

# Your 5-Minute Guide to Asbestos Compliance

## Background of Asbestos Law

The Asbestos Hazard Emergency Response Act (AHERA) was passed by Congress in 1986. Under AHERA, all schools are required to:

- Develop and maintain a plan to manage asbestos materials.
- Get inspected for the presence of asbestos containing, or presumed asbestos containing, materials every three years.

While the basic AHERA requirements are simple, implementation is often complex and some districts are unaware or uncertain of their AHERA responsibilities. Unfortunately, EPA may impose severe penalties for noncompliance, and access to construction funding can be linked to compliance.

## Asbestos Management Plan

AHERA requires each district to keep and maintain an Asbestos Management Plan (AMP) for each school facility, whether or not asbestos containing materials are present in the building. This plan should contain, among other things, information on the type and location of the asbestos containing materials in the building if any, the methods used to interact with and maintain these materials, and records of required staff training.

The plan must be kept available for public inspection, and public notice of its availability for inspection must be made annually. The AMP is designed to be a living document, and copies are to be maintained at each school and at the district office. The district is required to appoint a Designated Person to ensure that these responsibilities are met.

## Asbestos Re-Inspection

AHERA also requires that all asbestos containing materials in schools be re-inspected every three years to ensure that they have not degraded and become a danger to the building's occupants.

SERRC has an accredited AHERA Building Inspector and Management Planner on staff to perform these 3-year re-inspections. During the re-inspection process, we look for any changes in the condition of these materials to make sure they are well-maintained and safe, and issue recommendations if problems are identified. As part of the re-inspection process, we also review your AMP to ensure that district personnel are taking necessary actions and meeting record keeping requirements.

SERRC can also assist you in replacing or reconstructing a missing management plan, and in putting together a management plan for a new building.