

Asbestos Hazard Emergency Response Act

The Federal government has developed several laws and regulations designed to govern the use of asbestos and better protect the public. In 1986, the Asbestos Hazard Emergency Response Act (AHERA) was signed into law as Title II of the Toxic Substance Control Act (TSCA). Additionally, the Asbestos School Hazard Abatement Reauthorization Act (ASHARA), passed in 1990, required accreditation of personnel working on asbestos activities in schools, and public and commercial buildings.

Specifically, Asbestos-Containing Materials in Schools (October 30, 1987 40CFR Part 763, Subpart E) outlines a detailed process that ensures the safe management of all asbestos-containing building materials (ACBM) by a designated person (DP) for a Local Education Agency (LEA).

Additionally, the Asbestos School Hazard Abatement Reauthorization Act (ASHARA), passed in 1990, required accreditation of personnel working on asbestos activities in schools and public and commercial buildings. Specifically, the Asbestos Model Accreditation Plan (40 CFR Part 763, Appendix C required the use of accredited inspectors, workers, supervisors, project designers, and management planners (schools only) when conducting asbestos activities at schools and public and commercial buildings.

Although asbestos is hazardous when inhaled, the risk of exposure to airborne fibers is very low. Therefore, removal of asbestos from schools is often not the best course of action. It may even create a dangerous situation when none previously existed. The Environmental Protection Agency (EPA) only requires removal of asbestos to prevent significant public exposure during demolition or renovation. EPA does, however, require an in-place, pro-active asbestos management program for all LEAs in order to ensure ACBM remains in good condition and is undisturbed by students, faculty, and staff.

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