

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, the Secretary of Natural Resources, after  
17 consultation with the Secretary of Education and the Commissioner of Health,  
18 shall submit the the House Committees on Education and on Natural  
19 Resources, Fish, and Wildlife and the Senate Committees on Education and on  
20 Natural Resources and Energy the following information addressing the testing

1 of air quality for PCBs in public schools and approved and recognized  
2 independent schools that were constructed or renovated before 1980:

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

7 (3) who will conduct the testing of schools, including whether the  
8 Department of Environmental Conservation will contract with qualified  
9 consultants;

10 (4) a schedule for testing schools, including whether testing will occur  
11 when students and staff are present in the school;

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

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

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

19 (b) The Secretary of Education shall contract with an independent third  
20 party to conduct the inventory and assessment described in subsection (a) of

1 this section. The inventory shall be completed on or before January 15, 2022,  
2 and the assessment shall be completed on or before October 1, ~~2022~~ 2023.

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

4 Sec. 12. RADON TESTING; SCHOOL FACILITIES

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

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