

ASBESTOS EXCLUSIONARY STATEMENT

A statement by the Architect & Engineer for a construction/renovation project occurring after October, 12, 1988 is required as specified by AHERA 763.99 – see below. EPA/NYS DOH auditors have been looking for these and cite as violation where not present and state that where not present, an AHERA style inspection and management plan must be performed for such construction. See also sample letter from A & E serving this purpose. Where letter is not available, documentation of said statement might also be in the form of written statement within project specifications.

PART 763—ASBESTOS

Subparts A-D [Reserved]

Subpart E—Asbestos-Containing Materials
in Schools

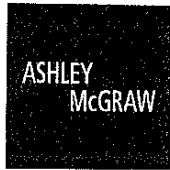
§ 763.99 Exclusions.

(7) An architect or project engineer responsible for the construction of a new school building built after October 12, 1988, or an accredited inspector signs a statement that no ACBM was specified as a building material in any construction document for the building, or, to the best of his or her knowledge, no ACBM was used as a building material in the building. The local education agency shall submit a copy of the signed statement of the architect, project engineer, or accredited inspector to the EPA Regional Office and shall include the statement in the management plan for that school.

(b) The exclusion, under paragraphs (a) (1) through (4) of this section, from conducting the inspection under §763.85(a) shall apply only to homogeneous or sampling areas of a school building that were inspected and sampled before October 17, 1987. The local

Item #	VIOLATION	Comments
1	LEA failed to ensure that the management plan contains an exclusionary statement for buildings constructed after October 12, 1988 that are asbestos-free, as required by 40 C.F.R. §763.99(a)(7).	Post 10/12/88 buildings or additions must have exclusionary statements or must be inspected.

education agency shall conduct an inspection under §763.85(a) of all areas inspected before October 17, 1987, that were not sampled or were not assumed to be ACM.



ARCHITECTS P.C.

1981
2006

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outstanding
design
for 25 years

12 February

Project Manager
Office of Facilities Planning
New York State Education Department
Room 1060 Education Building Annex
Albany, NY 12234

Re: CENTRAL SCHOOL DISTRICT

S.E.D. Project No	0-005-008	Junior High School
	5-0-003-011	High School
	1-0-002-009	Elementary School
	2-5-002-004	Bus Garage-Operations & Maintenance
	3-5-013-001	Bus Garage
	4-7-015-001	High School Press Box
	5-2-014-001	High School Athletic Storage Building

Dear

In accordance with the requirements of the NY State Education Department, we wish to inform you of the following:

The existing asbestos containing materials associated with this project will be removed at the above referenced buildings. The portion of the work will be designed by O'Brien & Gere Environmental Engineers, who are currently certified "Asbestos Project Designer." This work will be performed in accordance with Industrial Code Rule #56. A copy of their current certificate bearing the designation "1" for designer is attached to this letter.

To the best of our knowledge and belief, we state that the drawings and specifications for this project do not call for any new asbestos containing materials (ACBM) for use in this project

Sincerely,

Ashley McGraw Architects

III, AIA

Principal

cc: File :SD