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Key Potential Violations of Federal EPA Regulations at K-12 Schools

The Environmental Protection Agency (EPA) Region 2 Office (serving NJ, NY, PR, US Virgin Islands and seven Tribal Nations) has developed guidance to assist K-12 schools comply with environmental regulations. The following is a list of key potential violations of federal EPA regulations at K-12 schools. This list, developed by EPA Region 2, does not represent all possible violations of federal EPA regulations at schools. Additional and more stringent federal, state, local and tribal environmental regulations may also apply to K-12 schools.

For additional tools to promote compliance at K-12 schools, visit EPA's Healthy School Environment Resources Web site at: <http://cfpub.epa.gov/schools/index.cfm>

Asbestos Violations

- Failure to develop and maintain an up-to-date Asbestos Management Plan - a Plan is required even if the school is asbestos-free
- Failure to maintain copies of the Asbestos Management Plan in both the Local Education Agency's and the schools's administrative offices
- Failure to notify parent, teacher and employee organizations at least once a year about the availability of the Asbestos Management Plan for review and maintain a copy of the notification in the Plan
- Failure to describe in the Asbestos Management Plan the steps taken to notify workers and building occupants, or their legal guardians, about asbestos-related activities at least once each school year
- Failure to appoint a Designated Person to oversee asbestos-related activities and ensure compliance with AHERA
- Failure to provide asbestos training to custodial and maintenance staff
- Failure to identify all locations of suspected asbestos-containing building materials
- Failure to take and analyze bulk samples
- Failure to conduct six-month periodic surveillance
- Failure to conduct triennial reinspections
- Failure to post warning labels in routine maintenance areas (e.g., boiler rooms)
- Failure to notify EPA of any renovation or demolition involving removal or disturbance of asbestos-containing materials greater than 160 square feet or 260 linear feet
- Failure to use properly trained and accredited asbestos personnel

Chlorofluorocarbon (CFC) Violations

- Failure to have all air conditioning units and refrigeration equipment serviced by certified personnel to handle and recover chlorofluorocarbon (CFC) refrigerants

Combustion Source Violations

- Failure to obtain, if applicable, a permit for combustion products from boilers
- Failure to notify and report the installation of new boilers greater than 10 million BTUs/hour

Hazardous Waste Violations

- Failure to make proper hazardous waste determinations
- Failure to provide proper labeling on hazardous waste containers
- Failure to keep hazardous waste containers closed when not in use
- Failure to keep incompatible wastes segregated
- Failure to properly manage and dispose of hazardous wastes (don't throw down the drain or in the garbage)
- Failure to use hazardous waste manifests

Oil Storage Tank Violations

- Failure to monitor underground storage tanks
- Failure to upgrade/replace/close underground storage tanks by 12/22/98
- Failure to provide secondary containment for an aboveground oil storage tank holding more than 1,320 gallons
- Failure to have a Spill, Prevention, Control, and Countermeasures (SPCC) plan in place for an aboveground oil storage tank holding more than 1,320 gallons
- Failure to annually file a Tier 2 chemical inventory information form under the Emergency Planning and Community Right to Know Act (EPCRA) with the local fire department, the Local Emergency Planning Commission, and the State Emergency Response Commission for aboveground and underground oil storage tanks holding more than 1320 gallons

Underground Injection Control Violations

- Cesspools (no septic tank, only a leaching pit) that serve 20 or more persons are banned
- Failure to have septic systems (includes septic tank) inventoried and authorized to operate if they serve 20 or more persons and discharge to a leach field or to a cesspool/leaching pit
- Failure to have outdoor storm water drains that discharge to a drywell(s) inventoried and authorized to operate
- Failure to inventory any shop or laboratory drain that discharges to a drywell, septic system or leach field and obtain a permit, if applicable, to continue operation

Pesticide Violations

- Failure to apply pesticides in accordance with label instructions. For most commercial pesticides, the instructions include application by a certified applicator, under appropriate weather conditions, and with certain reporting.

Polychlorinated Biphenyls (PCBs) Violations

- Failure to properly manage PCB oil or PCB contaminated wastes, including but not limited to, compliance with marking, record keeping, storage, inspection and proper disposal requirements. If a school owns an electrical transformer or a large electrical capacitor, these may contain PCB oil. PCBs may also be found in older (pre-1980) fluorescent light ballasts, and can become an issue if the ballasts are leaking.