

ASBESTOS INFORMATION ACT OF 1988¹

[Public Law 100–577]

[As Amended Through P.L. 108–201, Enacted February 24, 2004]

【Currency: This publication is a compilation of the text of Public Law 100–577. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

SECTION 1. SHORT TITLE.

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

【15 U.S.C. 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 U.S.C. 2607 note】

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

¹The Asbestos Information Act of 1988 is Public Law 100–577 (Oct. 31, 1988; 102 Stat. 2901).

(2) analyze such information to determine whether it is reasonably necessary to identify or distinguish the particular asbestos or asbestos-containing material.

【15 U.S.C. 2607 note】

SEC. 4. DEFINITIONS.

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.

【15 U.S.C. 2607 note】