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H.138

Introduced by Representative Townsend of South Burlington

Referred to Committee on

Date:

Subject: Health; environmental health; education; radon

Statement of purpose of bill as introduced: This bill proposes to require the Department of Health to perform radon measurements in schools. It also establishes a School Radon Mitigation Study Committee.

An act relating to radon testing in schools

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

Sec. 1. 18 V.S.A. chapter 39A is added:

CHAPTER 39A. RADON TESTING IN SCHOOLS

§ 1786. DEFINITIONS

As used in this chapter:

(1) “Facility” means all or any part of a building on a school’s campus deemed by the Commissioner of Health or designee to be at high risk for elevated concentrations of radon.

(2) “School” means a public school or independent school as defined in 16 V.S.A. § 11.

1 § 1787. MANDATORY RADON TESTING IN SCHOOLS

2 (a) The Department of Health shall perform radon measurement in
3 accordance with the ANSI/AARST protocol for conducting Radon and Radon
4 Decay Products in Schools and Large Buildings (MALB-2014) on the facilities
5 of at least 40 schools each year until each school in the State has been tested.
6 Schools requesting that a radon test be performed by the Department shall be
7 among the first schools tested. A school shall have its facilities tested not less
8 frequently than every 15 years.

9 (b)(1) The Department shall provide a school's principal or head of
10 school with:

11 (A) the results of the school's radon test;

12 (B) information on the level at which the U.S. Environmental
13 Protection Agency recommends taking action to reduce radon concentrations at
14 school facilities; and

15 (C) information about the health effects of elevated radon
16 concentrations on children and adults.

17 (2) The school's principal or head of school shall share the test results
18 and all information provided by the Department with parents, guardians,
19 students, school employees, school volunteers, the school board, and any
20 community representatives regularly present at the school.

1 § 1788. NEW SCHOOL CONSTRUCTION OR EXPANSION

2 All new school construction, including the expansion of existing schools,
3 shall endeavor to employ radon-resistant new construction.

4 Sec. 2. SCHOOL RADON MITIGATION STUDY COMMITTEE

5 (a) Creation. There is created the School Radon Mitigation Study
6 Committee to explore funding opportunities for the mitigation of elevated
7 radon concentrations in schools and contingency plans for the loss of related
8 federal funding.

9 (b) Membership. The Committee shall be composed of the following seven
10 members:

11 (1) the State Treasurer or designee;

12 (2) the Secretary of Education or designee;

13 (3) the Commissioner of Health or designee;

14 (4) a member appointed by the State School Boards Association;

15 (5) a member appointed by the Vermont Superintendents Association;

16 (6) a member appointed by the Vermont Independent Schools

17 Association; and

18 (7) a radon mitigation professional certified for testing and mitigation by
19 the National Radon Proficiency Program, appointed by the Director of the
20 Department of Labor's Workers' Compensation and Safety Division.

1 (c) Assistance. The Committee shall have the administrative, technical, and
2 legal assistance of the Agency of Education.

3 (d) Report. On or before December 15, 2019, the Committee shall submit a
4 written report to the House and Senate Committees on Education containing
5 viable options for funding the mitigation of elevated radon concentrations in
6 schools.

7 (e) Meetings.

8 (1) The State Treasurer or designee shall call the first meeting of the
9 Committee to occur on or before September 1, 2019.

10 (2) The Committee shall select a chair from among its members at the
11 first meeting.

12 (3) The Committee shall cease to exist on December 31, 2019.

13 (f) Compensation and reimbursement. Members of the Committee who are
14 not employees of the State of Vermont and who are not otherwise compensated
15 or reimbursed for their attendance shall be entitled to per diem compensation
16 and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than
17 4 meetings. These payments shall be made from monies appropriated to the
18 Agency of Education.

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on July 1, 2019.