

August 10, 1999

MEMORANDUM

To: Steve Muzzy – Director of Plant operations and Maintenance

From: Jim Powers – Environmental Engineer: Office of Env. Health and Safety

Re: **Request for summary describing the School Board of Brevard Counties (SBBC) compliance with AHERA regulations.**

Preface: While reading this memorandum please reference common terms and definitions as prescribed by Public Law 99-519 also known as the Asbestos Hazard Emergency Response Act (AHERA). The actual AHERA language is written as Rule 40 Code of Federal Regulation Part 763. This rule was provided as a comprehensive framework for addressing asbestos exposure problems in public and private schools.

This is a summary of actions performed by the SBBC, and does not cover every and all aspects of compliance and enforcement set forth by SBBC Policy and it's AHERA Program.

All contracted asbestos work has been and will continue to be performed by a competitively selected, term contracted asbestos abatement business.

Section 763.84 – LEA Designation

Upon my replacing the previous Environmental Engineer for the SBBC, I assumed the responsibility as the LEA designee. Proof of this responsibility is shown in letter form and is kept in a SBBC personnel file.

Section 763.85 to 763.89 and 763.93 – Inspection, Sampling, Analysis, & Management Plan Development

Initial inspections were performed and management plan documents were produced in 1988 for all SBBC facilities. Subsequent management plan up-date documents were produced between 1990 and 1993. Both initial and up-dated management plans were performed by licensed asbestos consulting / testing businesses following the sampling/analysis strategies and guidelines identified in this rule. All subsequent new schools constructed after 1990 required construction specifications and architect sign-off letter addressing the fact that no asbestos-containing building materials were used. Each management plan document is maintained in the SBBC environmental library portable building. A copy of each document has been provided to each facility administrator.

Section 763.90 – Response Actions

Some records show that prior to AHERA, the SBBC removed friable ACM in a prudent manner. Since the development of the AHERA management plans, response actions (better known as asbestos abatement activities) were performed, and continue to be performed by certified and licensed asbestos abatement contractors. All contracted response actions are monitored (inspected and air tested) by a certified licensed asbestos consulting business.

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Section 763.90 – Response Actions: continued:

All scheduled response actions are preceded with an asbestos abatement plan developed by a consulting/testing business. A majority of the response actions performed are abatement by removal. The SBBC is committed to removing ACM that is in poor condition, has a potential for disturbance, and/or is in the way of renovation activities. Only in a few cases has the SBBC employed encasement, and enclosure abatement activities over removal. All non-friable ACM that does not fall under the above three categories is maintained in-place. Response action documents are maintained in the SBBC environmental library portable building. A copy of each document has been provided to each facility administrator.

Section 763.91 – Operation and Maintenance

Small scale short duration work has been and will continue to be performed by SBBC employees who have been trained and certified as asbestos workers and who are competent to perform such work as to protect themselves and others from fugitive sources of asbestos in air. These employees work out of the SBBC office of Environmental Health and Safety, and have remained current with required training, medical screening, and respiratory fit testing. Their training complies with the EPA's Model Accreditation Program. These records are kept in SBBC personnel files

Section 763.92 – Training and Periodic Surveillance

This same group of SBBC employees that performs the O&M work also performs the required six month periodic surveillance/inspections of known ACM in SBBC facilities. Three-year reinspections have been performed on cycle from the initial inspection dates. This work was performed by the term contracted licensed asbestos consulting/testing businesses. The inspection forms and Three-Year Reinspection documents become part of each management plan document.

Section 763.94 – Record Keeping

As previously stated, all AHERA related documents are maintained in one central location and at each school/facility site.

Section 763.95 – Warning Labels

All known and accessible friable ACM has been labeled with appropriate labels and stickers. Employees of the SBBC have been conditioned to not rely on system labeling. They are conditioned to rely on management plan (homogenous area, diagram, and photograph description) information when inquiring about suspect ACM.

Section 763.96 – Compliance and Enforcement

In 1987 the SBBC had established the Office of Environmental Services (now known as the Office of Environmental Health and Safety) to oversee the compliance of this and other governmental regulations / SBBC policy.

Section 763.97 – Waiver; Delegation to State

This section of the code does not apply to the SBBC.

Please do not hesitate to contact me directly with any questions or comments pertaining to this or other similar matters.