



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 25 2004

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Mr. Tony Nocito
ABCOV, LLC
149 Church Street
Suite 4S
New York, New York 10007

Dear Mr. Nocito:

I am responding to your May 17, 2004 letter requesting a modification to your process-specific activity (ABCOV Method) that converts asbestos-containing waste material into nonasbestos (asbestos-free) material. The modifications you seek are to increase the size of the primary mixing vessels from the currently approved 350 gallons to 700 gallons and the secondary mixing vessels from 550 gallons to 800 gallons. Your request to modify is being reviewed under 40 Code of Federal Regulations §61.06 - Determination of construction or modification.

The modifications you seek do not affect the approved conversion process, such as, the ratio of asbestos-containing waste material to acid in the mixing vessels, the mixing time, analysis of the waste material, and disposal. Your request to modify applies only to the size of the primary and secondary mixing vessels. I have determined your request is a modification to an existing source under §61.06. Your request to increase the primary and secondary mixing vessels is approved pursuant to §61.08 - Approval of construction or modification. After making the approved changes, you must comply with the requirements of §61.155 including the start-up performance test - §61.155(b), the 90 day initial operation - §61.155(c), recordkeeping requirements - §61.155(f)(1) and (2), and report submissions - §61.155(g)(1). In addition, you must notify the local delegated authority that a "new source" exists and comply with any applicable state and local requirements.

Very truly yours,

Michael S. Alushin, Director
Compliance Assessment and Media Programs Division
Office of Compliance

cc: Richard Ponak, Region 3