

day O&M training or the training for workers and supervisors. The LEA as their employer must also hold a license for asbestos abatement if any of the response actions fall under the licensing regulations, **COMAR 26.11.21 Control of Asbestos.**

**P**eriodic surveillance (PS) is required every six months after the MP is in place. No special training is required so anyone may do PS. It consists of **visually** examining all ACBM in the LEA and noting any changes in condition since the last PS. The PS report must be placed in the MP. The LEA must address any problems immediately and not wait until the next reinspection.

**R**einspections (RI) are exactly what the name says. An accredited inspector must check all ACBM for changes in friability, changes in condition, etc. An accredited management planner will review the RI report and make any necessary changes. The LEA may choose a person accredited as both an inspector and management planner to do the RI or the initial MP. Using the same person for both may lower the costs of the RI or MP. The reinspection reports must also be placed in the MP. (40 CFR Part 763.85)

**M**anagement plans must be current and up to date. A critical part of updating is the record keeping required under AHERA. See 40 CFR Part 763.94 for

details on the record keeping. When a response action takes place, the LEA must maintain those records even though the LEA hires an outside contractor. Another big part of record keeping is keeping the inventory of ACBM updated. Any time ACBM is removed, the inventory must be changed to reflect this. A large part of EPA's compliance inspections is checking whether the records are in the MP and that these records are current. (40 CFR Part 763.94)

**A**s mentioned in the Part 1 brochure, it is important that the LEA always have a designated person. Experience has shown us that as soon as the LEA fails to replace a designated person, many of the AHERA requirements are allowed to lapse.

**D**o not send us any reinspection or periodic surveillance information, or any copies of annual notifications. Keep these in the MP in a central location and make sure all office and the maintenance and custodial staff know where it is.



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MARYLAND DEPARTMENT  
OF THE ENVIRONMENT  
**AIR & RADIATION**  
**MANAGEMENT**

# Asbestos Plans\* For Maryland Schools Part 2.

\* AHERA, 40 CFR 763 Asbestos-Containing Materials in Schools Rule; Final Rule and Notice.

Please read the brochure, *Asbestos\*Plans For Maryland Schools Part 1* for more information on asbestos plans. Our web site: [www.mde.state.md.us/asbestos](http://www.mde.state.md.us/asbestos) has the forms needed here in the Asbestos Forms section. The brochures are found in the Asbestos Newsletters & Brochures section. There are past issues of the newsletter, *Asbestos 101*, that may be helpful as well as two new brochures on the basics of AHERA and asbestos training requirements.

Management plans (MP) require many sign-offs. The inspector, management planner, laboratory analyst (when needed), and the designated person have to sign in a number of places. An accredited project designer must sign off and design any response actions other than short-term, small-scale O&M. Documentation showing accredited personnel were used is critical. The LEA needs to keep copies of training credentials for accredited personnel.

One of the most important functions of the management planner (MP) is development of the schedule of response actions for the ACBM. Response actions are categorized as repair, removal, encapsulation, enclosure, and operations and maintenance (O&M). An O&M plan is required if there is any friable ACBM or ACBM about to be made friable in the facility. The MP needs to work with the LEA

to select the response actions that are necessary and financially prudent for the LEA. AHERA gives the LEA choices in selecting response actions and says only that these response actions be sufficient to protect human health and the environment and are least burdensome to the LEA. AHERA does not mandate removal of the ACBM, but the LEA may choose to do this. Note that the condition of the ACBM in some cases is so bad that the LEA has little choice of response actions. (40 CFR Part 763.90)

The EPA considers this schedule for completion of response actions as the LEA's compliance schedule for addressing the ACBM. If the schedule does not go as planned, document this and any other changes and place the documentation in the MP.

The LEA has a number of things to do as soon as the inspection (I) is finished and after the MP is final.

Warning labels must be placed adjacent to all known or assumed ACBM in routine maintenance areas such as boiler rooms until the ACBM has been removed. The labels must be readily visible so that personnel may immediately see where the ACBM is and avoid it. (40 CFR Part 763.95)

Parents, teachers, and staff must be notified that the management plan has been done, where it is, and the hours that it is available

for viewing. A dated copy of this notification must be placed in the MP before a copy is sent to the state. Only the initial notification must be sent to the state. The LEA may use any method of notification that reaches the most people. If there are any unions, employee groups, or PTAs; they may be notified and they can notify their members. The method(s) used needs to be recorded in the management plan. This is an **ANNUAL** requirement!

An LEA that has any ACBM must provide two-hour awareness training for all maintenance and custodial personnel even if they will not handle the ACBM. It is important that these people know about the health effects of asbestos exposure, where the ACBM is, how to recognize changes in the condition, what to do if any changes are noted in the condition of the ACBM, etc. These persons frequently are "gatekeepers" for outside service companies and need to show service personnel where any ACBM is to avoid any disturbance of the ACBM. (40 CFR Part 763.92)

Document the training. OSHA requires refresher training for these persons. This is an opportunity to make them aware of any changes in the status of ACBM, etc.

If the LEA allows its personnel to conduct asbestos response actions, people will need more training. This could be the two-