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Hazardous Materials

Hazardous materials include any substance or mixture of substances that poses a fire, explosive, reactive or health hazard as more fully defined by law. The Board, through the executive director, shall cause to be created procedures which address the purchase, storage, handling, transportation and disposal of hazardous materials located in the BOCES. Emergency response actions and evacuation plans shall be coordinated with the procedures.

The procedures shall comply with all local, state and federal laws and regulations which pertain to the safe and proper storage, transportation and disposal of hazardous materials.

The goal of the procedures shall be to set into place an ongoing process by which each location in the BOCES may begin a program of identifying and managing potentially hazardous materials. BOCES personnel shall be encouraged to make less dangerous substitutions for hazardous substances to the extent possible.

Appropriate BOCES personnel shall be trained to take precautions to prevent accidents and to handle them in the event they do occur.

It is not the intent of the Board to expand or modify the BOCES's potential liability exposure through the adoption of this policy. The BOCES's voluntary compliance with any statute or regulation to which it is not otherwise subject shall not be construed to create or assume any potential liability under any local, state or federal law or regulation.

(Adopted April 25, 2016)

LEGAL REFS.: 42 U.S.C. §6901 (1982 & Supp. III 1985) *(Resource Conservation and Recovery Act (RCRA) and accompanying regulations)*
42 U.S.C. §9601 (1982 & Supp. IV 1986) *(Comprehensive Environmental Response Compensation and Liability Act (CERCLA) and accompanying regulations)*
49 U.S.C. 1801 *(Hazardous Materials Transportation Act)*
C.R.S. 13-21-108.5 *(persons rendering assistance relating to discharge of hazardous materials immune from civil liability)*
C.R.S. 24-10-106.5 *(duty of care in Colorado Governmental Immunity Act)*
C.R.S. 25-15-101 *et seq. (state hazardous waste management program)*
C.R.S. 29-22-101 *et seq. (hazardous substance incidents)*
C.R.S. 42-20-101 *et seq. (Hazardous Materials Transportation Act of 1987)*
[6 CCR 1010-6 (department of public health and environment rules governing schools)]