

**Attachment F**

**Copy of Consultation Message Sent by EPA to Potential Respondents**

**From:** Robert Courtnage/DC/USEPA/US  
**To:** [Addressees]  
**Date:** 06/24/2010 02:37 PM  
**Subject:** Asbestos Hazard Emergency

Greetings Stakeholders,

The U.S. Environmental Protection Agency (EPA) is currently seeking to renew its ability to collect information pursuant to the Asbestos Hazard Emergency Response Act (AHERA), including the Asbestos Model Accreditation Plan (MAP) rule requirements. The Office of Management and Budget requires that we renew our ability to collect such information from the public every three years.

AHERA, a provision of the Toxic Substances Control Act, became law in 1986. Public school districts and non-profit private schools (collectively called local education agencies) are subject to AHERA's requirements. This includes charter schools and schools affiliated with religious institutions.

The AHERA rule (40 CFR Part 763, Subpart E) requires local education agencies to take actions to:

- Perform an original inspection and re-inspection of school buildings every three years of asbestos-containing material;
- Develop, maintain, and update an asbestos management plan and keep a copy at the school;
- Provide yearly notification to parent, teacher, and employee organizations regarding the availability of the school's asbestos management plan and any asbestos abatement actions taken or planned in the school;
- Designate a contact person to ensure the responsibilities of the local education agency are properly implemented;
- Perform periodic surveillance of known or suspected asbestos-containing building material;
- Ensure that properly-accredited professionals perform inspections and response actions and prepare management plans; and
- Provide custodial staff with asbestos-awareness training.

Training for asbestos abatement professionals is required under the Asbestos Model Accreditation Plan (MAP) (40 CFR Part 763, Appendix C to Subpart E). The MAP established five required training disciplines (worker, contractor/supervisor, inspector, management planner, and project designer) and one recommended discipline (project monitor). States were tasked to develop their own asbestos professional training programs based on the MAP that was no less stringent.

EPA would ask that you answer the five questions below and that you review the burden estimates we put together in the attached draft ICR to help inform those answers. The rule itself

has not changed since the last ICR and the last AHERA rule amendments were to the MAP in 1994, pursuant to the Asbestos Schools Hazard Abatement Reauthorization Act (ASHARA).

1. Are the data collection and recordkeeping requirements clear and concise?
2. Are you aware of other sources the Agency could use for the requested data?
3. Would you recommend the use of electronic submissions for the WPR requirements?
4. Are the estimated burdens and costs accurate?
5. If we spoke to you before about this ICR, were your positions accurately reflected in the last ICR submission?

Thanks in advance for providing us with valuable feedback!

Regards,

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[Copy of draft Supporting Statement attached]