

1 Sec. X. PCB TESTING AND REMEDIATION IN SCHOOLS

2 (a) If a school is required to test for the presence of polychlorinated
3 biphenyls (PCBs) under 2021 Acts and Resolves No. 74, Sec. E709.1, the
4 Agency of Natural Resources (ANR) shall conduct the testing or pay for
5 testing conducted by the school.

6 (b) It is the intent of the General Assembly, as signified by 2023 Acts and
7 Resolves No. 78, Sec. C.112, that the State of Vermont shall pay for the costs
8 of investigation, remediation, and removal of PCBs at any school where testing
9 under 2021 Acts and Resolves No. 74, Sec. E709.1 exceeded the State school
10 action levels.

11 (c) Beginning July 1, 2024, and every month thereafter, the Secretary of
12 Education shall report to the Secretary of Natural Resources the following
13 information regarding the funds appropriated to the Agency of Education in
14 2023 Acts and Resolves No. 78, Sec. C.112 for grants for investigation,
15 remediation, and removal of PCBs at schools that test at levels exceeding the
16 State school action levels:

17 (1) the amount of the funds that remain for grants to schools;

18 (2) whether the remaining funds are sufficient to fully fund grants to
19 complete investigation, remediation, and removal of PCBs at those schools that
20 test at levels exceeding the State school action levels but that have not received
21 a grant; and

1 (3) when the Secretary of Education estimates the remaining funds will
2 be insufficient to award grants to the remaining schools that will be required to
3 complete investigation, remediation, and removal of PCBs.

4 (d) If the Secretary of Education reports under subsection (c) of this section
5 that there will be insufficient funds for grants to remaining schools for the
6 investigation, remediation, and removal of PCBs, ANR shall cease testing or
7 payment for testing for PCBs under subsection (a) of this section at least 10
8 days prior to the date that the Secretary of Education estimates the remaining
9 funds will be insufficient to award grants to the remaining schools.

10 (e) If a school tested positive for the presence of PCBs in excess of the
11 school action levels and the Agency of Education lacks sufficient funds for a
12 grant for the investigation, remediation, and removal of PCBs in the school, the
13 Secretary of Education shall submit to the House Committees on Education
14 and on Appropriations and the Senate Committees on Education and
15 Appropriations, the amount of funds that the General Assembly should
16 appropriate to the Agency of Education to sufficiently fund investigation,
17 remediation, and removal of PCBs in the school.

18 (f) Notwithstanding subsection (b) of this section and the intent of the
19 General Assembly to pay for the investigation, remediation, and removal of
20 PCBs in schools, the State of Vermont shall not pay for the costs of
21 remediation or removal of PCBs in schools when the remediation or removal is

1 part of a planned renovation or construction project at a school under which the
2 PCBs would be remediated or removed as part of the project.

3 Sec. Y. EFFECTIVE DATE

4 Sec. Y (PCB testing and remediation in schools) act shall take effect on
5 passage.