

PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

The Board of Education is concerned for the safety of the students and staff members and will make every attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials or from the presence of asbestos materials used in previous construction.

Toxic Hazards

These hazards exist in chemicals, pesticides, and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will:

- A. identify potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP Officer with material safety data sheets (MSDS's);
- B. ensure that all incoming materials, including portable containers, are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party;
- C. maintain a current file of MSDS for all hazardous materials present on District property;
- D. design and implement a written communication program, which:
 1. lists hazardous materials present on District property;
 2. details the methods used to inform staff and students of the hazards;
 3. describes the methods used to inform contractors and their employees of any hazardous substances to which they may be exposed and of any corrective measures to be employed;

- E. conduct a training program for all District employees on such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the District's plan for communication, labeling, etc.;
- F. ensure that application of pesticides and herbicides on District property meet Federal health and safety standards, and are applied by appropriately trained, authorized personnel.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities.

Asbestos

In compliance with Asbestos Hazard Emergency Response Act (AHERA) and the Occupational Safety and Health Act (OSHA), the Board recognizes its responsibility to:

- A. inspect all District buildings for the existence of asbestos or asbestos-containing materials;
- B. take appropriate actions, in accordance with State law and EPA regulations, based on the inspections;
- C. establish a program for dealing with friable asbestos, if found;
- D. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;
- E. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Superintendent shall appoint a person to develop and implement the District's Asbestos-Management Program, which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The Superintendent shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the District is licensed pursuant to the Wisconsin Department of Health Regulations.

Nothing in this policy concerning toxins or asbestos should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an

accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

The District may provide, however, legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of negligence or alleged negligence of those persons responsible for inspecting, monitoring, removing, treating asbestos or material containing asbestos, or supervising these activities, provided the employee was performing the duties while in the course of the employee's employment or while acting within the scope of the employee's authority. The District reserves the right to deny representation and indemnification in those circumstances wherein the employee's actions demonstrate gross negligence or willful and wanton misconduct.

This policy may apply to work performed by authorized employees prior to the date of its adoption.

The District will comply with any lead-screening requirements promulgated by the Department of Health and Social Services.

101.58 et seq., 254.162, 254.20, Wis. Stats.

15 U.S.C. 2601 20 U.S.C. 4022

20 U.S.C. 4014 20 U.S.C. 4011

20 U.S.C. 4011 et seq.

Asbestos Hazard Emergency Response Act of 1986 (AHERA)

Asbestos School Hazard Abatement Act of 1984

Asbestos School Hazard Abatement Reauthorization Act of 1990

Adopted: 6/18/01

Revised: 3/16/15

The Port Washington-Saukville School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies: Director of Special Services, Port Washington-Saukville School District, 100 W. Monroe Street, Port Washington, WI 53074 - Duane.Woelfel@pwssd.k12.wi.us