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S.279

Introduced by Senators Lyons, Balint, and Branagan

Referred to Committee on

Date:

Subject: Health; environmental health; education; radon

Statement of purpose of bill as introduced: This bill proposes to require school boards to adopt plans based on a model plan developed by the Department of Health for testing and addressing elevated concentrations of radon in school facilities.

An act relating to radon testing in schools

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

In recognition of the importance of environmental health conditions in schools, the General Assembly finds that:

(1) Lung cancer is the leading cause of cancer-related deaths in Vermont and the United States. Lung cancer causes more deaths each year than prostate, breast, and colorectal cancer combined.

(2) Long-term exposure to radon is the second leading cause of lung cancer, and the first cause among nonsmokers.

1           (3) The annual cost for lung cancer treatment in the initial year of  
2           diagnosis is greater than \$60,500.00 per patient and in the last year of life is  
3           greater than \$92,500.00 per patient.

4           (4) Each year an estimated 376 people die in Vermont due to lung  
5           cancer. The U.S. Environmental Protection Agency (EPA) estimates that  
6           13.4 percent of lung cancer deaths are attributable to radon exposure, which  
7           indicates that approximately 51 Vermonters die due to radon exposure  
8           each year.

9           (5) The EPA reports that a nationwide survey of radon levels in schools  
10          estimated that the radon level in nearly one in five schoolrooms exceeds the  
11          Agency's action level of 4 pCi/L. The EPA recommends testing all schools for  
12          radon.

13          Sec. 2. 18 V.S.A. chapter 40 is added to read:

14                   CHAPTER 40. RADON TESTING IN SCHOOLS

15           § 1791. DEFINITIONS

16           As used in this section:

17           (1) "School" means a public school or independent school as defined in  
18           16 V.S.A. § 11.

19           (2) "School board" means the governing body established to oversee a  
20           school.

1           (3) “School facility” or “facility” means all or any part of any building,  
2           improvements to real property, equipment, utilities, and other property, real or  
3           personal, necessary for operation of a school.

4           § 1792. SCHOOL RADON TESTING PLANS

5           (a) Each school board that oversees a school located in the State shall  
6           develop, adopt, and implement a plan regarding testing for and addressing  
7           elevated concentrations of radon at a school facility. Minimally, plans  
8           developed by each school board shall require radon testing:

9                   (1) at least once every ten years;

10                   (2) in all frequently occupied rooms that touch the ground or are located  
11                   above a basement or crawl space; and

12                   (3) on or before January 1, 2021 for an initial test, unless a school was  
13                   tested for elevated levels of radon on or after January 1, 2017.

14           (b) The Department of Health shall develop and publish on its website a  
15           model radon testing plan for school boards to consult when developing their  
16           own plans to test for and address the presence of elevated radon concentrations  
17           at school facilities.

18           (c) A school board shall provide the results of any radon test conducted  
19           according to a plan adopted pursuant to this section to its school administrators  
20           and to parents, guardians, students, school employees, school volunteers, and  
21           any community representatives regularly present at the school. Test results

1 provided under this subsection shall be accompanied by information on the  
2 level at which the U.S. Environmental Protection Agency recommends taking  
3 action to reduce radon concentrations at school facilities.

4 § 1793. EDUCATIONAL MATERIALS ON RADON

5 The Department of Health shall provide information to each school board  
6 located in the State related to elevated radon concentrations in school facilities.

7 The educational materials provided by the Department shall include:

8 (1) information about radon generally, as well as the health risks  
9 associated with elevated concentrations of radon;

10 (2) the level at which the U.S. Environmental Protection Agency  
11 recommends taking action to reduce radon concentrations at school facilities;

12 (3) processes for testing school facilities for elevated concentrations of  
13 radon; and

14 (4) the model plan developed by the Department pursuant to section  
15 1792 of this title on testing for and addressing elevated concentrations of radon  
16 at school facilities.

17 Sec. 3. EFFECTIVE DATE

18 This act shall take effect on July 1, 2018.