

AHERA Designated Person Training June 2021

Presented by:



1

Regulatory agencies include:


- EPA - Environmental Protection Agency
 - AHERA
 - NESHAP
- OSHA - Occupational Safety & Health Administration (MNOSHA)
- CPSC - Consumer Product Safety Commission
- DOT - Department of Transportation
- State
 - MDH
 - MPCA



2

OSHA Rules

- **ACM:**
 - contains more than one percent asbestos.
- **PACM** (presumed asbestos-containing material):
 - thermal system insulation and surfacing material found in building constructed no later than 1980.




3

OSHA Rules

Competent Person:


- Capable of identifying existing asbestos hazards in the work place
- Selects the appropriate control strategies
 - For class I and II work:
 - trained as a supervisor or project designer.
 - For class III work:
 - trained as operations & maintenance (O&M) workers



4

OSHA Classes of Work


- **Class I** Asbestos Work: activities involving the removal of TSI or surfacing ACM and PACM
- **Class II** Asbestos Work: activities involving the removal of ACM which is not TSI or surfacing material. Examples: removal of asbestos-containing wallboard, floor tile, and roofing shingles



5

OSHA Classes of Work


- **Class III** Asbestos Work: repair and maintenance operations where ACM and/or PACM is likely to be disturbed
- **Class IV** Asbestos Work: maintenance and custodial activities during which employees contact but do not disturb ACM or PACM and activities to clean up dust, waste and debris resulting from Class I, II, and III activities



6

Training & Certification Requirements


- Class I Asbestos Work: 5-day asbestos supervisor training + state certification
- Class II Asbestos Work:
 - Friable – same as Class I
 - Non-friable – 8-hour material specific training – no certification
- Class III Asbestos Work: 16-hour O&M training – no certification
- Class IV Asbestos Work: 2-hour awareness training



7

EPA Environmental Protection Agency

- **NESHAP/Clean Air Act**
 - 40 CFR Part 61, Subpart M
- **Asbestos Hazard Emergency Response Act**
 - 40 CFR Part 763



8

NESHAP


- **National Emission Standards for Hazardous Air Pollutants**
 - Lists asbestos as a hazardous air pollutant
 - Subpart M regulates asbestos
 - Application
 - Removal
 - Disposal
 - No visible emissions



9

NESHAP


- **Regulated Asbestos RACM:**
 - >1% by Area using Polarized Light Microscopy (PLM) Method
 - Friable and non-friable that have or may become friable
 - Threshold Quantities
 - >160 sq ft
 - >260 ln ft
 - >35 cu ft
- **Inspection:**
 - Inspect all buildings prior to demolition or renovation



10

NESHAP

- **Demolition:**
 - Remove all friable asbestos prior to demolition
- **Renovation:**
 - Remove all ACM materials prior to disturbance
- **Notification:**
 - Prior to demolition/renovation (10 days)
 - >260 LF, 160 SF, 5580 SF roofing




11

AHERA Objectives

Identification

Evaluation

Control of ACM in schools



12

AHERA Applies To

- Elementary and secondary schools (K-12)
- Public and private
- Owned, leased, or otherwise used as a school building
- Entire classroom building including all other facilities used for administration, maintenance, storage, or utility.
- Exterior not included – except porticos and exterior portion of HVAC system



13

AHERA Key Terms

- **Homogeneous area:** an area of surfacing material, thermal system insulation material, or miscellaneous material that is uniform in color and texture.
- **Functional space:** a room, group of rooms, or homogeneous area such as classroom(s), a cafeteria, gymnasium, hallway(s)
- **Response action:** an activity that protects human health and the environment from friable ACBM.
- **Local education agency:** The School District or the owner/operator of any nonpublic, nonprofit elementary, or secondary school building
- **Management Plan:** a site-specific guidance document that the LEA designated person must follow in managing the ACBM present in a school building.



14

AHERA REQUIREMENTS:

- Perform Inspections
- Develop, maintain, and update an asbestos management plan including O&M Plan
- Provide annual notifications
- Designated person
- Perform periodic surveillance
- Train Personnel

15

AHERA Inspection & Re-inspection

Initial Inspection & Management Plan - October 12, 1988

- Accredited inspector

Re-Inspections

- Every 3 Years
- Accredited inspector
- Re-access condition

Periodic Surveillance

- Every 6 months
- Visual inspection of condition
- Competent person

16

AHERA Management Plan

- Once the accredited inspector has identified the ACBM, an accredited management planner will identify and address hazards or potential hazards
- Required components:
 - General Information
 - Designated Person Information
 - Inspection Information
 - Summary of ACBM Remaining
 - Information on Future Activities
 - Operations & Maintenance Plan



17

Information Regarding ACM

The LEA MUST develop and maintain:

- A detailed description in the form of a blueprint, diagram, or in writing of any ACBM or suspected ACBM assumed to be ACM which remains in the school once response actions are undertaken.
- This description shall be updated as response actions are completed.



18

O&M Plans

The principal objectives of an O&M program are:

1. Maintain ACBM in good condition
2. Provide procedures for the proper handling of fiber release episodes.



19

Parts of an O&M Plan

- Notification
- Surveillance
- Controls
- Work practices
- Recordkeeping
- Worker protection
- Training



20

Notifications

Provide yearly notifications regarding the availability of the school's asbestos management plan and any asbestos-related actions taken or planned in the school to:

- Parents/Legal Guardians
- Teachers, Workers & Building Occupants
- Employee organizations

Provide as-needed notifications to:

- Outside contractors
- Short term workers



21

AHERA Training Requirements

Job Title	Initial Training	Annual Training
Designated Person	"Adequate"	None
All Maintenance & Custodial Workers	2 Hour Awareness	None
Maintenance Workers who will disturb ACBM	Additional 14 hours	None



22

AHERA-Response Actions

- EPA DOES NOT require that all asbestos be removed
- If ACM is significantly damaged, it must be removed = Response Action
- Selection factors
 - Protect human health
 - Protect the environment
 - Least burdensome
- Designed and conducted by accredited persons
- Inspection/clearance upon completion of response action



23

AHERA Recordkeeping

- All preventative measures, abatement and response actions
- Training
- Re-inspections and periodic surveillance
- Cleaning
- Operations & Maintenance activities
- Fiber release episodes



24

MDH/MPCA Requirements

- All project over **160 sq ft/260 ln ft/35 cu ft** of friable material are regulated
- Regulated projects require
 - Notification MPCA 10 day – MDH 5 day
 - Licensed Contractors/Certified workers
 - Air monitoring/clearance testing – must be 3rd party under AHERA
 - Containment and Work practices
 - Recordkeeping



25

MDH/MPCA Requirements

- MDH considers most floor tile work to be regulated including pulling up carpet if ACM floor tile is attached
- Roofing removal is generally not considered regulated except by OSHA
- All removed or damaged ACM must be disposed properly (including non-regulated projects)
- Building owner/LEA must keep track of the quantity of ACM removed or encapsulated over the course of the year



26

Keeping abatement costs down

- Try to avoid doing it during the first few weeks of June
- Accurately define the scope of work
- Provide estimated quantities
- Request pricing early
- Provide a flexible time frame for completion
- Look for contractors that specialize in that type of removal



27

Questions

- Please contact us if you have questions or concerns

UND Environmental Training
(701) 777-0384
dave@undeti.com



28