

Hazardous Materials

Hazardous materials include any substance or mixture of substances that poses a fire, explosive, reactive or health hazard as more fully defined by law. There are many areas of the school operation, from science laboratories and art departments to custodial services and vehicle maintenance, which use a variety of materials that may be hazardous.

The superintendent shall cause to be created procedures which address the purchase, storage, handling, transportation and disposal of hazardous materials for all school 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 and proper storage, transportation and disposal of hazardous materials.

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 possible and to minimize the quantities of such substances stored on school property.

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 district's intent to expand or modify its 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.

Adopted by the superintendent: October 2015

Revised by the superintendent: February 24, 2016

Revised and recoded by the superintendent: July 17, 2019

LEGAL REFS.: 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 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. 42-4-228 (*vehicles transporting explosive or hazardous materials*)
C.R.S. 42-4-234 (3)
C.R.S. 42-20-101 *et seq.* (*Hazardous Materials Transportation Act of 1987*)
6 CCR 1007-3, Part 261 (*identification and listing of hazardous waste*)

File: E-1 (EBAB)

6 CCR 1010-6 (*department of public health and environment rules governing schools*)

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

CROSS REFS.:

Board policies:

EL-1, Global Executive Constraint

EL-4, Communication and Counsel to the Board

EL-11, School Safety