

ASBESTOS MANAGEMENT LAW**General Responsibilities**

Each local education agency shall:

1. Ensure that the activities of any persons who perform inspections, re-inspections, and periodic surveillance, develop and update management plans, and develop and implement response actions, including operations and maintenance, are carried out in accordance with 40 CFR 763 subpart E.
2. Ensure that all custodial and maintenance employees are properly trained as required by 40 CFR 763 subpart E and other applicable Federal and/or State regulations (e.g., the Occupational Safety and Health Administration asbestos standard for construction, the EPA worker protection rule, or applicable State regulations).
3. Ensure that workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response action activities, including periodic re-inspection and surveillance activities that are planned or in progress.
4. Ensure that short-term workers (e.g., telephone repair workers, utility workers, or exterminators) who may come in contact with asbestos in a school are provided information regarding the locations of Asbestos Containing Building Material (ACBM) and suspected ACBM assumed to be ACM.
5. Ensure that warning labels are posted in accordance with 40 CFR 763.95.
6. Ensure that management plans are available for inspection and notification of such availability has been provided as specified in the management plan under 40 CFR 763.93(g).
7. Designate a person to ensure that requirements under this section are properly implemented. Ensure that the designated person receives adequate training to perform duties assigned under this section. Such training shall provide, as necessary, basic knowledge of: health effects of asbestos; detection, identification, and assessment of ACM; options for controlling ACBM; asbestos management programs; relevant Federal and State regulations concerning asbestos, including those in this subpart E and those of the Occupational Safety and Health Administration, U.S. Department of Labor, the U.S. Department of Transportation and the U.S. Environmental Protection Agency.
8. Consider whether any conflict of interest may arise from the interrelationship among accredited personnel and whether that should influence the selection of accredited personnel to perform activities described in 40 CFR 763 subpart E.