



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

SEP 30 1999

Michael C. Sharp  
Hazard Management Services, Inc.  
P.O. Box 576848  
Modesto, CA 95357-6848

Dear Mr. Sharp:

This is in response to your letter in which you posed a number of questions you encountered during redevelopment of computer programs you utilize for inspections and report writing. Our responses follow each question as posed in your letter.

*1. Can a local education agency (LEA) maintain its AHERA records on electronic media? Would digitally scanning hard copies of AHERA files onto CD-Rewritable disks be acceptable? Would storage of newly acquired information (six-month surveillances, three-year reinspections, contractor and parent/staff notifications, abatement records, etc.) in database files be acceptable?*

Maintaining AHERA records on electronic media is acceptable with the following caveats:

- a) A backup file is maintained. As with a hard copy, LEAs must have a contingency plan for ensuring that the backup copy of the management plan will be easily accessed or retrieved. This becomes especially important in situations in which the main copy of the management plan cannot be accessed for some reason (e.g. computer system crash, etc.). For example, if emergency repairs at a school must be conducted and the management plan cannot be accessed, ability to access or retrieve information from the backup file helps ensure knowledge of the presence and location of any ACBM. This is critical to ensuring that no fiber release episodes occur. The backup file and all copies of the management plan must be that of the latest updated version of that plan.
- b) When reviewed by other than those authorized to modify the information (e.g. Management Planner, Designated Person), the information cannot be altered (i.e. read-only).

- c) The LEA must ensure the availability of assistance to those wishing to review the records (i.e. assistance in using the equipment, accessing the information).
- d) System must have the capability for printing a hard copy of the management plan.
- e) Originals of documents requiring the signature of a responsible person such as the inspector, management planner, etc. must be maintained in hard copy.
- f) There must be a signed and dated statement by the Designated Person (hard copy) certifying that the management plan is complete and up to date. Such a signed statement must be made by the Designated Person for each and every update of the management plan. Each copy of the updated management plan on disk or electronic record must have such an original signed and dated statement as well .

***2. If the answers to the questions in No. 1 above are yes, and an LEA opts for electronic storage of AHERA information, would a network computer with access to AHERA files on a central computer, located offsite, be considered the site's copy of the AHERA Management Plan?***

Yes.

***3. Would an electronic message (via E-mail or posted on the Internet) to contractors and/or parent-teacher groups be an acceptable form of notification? Would a hard copy of the notification need to be printed or would electronic storage in a database file be sufficient?***

We are concerned that notifications posted on the Internet or sent via E-mail will not be accessible to those who do not possess the electronic means to access such messages; in a number of cases this may mean most of the parties that need to be notified. Documentation of the notification and the steps taken to notify the affected parties can be done electronically but the notification itself must be conducted in a way to achieve the widest distribution possible. Supplementing notifications through the Internet or E-mail would be acceptable, however.

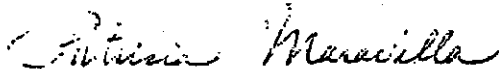
***4. If electronic storage of AHERA information is allowed, how many, if any, backup copies of the information would need to be maintained? Would hard copies of the information also need to be maintained?***

We recommend at least one backup copy, with the reiteration that each copy have a signed and dated statement by the Designated Person certifying the management plan is

complete and up to date. As the management plan is revised and/or updated, a backup copy must be made right away. With the exception of those documents requiring the signature of a responsible person, a hard copy need not be maintained if the electronically stored information is complete. The LEA may maintain a hard copy of the information in addition to the electronic version if it chooses to do so.

We hope this clarifies our position. Should you have any additional questions or need further clarification, please do not hesitate to contact us.

Sincerely,



Patricia Maravilla  
Regional Asbestos Coordinator

cc: Regional Asbestos Coordinators, EPA Regions I-VIII, X  
James Handley, OECA  
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