

Asbestos Newsletter

Issue No. 5

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ASBESTOS MANAGEMENT IN SCHOOLS: GUIDANCE FOR THE DESIGNATED PERSON



Asbestos-Containing Materials (ACM) and **Asbestos-Containing Building Material (ACBM)** are regulated by state and federal agencies in all public and private school buildings, kindergarten through grade twelve. The Department of Public Health (DPH) has the responsibility of regulating schools under Section 19a-333-1 through Section 19a-333-13 of the Regulations of Connecticut State Agencies (RCSA), also known as the *Asbestos-Containing Materials in Schools* regulations.

These regulations are essentially the same as the federal Environmental Protection Agency (EPA) regulations under the Toxic Substances Control Act (TSCA, Title II), which Congress authorized in 1987. These federal regulations are often referred to as the “*AHERA*” regulations (Asbestos Hazard Emergency Response Act).

The *Asbestos-Containing Materials in Schools* regulations require all schools to have an approved **asbestos management plan (AMP)**, even if no asbestos is present in the school building. Each **Local Education Agency (LEA)** must ensure that its responsibilities under the general provisions of the regulations are met by designating a person to be responsible for the AMP. The person given this responsibility is often referred to as the “designated person”. The AMP must list prominently this person’s name, telephone number, and documentation of training, including the number of hours of training received. Additionally, the AMP must include a statement signed by the designated person that provides assurance that the LEA has met or will meet all its regulatory responsibilities.



Many LEAs choose to appoint the Director of Facilities as the designated person, as he or she is not only the most accessible person, but also is the individual with the most knowledge about the daily activities occurring within the school buildings. Alternatively, some LEAs hire a licensed asbestos consultant to fill this role.

Key Differences Between DPH (State) And EPA (Federal) Regulations

DPH regulations do not allow asbestos abatement to be performed in a school building while students or other children are present in the building, unless prior written approval is given to perform the abatement.

DPH regulations require:

- The LEA to submit documentation to the agency that the mandated triennial re-inspection has been performed. Documentation must be submitted on a prescribed form within 30 days of the re-inspection.
- ACBM that is newly friable and not previously sampled must be sampled by the inspector conducting the re-inspection.
- Newly identified non-friable material does not require bulk sampling; however, it must be added to the management plan.
- Warning labels shall be posted in routine custodial areas adjacent to known or assumed ACBM in a bilingual form whenever it is determined that a significant student and/or employee population requires a translated format.



CAUTION: ASBESTOS, HAZARDOUS, DO NOT DISTURB WITHOUT PROPER TRAINING AND EQUIPMENT.

PRECAUCIÓN: AMIANTO, PELIGROSA, NO SE PERTURBEN SIN UNA FORMACIÓN ADECUADA Y EQUIPOS.

How Often Does The LEA Have To Provide Notification Regarding The AMP?

- Notification of the availability of the AMP must be made in writing to parents, teachers, and employee organizations every year. A copy of each year's notification must be maintained in the AMP. The AMP must include a description of the steps taken to notify such organizations. A copy of the annual notification to parents and staff must be kept in the plan and all previous notifications retained as part of the plan.
- Additionally, workers and building occupants, or their legal guardians, must be informed at least once each school year about inspections, response actions, and post response action activities, including periodic re-inspections and surveillance activities that are planned or in progress.
- A single annual notification can be made to parents and staff to satisfy these requirements rather than providing a notification for each activity as it occurs, provided that all items are addressed.

Where is the AMP Located?

The LEA must keep a complete copy of the up-to-date AMP in its administrative office (e.g., Superintendent's Office, Business Office or Facilities Director's Office) for each school building under its administrative control.



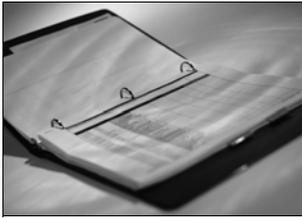
Additionally, every school must maintain a complete copy of the AMP in the administrative office of that school (e.g., Principal's Office). Schools that are comprised of multiple buildings on a single campus are not required to have a separate AMP in each building. An AMP must be maintained for all school buildings, which include but are not limited to: maintenance/storage buildings, administrative offices, athletic facilities, and residential facilities used for the housing of students.

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What Information and Records Are Contained in the AMP?

The AMP is considered a “living document” in that it will change as information is added to it over time. The AMP contains documentation related to each inspection and re-inspection conducted of the school building.

At its core, the AMP must provide information regarding the type, amount, location, and condition of ACBM found within the school building.



Copies of documents from the AMP must be made if requested, though a fee may be charged for this by the school or the LEA.

Recordkeeping requirements are specified in Section 19a-333-11 of the RCSA. Records contained in the AMP include, but are not limited to the following:

- Records of each preventive measure and response action taken must include a detailed written description, a description of the methods used, the location of the action, the reason for the selection of the measure or action, dates, names and addresses of all contractors involved, accreditation numbers, and waste storage location or disposal site (if ACBM removed).
- These records must also include the name of the project monitor, the location of the air samples collected, dates of collection, the name and address of laboratory analyzing the samples, the results of the analysis, the method of analysis (PCM, TEM), name and signature of analyst, and laboratory accreditation statement.
- Records associated with response actions **involving removal of all ACM in a homogeneous area** must be maintained for a minimum of three years after the next (to be performed) three-year re-inspection. After this time, the records may be removed from the AMP. However, the LEA must separately retain these records for thirty (30) years as required by Section 19a-332a-4 of the RCSA (*Standards for Asbestos Abatement regulation*).
- Records concerning training of custodial and maintenance personnel including the person’s name and job title, the date the training was completed by that person, the location of the training, and the number of hours completed in such training. The LEA is not required to maintain actual copies of individual training certifications issued within the AMP.
- Records associated with each periodic surveillance performed, including the name of each person performing the surveillance, the date of the surveillance, and any changes in the conditions of the ACBM.



Additional records must be maintained for each time an operations and maintenance activity is performed, each time a major asbestos activity is performed, and for each fiber release episode that occurs. *The full complete requirements for recordkeeping are found in Section 19a-333-11 of the RCSA.*

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Many AMPs are now over 20 years old and contain volumes of records associated with abatement, re-inspections, periodic surveillance, training, and other required documentation. Many LEAs have found maintaining paper copies of the records burdensome, and some have chosen to scan older files and to maintain an electronic filing system. This method of recordkeeping has been approved by the EPA and is acceptable to the DPH, as long as the documents are still accessible for viewing upon request.

Who Needs to Be Trained? How Often is Training Required? Who Conducts the Training?

Designated Person

As previously stated, the LEA must assign someone to ensure its responsibilities are being met under the federal and state regulations. Most importantly, the LEA must give the designated person the resources and authority needed to ensure that all regulatory requirements are satisfied. The “designated person” must have sufficient training to be knowledgeable about the health effects of asbestos, where asbestos is found in building products and relevant federal and state regulations.

Accreditation is not required for the designated person, and training can be conducted by a competent individual or professional training provider. Individuals may also satisfy training by completing the self-study guide available on the DPH website.

Self Study Guide is available online for the designated person at www.ct.gov/dph/asbestos

Custodial and Maintenance Employees

Custodians and maintenance employees must receive at least two hours of asbestos awareness training within sixty (60) days of hire if they work in a building that contains ACBM. Asbestos awareness training can be conducted “in house” by competent staff or a professional training provider.



Videos and handouts often supplement the initial training. This training must be individualized so that the worker is familiarized with the AMP for each building in which he/she works and is able to identify the areas of the school (s) where asbestos is present. ***Annual refresher training is required by the Department of Labor, OSHA.***

Short-Term Workers

The regulations also require that short-term workers (repair workers, utility workers) who may come in contact with ACBM are provided information regarding the locations of all known and materials suspected to contain asbestos.

Short-term workers who may come in contact with ACM must be told of the locations of ACM or suspect ACM before conducting work. The method of notifying such workers must be documented in the AMP.



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Key Renovation Facts

Prior to undertaking a renovation project, the LEA must first determine if asbestos is present in any of the areas renovation will occur. The pre-renovation inspection is a requirement of the federal National Emission Standard for Hazardous Air Pollutants (NESHAP), 40 C.F.R, subpart M of the Clean Air Act. The inspections conducted for the purpose of compliance with the *Asbestos-Containing Materials in Schools* regulations may not constitute an equivalent pre-renovation inspection.

Normally, non-destructive inspections are conducted in school compliance inspections, whereas the pre-renovation inspection may require destructive testing to determine the presence of ACM. A licensed asbestos inspector or licensed management planner must conduct the pre-renovation inspection for NESHAP compliance.



Key to Asbestos Management



The AMP must be complete and up-to-date in order for it to be a useful document in the management of asbestos in a school. Ongoing efforts must be made to update information contained within the AMP that is no longer accurate or relevant. The designated person must ensure that all updated documentation is incorporated into the plan, particularly during the time between the required triennial re-inspections. Such documentation includes, but is not limited to, annual notifications, documentation of custodial and maintenance work training, bulk sampling results, records related to response actions and operation and maintenance activities, and ACM inventory.

Preparation and communication are key to proper asbestos management. The designated person and all school staff are encouraged to frequently refer to the AMP to maintain a healthy and safe environment.

Information for Parents, Teachers and Other School Employees

- EPA Healthy School Environments/ Asbestos Page
http://cfpub.epa.gov/schools/top_sub.cfm?t_id=41&s_id=42
- 20 Frequently Asked Questions About Asbestos in Schools - September 2003
<http://www.epa.gov/asbestos/pubs/ais20quests.pdf>
- ABCs of Asbestos [PDF] - October 2003
<http://www.epa.gov/asbestos/pubs/abcsfinal.pdf>

For General Information on Environment and Health Risks:

- CDC, National Center for Environmental Health
<http://www.cdc.gov/health/asbestos.htm>
- Photos– vermiculite
http://www.atsdr.cdc.gov/asbestos/more_about_asbestos/asbestos_photos/
- U.S. Environmental Protection Agency REGION 1
5 Post Office Square– Suite 100
Boston, MA 02109-3912
<http://epa.gov/region01/>
Phone: (617) 918-1111 / Fax: (617) 565-3660
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