

NC - ARPA Frequently Asked Questions for Public Schools and Charter Schools

June 14, 2024

1. Q: Is the enrollment action only for inspections or for other work already done?

A: No, enrollment is for inspections, water testing, and abatement reimbursement. Public and charter schools can be reimbursed for eligible asbestos and lead-based paint expenses as far back as April 29, 2022. Public and charter schools built after February 28, 1978 must enroll their facilities and submit documentation to be exempt from the lead-based paint inspection, and those built after October 12, 1988 must enroll to be exempt from the asbestos inspection. Facilities built prior to these dates need to enroll and submit documentation if prior inspections have been completed.

2. Q: Can RTI International coordinated inspections serve as our Asbestos Hazard Emergency Response Act (AHERA) Plan required three-year inspection for AHERA compliance purposes?

A: Public and charter schools that are past due for their AHERA 3-year reinspection can have RTI conduct the three-year inspection for free using RTI's approved subcontractors.

3. Q: Is there a deadline for inspection enrollment?

A: Public and charter schools need to enroll by November 1, 2024. You can enroll at www.cleanwaterforuskids.org/en/carolina/

4. Q: Can reimbursement be approved for a project when the building is not enrolled for an inspection?

A: Yes, public and charter schools can be reimbursed for previous projects started on or before April 29, 2022. However, walk-through inspections to meet AHERA requirements paid by the schools outside of enrollment in the RTI program will not be eligible for reimbursement. To schedule a walk-through inspection at no cost, public and charter schools must enroll by November 1, 2024.

5. Q: Can another vendor other than RTI do the inspection?

A: If public and charter schools prefer to pay out of pocket for a walk-through inspection to meet AHERA requirements, they may choose their own vendor. Inspections conducted outside of the RTI program are not eligible for reimbursement. To schedule an inspection at no cost to the school, public and charter schools must enroll by November 1, 2024, and have the inspection performed by RTI subcontractors.

6. Q: What is the deadline for getting inspections completed and information submitted to comply with the law?

A: This program is in place until December 31, 2026, or until the funding is exhausted, whichever comes first.

7. Q: Our public school has bought land with existing buildings. These buildings have asbestos and will be abated before demolition of the buildings so a new school building(s) can be built.

Can we be reimbursed for asbestos removal using ARPA funds?

A: Yes, if the school provides documentation that the land and buildings are approved to be part of a public school or public school unit, then the asbestos removal can be reimbursed. All eligible expenses must be documented including asbestos clearance prior to demolition. The program will not pay for the inspection, demolition or new building materials.

8. Q: If our school was to buy a building with the intent to abate asbestos, renovate, and then open the same building as a school can the school be reimbursed using ARPA funds to remove asbestos and put back new materials?

A: If the school provides documentation that the land and building(s) are approved to be part of a public school or public school unit, then asbestos removal and replacement materials for the affected areas may be reimbursed. The program will not pay for inspections prior to the purchase of the building. We require documented, eligible expenses for reimbursement.

9. Q: We have been approached by schools to be reimbursed for an administration building, or areas inside a building used for administration, where children visit but are not kept as part of the school. Are these areas eligible for reimbursement?

A: If the administration area is located in a separate building and children regularly enter this space, then yes, but we require written justification. If it is part of the contiguous building and children can enter the space, then yes, but documentation is not needed.

10. Q: If a public or charter school is renting space at a community college or 4-year college can the facility be inspected for asbestos and lead-based paint?

A: The RTI may use their subcontractors to perform asbestos and lead-based paint inspections only in the area(s) being rented. The public or charter school would need to enroll this alternative school location in the Clean Classrooms for Carolina Kids portal.

11. Q: Can a college campus be reimbursed for asbestos and lead-based paint remediation or abatement activities if the classroom is being rented by a public school and used to educate high school students?

A: Yes, with limitations. Only the room(s) directly related to educating public school students can be considered for reimbursement. The public or charter school would need to enroll this location in the Clean Classrooms for Carolina Kids as a remote educational facility. Once testing has been completed and the presence of asbestos or lead-based paint has been identified, which is in need of abatement, then eligible expenses may be reimbursed. Replacement materials may also be reimbursed if the new materials are less than 1% asbestos or less than 90 ppm lead.

12. Q: What documentation is needed to be reimbursed if a public or charter school is renting space from a property owner?

A: A copy of the current lease agreement signed by both parties must be included with the ARPA reimbursement packet.

13. Q: Where can I find more information regarding reimbursement?

A: Visit the ARPA web page at: www.ncdhhs.gov/divisions/public-health/asbestos-and-lead-based-paint-reimbursement-program-arpa

14. Q: My licensed child care facility is located in a school and uses the school cafeteria as an auxiliary space. Can we be reimbursed for asbestos abatement in auxiliary spaces?

A: We cannot reimburse both a child care facility and the public school for abatement in the same space. Where a public school includes a child care facility, and the auxiliary space is part of the public school unit, then all documented, eligible expenses may be reimbursed. Where a child care facility rents space from a school, they must ensure that their lease permits them to conduct the abatement work. If the child care facility is allowed to perform the work, they must follow the guidance given by the Division of Child Development and Early Education (DCDEE) on auxiliary spaces in their letter dated May 3, 2024. A facility seeking reimbursement for asbestos or lead-based paint abatement and replacement materials in auxiliary spaces must have the DCDEE Lead Counselor confirm auxiliary spaces. After confirmation is received by the Lead Counselor, documented, eligible expenses may be reimbursed.

15. Q: Can a public or charter school use their existing asbestos management or reinspection report to confirm the presence of asbestos in a building material?

A: Yes, if the original management plan or reinspection report contains documentation (i.e., bulk sample analysis) confirming the material that was abated is greater than 1% asbestos. No, if the material was assumed positive without any documentation.