

AHERA Program

*Asbestos Hazard
Emergency Response Act*

Your school needs
a plan.

What is AHERA?

AHERA puts procedures in place to deal with asbestos in schools. AHERA is a federal law. We have the authority to enforce the AHERA regulations. We do this by conducting routine and complaint-based AHERA inspections. Its regulations require Local Education Agencies (LEAs) to:

- Inspect school buildings for Asbestos-Containing Building Materials (ACBM)
- Prepare Asbestos Management Plans (AMP)
- Take action to prevent or reduce asbestos hazards

We've been inspected, what now?

You will receive a Notice of Noncompliance (NON) letter. This letter will inform you of the deficiencies identified during the compliance inspection. NONs are **only** sent to LEAs when there are AHERA deficiencies.

What do I do now?

You must act to come into compliance with AHERA. You will have 30 days to respond to the NON by submitting documentation of the corrective action. Your NON will detail where to send your documents.



Think of AMPs as living documents. LEAs must update AMPs regularly.

Key AHERA Requirements*

Asbestos Management Plans:

- LEA's must have licensed asbestos professional inspect or assume school building contain ACBM.
- LEA's can use an exclusion statement from an architect, engineer, or licensed asbestos professional.
- Each school campus needs its own AMP. The AMP must be available for review at that school's administrative office.
- Each LEA must have a central repository. A copy of every campus's AMP must be available for review at the central repository.
- LEA's can keep AMPs in a paper or electronic format.

Designated Persons (DP):

- LEAs must appoint a trained DP.
- The DP ensures that the AHERA requirements are properly implemented.
- AMPs need a signed statement by the DP. This statement certifies the LEAs responsibilities under AHERA have been or will be met.

Warning Labels:

- LEAs need warning labels posted next to ACBM or assumed ACBM in routine maintenance areas. This includes boiler rooms, supply closets, crawlspaces, and other maintenance areas.
- LEAs must display warning labels in readily visible locations.
- Warning labels must be compliant with AHERA regulations.

Training:

- Maintenance and custodial staff that work in a building with ACBM must receive 2 hours of asbestos awareness training.
- New maintenance and custodial staff need asbestos awareness training within 60 days of employment.
- Maintenance and custodial staff whose daily duties may disturb ACBM need an extra 14 hours of training.
- The DP needs adequate training to carry out AHERA rules. AHERA does not require a specific training course for DPs. Topics must include:
 - health effects of asbestos
 - detection, identification, and assessment of ACBM
 - options for controlling ACBM and asbestos management programs
 - Federal and State regulations dealing with asbestos, including AHERA
- Include **all** training records in your AMP.
- For additional information see the [EPA's DP self-study guide](#).

Questions?

Contact us
at AHERAHelp@dshs.texas.gov
or 512-834-6787.

*This document is not a comprehensive list of AHERA requirements. Refer to CFR Title 40 763 Subpart E on our [website](#).