
Local Education Agency Responsibilities Under the Asbestos Hazard Emergency Response Act (AHERA) Program

Background

The United States Environmental Protection Agency (EPA) is reaching out to local education agencies (LEAs) to remind you of your responsibilities under the Asbestos Hazard Emergency Response Act (AHERA). AHERA and its regulations require public school districts and non-profit schools, including charter schools and schools affiliated with religious institutions, to inspect their schools for asbestos-containing building materials, to prepare management plans and to take action to prevent or reduce asbestos hazards. These legal requirements are founded on the principle of “in-place” management of asbestos-containing material. Removal of this material is not usually necessary unless the material is severely damaged or will be disturbed by a building demolition or renovation project.

- Designate a contact person to ensure the responsibilities of the public school district or the non-profit school are properly implemented and ensure that the individual is appropriately trained.
- Perform a six-month surveillance of known or suspected asbestos-containing building materials and place the surveillance form in the management plan.
- Ensure that trained and licensed professionals perform inspections and take response actions.
- Provide custodial staff with asbestos-awareness training.

LEA Responsibilities Under AHERA

- Perform an initial inspection to determine whether asbestos-containing materials are present and then re-inspect asbestos-containing materials in each school not certified asbestos-free every three years.
- Develop, maintain, and update an asbestos management plan and keep a copy, available for public review, at the school.
- Provide yearly notification to parents, teachers, and employee organizations on the availability of the school's asbestos management plan and any asbestos-related actions taken or planned in the school.

Compliance Assistance Resources

Here are some Internet-based resources to help you comply with these standards, and information about other environmental issues affecting schools.

- **The EPA Asbestos Homepage.** Visit the EPA asbestos website www.epa.gov/asbestos for information about regulatory requirements, training programs, courses, and links to other related sources of assistance. Information on developing asbestos management plans as well as electronic formats of EPA documents such as the “Designated Person's Self Study Guide to AHERA” and the “Model AHERA Asbestos Management Plan for Local Education Agencies” are located at

www2.epa.gov/asbestos/school-buildings. If removal of asbestos during renovation is warranted, or school buildings will be demolished, public school districts and non-profit schools must comply with the Clean Air Act Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP). Specific information about the Asbestos NESHAP can be found at www2.epa.gov/asbestos/asbestos-neshap.

- **The EPA Healthy School Environments Homepage.**

The EPA Healthy Schools website, www.epa.gov/schools, provides a variety of resources and information to help support healthy and productive school environments for our nation's children. Children can spend 90 percent of their time indoors and much of that time is spent in school. Unhealthy school environments can affect children's health, attendance, concentration, and performance. Healthy school environments should be addressed and integrated within the education system to foster children's health and academic achievement.

- **The Campus Environmental Resource Center (CampusERC).**

The Campus ERC is a library of resources to support campus environmental performance improvement. The primary audience is staff, administrators or faculties searching for resources to better understand environmental regulations, find relevant contacts, seek model practices, track news or build and manage better environmental programs. There is a segment dedicated to K-12 schools. The Campus ERC is found at www.campuserc.org/k12/Pages/default.aspx.

- **The Toxic Substances Control Act (TSCA) Hotline.**

Call this hotline at (202) 554-1404 to request copies of the AHERA regulation, or any of EPA's printed AHERA guidance materials, i.e., the "ABC's of Asbestos in Schools Booklet," or "A Guide to Performing Re-inspections under AHERA." You can also send questions to the hotline via e-mail to tsca-hotline@epa.gov.

- **The Lead Renovation, Repair and Painting (RRP) Rule.**

Schools with children under six years old are child-occupied facilities subject to the RRP. Very low-level lead poisoning can cause permanent learning impairment and other serious health issues. EPA's RRP outreach page, www2.epa.gov/lead/brochures-and-posters has informative documents for all stakeholders.

- **Personnel Working on Asbestos in Schools.**

Personnel working on asbestos activities in schools must be trained and accredited in accordance with the Asbestos Model Accreditation Plan (MAP). Many states have accredited training programs. Please contact your state to see if your state has accredited training providers. Visit this site for the names of state asbestos contacts: www2.epa.gov/asbestos/state-asbestos-contacts.

States without an OSHA-approved state occupational safety and health plan must comply with EPA's Asbestos Worker Protection Rule to protect state and local employees who may be exposed to asbestos on the job. Information about this rule is available at www2.epa.gov/asbestos/asbestos-laws-and-regulations.