Environmental Health & Safety

Primary and Secondary Schools––Chapter 246-366A WAC

School Rule Revision Team

Summary Meeting Notes – April 21, 2008

Facilitator: Greg Stack

Team members present:

Julie Awbrey	James Green	Mary Sue Linville	Kathy O'Toole (alternate)
Peter Browning	Linda Hanson	John Mannix	Robert Van Slyke
Eric Dickson	Patricia Jatczak	Craig McLaughlin	Bob Wolpert
Dave DeLong	Gary Jefferis	Marilee Scarbrough	
Ed Foster	Rod Leland	Mark Soltman	

General discussion:
Craig McLaughlin distributed Parking Lot list for review – not for discussion today. Craig asked Team members to get comments to him.

060––General construction requirements:
060(1). Could there be other animals not in this list that might be an issue – should it be more/less/all encompassing? Intent is to generally cover the main pest carriers of zoonotic diseases. Pets are covered in a different section. Add something about remediation of pest damage – requiring proper correction – maybe better in operations and maintenance section. Removal of labs and shops to a separate section is intended to highlight issues for these areas. What does "minimize" mean – would window screens be required? Intent is not to require screening of windows. For design, there are some parts of the building codes that address rodent proof design. Always better to keep them out with design. Add a line to indicate that it doesn't require screening of windows. Also be clear it does not prevent the building of retention ponds or rain gardens. Retention pond might need to be treated to prevent mosquito breeding. Make sure not to conflict with other codes to protect natural areas, buffer zones, retention ponds.

060(2). Issue raised of teachers also being able to see to the outside – sometimes they get stuck in closets. Discussion – that is usually a temporary situation due to growth, collective bargaining usually addresses this at the local level. Concern from local health about this provision not being typical of public health issues dealing with communicable disease. Also concern from school personnel about this section – whether this is related to health. Parking Lot. Clarification asked for this parking lot issue. Many of the existing rule sections cover students and staff, not this particular section. Early rule language development started concept of separation of L&I issues (working conditions) vs health issues for everyone. This section applies only to construction. Craig asked for clarification on desire of group. Group agreed not to Parking Lot issue of daylighting as a general issue – just applicability to staff.

060(4). Why does language in this draft remove the non-slip term regarding stairs? Intent to clarify by focusing on purpose. Hand rail requirement removed because it's in the building code. ANSI/ADA

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standards address slip-resistance. This doesn't conflict with those standards. General agreement on language in this draft.

060(5). Leaves open many options for floor surfaces. Add wood floors into the list. Changed from 2nd draft water impervious carpet backing. Agreement to add water to phrase. Suggestion to recommend against using carpeting in schools. Discussion – some studies show that carpets with very short naps can trap soil and reduce illness. Craig – SBOH is clear that the rule is not to include guidance. Question – is DOH keeping a running list of things to consider adding to the K-12 Guide? Yes.

060(6). Do stored items need to be protected from the elements? Appears to also apply to outdoor storage sheds. Yes. Does this require mechanical ventilation? No. Is this just related to outdoor equipment? Intent is that outdoor only modifies clothing. Rearrange order of words for clarity. Difficulty understanding the health implications of storing instructional equipment, ventilation or lighting needs for some storage. Language is based on the existing rule. Health issues include earthquake safety, minimizing the transfer of parasites on clothing, safety issues with stuff blocking passage. Also, if there is not adequate storage, kids must carry too much weight. The American Pediatrics Association recommends children not carry more than 10% of their body weight. Concern that teachers might interpret this as allowing them to demand that their instructional equipment always be accessible. Craig – this is more about plan review for the LHJ, to recognize issues. They don't require storage of everything, but reasonable interpretation. Language modification – add reasonable as a modifier.

060(7). Second draft language was better, leaves it up to the architect and LHJ to work out. Why does this draft drop specifics of half-walls and lockers? Dropped the specifics because of difficulty with interpretation, but protection is still captured. Leave open to a variety of means of addressing. Discussion about orchestra pits and need for temporary barriers.

060(8). Should wood treated with chromated copper arsenate or creosote be prohibited altogether from new construction? The industry itself stopped producing these materials, but they're still available. Agreement – just prohibit.

060(9). Health rooms are not required. Provisions apply if have one. Having an adjoining restroom to a health room might be difficult. Maybe easily accessible would be better requirement. General agreement that adjoining restroom is common. Is restroom appropriate term – toilet room vs. resting room. Toilet room is a building code term. Restroom is word used with intent that it must contain a handwashing sink as well as toilet. Is the intent that there needs to be a handwashing sink in the health room, even if there is an adjoining toilet room? Yes. Consider changing to match building code language. What does it mean to be able to visually supervise and provide confidentiality? Intent is to require someone to be able to supervise students in the health room, but also provide some privacy. Really talking about privacy, not confidentiality. Group agreement to change word. Nothing in here about security for sharps – if included, would better fit into M&O issues than construction standard. Exhaust ventilation to the outside is required. Definition #22 for mechanical exhaust ventilation requires venting to outside. Provisions in later section address design to not place exhaust near fresh air intake.

Break

065––General operation and maintenance requirements:

065(1). Consider defining "good condition." Very difficult to define. New language – "good repair." This is fairly typical language. Partly it's the inspector's discretion. Generally based on training and experience.

Consider adding requirement for remediation of any damage from pests. Also issue of large amounts of guano. It is not addressed specifically elsewhere in the draft rules. However, "keeping in good condition"

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implies remediation of damage. If language is added, specify response is to remedy potential health impacts. Concern expressed that there are many school districts that don't have a clue about health conditions in their schools, and LHJs that don't have a clue. Rules should be clear and able to educate. Only 9 of 35 LHOs have been conducting routine school inspections. A goal is to get all of them to have programs and a common understanding of meanings. Need training of all LHJs and schools so there is a common understanding. Discussion about adding "promptly remediate" and "health & safety" to give dimension. Remove "promptly" – allow it to be negotiated with the LHO.

065(2). Discussion of suggested language change and being careful to not remove discretion of the local health officer (LHO) to address specific issues. It may be that a screen somewhere is the best and least costly option for solving a problem. Added sentence: "This subsection does not mandate the routine installation of window screens nor does it prohibit the proper operation of retention ponds or rain gardens." Treating a pond for mosquitoes doesn't affect it's installation. Discussion that environmental laws would apply. Craig – federal law trumps state. Public health issues such as West Nile virus would be taken into consideration too. Some jurisdictions have mosquito control districts, which may require treating of retention ponds.

065(3), (4), (5). Discussion about subsections (3), (4), and (5) being vague. Is there a reference to directions for doing this? Consider mentioning material safety data sheets (MSDS) here. Maybe duplicative of L&I. Intent is that subsection (3) can apply beyond the MSDS. The "rehab the lab" program a few years ago demonstrated problems following MSDS. Frequently see that teachers bring in hazardous materials, put under sink, accessible to students. Greg – there seems to be agreement that this subsection is necessary. Prevent unauthorized access and use. General agreement. Discussion about adding a requirement that school districts provide training to staff and whether that would be redundant with L&I requirements. Why is wording changed in this draft from 2nd draft regarding "least hazardous effective" pesticide being dropped? Intent is that subsections (3), (4), & (5) work together to reduce exposure to hazardous materials. Consider adding a subsection (3)(d): "Follow procedures according to the MSDS."

065(4). Consider requiring schools to use integrated pest management (IPM) for public health. Craig – not in draft because legislature heavily discussed IPM requirements for schools this year and seem to have determined the extent this should be taken now. Washington State Department of Agriculture already has rules on pesticide use in schools, but not on IPM, only on notification of use. Parking Lot.

065(5). Does this mean each use must be approved? Craig – intent is that there needs to be an approval process by school officials for chemicals that can be used in school. The intent is to address problems with those things brought into the school by staff. The school needs to decide what is acceptable. Rewording to: "allow only those." There is a training aspect to this – there are other rules relating to training around hazardous material use.

065(6). Change easily to reasonable. Match changes in construction section.

065(7). Parking Lot issue for applying to teachers regarding mental health issues. Many LHOs do not deal with mental health issues, so it seems inappropriately covered in this rule and could make it more difficult for LHOs to accept implementing these rules. Intent is that daylighting has a public health benefit, as well as energy savings. Requirement is in the existing rule and was an early approach to the issue regarding a benefit to general health and well being to be able to see outside. Concern about design flexibility. There are spaces that do not allow views to the outside, not a defined health issue. Whole issue in Parking Lot. If rule does contain this provision, consider language to accommodate students with sensory issues. A student with an IEP plan might need to be an exception. Be careful about eliminating this because 060(2) would then require ability to see outside all the time. The 50% provision allows some use of interior rooms. Generally OK with requirement for students as long as an exception is available when medically contraindicated. Discussion on public health need for daylighting provisions. Craig – there is some research

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on this issue. Craig – 3 Parking Lot issues about daylighting – (a) students & staff equal coverage, (b) delete requirement totally, (c) accommodate for IEPs.

Concern was expressed by team members that decisions would be made without coming back to this group for more discussion. Craig – some of these policy issues are fairly complex, especially the issue of adding staff – and the Board needs to have the discussion. It probably won't happen in this 4 week time frame. A team member expressed an opinion that if it's going to the Board for decision, it should be decided in a public meeting.

065(8). Request to change walk-off mat requirement to when appropriate such as major entrances and not every exterior door. LEEDs/WSSP – uses concept of entry way systems. Intent is to require a relatively cheap way to reduce soil in the building and deal with health issues. They help with maintenance. Intent is to require one at any entrance where people are entering the building but not individual classroom entrances. This depends on situation. General practice is to install walk off mats at all major entry doors, including where children go in and out to the playground, but avoid putting on carpet because of trapping moisture. It takes about 3 strides (10-15 feet) to be effective. They are not real cheap and might need to be cleaned professionally. Add wording: "where appropriate." Most of the older elementary schools with individual doors to the outside could not accommodate a proper walk off mat because not enough space for 3 steps. Craig – if we don't have agreement, it will need to go into the parking lot. Revise wording: "provide walk-off mats at main building entrances and elsewhere as appropriate." Some think it weakens language. Parking Lot. Craig – if it is something that changes intent, or weakens the draft, it must go into Parking Lot. Intent is to require walk-off mats because they improve IAQ. Portables are also an issue – there is only one entrance to a portable, so it would apply. Craig – main doesn't really work – since there is usually more than one entrance frequently used. Change to: "major corridor entrance." Craig will take additional suggestions directly. Still in Parking Lot.

065(9). Water pipe interior coating standards were recommended by School Rule Development Committee. It relates to the process of lining piping to address issues of pipe deterioration or leaching. Standard 61 addresses a variety of related issues. The plumbing code applies this standard. No objection to requiring the standard.

065(10). In the 2nd draft, human exposure to sewage needed to be prevented. Agreement reached to change student to human.

Lunch Break

Proposal to add a subsection to 065 to address stuffed furniture brought into schools by staff. Also consider health issues with plants and animals. Those things are referenced in the K-12 Guide. Language in rule could be enforced. It could strengthen ability to deal with problems identified by LHO. Frequently, concerns related to IAQ can't be enforced. Need tools/guidance to help them. No one spoke against concept. Parking Lot.

070––Moisture Control, mold prevention, and remediation

070(3)(d). Consider changing wording to: "minimize exposure." The word contain came from EPA remediation guide language. Contain might be too prescriptive, there are a number of ways to prevent exposure. Suggested wording: "Minimize exposure to indoor mold spores and fragments until mold remediation is complete using such methods, including, but not limited to, containment and negative pressure." Agreement.

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070(3)(e). Discussion about restricting remediation to materials with visible mold growth. Mold is not always visible and remediation is a different concept from contain. Do you need (e) if have (d)? Mark – (d) doesn't tell you to remediate, only control exposure – wet wall board may have mold growing on the inside. Introductory statement to subsection relates to observable mold, and once you investigate, maybe open the wall, more of it could be visible. Industrial hygienist remediates beyond the moisture meter readings. Also – you have to open up the wall even to dry and might need to treat the entire area. Craig – is there really a problem with the existing language? Agreement that the wording is good.

070(4). Discussion about extending notification requirement to the public who may be using the building? Everyone near the issue should be informed. Maybe require public disclosure, such as putting and ad in the paper. Who would decide that? If it's a major issue, word gets out anyway. Maybe post the door. Craig – expanding notification requirements beyond students, staff, and parents would have to go to the Board. Proponents of issue would support adding posting – as a Parking Lot issue. Where did the 10 ft^2 come from? It comes from EPA mold remediation guide and NY City guidelines. $10ft^2$ in EPA guideline is not really about notification, it is about containment. Parking Lot threshold level for further investigation.

A new subsection 070(5) was proposed to add requirement for drying carpet after wet cleaning – allowing it to dry sufficiently. General agreement. Parking Lot.

080––Safety – Operation & maintenance requirements

080(2)(b). What does exemption of service animals accompanying visitors mean? Service animals can't be outlawed; they all would be an exception. Should the qualifier be eliminated because of ADA? Intent – if service animals regularly accompany student or staff, there needs to be a policy, but if the service animal is incidental – not regularly there - you don't have to have a policy. Would this be an administrative procedure or school board policy? Consider changing policy to procedure to eliminate school board decision requirement. A school board policy is generally brief – directing the administration to develop procedures. Need guidance from the health department on procedures. Parking Lot issue to address whether the rule can direct a school board to develop a policy. Parking Lot – how to address protections for exposure to animals.

090––Heating & ventilation – construction requirements

090(1). Need to define high volume copiers and air contaminants of PH importance. Craig – question is still out there. Newer ones might not produce air contaminants of public health importance. It depends on whether the filters are maintained. Placement where there is exhaust is a construction issue. Are we going to require special rooms? Ozone is a problem if filters clogged. Greg – is there data on these machines? Craig – that's what we're trying to get a handle on – equipment is improving, but application shows problems. Craig cited studies. If the technology improves so that this is no longer necessary – the SBOH to change the rule. Some team member concern the technology is already here for high volume copiers, but it's a maintenance issue. Industrial hygienist – there is no way to eliminate VOCs from laminators. The intent is not to require exhaust each piece of equipment, room could be exhausted. Are there standards (maximum concentrations) for air contaminants of PH importance? Additional issue to defining what they are. Should rule use EPA ambient air quality standards? Check EPA's Tools for Schools guide. Looking for predictability. Comment from one team member that there aren't indoor standards, has looked hard for them. Parking Lot for further investigation. If it's going to be parking lot – look at things taken out of 2nd draft.

090(2). Parking areas raised questions about distance required from air intake. Would this prohibit the use of ground level air intakes? Could spray herbicides/pesticides during non-school hours. Intent is to prevent drawing contaminants into the building. Might be more of an M&O issue than a construction issue. Intent is that design should take these issues into consideration. Consider placement of air intakes. Would like to

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capture a distance, or intent, but hard to make hard and fast rules. Greg – seems to come down to a discussion with the LHO – get the designer/architect to pay attention. Industrial hygienist – agrees, thinks it's fine as written. Agreement on language change.

090(3). Air contaminants; take out "borne" to stay consistent. Might read better if it says: "insulation materials must be designed to accommodate duct cleaning."

090(4). Discussion about clarification. Starting to use a system that puts 100% fresh air into the room, using a heat exchanger, low volume air flow. Not sure that it would be allowed under this ban on open plenums. Agreed that open plenums are not to be used for air being reintroduced into the building – but can be used for open plenum exhaust. Agreed to meaning.

095––Heating and ventilation – operation and maintenance requirements

090(1). Consider adding a maximum temperature. What about other community uses of the building? Concern that requirement does not cover all hours when teachers are working without students. Suggest requiring heat when occupied. Could it say an hour before and after? Problematic for energy conservation. Should include community sponsored events, fee based programs – if renting, should include heat. Craig – would be happy to Parking Lot some of these issues – school-sponsored events, CO2 monitoring, maximum temp – all decisions made already, but willing to take back to the SBOH.

090(2). Consider adding monitoring for CO^2 provision, like in 2nd draft. Parking Lot. Do old schools need to get to this standard? Mark – it's requiring reasonable effort to meet standard. No language objections.

090(4). Re-define air contaminants of PH importance defined. Parking Lot.

090(5). New construction with separate exhaust is something schools can live with, but this is operational for existing schools. Many existing schools lack a separate exhaust for work rooms. Perhaps it should require that they use only machines that are maintained. There are simple ways to exhaust existing machines. Mark – if we rewrite this to address only equipment producing air contaminants – would that address concern? "Restrict use of…to areas with exhaust ventilation."

090(6). Mark – intended to first prevent and then correct if needed. If you know that you're going to be spraying an herbicide, you would need to prevent it being drawn into the building. Take preventive or corrective action when air contaminants of PH importance are drawn or are likely to be drawn into the building or ventilation system. Craig will wordsmith.

Wrap up – will schedule another meeting for DW.

Craig – he's still hearing redundancy, not leaving parking lot issues alone.

Next meeting: April 28 at Federal Way School District Board Room
~ Time change: 9 a.m. – 4 p.m. ~

Parking Lot

General – All provisions for the protection of students should also apply to staff.

060(2) – Add "and staff."

065(7) – Add "and staff."

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065(1) – Define “good condition.”

065(4) – Require schools to follow integrated pest management practices.

065)(7) – Delete entire subsection; if do, then revisit language in 060.

065(8) – Require walk off mats at main building entrances only.

065(12) – Add provision to control staff bringing in old stuffed furniture, plants, and animals.

070(4) – Add the word “posting.”

070(5) – Add provision requiring drying of carpet after wet cleaning.

080(2)(b) – Does SBOH have authority to mandate school boards adopt a policy.
Also, consider the requirement for policy about animals in school along with controlling staff
bringing in animals, plants, and stuffed furniture.

010(2) – Revisit definition of “air contaminants of public health importance.” Consider adding threshold
using either EPA’s ambient air quality standards or EPA’s Tools for Schools.

070(4) – Lower threshold for notification about mold contamination to something less than 10 sq. ft.

095(1) – Add a provision for maximum school temperature.
Also, add provision for carbon dioxide monitoring.

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