

Guidance for Superintendents- General AHERA Requirements

Schools are required to maintain asbestos-containing materials in good condition, in accordance with the EPA's Asbestos-Containing Materials in Schools Rule, 40 CFR 763.80 through 763.99. This regulation is commonly known as "AHERA." The Massachusetts Department of Labor Standards administers and enforces AHERA for all K-12 schools in Massachusetts.

Scope

AHERA applies to public and private not-for-profit elementary and secondary schools, K-12, including charter schools and schools with religious affiliation.

General AHERA Requirements

Schools are required to 1) identify asbestos-containing materials in their buildings; 2) maintain asbestos-containing materials in good condition; 3) notify occupants; and 4) maintain records. This bulletin highlights the major requirements of the regulation. For specific details, refer to <http://www2.epa.gov/asbestos/school-buildings#resources>.

Identify Asbestos-containing materials :

- **Inspection:** Schools must be inspected by a licensed Asbestos Inspector to identify the presence and condition of any asbestos-containing materials (ACM).

For new construction the requirement for an initial asbestos inspection may be waived if a certification statement is available that documents there were no asbestos-containing materials specified or used in the building. The certification statement may be made by the architect, project engineer responsible for the construction of the new building, or by a licensed Asbestos Inspector after a review of construction documents. If no certification is available, a full AHERA inspection is required.

- **Reinspection:** A reinspection is required every three years. The inspection must be conducted by an accredited Asbestos Inspector. The school must maintain inspection and reinspection reports, including supporting laboratory reports.
- **Description of Asbestos-Containing Materials:** The school's Asbestos Management Plan must maintain a floorplan, diagram or written description of all asbestos-containing materials in a school.
 - Identity and description of material;
 - Whether the material is confirmed by testing, or assumed to contain asbestos;
 - Location and quantity of material;
 - Condition of material; and
 - Recommendations by a licensed Management Planner for maintenance or abatement of material.

Maintain Asbestos-Containing Materials in Good Condition:

Materials must be maintained in good condition to prevent occupant and worker exposure to asbestos.

- **Appoint a Designated Person** to oversee that the AHERA requirements are met. The Designated Person must receive training.
- **Repair or Remove Damaged ACM.** Damaged ACM may be identified during a reinspection or periodic surveillance. Follow recommendations provided by your licensed Management Planner after each 3-year reinspection.
- **Implement an Asbestos Management Plan.** A Management Plan must be developed by a Massachusetts licensed Management Planner, and is based on the inspection conducted by a licensed Asbestos Inspector. If there is no ACM present in your building, a Management Plan is still required.
- **Implement an Operations and Maintenance Program.** The O&M program provides specific procedures and work practices for routine maintenance and repair operations which may disturb asbestos and for the clean-up of minor asbestos spills.
- **Provide O&M Equipment.** Depending upon the type of ACM in your school, HEPA vacuums, wet mopping, and other equipment may be required.
- **Train Custodians and Maintenance Staff:** a 2-hour Asbestos Awareness training is required for custodians who work in the vicinity of ACM; a 16-hour Operations and Maintenance training is required for maintenance and trades personnel who may disturb asbestos.
- **Conduct periodic surveillance every six months** to monitor condition of ACM.
- **Hire licensed Asbestos Contractors and Consultants.**

Notify Occupants:

- **Post warning signs** in custodial and maintenance areas where ACM is present.
- **Notify custodians and maintenance staff** of the types and locations of ACM.
- **Notify vendors and contractors** who may disturb ACM, of the presence of ACM in their work area (i.e. Plumbers, heating contractors, computer contractors). A sample is enclosed and posted at www.mass.gov/dols/ahera.
- **Distribute an annual notification** to all building occupants regarding the availability of the management plan. (a sample notification is enclosed and posted at www.mass.gov/dols/ahera)

Maintain Records:

The school shall maintain and update its Management Plan to keep it current, including:

- Asbestos Abatement records and clearance air sampling reports.
- O&M Activities: maintain documentation in the Management Plan.
- Periodic Surveillance: maintain documentation in the Management Plan.
- Bulk Sampling Reports.

For more information about AHERA, please visit: www.mass.gov/dols/ahera, or contact Janet McKenna at 617-626-5673 with any questions or concerns.