



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 15 1988

Mr. Demetrio Perez, Jr., Director
El Matancero Libre
904 S.W. 23 Avenue
Miami, FL 33135

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

Dear Mr. Perez:

Thank you for your letter of April 14, in which you inquired about various aspects of the Asbestos Hazard Emergency Response Act (AHERA) for the readership of your publication.

Let me answer your questions, point-by-point:

Question 1: ~~Do~~ nursery/day care centers have to comply with these rules?

Answer: Nursery/day care centers do not need to comply unless the facility involves primary or secondary education. However, only the part of the facility used for primary or secondary education and related activities are covered.

Question 2: If a private school has a day care area, is the day care area excluded from the rule and/or the whole educational facilities?

Answer: If a private school is non-profit, all parts of the facility used for primary or secondary education would be covered. Those parts of the facility used exclusively for day-care purposes would not be covered.

Question 3: Are the private for profit schools included in this rule?

Answer: Private, for profit schools are not covered by the rule.

Question 4: Are there any other exclusions available?

Answer: Exclusions are listed in Section 763.99 of the rule. In general, these exclusions are based on previous inspections and buildings constructed after October 12, 1988.

Question 5: Are the vocational schools included in this Act?

Answer: Vocational schools that provide elementary and secondary education under State law are covered.

A handwritten signature in black ink, appearing to be "W. G. White".

Question 6: What kind of assistance and/or grants or resources would be available to assist minority schools to comply with this Act? If exists, would it be possible to obtain by returned mail the proper application forms?

Answer: We are unaware of any assistance program directed specifically towards minority schools. However, EPA has distributed over \$155 million in loans and grants to needy schools under the Asbestos School Hazard Abatement Act (ASHAA) since 1985. If Congress appropriates funds for 1989, EPA will provide additional funding next year to help schools conduct abatement. EPA will mail ASHAA applications directly to local education agencies (LEAs). Other information about general assistance is available from Florida's designated AHERA contact:

Bobby L. Johnson, Program Specialist
Florida Department of Education
W. V. Knott Building - 144 Collins
Tallahassee, FL 32399
(904) 487-1130

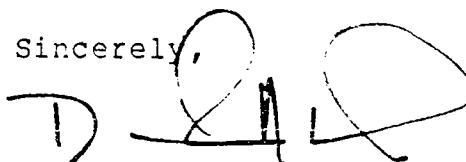
Question 7: Are educational facilities with less than 10,000 sq. ft. included in this rule?

Answer: There is no exclusion provision based on school size.

I am enclosing for your information a copy of the AHERA rule and copies of our recent documents; "100 Commonly Asked Questions," AHERA Implementation Update, and "How to Find An Accredited Person".

I hope this is helpful.

Sincerely,



David J. Kling, Acting Chief
Hazard Abatement Assistance Branch
Chemical Control Division
Office of Toxic Substances

Enclosures (4)