



## ASBESTOS IN SCHOOLS GUIDANCE FOR DESIGNATED PERSONS

### FREQUENTLY ASKED QUESTIONS

#### Does AHERA apply to my school?

AHERA applies to all public, private, charter, special needs and church affiliated schools, grades K-12. The key to AHERA compliance is managing the asbestos containing material (ACM) in good condition and maintaining required records in a *Management Plan*.

#### How do I comply with AHERA?

The Local Education Agency ("LEA") must designate a person to ensure that the AHERA requirements at 454 CMR 28.13 are met. A Designated Person is the Superintendent or Head of School, unless another individual is appointed. The Designated Person is the first line of contact for AHERA questions and must be adequately trained to perform the duties assigned under AHERA. Certain conditions of AHERA must be met, even if there is no asbestos in a school building.

#### What are the duties of the Designated Person?

The general responsibility of the Designated Person is ensuring that school occupants and employees are not exposed to asbestos. This means ensuring that asbestos containing material ("ACM") is maintained in good condition, and that any disturbance of ACM is performed by trained and/or licensed entities.

#### Identify ACM

- **Knowledge of ACM:** The Designated Person must be familiar with the location, quantity, and condition of ACM in the school. Develop and update management plans with the locations, quantities, and condition of ACM.
- **Sample or assume:** Suspect materials must be sampled and analyzed for asbestos or assume that all suspect materials contain asbestos.
- **Post warning labels:** Large signs posted inside routine maintenance areas and storage areas.

#### Keep ACM in Good Condition

- **Repair or remove damaged ACM:** Review the reinspection report or surveillance report for recommendations to enclose, encapsulate, remove, or repair ACM that may not be intact. Implement those recommendations according to the schedule provided by the consultant. Damaged ACM, once identified, cannot be left in damaged condition without timely corrective action.
- **Implement an Operations and Maintenance (O&M) Program:** The site-specific program designed to maintain ACM in good condition and prevent building occupant exposure.
- **Conduct periodic surveillance:** Monitor the condition of all ACM or assumed ACM every six months and document any changes in condition.
- **Schedule reinspection:** Every three years a licensed asbestos inspector must conduct a thorough review of the ACM, identify any previously overlooked suspect ACM, and make recommendations for special cleaning, repairs, or Operations and Maintenance activities.

## Notify School Staff, Guardians, and Contractors about ACM

- **Provide *Annual Written Notice*:** Once each school year, notify parents and building occupants about the availability of the *Management Plan*. Keep a dated copy of the notice in the *Management Plan*, along with the method of notification used.
- **Notify outside contractors:** Provide short term workers (plumbers, electricians, IT) with the locations of ACM in their work areas, and restrictions to prevent disturbing the material.
- **Updated *Management Plans*:** A copy of the management plan must be kept in the school office and the district administrative office and be available for review.

## Ensure Activity Involving Asbestos is Conducted by Trained/Licensed Personnel

- **A Licensed Asbestos Inspector and Management Planner:** to identify ACM, provide assessments and make recommendations to keep ACM in good condition.
- **A Licensed Project Designer:** to develop a project design for a *Response Action* in a school involving greater than 3 feet of ACM.
- **A Licensed Asbestos Contractor:** to conduct *Response Actions* greater than 3 feet that protect human health and the environment.
- **A Licensed Project Monitor:** to collect clearance air samples after a *Response Action*.
- **16 Hour O&M Training:** for any personnel who will disturb 3 feet or less of ACM. Personal protective equipment and safe work practices are required.

## Ensure Custodial and Maintenance Staff are Trained

- **Two-Hour Awareness:** All custodial/maintenance personnel who work in a school where ACM or assumed ACM is present must have awareness training, with an annual refresher.
- **16-hour Operations and Maintenance Training:** Maintenance staff who may disturb small amounts of ACM must have this training with a half day refresher every 5 years.
- **Designated Person:** must have initial training in the AHERA responsibilities.

## Keep the *Asbestos Management Plan* updated

- The management plan should be organized in a readable, user-friendly format. See the DLS guidance document "*Tips on Organizing the Management Plan*".
- In each school, keep the **most recent reinspection report** along with the following documents for the three-year period following the reinspection:
  - Designated Person statement and contact information
  - Bulk sampling laboratory reports
  - Periodic surveillance reports
  - Training records for custodians and Designated Person
  - Annual notices to building occupants
  - Notices to outside contractors
  - *Operations and Maintenance Program* that reflects the policies and procedures at each school
  - Response action records for any ACM that was removed or repaired, includes the contractor information, project designs, final air testing and waste shipment record
  - Fiber Release Episode documentation

For additional information, technical assistance, or for an AHERA Consultation to review your *Management Plan*, contact DLS at (413) 735-6201, 6202. Guidance documents are also available on the DLS website: [mass.gov/dls](http://mass.gov/dls).