

Sec. 1. 10 V.S.A. § 1283(g)(3) is amended to read:

(17) "Release" means any intentional or unintentional action or omission resulting in the spilling, leaking, pumping, pouring, emitting, emptying, dumping, or disposing of hazardous materials into the surface or groundwaters, or onto the lands in the State, or into waters outside the jurisdiction of the State when damage may result to the public health, lands, waters, or natural resources within the jurisdiction of the State. “Release” also means the intentional or unintentional action or omission resulting in the spilling, leaking, emission, or disposal of polychlorinated biphenyls (PCBs) from building materials in a building or structure.

Sec. 2. 10 V.S.A. § 6602(17) is amended to read:

(17) "Release" means any intentional or unintentional action or omission resulting in the spilling, leaking, pumping, pouring, emitting, emptying, dumping, or disposing of hazardous materials into the surface or groundwaters, or onto the lands in the State, or into waters outside the jurisdiction of the State when damage may result to the public health, lands, waters, or natural resources within the jurisdiction of the State. “Release” also means the intentional or unintentional action or omission resulting in the spilling, leaking, emission, or disposal of polychlorinated biphenyls (PCBs) from building materials in a building or structure.

Sec. 3. SPECIAL CORRECTIVE ACTION PROCEDURES FOR RELEASES OF  
POLYCHLORINATED BIPHENYLS

(a) Applicability. Except as provided in this Section, investigation and remediation of polychlorinated biphenyls (PCBs) are subject to the Vermont Department of Environmental Conservation’s Investigation and Remediation of Contaminated Properties Rule.

(b) Screening level investigation. On or before August 1, 2026 all schools that were constructed or renovated before 1980 shall conduct a screening level investigation of indoor air in their

school districts, supervisory unions, independent schools, of their buildings for polychlorinated biphenyls (PCBs) in conformance with guidelines adopted by the Department of Environmental Conservation, in consultation with the Vermont Department of Health.

(c) Site investigation and PCB source identification. A school district, supervisory union, or independent school, that has a sampling result that is at or exceeds the 15 ng/m<sup>3</sup> screening value shall conduct a site investigation in accordance with the Vermont Department of Environmental Conservation's Investigation and Remediation of Contaminated Properties Rule to determine where the source of PCB contamination is located. The site investigation report shall also identify location of school that is a source area, the use of that location, the number of students and teachers occupying that location daily, and the length of time that the students are present in that location.

(d) Determination of potential health risks. Based on the site investigation report, the Vermont Department of Health will provide the school with guidance on the potential health effects. The guidance provided by the Department of Health shall be used to evaluate cleanup alternatives and shall be used by the Department of Environmental conservation to determine whether the school has met the requirements for site closure under subchapter 10 of the Investigation and Remediation of Contaminated Properties Rule. The Department of Health may provide its guidance on potential health effects of PCBs in schools by adopting a policy or guidance document to be used by the Department of Environmental Conservation when overseeing the investigation and cleanup.

~~Sec 4. AUTHORIZATION OF POSITION~~

~~The establishment of the following new limited service classified positions is authorized in fiscal year 2022 and shall be transferred and converted from existing vacant positions in the Executive Branch and shall not increase the total number of authorized State positions:~~

~~(1) Department of Environmental Conservation—Environmental Analyst; and~~

~~(2) Department of Health—Risk Assessor.~~

Sec. ~~54~~. EFFECTIVE DATE

This Act shall take effect upon passage.