

Chelsea School District

Bylaws & Policies

8431 - PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

The Board of Education is concerned for the safety of the students and staff members and will 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 material 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 Toxic Hazard Preparedness Officer will be responsible for the following:

A. Hazard Determination

Identification of potential sources of toxic hazards in cooperation with material suppliers, who shall supply the Toxic Hazard Preparedness Officer with Material Safety Data Sheets (MSDSs). The Board will rely on MSDSs from material suppliers to meet hazard determination requirements.

B. Labeling

Ensuring that all incoming materials are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party, and that any containers to which the materials are transferred are also properly labeled.

C. Material Safety Data Sheets

Maintaining a current file of MSDSs for all hazardous materials present on District property. The MSDS files will be kept at the Director of Operations' office, additional copies for employees' use will be located at the main office of all buildings and the high school custodial office.

MSDSs will be available for review to all employees. Copies will be available upon request to the Toxic Hazard Preparedness Officer. Posters identifying the person responsible for monitoring MSDSs and where MSDSs are located at the main office of all buildings and the high school custodial office. Posters notifying employees when new MSDSs are received will be located in the same location. The Toxic Hazard Preparedness Officer shall contact the supplier, in writing, if a required MSDS is not received, and promptly procure the MSDS before releasing the material for use.

If s/he is unable to obtain an MSDS from a supplier, s/he should contact MIOSHA's Occupational Health Division (OHD) or General Industry Safety

Division (GISD) for assistance in obtaining the MSDS.

D. Multi-Employer Work Sites - Informing Contractors

Informing contractors and their employees of any hazardous substances to which they may be exposed; measures to be employed to control or eliminate exposure; container and pipe labeling system used on-site; and where applicable MSDSs can be reviewed or obtained. Whenever District employees may potentially be exposed to hazards brought on site by contractors, the THP Officer will obtain information from the contractor pertaining to chemicals brought on-site, and measures that should be taken to control or eliminate exposure to chemicals.

E. Employee Information and Training

Providing information to and conducting 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. Records of each employee's hazardous communication training should be maintained and all new employees should receive training regarding any hazardous chemicals they may potentially come in contact with as part of their job.

The information should include:

1. regulations of MIOSHA's hazardous communication standard;
2. all operations in employees' work area where hazardous chemicals are present;
3. location and availability of written hazardous communication program (i.e. the policy), the list of hazardous chemicals and the MSDSs.

Training should include:

1. techniques used to detect presence or release of hazardous chemicals in work area;
2. physical and health hazard of hazardous chemicals;
3. the measures the employees should take to protect themselves from these hazards;
4. details of the hazardous communication program including an explanation of labeling system and MSDSs and how employees can obtain and use hazard information.

Employees shall also be informed of:

1. the employer's anti-discrimination/discharge policy for employees accessing hazard information;
2. how the employee can contact OHD or GISD for assistance in obtaining an MSDS if s/he is unable to obtain the MSDS from the employer.

- F. Hazardous nonroutine tasks - before an employee is required to start a nonroutine task (e.g. enter confined space) the employee will be given information about the hazards of the area or procedure including specific chemical hazards, protection or safety measures the employee can take to lessen hazard, and measures the company has taken to eliminate or control hazard.

Any staff member or contractor who applies pesticides on District property shall meet the requirements of Districts guidelines in addition to requirements established by the State. S/He shall provide written notification each year, prior to any application, to all parents and staff members:

- A. that a pesticide is to be applied;

- B. the type of pesticide and its potential side effects;
- C. the location of the application;
- D. the date of the application.

In fulfilling these responsibilities, the Toxic Hazard Preparedness Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

ASBESTOS

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA) and the Michigan Occupational Safety and Health Act (MIOSHA), 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 EPS 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 EPS 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 Michigan Department of Health Regulations.

Nothing in this policy 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 his/her employment or while acting within the scope of his/her 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.

M.C.L.A. 324.8316, 380.1256
 15 U.S.C. 2601
 20 U.S.C. 4011
 20 U.S.C. 4011 et seq.

20 U.S.C. 4014
 20 U.S.C. 4022

Asbestos Hazard Emergency Response Act of 1986 (AHERA)
 Asbestos School Hazard Abatement Act of 1984
 Asbestos School Hazard Abatement Reauthorization Act of 1990

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