

Environmental Health and Safety

Asbestos Program: AHERA Program

The Asbestos Hazard Emergency Response Act (AHERA), a provision of the Toxic Substances Control Act, was passed by Congress in 1986. AHERA requires local educational agencies to inspect their schools for asbestos-containing building material and prepare management plans that make recommendations for the reduction of asbestos hazards.

Public school districts and non-profit private schools (collectively called local educational agencies - LEA) are subject to AHERA's requirements. This includes charter schools and schools affiliated with religious institutions.

EPA provides local education agencies and parents and teachers with information about the AHERA asbestos-in-schools requirements.

How do schools comply with AHERA?

The rules implementing AHERA are published in the Code of Federal Regulations, Chapter 40, Part 763, Subpart E. The AHERA rules require local education agencies to take actions, including the following:

Perform an original inspection and re-inspection every three years of asbestos-containing material (last completed in 2007);

Develop, maintain, and update an asbestos management plan and keep a copy at the school;

Provide yearly notification to parent, teacher, and employee organizations regarding the availability of the school's asbestos management plan and any asbestos abatement actions taken or planned in the school;

Designate a contact person to ensure the responsibilities of the local education agency are properly implemented;

Perform periodic surveillance of known or suspected asbestos-containing building material;

Ensure that properly-accredited professionals perform inspections and response actions and prepare management plans; and

Provide custodial and maintenance staff with asbestos-awareness training.

Any questions or concerns about the Orange County Schools AHERA program should be directed to the Environmental Health and Safety Office, 919-732-4581, ext 14003.