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MEMORANDUM

TO: North Carolina's Conventional Non-Public Schools

FROM: Mary T. Giguere, CIH *MTG*
 Health Hazards Control Unit Manager
 NC Department of Health and Human, Division of Public Health

SUBJECT: Asbestos Regulatory Requirements for Schools

Some people think that asbestos is not a concern anymore or that new buildings (including schools and homes) do not have any asbestos-containing building materials. Some people think that if they buy floor tile over the weekend at the local building supply store, they do not have to worry about it containing asbestos. **This is not true.**

Asbestos is still added to floor tile, mastics (glues), roofing products and other imported building materials. Asbestos helps increase the durability of these products, so it is a desirable additive. Unfortunately, if asbestos-containing materials are improperly and irresponsibly handled, the health of individuals in and around the work area could be irreversibly harmed.

Because of the potential health threat posed by exposure to asbestos, the federal Asbestos Hazard Emergency Response Act (AHERA) of 1986 required the Environmental Protection Agency (EPA) to establish rules regarding the management of asbestos-containing building materials (ACBMs) in schools. The resulting rules were called the Asbestos-Containing Materials in Schools Rule (40 CFR Part 763), and are commonly referred to as AHERA, the acronym of the act responsible for its development.

AHERA became effective on December 14, 1987, and requires all public and private, not-for-profit, elementary and secondary schools to inspect for the presence of ACBMs. (AHERA requirements **do not** extend to stand-alone, non-public kindergartens.) It is important to note that the purpose of the AHERA regulation is not to require schools to remove all ACBMs, but rather to identify them so they can be managed and maintained in good condition.

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There are some exceptions for new school buildings. AHERA defines a “new school building” as one built after October 12, 1988. For such a building, no asbestos inspection is required if an architect or project engineer responsible for the building’s construction or an accredited asbestos inspector signs a document stating one of the following:

- 1) No asbestos-containing building material (ACBM) was specified in any construction document for the building, or
- 2) To the best of his or her knowledge, no ACBMs were used in the construction of the building.

HOWEVER, while the above-mentioned signed statement will exempt your school from the AHERA asbestos inspection requirements; there are other state and federal regulations which require an asbestos inspection prior to renovation or demolition activities. THEREFORE, if you are going to renovate or demolish a newer school building that has never been inspected for ACBMs, you must have an Asbestos Inspector who is accredited with the North Carolina Department of Health and Human Services, Division of Public Health, Health Hazards Control Unit (HHCU), conduct a thorough asbestos inspection in the affected areas.

The HHCU consultant staff is always available to answer any questions you may have about the asbestos regulations. We are also available to visit your school, assist in review of your asbestos-related paperwork, and help you assess the condition of your ACBMs. For additional information or to arrange a consultative visit, call us at 919-707-5950 or 919-707-5973.