

1 Sec. X. 2021 Acts and Resolves No. 74, Sec. E.709.1 is amended to read:

2 Sec. E.709.1 ENVIRONMENTAL CONTINGENCY FUND;

3 POLYCHLORINATED BIPHENYLS (PCBs) TESTING IN
4 SCHOOLS

5 (a) Notwithstanding 10 V.S.A. § 1283, of the funds transferred in
6 Sec. D.101(a) of this act to the Environmental Contingency Fund, the
7 Department of Environmental Conservation, in consultation with the
8 Department of Health and the Agency of Education, shall use up to \$4,500,000
9 to complete air indoor quality testing for Polychlorinated Biphenyls (PCBs) in
10 public schools and approved and recognized independent schools that were
11 constructed or renovated before 1980. All schools subject to this subsection
12 shall test for PCBs on or before July 1, ~~2024~~ 2026. ~~It is the intent of the~~
13 ~~General Assembly to develop additional guidance during the 2022 legislative~~
14 ~~session.~~

15 (b) As part of the school facilities assessment report required under 2021
16 Acts and Resolves No. 72, Sec. 3, On or before January 15, 2023, the Secretary
17 of Natural Resources, after consultation with the Secretary of Education and
18 the Commissioner of Health, shall submit the House Committees on Education
19 and on Natural Resources, Fish, and Wildlife and the Senate Committees on
20 Education and on Natural Resources and Energy the following information
21 addressing the testing of air quality for PCBs in public schools and approved

1 and recognized independent schools that were constructed or renovated before
2 1980:

3 (1) the testing methodology ~~to be~~ used, including where and how
4 samples ~~will be~~ were collected;

5 (2) the standard or action level that will require response from the State
6 or a school when testing indicates the presence of PCBs in a school the results
7 from schools that were tested, any immediate responses that were taken by the
8 school, any planned responses that will take place by a school;

9 (3) who will conduct the testing of schools, including whether the
10 Department of Environmental Conservation will contract with qualified
11 consultants a cost estimate for the work planned to take place for schools that
12 were tested and any cost projections based on the sampling that has taken
13 place;

14 (4) a schedule for testing all remaining schools, including whether
15 testing will occur when students and staff are present in the school;

16 (5) the recommended school response when PCB testing indicates that
17 PCBs are present in the school at levels that exceed the standard or action
18 level; and

19 (6) a proposal for how any required response to the presence of PCBs in
20 a school shall be funded, including any proposed financial assistance from the
21 State to schools to implement a required response.

1 Sec. Y. 2021 Acts and Resolves No. 72, Sec. 3(b) is amended to read:

2 (b) The Secretary of Education shall contract with an independent third
3 party to conduct the inventory and assessment described in subsection (a) of
4 this section. The inventory shall be completed on or before January 15, 2022,
5 and the assessment shall be completed on or before October 1, ~~2022~~ 2023.

6 Sec. Z. 2021 Acts and Resolves No. 72, Sec. 12 is amended to read:

7 Sec. 12. RADON TESTING; SCHOOL FACILITIES

8 (a) On or before June 30, ~~2023~~ 2026, each public school and approved
9 independent school, as defined in 16 V.S.A. § 11, shall perform a radon
10 measurement in accordance with the ANSI/AARST protocol for conducting
11 Radon and Radon Decay Products in Schools and Large Buildings (MALB-
12 2014) on any facility that has not had a test completed in five or more years;
13 provided, however, that any public school or approved independent school that
14 is engaged in implementing an indoor air quality improvement project prior to
15 June 30, 2023 shall perform a radon measurement on or before June 30, 2024.

16 (b) Each public school and approved independent school shall make
17 available the results of the radon measurement described in subsection (a) of
18 this section to each employee and student at the school.