

not make the corrections, the matter will be referred to the EPA for possible enforcement action.

Choosing a designated person (DP) is an important task for the LEA. This person is in charge of the MP, e.g. making sure that the notifications go out annually, keeping the MP up to date, ensuring any training needs are met, etc. The DP must have training and it is the LEA's task to ensure that this person has training that is commensurate with the duties and responsibilities of the DP. This may range from a formal five-day course such as the inspector/management planner training course to self-study. Self-study at a minimum requires the DP to read the regulations and the *100 Questions*, and record the date(s) and approximate times spent on this task.

Our office has a list of companies that can prepare a MP for you. This list is provided as a courtesy only. The Department does not regulate these companies. Your concern is to make sure that the persons performing the I&MP are properly accredited.

Costs for an I&MP may be controlled by getting estimates from several companies before choosing anyone. All of the ACBM may be assumed to contain

asbestos and this will save laboratory fees. You may always have the materials sampled during a reinspection. The disadvantage is that all suspect materials must be treated as ACBM until sampled and shown to be non-asbestos. Prepare a diagram drawn to scale with measurements that the inspector or management planner can use. Have someone available at the time of the inspection who can give the inspector access to all areas of the facility.

Make sure that the contract includes provisions for any corrections that the inspector/management planner must make. If this is a reinspection, make sure the contract includes provisions for any missed ACBM. The AHERA regulations required the inspector to reinspect all **KNOWN** or assumed ACBM. There was no mention of ACBM that was missed during the initial inspection or reinspections. However, these materials must be addressed.

Go to **Asbestos* Plans for Maryland Schools Part 2.**



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MARYLAND DEPARTMENT
OF THE ENVIRONMENT
AIR & RADIATION
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Asbestos Plans* For Maryland Schools Part 1.

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

Please refer to the brochure, *My School Needs an Asbestos "What" Plan??? The FAQs about AHERA!!!*, for more detail on the LEAs in Maryland that must comply with AHERA. Training requirements are outlined in the brochure, *Asbestos Training for School, Public, & Commercial Building Personnel*. These brochures are on our web site: www.mde.state.md.us/asbestos in the Asbestos Newsletters and Brochures section. The mandatory forms are located on the web site in the Asbestos Forms section. Any regulations that are cited are found in 40 CFR part 763 Subpart E—Asbestos-Containing Materials in Schools, §§763.80-99, and Appendices to Subpart E—A, B & D.

Maryland schools (LEAs), preschool through twelfth grade, are required to inspect their school buildings for friable and nonfriable asbestos-containing building materials (ACBM). If any ACBM is found, the LEA must also prepare a management plan (MP) detailing how the ACBM will be handled.

The LEA must inspect all school buildings for ACBM that is in or on the interior of the building, any portico or covered exterior hallway or walkway and any exterior portion of a mechanical

system used to condition interior space. (40 CFR 763.83)

Any suspect ACBM must be assumed to contain asbestos or it may be sampled to determine if it does contain asbestos. The LEA must use a bulk sample laboratory accredited by the National Voluntary Laboratory Accreditation Program. You can see the list of accredited labs at <http://ts.nist.gov>. Select the NVLAP Directory. There is a list of suspect materials in *The 100 Questions* on pages 22-23. This is on the web site in the Asbestos in Schools Rule section.

The LEA must use accredited persons to perform the inspection (I) and prepare the management plan (MP). Record the Maryland ID card number for your records and keep a copy of the card. The credentials must show that the person attended an initial course or a review course within the year prior to preparing the I & MP.

The web site has **MANDATORY** forms the inspector/management planner must use. These must be used for an initial I & MP or to replace a missing plan. The forms are the **MDE/KP 254 Forms** and are in the forms section. The reinspection forms are not mandatory. The MP will be returned if the forms are not used. There are also

instructions for preparing the MP in the forms section.

The I & MP must have a diagram, drawn to scale, that shows the locations of the homogeneous areas and where samples were taken (if any were taken). Homogeneous areas are surfacing, thermal, or miscellaneous materials that have the same texture, pattern, color, size, and age. The diagram need not be elaborate, but it must be easy to use, especially for the LEA personnel to locate these areas and the sampling sites. Contractors and service personnel will not use these plans if the information is difficult to find.

A checklist of the required elements for the MP is located in Asbestos Forms. We use it while reviewing plans, so use it to check the plan before submitting it to our office

After the plan is completed, submit a copy to our office. We have 90 days to review the plan and provide the LEA with a written description of the deficiencies. The LEA is required to make these corrections within 30 days of receiving deficiencies and send a copy of these corrections to our office. If the LEA does