reporting and recordkeeping requirements for asbestos under the TSCA. Certain persons that manufactured (including imported) or processed asbestos (including as an impurity) in the last four years must report certain exposure-related information, including quantities of asbestos manufactured or processed, types of use, and employee data. The rule also covers asbestos-containing articles and where asbestos is a component of a mixture. Information must be reported during the three-month data submission period beginning February 24, 2024 and ending May 24, 2024. Instructions for how to report using EPA's CDX-based tool are now available. [Learn More.](https://epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-8a1-reporting-and-recordkeeping) <<https://epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-8a1-reporting-and-recordkeeping>>

Restrictions on Discontinued Uses of Asbestos Rule

This final rule strengthens the Agency's ability to rigorously review an expansive list of asbestos products that are no longer on the market before they could be sold again in

the United States. Persons subject to the rule are required to notify EPA at least 90 days before commencing any manufacturing, importing, or processing of asbestos or asbestos-containing products covered under the rule. These uses are prohibited until EPA conducts a thorough review of the notice and puts in place any necessary restrictions or prohibits use.

Docket ID: EPA-HQ-OPPT-2018-0159; FRL 9991-33

- 40 CFR Parts 9 and 721 – Restrictions on Discontinued Uses of Asbestos [🔗](https://www.govinfo.gov/content/pkg/cfr-2019-title40-vol33/pdf/cfr-2019-title40-vol33-sec721-11095.pdf)
<<https://www.govinfo.gov/content/pkg/cfr-2019-title40-vol33/pdf/cfr-2019-title40-vol33-sec721-11095.pdf>>

Asbestos-Containing Materials in Schools Rule

Pursuant to the Asbestos Hazard Emergency Response Act (AHERA), the Asbestos-Containing Materials in Schools rule requires local education agencies to inspect their school buildings for asbestos-containing building material, prepare asbestos management plans and perform asbestos response actions to prevent or reduce asbestos hazards. Public school districts and non-profit private schools, including charter schools and schools affiliated with religious institutions (collectively called local education agencies) are subject to the rule's requirements.

Docket ID: OPTS-62048E; FRL-3269-8

- Asbestos-Containing Materials in Schools Rule (40 CFR Part 763, Subpart E) [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte.pdf)
<<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte.pdf>>
 - Interim Transmission Electron Microscopy (TEM) Analytical Methods (Appendix A to Subpart E of 40 CFR Part 763) [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte.pdf>>
 - Asbestos Model Accreditation Plan (Appendix C to Subpart E of 40 CFR Part 763) [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte-appc.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte-appc.pdf>>
 - Transport and Disposal of Asbestos Waste (Appendix D to Subpart E of 40 CFR Part 763) [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte-appd.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte-appd.pdf>>
 - Interim Method of the Determination of Asbestos in Bulk Insulation Samples (Appendix E to Subpart E of 40 CFR Part 763) [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte-apppe.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparte-apppe.pdf>>

EPA Asbestos Worker Protection Rule

Through the authority of Section 6 of the Toxic Substances Control Act (TSCA) the EPA extended worker protection requirements to state and local government employees involved in asbestos work who were not previously covered by the Occupational Safety and Health Administration's (OSHA) asbestos regulations.

Docket ID: OPPTS-62125B; FRL-6751-3

- 40 CFR Part 763, Subpart G – Asbestos Worker Protection [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subpartg.pdf)
<<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subpartg.pdf>>

Asbestos Ban and Phaseout Rule (Remanded)

On July 12, 1989, the EPA issued a final rule banning most asbestos-containing products. In 1991, this regulation was overturned by the Fifth Circuit Court of Appeals. However, as a result of the Court's decision, only a few asbestos-containing products remain banned.

See Asbestos Ban and Phase-out Federal Register notices <<https://epa.gov/asbestos/asbestos-ban-and-phase-out-federal-register-notice>>.

Docket ID: OPTS-62048E; FRL-3269-8

- 40 CFR Part 763, Subpart I -- Prohibition of the Manufacture, Importation, Processing and Distribution in Commerce of Certain Asbestos-Containing Products; Labeling Requirements [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparti.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol31/pdf/cfr-2011-title40-vol31-part763-subparti.pdf>>

Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP)

The asbestos NESHAP regulations specify work practices for asbestos to be followed during demolitions and renovations of all structures, installations, and buildings (excluding residential buildings that have four or fewer dwelling units). The regulations require the owner of the building or the operator to notify the appropriate state agency before any demolition, or before any renovations of buildings that could contain a certain threshold amount of asbestos or asbestos-containing material. In addition, particular manufacturing and fabricating operations either cannot emit visible emissions into the outside air or must follow air cleaning procedures, as well as follow certain requirements when removing asbestos-containing waste.

Docket ID: OAR-2002-0082, FRL-7561-2

- 40 CFR Part 61, Subpart M (Complete Rule) [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol8/pdf/cfr-2011-title40-vol8-part61-subpartm.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol8/pdf/cfr-2011-title40-vol8-part61-subpartm.pdf>>
 - 40 CFR §61.145—Standard for demolition and renovation [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol8/pdf/cfr-2011-title40-vol8-sec61-145.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol8/pdf/cfr-2011-title40-vol8-sec61-145.pdf>>
 - 40 CFR §61.150—Standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations [✉](http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol8/pdf/cfr-2011-title40-vol8-sec61-150.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title40-vol8/pdf/cfr-2011-title40-vol8-sec61-150.pdf>>

CERCLA Hazardous Substances and Reportable Quantities

Asbestos is designated as a hazardous substance with a reportable quantity in the Superfund regulations.

- 40 CFR Part 302.4 - Designation of Hazardous Substances and Reportable Quantities [✉](#)

Other Federal Agencies with Asbestos Regulations

Occupational Safety and Health Administration (OSHA) [↗](https://www.osha.gov/) <https://www.osha.gov/>

OSHA oversees the working conditions for U.S. workers by implementing and managing occupational safety and health standards. The following regulations pertain to handling asbestos in the workplace.

- Asbestos General Standard—Specification of permissible exposure limits, engineering controls, worker training, labeling, respiratory protection, and disposal of asbestos waste [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title29-vol6/pdf/cfr-2011-title29-vol6-sec1910-1001.pdf) <http://www.gpo.gov/fdsys/pkg/cfr-2011-title29-vol6/pdf/cfr-2011-title29-vol6-sec1910-1001.pdf>
 - 29 CFR 1910.1001 [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title29-vol6/pdf/cfr-2011-title29-vol6-sec1910-1001.pdf) <http://www.gpo.gov/fdsys/pkg/cfr-2011-title29-vol6/pdf/cfr-2011-title29-vol6-sec1910-1001.pdf>
- Asbestos Construction Standard—Covers construction work involving asbestos, including work practices during demolition and renovation, worker training, disposal of asbestos waste, and specification of permissible exposure limits [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title29-vol8/pdf/cfr-2011-title29-vol8-sec1926-1101.pdf) <http://www.gpo.gov/fdsys/pkg/cfr-2011-title29-vol8/pdf/cfr-2011-title29-vol8-sec1926-1101.pdf>
 - 29 CFR 1926.1101 [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title29-vol8/pdf/cfr-2011-title29-vol8-sec1926-1101.pdf) <http://www.gpo.gov/fdsys/pkg/cfr-2011-title29-vol8/pdf/cfr-2011-title29-vol8-sec1926-1101.pdf>

Consumer Product Safety Commission (CPSC) [↗](https://www.cpsc.gov/) <https://www.cpsc.gov/>

The CPSC protects consumers and families from consumer products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. Below are the following CPSC bans or restrictions on asbestos-containing products:

- Emberizing Materials [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-part1305.pdf) <http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-part1305.pdf>
 - 16 CFR Part 1305 [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-part1305.pdf) <http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-part1305.pdf>
- Patching Compounds [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-part1304.pdf) <http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-part1304.pdf>
 - 16 CFR Part 1304 [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-part1304.pdf) <http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-part1304.pdf>

- Asbestos Containing Garments for General Use [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-sec1500-17.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-sec1500-17.pdf>>
 - 16 CFR § 1500.17(a)(7) [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-sec1500-17.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title16-vol2/pdf/cfr-2011-title16-vol2-sec1500-17.pdf>>

Mine Safety and Health Administration (MSHA) [↗](http://www.msha.gov/) <<http://www.msha.gov/>>

MSHA is responsible for overseeing the safety and health of miners in the U.S. The following MSHA regulations apply to asbestos in mines:

- Surface Mines: exposure limits, engineering controls, and respiratory protection measures for workers in surface mines [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title30-vol1/pdf/cfr-2011-title30-vol1-part56-subpartd.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title30-vol1/pdf/cfr-2011-title30-vol1-part56-subpartd.pdf>>
 - 30 CFR part 56, subpart D [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title30-vol1/pdf/cfr-2011-title30-vol1-part56-subpartd.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title30-vol1/pdf/cfr-2011-title30-vol1-part56-subpartd.pdf>>
- Underground Mines: exposure limits, engineering controls, and respiratory protection measures for workers in underground mines [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title30-vol1/pdf/cfr-2011-title30-vol1-part57-subpartd.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title30-vol1/pdf/cfr-2011-title30-vol1-part57-subpartd.pdf>>
 - 30 CFR part 57, subpart D [↗](http://www.gpo.gov/fdsys/pkg/cfr-2011-title30-vol1/pdf/cfr-2011-title30-vol1-part57-subpartd.pdf) <<http://www.gpo.gov/fdsys/pkg/cfr-2011-title30-vol1/pdf/cfr-2011-title30-vol1-part57-subpartd.pdf>>

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