

Public Law 100-577
100th Congress

An Act

To provide the Environmental Protection Agency and the public with additional information about asbestos products.

Oct. 31, 1988
[H.R. 5442]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Asbestos
Information Act
of 1988.
15 USC 2607
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Asbestos Information Act of 1988".

15 USC 2607
note.

SEC. 2. SUBMISSION OF INFORMATION BY MANUFACTURERS.

Within 90 days after the date of the enactment of this Act, any person who manufactured or processed, before the date of the enactment of this Act, asbestos or asbestos-containing material that was prepared for sale for use as surfacing material, thermal system insulation, or miscellaneous material in buildings (or whose corporate predecessor manufactured or processed such asbestos or material) shall submit to the Administrator of the Environmental Protection Agency the years of manufacture, the types or classes of product, and, to the extent available, other identifying characteristics reasonably necessary to identify or distinguish the asbestos or asbestos-containing material. Such person also may submit to the Administrator protocols for samples of asbestos and asbestos-containing material.

15 USC 2607
note.
Federal
Register,
publication.

SEC. 3. PUBLICATION OF INFORMATION.

Within 30 days after the date of the enactment of this Act, the Administrator shall publish a notice in the Federal Register that explains how, when, and where the information specified in section 2 is to be submitted. The Administrator shall receive and organize the information submitted under section 2 and, within 180 days after the date of the enactment of this Act, shall publish the information. In carrying out this section, the Administrator may not—

- (1) review the information submitted under section 2 for accuracy, or
- (2) analyze such information to determine whether it is reasonably necessary to identify or distinguish the particular asbestos or asbestos-containing material.

SEC. 4. DEFINITIONS.

15 USC 2607
note.

In this Act:

- (1) The term "asbestos" means—
 - (A) chrysotile, amosite, or crocidolite, or
 - (B) in fibrous form, tremolite, anthophyllite, or actinolite.
- (2) The term "asbestos-containing material" means any material containing more than one percent asbestos by weight.
- (3) The term "identifying characteristics" means a description of asbestos or asbestos-containing material, including—

(A) the mineral or chemical constituents (or both) of the asbestos or material by weight or volume (or both),

(B) the types or classes of the product in which the asbestos or material is contained,

(C) the designs, patterns, or textures of the product in which the asbestos or material is contained, and

(D) the means by which the product in which the asbestos or material is contained may be distinguishable from other products containing asbestos or asbestos-containing material.

(4) The term "miscellaneous material" means building material on structural components, structural members, or fixtures, such as floor and ceiling tiles. The term does not include surfacing material or thermal system insulation.

(5) The term "protocol" means any procedure for taking, handling, and preserving samples of asbestos and asbestos-containing material and for testing and analyzing such samples for the purpose of determining the person who manufactured or processed for sale such samples and the identifying characteristics of such samples.

(6) The term "surfacing material" means material in a building that is sprayed on surfaces, troweled on surfaces, or otherwise applied to surfaces for acoustical, fireproofing, or other purposes, such as acoustical plaster on ceilings and fireproofing material on structural members.

(7) The term "thermal system insulation" means material in a building applied to pipes, fittings, boilers, breeching, tanks, ducts, or other structural components to prevent heat loss or gain or water condensation, or for other purposes.

Approved October 31, 1988.

LEGISLATIVE HISTORY—H.R. 5442:

CONGRESSIONAL RECORD, Vol. 134 (1988):

Oct. 4, considered and passed House.

Oct. 12, considered and passed Senate.