

HAZARDOUS MATERIALS AND ENVIRONMENTAL COMPLIANCE

Page 1 of 2

The Board of Education recognizes its responsibility for providing an environment which is reasonably secure from known hazards and complies with environmental regulations. There are many areas of the school operation, from the classroom to custodial services and vehicle maintenance, which use a variety of materials that may be hazardous. Hazardous materials include any substance or mixture of substances that are capable of causing harm.

Procedures are created and followed which address the purchase, storage, handling, transportation and disposal of hazardous materials and protection of the environment for all school facilities and operations. These procedures shall include all emergency response activities and shall comply with all local, state and federal laws and regulations.

The goal of the procedures shall be to set into place an ongoing process by which each location in the District may begin a program of identifying and managing potentially hazardous materials. District personnel shall be encouraged to make less dangerous substitutions for hazardous substances to the extent practicable and to minimize the quantities of such substances stored on school property.

It is not the intent of the Board to expand or modify the district's potential liability exposure through the adoption of this policy. The district's voluntary compliance with any statute or regulation to which it is not otherwise subject shall not be construed to create or assume any potential liability under any local, state or federal law or regulation.

LEGAL REFS.: 7 U.S.C., CHAPTER 6
 15 U.S.C., CHAPTER 53
 20 U.S.C., CHAPTER 49
 33 U.S.C., CHAPTER 27
 33 U.S.C., CHAPTER 40
 42 U.S.C., CHAPTER 6
 42 U.S.C., CHAPTER 85
 42 U.S.C. '6901 (1982 & Supp. III 1985), Resource Conservation and
 Recovery Act (RCRA) and accompanying regulations
 42 U.S.C. '9601 (1982 & Supp. IV 1986), Comprehensive Environmental
 Response Compensation and Liability Act (CERCLA) and accompanying

AURORA PUBLIC SCHOOLS

APS Code: EBAB

Adopted April 1989

Recoded February 1999

Revised September 2007

Revised February 2014

HAZARDOUS MATERIALS AND ENVIRONMENTAL COMPLIANCE

Page 2 of 2

regulations

49 U.S.C. 1801, Hazardous Materials Transportation Act

C.R.S. 13-21-108.5 (persons rendering assistance relating to discharge of hazardous materials immune from civil liability)

C.R.S. 24-10-106.5 (duty of care in Colorado Governmental Immunity Act)

C.R.S. 25-15-101 *et seq.*, State Hazardous Waste Management Program

C.R.S. 29-22-101 *et seq.*, Hazardous Substance Incidents

C.R.S. 40-2.1-101 *et seq.*, Transportation of Hazardous Materials Act

C.R.S. 42-4-228 (vehicles transporting explosive or hazardous materials)

C.R.S. 42-4-234 (3)

C.R.S. 43-6-101 *et seq.*, Hazardous Materials Transportation Act of 1987

1 CCR 301-1, Rules 2202-R-3.16 (2) (accreditation rule)

6 CCR 1007-3, Part 261 (identification and listing of hazardous waste)

8 CCR 1507-1 (operation of commercial vehicles and transportation of hazardous materials)

CROSS REFS.: EBCB, SAFETY DRILLS

AURORA PUBLIC SCHOOLS
Adopted April 1989
Recoded February 1999
Revised April 2001
Revised October 2007
Revised December 2013
Revised April 2017

APS Code: EBAB-R

HAZARDOUS MATERIALS AND ENVIRONMENTAL COMPLIANCE

Page 1 of 7

1. Hazardous Materials Program Supervisor

Overall supervision of the operation of all hazardous materials and environmental compliance policies and regulations within the District will be the responsibility of the chief operating officer, support services or designee who will serve as the Hazardous Materials Program Director. The Environmental Compliance Branch of Construction Management and Support Services, referred to throughout these regulations as the "Environmental Compliance Branch," shall serve as the chief operating officer, support services or appointed designee.

At each location, a District employee will be designated as the local hazardous materials coordinator, referred to throughout these regulations as the "coordinator." At each location, there also will be an alternate District employee designated as a backup to the coordinator.

The coordinator will be responsible for all aspects of dealing with hazardous materials at the location and will comply with all District policies and regulations and local, state and federal laws and regulations dealing with hazardous materials. The coordinator also will be responsible for reporting any violations in the District's hazardous materials policy or regulations simultaneously to the Environmental Compliance Branch and the building/location administrator.

The Environmental Compliance Branch will develop and maintain environmental compliance programs to meet current federal, state and local laws including; Resource Conservation Recovery Act (RCRA), Comprehensive Environmental Response Compensation Recovery Act (CERCLA), Clean Air Act (CAA), Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), Toxic Substance Control Act (TSCA), Oil Pollution Prevention Act (OPA), and Asbestos Hazard Emergency Response Act (AHERA).

2. Initial Inventory and Material Identification

The Environmental Compliance Branch will cause an initial inventory of all hazardous

AURORA PUBLIC SCHOOLS
Adopted April 1989
Recoded February 1999
Revised April 2001
Revised October 2007
Revised December 2013
Revised April 2017

APS Code: EBAB-R

HAZARDOUS MATERIALS AND ENVIRONMENTAL COMPLIANCE

Page 2 of 7

materials, at all existing or new District locations, to identify potentially hazardous substances. The Environmental Compliance Branch will use a qualified hazardous materials person/firm to conduct the inventory of hazardous materials at each location with the assistance of the location/building administrator or designee. This person/firm also will coordinate the identification of any unknown materials.

The party conducting the inventory will work with and provide training in the proper process of identifying hazardous materials to at least one designated District employee at each location (either the coordinator or an individual directly in charge of any of the hazardous materials storage/use areas).

The coordinator will arrange for the identification of any unknown suspected hazardous substance through the Environmental Compliance Branch.

3. Tracking, Inventory and Material Safety Data Sheets

The Environmental Compliance Branch will maintain a copy of each location's inventory and documentation of all hazardous materials. This information may be released to appropriate police, fire and emergency service authorities and as otherwise required by law.

The Environmental Compliance Branch will be responsible for establishing and maintaining the safety data sheets (SDS) system for the District.

Each operation and location will maintain access to the SDS in its area for all hazardous materials with which it has contact. These SDS will be available for review and use by every District employee. These SDS also will be available for inspection by appropriate police, fire, health and emergency service authorities and by other persons authorized by law to inspect such materials.

The Purchasing Department and the Warehouse each will forward SDS for all hazardous materials with which they have had contact to the Environmental Compliance Branch.

HAZARDOUS MATERIALS AND ENVIRONMENTAL COMPLIANCE

Page 3 of 7

4. Purchase of Hazardous Materials

In addition to following the District's regular purchasing procedures, an employee may not purchase products listed on the Colorado Department of Public Health and Environment Prohibited chemical list.

Each site is responsible for obtaining material safety data sheets (SDS) for products that are not listed on the sites current inventory. The SDS shall be delivered to the Environmental Compliance Branch within seven days of purchase.

All purchase orders for hazardous materials will include a requirement that the shipment of any such materials include SDS with any order or portion of the order. Purchase orders also will note that failure to provide SDS with the shipment may result in either the District's refusing to accept the shipment or the District's conditionally accepting the shipment and refusing to pay for it until the SDS are provided.

Any unapproved purchase of hazardous materials is beyond the course and scope of the District employee's authority and is forbidden. Such a purchase may be grounds for termination.

The above procedures also will apply to the acceptance of donated hazardous materials.

5. Storage, Recycling or Transfer of Hazardous Materials

The Environmental Compliance Branch shall designate an area or areas for storage of:

- a. Materials which might become or are hazardous materials; and
- b. Hazardous materials which have been declared waste and are being held for disposal.

HAZARDOUS MATERIALS AND ENVIRONMENTAL COMPLIANCE

Page 4 of 7

The Environmental Compliance Branch may designate storage areas at each location, if appropriate, as well as a central District storage site.

When a coordinator has a material which qualifies as hazardous material at her/his location and which may require disposal, the coordinator will contact the Environmental Compliance Branch to arrange for storage, transfer or disposal as appropriate. Materials no longer needed at one location may be available for transfer within the District to other programs or locations.

When materials are not needed by a District location, operation or program, the materials may be declared as waste. Only the Environmental Compliance Branch will be authorized to declare a hazardous material as waste.

Storage of hazardous materials will be in compliance with federal, state and local law. All hazardous materials will be separated according to physical and chemical properties and stored safely in storage areas appropriate to the risk posed by the materials. For example, volatile substances, such as petroleum distillates, will be stored in approved safety cabinets. Where appropriate, storage cabinets must be locked and access to students or non-authorized staff limited.

All containers for hazardous materials will be labeled to show date of receipt by the District, shelf life and expiration date. Where space permits, materials will be stored so that the oldest materials are used first (first in-first out).

Transfer of hazardous materials within the District will be accomplished in compliance with Section 7 of these regulations.

6. Disposal of Hazardous Materials

When a coordinator or a location/building administrator believes that s/he has materials which may qualify as hazardous for which there is no immediate need for program or operation requirements or which may need to be disposed of, s/he will contact the

AURORA PUBLIC SCHOOLS
Adopted April 1989
Recoded February 1999
Revised April 2001
Revised October 2007
Revised December 2013
Revised April 2017

APS Code: EBAB-R

HAZARDOUS MATERIALS AND ENVIRONMENTAL COMPLIANCE

Page 5 of 7

Environmental Compliance Branch. Only this Environmental Compliance Branch will be authorized to declare materials to be waste, excess or surplus and to order their disposal.

When materials are determined to be ready for disposal, the Environmental Compliance Branch will arrange for disposal in a manner that complies with all local, state and federal laws and regulations.

Federal and state laws and regulations provide exemptions from certain regulatory requirements for those entities or locations that generate waste in amounts below statutory or regulatory threshold amounts. Disposal determinations should preserve conditionally exempt status for each location.

The Environmental Compliance Branch will maintain written documentation of the disposal of hazardous materials from all locations in the District

7. Transportation of Hazardous Materials

Transportation of hazardous materials will meet all local, state and federal requirements and will be coordinated by the Environmental Compliance Branch.

Federal regulation of the transportation of hazardous materials is extensive, complex, requires significant insurance protection and involves specialized training of staff and special equipment. The Environmental Compliance Branch will arrange for authorized District staff or qualified third parties to transport any hazardous waste or hazardous materials.

Once a hazardous material is under District control, each location controlling the material will be responsible for the material until it is passed to the control of another District location. The Environmental Compliance Branch will verify that the transportation used meets all District, local, state and federal transportation, financial responsibility and insurance requirements.

Adopted April 1989

Recoded February 1999

Revised April 2001

Revised October 2007

Revised December 2013

Revised April 2017

HAZARDOUS MATERIALS AND ENVIRONMENTAL COMPLIANCE

Page 6 of 7

Unless specific written approval is received by a District employee from the Environmental Compliance Branch, no District employee or volunteer will transport hazardous materials owned by or attributed to the District in her/his personal automobile.

Subject to the same requirement, no student will be permitted by any District employee or volunteer to transport hazardous materials owned by or attributed to the District in any vehicle, including District vehicles.

Any unauthorized transportation of hazardous materials is beyond the course and scope of the District employee's or volunteer's authority and is forbidden and may be grounds for discipline up to and including termination of employment.

8. Emergency Response Plan

The Environmental Compliance Branch will develop an emergency response plan that will enable any District employee aware of any incident involving hazardous material to take appropriate action to protect students, staff, the general public and District property.

This plan will comply with all applicable laws and regulations and will be coordinated with the District and the location evacuation plans.

In the event of a spill, the site will follow their emergency evacuation plans and will contact the Environmental Compliance Branch for further instruction.

All information regarding a hazardous materials incident will be released to the media or the public only by the District's chief communications officer, the Superintendent, or their designee. No other District employee is authorized to release information regarding any such incident.

The Environmental Compliance Branch will coordinate with the District's legal counsel and the Superintendent's office any notification or reports to local, state and federal authorities, as

HAZARDOUS MATERIALS AND ENVIRONMENTAL COMPLIANCE

Page 7 of 7

well as the District's manager of risk management.

9. Evacuation Plan

An evacuation plan will be developed and implemented for each location. School sites will drill their evacuation plans according to state requirements and include a hazardous chemical spill drill annually.

Drills will be called into the APS security department and completed appropriate forms will be sent by each location to security for record keeping.

Each staff member will have a copy of the site's emergency plans.

10. Training of Staff and Students

The coordinators, administrators, staff members handling hazardous materials and school nurses/health paraprofessionals will receive training in responding to hazardous materials emergency incidents.

When hazardous materials are used in the classroom, both staff and students will be trained in the handling, storage and use techniques appropriate to the materials used as part of the curriculum. The staff also will be instructed in emergency procedures, including evacuation, appropriate to the materials.