

Hazardous Materials

The Board recognizes its responsibility for providing an environment which is reasonably secure from known hazards. There are many areas of the district's operation which use a variety of materials that are hazardous.

Hazardous materials include any substance or mixture of substances that pose a fire, explosive, reactive or health hazard as more fully defined by law.

The Board, through the superintendent, shall cause to be created procedures which address the purchase, storage, handling, transportation and disposal of hazardous materials for all district facilities and operations including instructional areas. Emergency response actions and evacuation plans shall be coordinated with the procedures.

The procedures shall comply with all local, state and federal laws and regulations which pertain to the safe storage, transportation and disposal of hazardous materials.

Appropriate school personnel shall be trained to take precautions to prevent accidents and to handle them in the event they do occur.

It is not the intent of the Board to expand or modify the district's potential liability response through the adoption of this policy. The district's voluntary compliance with a 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.

Adopted: May 2, 1989

Revised: May 22, 2001

LEGAL REFS: 42 U.S.C. 6901 (1982 & Supp. III 1985)
(Resource Conservation and Recovery Act and accompanying regulations)
42 U.S.C. 9601 (1982 & Supp. IV 1986)
(Comprehensive Environmental Response Compensation and Liability Act [CERCLA] and accompanying 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. 25-15-101 et seq. (State Hazardous Waste Management)
C.R.S. 42-20-101 through -305 (Hazardous Materials Act of 1987)
C.R.S. 42-5-228 (Vehicles transporting explosive or hazardous materials) 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)

Hazardous Materials

Hazardous Materials Program Supervisor

Overall supervision of the operation of all hazardous materials policies and procedures within the district shall be the responsibility of the Operations and Maintenance Supervisor who shall serve as the hazardous materials program supervisor, referred to throughout these procedures as the “supervisor.”

At each location, a district employee shall be designated as the local hazardous materials coordinator, referred to throughout these procedures as the “coordinator.” At each location, there also shall be an alternate district employee designated as a backup to the coordinator.

The coordinator shall be responsible for all aspects of dealing with hazardous materials at the location and shall comply with all district policies and procedures and local, state and federal laws and regulations dealing with hazardous materials. The coordinator shall also be responsible for reporting any violations in the district’s hazardous materials policy or procedure simultaneously to the supervisor and the building/location administrator.

Tracking, Inventory and Material Safety Data Sheets

Each coordinator shall be responsible for logging in the receipt of all hazardous materials received at his or her location. The coordinator shall track and keep complete written records of the storage, use and ultimate disposition of the hazardous materials. On or before September 1 of each year, the coordinator shall provide a copy of the current inventory log and record of disposition of all hazardous materials to the supervisor.

The supervisor shall 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.

The supervisor shall be responsible for establishing and maintaining the material safety data sheets (MSDS) system for the district.

Each location shall maintain a set of MSDS in its area for all hazardous materials with which it has contact. These MSDS shall be available for review and use by every district

employee. The MSDS shall also be available for inspection by appropriate police, fire, health and emergency service authorities.

Purchase of Hazardous Materials

The supervisor shall maintain a hazardous materials information sheet which shall be updated and distributed to schools once per year. This information sheet shall include a list of prohibited hazardous materials, as well as information on hazardous materials that require special purchase, tracking, storage, transportation and handling procedures. The building/location administrator shall insure that the hazardous materials information sheet is distributed to all building/location employees at the beginning of each school year.

In addition to following the district's regular purchasing procedures, any employee may purchase hazardous materials only with the approval of the coordinator for use at a specific location. Any district employee purchasing any hazardous material must submit a Material Safety Data Sheet (MSDS) to the coordinator before the hazardous material may be brought into the building/location. If the hazardous material being purchased does not include a MSDS from the manufacturer, then the employee making the purchase shall be responsible for completing an MSDS prior to bringing the hazardous material into the building/location.

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

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

Storage, Recycling or Transfer of Hazardous Materials

The supervisor shall designate an area or areas for storage of:

1. Materials which might become or are hazardous materials.
2. Hazardous materials which have been declared waste and are being held for disposal.

The supervisor 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 his or her location and which may require disposal, the coordinator shall contact the supervisor 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 supervisor shall be authorized to declare a hazardous material as waste.

Storage of hazardous materials shall be in compliance with federal, state and local law. All hazardous materials shall be separated according to physical properties and stored safely in storage areas appropriate to the risk posed by the materials. Where appropriate, storage cabinets may be locked and access to students or non-authorized staff limited.

All containers for hazardous materials shall be labeled to show date of receipt by the district, shelf life and expiration date. Where space permits, materials shall be stored so that the oldest materials are used first. Transfer of hazardous materials within the district shall be accomplished in compliance with these procedures.

Disposal of Hazardous Materials

When a coordinator or a location/building administrator believes that he or she 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, the coordinator or location/building administrator shall contact the supervisor. Only the supervisor shall 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 supervisor shall 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 small quantity generators, i.e., those entities or locations that generate waste in amounts below statutory or regulatory threshold amounts. Disposal determinations should preserve small quantity generator status for each location and for any central storage area.

The supervisor shall maintain written documentation of the disposal of hazardous materials from all locations in the district. This documentation shall be retained in permanent form at one additional location.

Transportation of Hazardous Materials

Transportation of hazardous materials shall meet all local, state and federal requirements and shall be coordinated by the supervisor.

Federal regulation of the transportation of hazardous materials is extensive, complex, requires significant insurance protection, and involves specialized training of staff and special equipment. Because the district cannot meet these requirements economically with current staff, equipment and training, the district shall arrange for qualified third parties to transport any hazardous materials outside the state.

Once hazardous materials are under district control, each location controlling the materials shall be responsible for the materials until they are passed to the control of another district location. The supervisor shall verify that the transportation used meets all district, local, state and federal transportation, financial responsibility and insurance requirements.

Unless specific written approval is received by a district employee from the supervisor, no district employee or volunteer shall 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. Such unauthorized transportation may be grounds for discipline, up to and including termination.

Emergency Response Plan

The supervisor shall 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 shall comply with all applicable laws and regulations and shall be coordinated with the district and the location evacuation plans.

In addition, a plan to handle spills and leaks shall be developed for each location for all hazardous materials at the location. The plan shall address immediate emergency procedures, required notification and clean-up procedures and shall comply with all applicable laws and regulations.

All information regarding a hazardous materials incident shall be released to the media or the public only by the superintendent or designee. No other district employee is authorized to release information regarding any such incident.

The supervisor shall coordinate with the district's legal counsel and the superintendent any notification or report to local, state and federal authorities as well as the district's appropriate insurance/risk management representative.

Evacuation Plan

An evacuation plan shall be developed and implemented for each location. In developing the evacuation plan, consideration shall be given to the location and the types of hazardous materials present at the location.

An evacuation drill shall be held at least once each calendar year at each location. Where possible, this plan shall be coordinated with existing fire drill, bomb threat evacuation plans and tornado drills and may be conducted in conjunction with any of these other drills. Written records of the drill shall be maintained by each location.

As appropriate for the location, copies of the evacuation plan shall be posted within the buildings. Copies of the evacuation plan shall be maintained by the coordinator, the location/building administrator, the supervisor and any other designated person approved by any of the above-named persons.

Where practical, the evacuation plan shall be coordinated with the fire department, police department and the district's transportation department.

Training of Staff and Students

All coordinators, administrators, and staff members handling hazardous materials shall receive information and/or training required to appropriately respond to hazardous materials emergency incidents.

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

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CROSS REFS.: DJB, Purchasing
EB, Environmental and Safety Program
ADE, Crisis Management