HAZARDOUS SUBSTANCES:
PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

A. TOXIC HAZARDS

1. These hazards exist in chemicals and other substances used in the school setting, such as laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

2. The superintendent will appoint an employee to serve as Toxic Hazard Preparedness (THP) officer. The THP officer will:

   a. Identify potential sources of toxic hazard in cooperation with material suppliers, who shall supply the THP officer with material safety data sheets (MSDS's);

   b. Ensure that all incoming materials, including portable containers, are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party;

   c. Maintain a current file of MSDS for all hazardous materials present on district property;

   d. Implement and Redesign as necessary a written communication program which:

      (1) Lists hazardous materials present on district property;

      (2) Details those methods used to inform staff and students of the hazards; and

      (3) Describes the methods used to inform contractors and their employees of any hazardous substances to which they may be exposed and of any corrective measures to be employed; and
e. Conduct training programs for all applicable district employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment and the district's plan for communication, labeling, etc..

3. In fulfilling these responsibilities, the THP officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The superintendent may, in his/her discretion, appoint and charge an ad hoc committee of community representatives to assist the THP officer.

C. ASBESTOS

1. In its efforts to comply with the Asbestos Hazard Emergency Response Act (AHERA), Michigan Occupational Safety and Health Act (MIOSHA), and the Asbestos Abatement Contractors Licensing Act, the superintendent or his/her designee shall be responsible to:

a. Inspect all district buildings for the existence of asbestos or asbestos-containing materials;

b. Take appropriate actions based on the inspections;

c. Establish a program for dealing with friable asbestos, if found;

d. Maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos; and

e. Comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

2. The superintendent shall appoint a person to develop and implement the district's asbestos-management program, which will ensure proper compliance with federal and state laws and the appropriate instruction of staff and students.

3. The superintendent shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the district is licensed pursuant to the Asbestos Abatement Contractors Licensing Act.
4. The district may, at its discretion, provide legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of negligence or alleged negligence of those persons responsible for inspecting, monitoring, removing, treating asbestos or material containing asbestos, or supervising these activities, provided the employee was performing the duties while in the course of his/her authority. The district reserves the right to deny representation and indemnification in those circumstances wherein the employee's actions demonstrate gross negligence or willful and wanton misconduct. This policy may apply to work performed by authorized employees prior to the date of its adoption.

LEGAL CITATION:  M.C.L.A. 380.1 to 380.1852, 380.623b, 380.1256
Asbestos Hazard Emergency Response Act (AHERA)

ADMINISTRATIVE REGULATION

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