

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 Board, through 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 also 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 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:           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. 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. 42-20-101 et seq. (Hazardous Materials Transportation Act of 1987)  
                              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)

ADOPTED:           July 12, 1989

REVISED:           May 19, 2008