

# **Safe and Responsible Siting of Public Schools in Rhode Island – Environmental Cleanup Objectives for Schools H 7412 and S 2277**

## **Synopsis of the bill**

This bill would do two things:

- 1) Prohibit school construction on contaminated sites where there is ongoing potential for vapor intrusion
- 2) Require municipalities to create and oversee a public process—including creating a written report, hosting a public meeting, and addressing public comments—when a school is proposed to be built on any other type of contaminated site

## **Background**

Rhode Island's industrial history has left our state with a legacy of contamination that continues to pose significant health risks, especially, but not exclusively, in our urban centers. This is particularly true in the case of vapor intrusion, which is the process by which volatile chemicals polluting land and groundwater can migrate their way – in the form of vapor – into buildings through cracks and holes in the building's foundation. These volatile chemicals are often left over from manufacturing, landfill, and other industrial processes.

Over the past 15 years, there have been 3 cases of new public schools in Rhode Island being built on contaminated land where there is an ongoing potential for vapor intrusion – two in Providence, and one in Woonsocket. In order to protect students and staff from possible exposure to these airborne chemicals, very expensive equipment and expensive ongoing monitoring of both the equipment and school itself are needed. There is also the risk that this type of equipment can break down, creating health risks to students and workers at the school.

## **Why this bill is a good idea**

### **Prohibiting Schools On Vapor Intrusion Sites Is Fiscally Responsible**

The costs to prevent exposure to these toxics fall onto the shoulders of taxpayers. An active subslab depressurization system, which makes buildings on vapor intrusion sites safe, requires at least a \$75,000-\$100,000 initial investment and an average of \$20,000 each subsequent year for ongoing indoor air testing. That is money that could be better spent on improving our public schools and providing a quality education to our state's youth. In addition, ongoing monitoring by the RI Department of Environmental Management is also required. Adding more schools to the list of schools that taxpayers have to pay for and that RIDEM needs to monitor is a bad idea at a time when school districts can barely afford the basics to educate our kids and the state is strapped and cutting resources from state agencies.

### **Public Involvement and Transparency Are Key to Good Decision-Making**

While not prohibiting the construction of schools on any other contaminated site, this bill would create a public process whenever a contaminated site is being considered for a school and require that the municipality consider viable alternatives to the contaminated site. Ensuring transparency in decision-making and addressing concerns from the public upfront by allowing public comment and demonstrating how the municipality has taken these comments into consideration in order to make the final decision will reduce conflict and potential delays down the road. If the contaminated site is ultimately selected, public involvement will also inform the final remediation plan, making the initial remediation and its long-term maintenance more effective.

### **Consistency with RI Department of Education School Construction Regulations**

Adopted in 2007, RIDE's School Construction Regulations specify that sites where schools are built shall be "free of contamination". However, they do not specify that schools shall be prohibited from being built on contaminated sites that have been remediated. This bill builds on RIDE's regulations by creating the public involvement process and prohibiting schools from certain sites that require overly-expensive monitoring and long-term maintenance.