



## ASBESTOS IN SCHOOLS GUIDANCE FOR LOCAL EDUCATION AGENCIES FREQUENTLY ASKED QUESTIONS

### **What is the Designated Person?**

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.

### **Do all schools need a Designated Person?**

Each LEA for grades K-12 must have a Designated Person. This includes public school districts, private schools, charter schools, church affiliated schools and special needs schools. A Designated Person is required 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.

#### **1) Ensure that ACM is Identified**

- Inspect and reinspect school buildings where ACM is presumed or known to be present
- Develop and update management plans with the locations, quantities and condition of ACM
- Sample suspect materials to determine if asbestos is present, or assume all suspect materials contain asbestos

#### **2) Ensure that ACM is Maintained in Good Condition**

- Conduct periodic surveillance every 6 months
- Carry out response actions to repair or remove damaged ACM
- Implement protective measures to prevent ACM from becoming damaged or deteriorated
- Use only trained and licensed personnel to inspect for ACM and carry out response actions (including project designs and air sampling)
- Follow the Operations & Maintenance (“O&M”) Program for special cleaning (wet mopping, HEPA vacuuming), care of ACM (floor tiles) and disturbance of ACM (ceiling tiles, wallboard, etc.)

#### **3) Ensure that Notifications About the Presence of Asbestos are Issued**

- Notify parents and building occupants once each year, and keep a dated copy of the notice in the management plan, along with the method of notification used
- Notify outside contractors who will work in the school that asbestos is present, and ensure that their work will not disturb any ACM (directly or through vibration)

#### 4) Ensure that Maintenance and Custodial Personnel are Trained

- Two hour asbestos awareness is required
- New staff must be trained within 60 days of hire
- Any employees who will disturb up to three feet of ACM must have 16 hours of training, must be provided with proper personal protective equipment, and have the required equipment to perform the work and the cleanup

#### 5) Ensure that Warning Labels are Posted

- Signs must be posted in routine maintenance areas and storage areas
- Must be readily visible upon entry
- Must be posted adjacent to the ACM, not affixed directly on the ACM
- Must be of a large size and bright color
- Must use approved language

#### 6) Ensure that an Updated Copy of the Management Plan is in each School Office

- The most recent reinspection report—the amounts, locations and condition of the ACM remaining in the school building
- A 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 & 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

#### **What should I do if I cannot locate the Asbestos Management Plan?**

Schools may have a turnover in personnel, or relocate the administrative office, and the asbestos records can be misplaced or discarded. If you are unable to locate any asbestos records, contact a licensed asbestos consulting firm to perform an inspection and develop a management plan.

#### **How do I know which materials contain asbestos and which ones do not?**

The only way to know for sure if a material contains asbestos is to have bulk samples of that material collected and analyzed by a certified laboratory. If you do not have a laboratory report showing that the material does not contain asbestos, you must assume that it is asbestos containing. Your management plan should clearly indicate which materials are assumed ACM, which ones are not ACM, and which one were sampled and found to be ACM.

*The Local Education Agency is ultimately responsible for compliance with AHERA requirements.*

For additional information, for 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 Department of Labor Standards (DLS) website: [www.mass.gov/dols](http://www.mass.gov/dols).