

**ENVIRONMENTAL  
HEALTH  
and  
SAFETY ISSUES  
IN SCHOOLS**

A Resource Handbook

**NEW JERSEY SCHOOL  
BUILDINGS AND GROUNDS  
ASSOCIATION**

**UPDATED FEBRUARY 2011**

## **TABLE OF CONTENTS**

<b>ACID WASTE TANKS – OIL INTERCEPTORS</b>	<b>3</b>
<b>AMERICANS WITH DISABILITIES ACT</b>	<b>4</b>
<b>AHERA - ASBESTOS</b>	<b>5</b>
<b>BACKFLOW PREVENTION TESTS</b>	<b>6</b>
<b>BLOODBORNE PATHOGENS</b>	<b>7</b>
<b>BLEACHER INSPECTIONS</b>	<b>8</b>
<b>BOILER LAWS</b>	<b>9</b>
<b>CEILING INSPECTIONS</b>	<b>11</b>
<b>CHEMICAL HYGIENE PLAN</b>	<b>12</b>
<b>CONFINED SPACE</b>	<b>13</b>
<b>ELECTROMAGNETIC FIELDS</b>	<b>14</b>
<b>ELEVATOR REGISTRATION/INSPECTION</b>	<b>15</b>
<b>EMERGENCY GENERATORS</b>	<b>16</b>
<b>EMERGENCY RESPONSE PLAN</b>	<b>18</b>
<b>FIRE DRILLS</b>	<b>19</b>
<b>FIRE EXTINGUISHERS</b>	<b>20</b>
<b>FIRE INSPECTIONS</b>	<b>21</b>
<b>FIREPROOF STAGE CURTAINS</b>	<b>22</b>
<b>FLUORESCENT BULB DISPOSAL</b>	<b>23</b>
<b>FOLDING DOOR INSPECTIONS</b>	<b>24</b>
<b>GREASE TRAP INTERCEPTORS</b>	<b>25</b>
<b>GREEN SEAL CERTIFIED CLEANING</b>	<b>26</b>
<b>HAZARDOUS WASTES</b>	<b>27</b>
<b>HEALTH INSPECTIONS</b>	<b>29</b>
<b>INDOOR AIR QUALITY</b>	<b>30</b>
<b>INTEGRATED PEST MANAGEMENT</b>	<b>32</b>
<b>KITCHEN HOODS</b>	<b>33</b>
<b>LEAD AND COPPER RULE</b>	<b>34</b>
<b>LEAD IN PAINT</b>	<b>35</b>
<b>LOCK OUT/TAG OUT</b>	<b>36</b>
<b>MERCURY VAPOR BULBS</b>	<b>37</b>
<b>NJ ADMINISTRATIVE CODE EDUCATION FACILITIES</b>	<b>38</b>
<b>NJ WORKER &amp; COMMUNITY RIGHT TO KNOW</b>	<b>41</b>
<b>NOISE POLLUTION</b>	<b>42</b>
<b>PEOSH</b>	<b>43</b>
<b>PLAYGROUND SAFETY</b>	<b>45</b>
<b>POLYCHLORINATED BIPHENYLS (PCBs)</b>	<b>46</b>
<b>RADIUS (Stack Regulations)</b>	<b>47</b>
<b>RADON</b>	<b>48</b>
<b>RECYCLING</b>	<b>50</b>
<b>REFRIGERANT RECYCLING</b>	<b>51</b>
<b>REGISTERED MEDICAL WASTE</b>	<b>52</b>
<b>SEPTIC TANK MAINTENANCE</b>	<b>53</b>
<b>SEWERAGE TREATMENT PLANTS</b>	<b>54</b>
<b>SEXUAL HARASSMENT</b>	<b>55</b>
<b>SPRINKLER INSPECTIONS</b>	<b>56</b>
<b>UNDERGROUND STORAGE TANKS</b>	<b>57</b>
<b>VEHICLE IDLING</b>	<b>58</b>
<b>WATER TEST FOR SCHOOL OPERATED SYSTEM</b>	<b>59</b>
<b>NEW LEGISLATION ON THE HORIZON TO WATCH OUT FOR</b>	<b>60</b>

## **ACID WASTE TANKS / OIL INTERCEPTORS**

The EPA/CWW imposes strict limits on the concentrations of a range of hazardous substances in water run down sinks and floor drains.

### **ACID WASTE TANKS**

For years, limestone has been the treatment choice for laboratories. Limestone is an excellent neutralizer and is still common in small systems. In large systems, the long retention time requires large tanks with huge quantities of limestone and the weight of the limestone and bulky packaging makes the maintenance and replacement time consuming and expensive. Limestone reacts with the acid to form a salt sludge and over a period of time will disappear into the sewer. Open up a limestone tank at any high school, and you will probably find it empty. The tank becomes a dilution system once the limestone is consumed, and the acid waste remains untreated and flows directly to the sanitary sewer.

#### **Disposal of hazardous substances down sinks**

In essence, no waste (except wash water) should be run down sinks and drains. Where toxic substances are involved, even contaminated wash water may need to be collected and disposed by contractors. Where contamination is present, personal protective equipment suitable to the type of contaminant should be available and used at all times.

**Maintenance must be completed as per manufacturer's recommendations.**

### **OIL INTERCEPTORS**

Oil interceptors operate on a gravity principle. That is, oil is lighter than water and will rise to the surface (static water level) inside of the interceptor as long as it has had enough time to stagnate. (This is related to proper sizing of the oil interceptor). The baffles inside the interceptor act to slow the water down and the holding capacity of the interceptor permits water to accumulate before exit to the sewer line. The time the water rests inside of the interceptor is "retention time" and is crucial to the proper performance of the interceptor because it gives time for the water to stagnate and for the oil to rise to the surface. Installed 1/8" above the static water line is an "adjustable draw-off valve". This valve is designed to skim the oil rising to the surface inside of the interceptor. The oil is "drawn-off" from the interceptor to a separate holding tank.

**Maintenance must be completed as per manufacturer's recommendations.**

# **AMERICANS WITH DISABILITIES ACT**

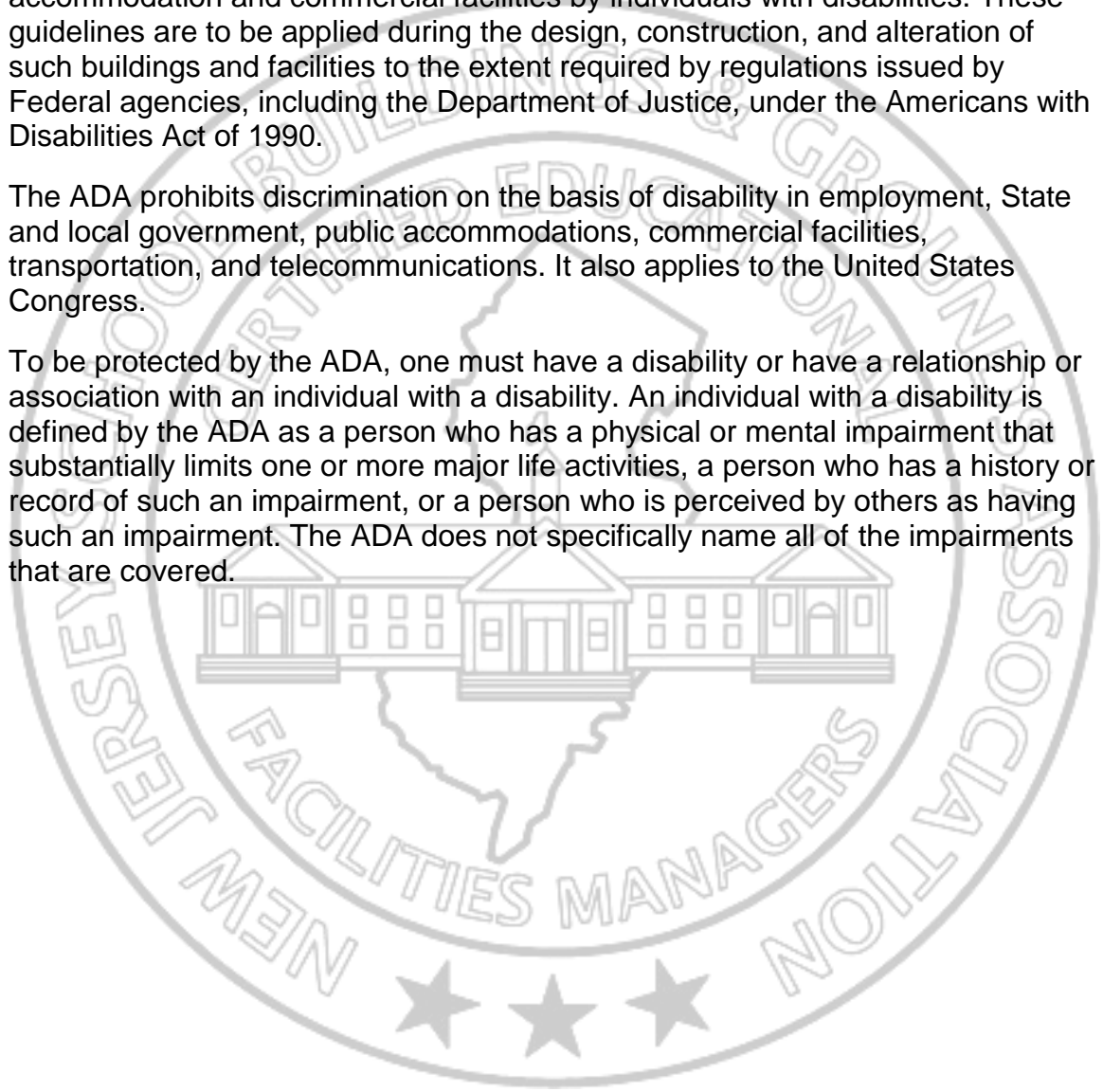
## ADA STANDARDS FOR ACCESSIBLE DESIGN

Citation: 28 CFR Part 36, revised July 1, 1994

This document sets guidelines for accessibility to places of public accommodation and commercial facilities by individuals with disabilities. These guidelines are to be applied during the design, construction, and alteration of such buildings and facilities to the extent required by regulations issued by Federal agencies, including the Department of Justice, under the Americans with Disabilities Act of 1990.

The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.



# **AHERA**

## **Citation**

*Asbestos Hazard Emergency Response Act (A.H.E.R.A.)*, Federal Register: February 25, 1987; 40 CFR 763 Subpart G; N.J.A.C. 5:23-8, Subchapter 8 (Asbestos Hazard Abatement Subcode)

## **Synopsis**

AHERA (Asbestos Hazard Emergency Response Act) is a federally mandated program, signed into law in 1986, that was designed to provide a comprehensive framework for addressing asbestos problems in public, private, elementary and secondary schools. Asbestos is a versatile mineral that was used extensively in the past in building materials and automatic brake parts due to its qualities of heat resistance and noise reduction. However, those positive characteristics are now totally outweighed by the negative outcomes: exposure to asbestos causes lung diseases in the forms of asbestosis, lung cancer and mesothelioma.

AHERA requires the initial development and adoption of an asbestos inspection and management plan, commonly referred to as the Management Plan. This plan locates and shows the condition of any asbestos-containing building materials (ACBMs) along with records of any abatement programs and/or fiber releases. Following adoption of the initial Plan, all school districts must conduct formal re-inspections every three years, along with six-month periodic surveillance, and must maintain appropriate records of these inspections.

In addition to these requirements, new potentially-exposed employees must receive training within 60 days of being hired, and all potentially-exposed employees must be re-trained annually. School districts must also provide information to all employees on ACBMs and prepare notifications to be given to all contractors of their location and condition as well.

## **Regulating Agency/Contact Person**

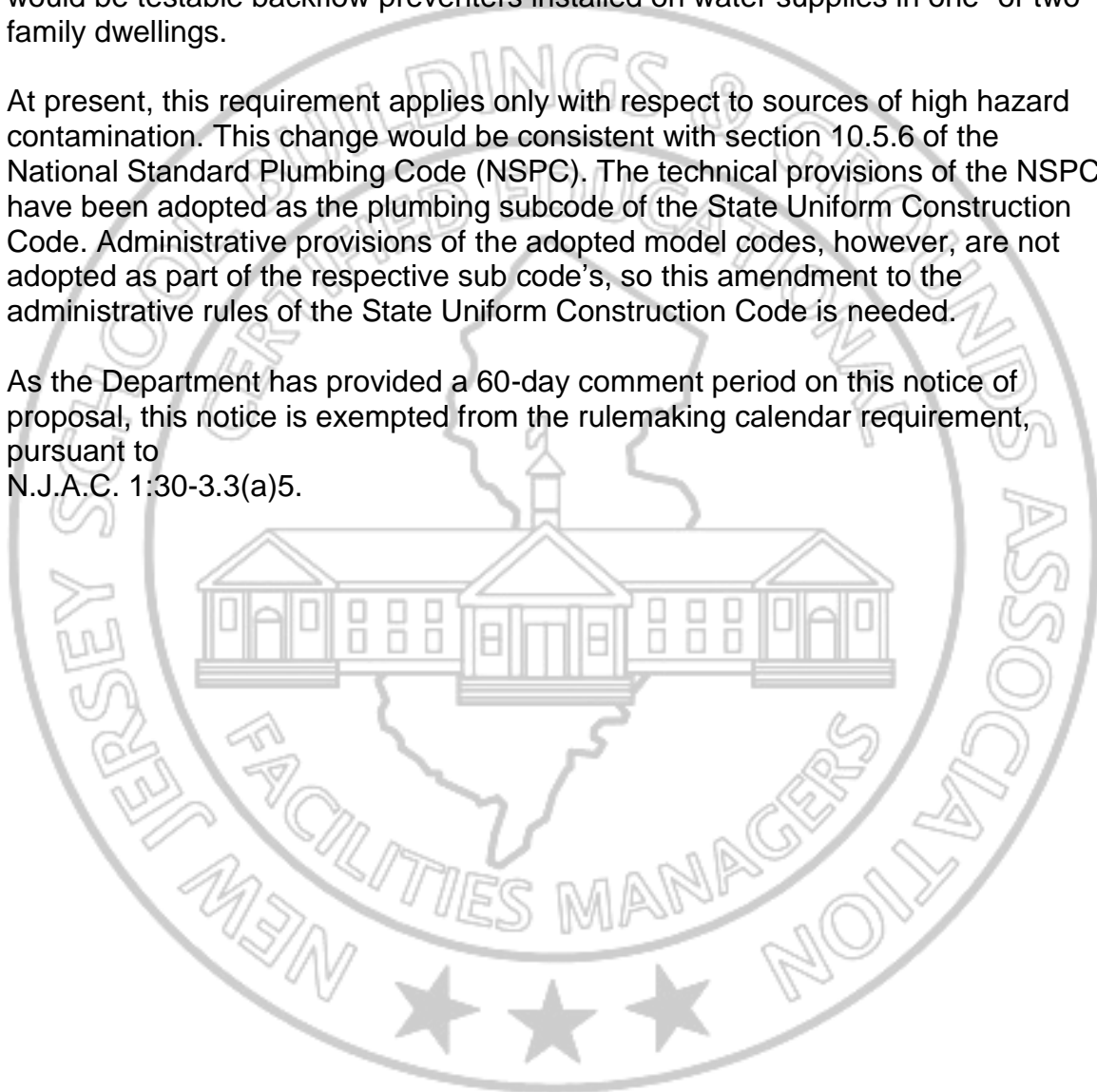
Environmental Protection Agency, Region II  
Robert Fitzpatrick  
290 Broadway  
New York, NY 10007-1866  
(212) 637-4042

## **BACKFLOW PREVENTION TESTS**

This proposed amendment to N.J.A.C. 5:23-2.23(l) would require that backflow Preventer's that are designed to be tested and used to isolate sources of contamination, as defined in the plumbing subcode, be tested at least once every 12 months in order to receive a certificate of compliance. The only exception would be testable backflow preventers installed on water supplies in one- or two-family dwellings.

At present, this requirement applies only with respect to sources of high hazard contamination. This change would be consistent with section 10.5.6 of the National Standard Plumbing Code (NSPC). The technical provisions of the NSPC have been adopted as the plumbing subcode of the State Uniform Construction Code. Administrative provisions of the adopted model codes, however, are not adopted as part of the respective sub code's, so this amendment to the administrative rules of the State Uniform Construction Code is needed.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is exempted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.



# **BLEACHER INSPECTIONS**

## **QUESTIONS ABOUT BLEACHER INSPECTIONS**

Are there any printed requirements for bleacher inspections? YES

Consumer Products Safety Commission  
NFPA 102; Section 4.5.1  
Americans with Disabilities Act

Has the State of NJ adopted either of the guides as Law? NO

Should you be inspecting bleachers for safety concerns? YES

## **YOUR INSURANCE COMPANY SURE HAS A POLICY!**

The simple answer YES to inspections of interior and exterior bleachers should be SELF EXPLAINITORY.

Everyone should have a plan in place to address bleacher conditions, including;

- Periodic inspections for damage
- Visual identification of missing structural components
- Maintenance (tightening bolts, replacing end caps, handrails, cleaning)
- Repairs and Retrofits
- Overall Integrity of bleachers

## **HOW TO PROCEED**

1. Inventory and Identify all bleachers.
2. Perform inspections.
3. Attempt to identify manufacturer of the bleachers.
4. Repair ant obvious deficiencies, missing and broken parts.
5. Establish records of each bleacher including;
  - a. Manufacturer
  - b. Date purchased
  - c. location
  - d. maintenance and inspection history
6. For Portable Bleachers, establish STANDARD OPERATING GUIDES for the relocation of bleachers following manufacturer guidelines.
7. Establish a budget to replace non-compliant bleachers.
8. Develop a specification to give to prospective vendors for the inspection services and report.
9. Act on the recommendations and document your response.

# **BLOODBORNE PATHOGENS**

## **Citation**

OSHA Bloodborne Pathogens Standard, Title 29 Code of Federal Regulations 1910.1030

## **Synopsis**

A local Board of Education is committed to provide a safe and healthful work environment for the entire staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) must be provided to eliminate or minimize occupational exposure to bloodborne pathogens. The ECP is a key document to assist the local Board of Education in implementing and ensuring compliance with the Standard. The ECP is generally developed by a school official in close cooperation with school nursing staff and the school medical officer. It will include:

1. A determination of potentially-exposed employees;
2. Procedures for evaluating the circumstances surrounding an exposure incident;
3. The schedule and method for implementing specific requirements of the Standard, including:
  - Methods of compliance
  - Hepatitis B vaccinations and post-exposure follow-up
  - Training and communication of hazards to employees
  - Recordkeeping

## **Regulating Agency/Contact Person**

New Jersey Department of Health  
1-800-909-SHOT

# **BOILER LAWS**

## **Citation:**

N.J.A.C. 12:90-3.3	Equipment Requires Licensing
N.J.A.C. 12:90-3.5	Licenses For Low Pressure Boilers
N.J.A.C. 12:90-3.10	Duties Of Licensed Persons
N.J.A.C. 12:90-4.10	Inspection of Boilers

## **Synopsis:**

- A. All steam or hot water boilers or similar equipment potentially capable of generating steam as described in 12:90-4.10(b) shall be inspected and be subjected to a hydrostatic test, if necessary, at least once a year at 12 month intervals. This inspection shall be a complete internal and external inspection, as construction conditions will permit. All hot water heating boilers shall be inspected externally every 12 months.
- B. Equipment requiring inspection is outlined in section 12:90-4.10 (b), (d), (e), and (f).
- C. No person shall operate boiler equipment without the appropriate licenses as specified in NJAC 12:90-3.4 through 3.8. A boiler operator is required to be on site for an occupied building. An occupied building means a building that is occupied by persons other than custodial or security personnel. A building is not deemed to be occupied solely on the basis of attendance by custodial or security personnel.
- D. Each licensed person shall remain on the premises and shall determine how long he/she can stay away from equipment and not jeopardize the safe operation of a low pressure-heating boiler.
- E. The length of time during which a licensed person can be away from the equipment varies according to its nature, size and load conditions. AT THE MINIMUM, the operator shall monitor the conditions of the boiler plant AT LEAST ONCE EVERY TWO HOURS, consistent with the requirements set forth in N.J.A.C.12:90-3.3(a)2.
- F. A boiler operator's log shall be maintained in each plant containing over 100 HP. Every operator on the shift shall review the log and at the end of each shift sign the log. All logs shall include the;
  - DATE
  - NAME OF OPERATOR(S) ON DUTY
  - TIME OF RELIEFAny personnel that are training to obtain their license under the requirements of N.J.A.C.12:90-7.4 shall include within the log the actual

time spent as a trainee. When the operator of a low pressure plant is not in the boiler room as permitted, the operator shall indicate in the log, periodic tours of the boiler plant as required by the law.

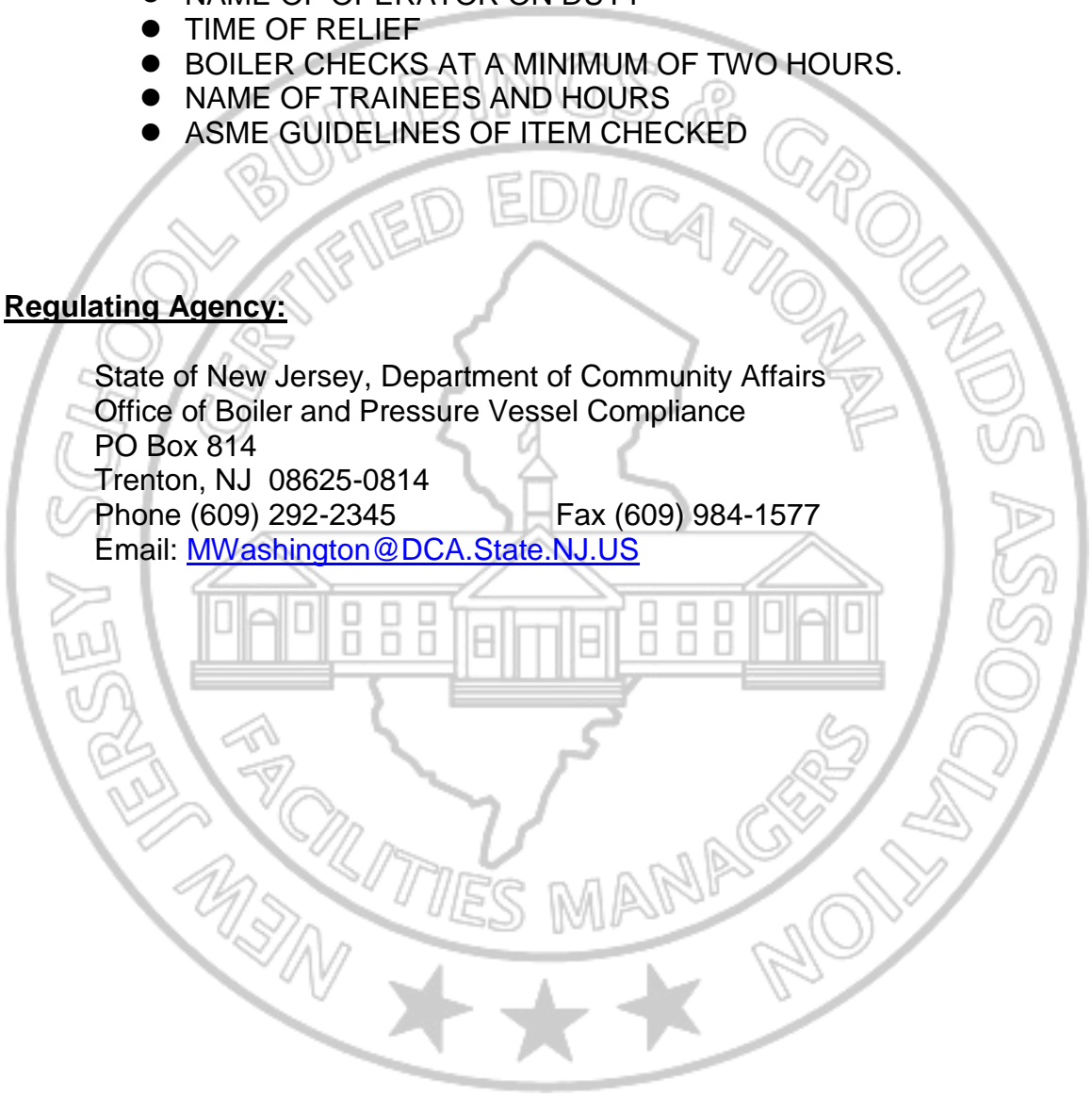
### **Hard bound Log Books Required**

ALL LOGS SHALL INCLUDE:

- NAME OF OPERATOR ON DUTY
- TIME OF RELIEF
- BOILER CHECKS AT A MINIMUM OF TWO HOURS.
- NAME OF TRAINEES AND HOURS
- ASME GUIDELINES OF ITEM CHECKED

### **Regulating Agency:**

State of New Jersey, Department of Community Affairs  
Office of Boiler and Pressure Vessel Compliance  
PO Box 814  
Trenton, NJ 08625-0814  
Phone (609) 292-2345 Fax (609) 984-1577  
Email: [MWashington@DCA.State.NJ.US](mailto:MWashington@DCA.State.NJ.US)



# **CEILING INSPECTIONS**

## **Citation**

None.

## **Synopsis**

A memo dated June 17, 1977 was issued to school officials urging them to examine plaster ceilings. On July 2, 1984, a subsequent memo was issued by Vincent Calabrese, then Assistant Commissioner of the Division of Finance, New Jersey Department of Education, again advising County Superintendents to recommend that school officials within their jurisdiction regularly inspect all ceilings with nailed-down plaster and lath construction. Particular attention was to be given to buildings over fifty years old.

The Bureau of Facility Planning, now operating within the New Jersey Division of Community Affairs, continues to recommend periodic inspection on a voluntary basis.

## **Regulating Agency/Contact Person**

Since there is no specific requirement, there is no regulating agency. Individuals with questions about ceiling inspections should contact the Bureau of Facility Planning at (609) 633-7400.

# **CHEMICAL HYGIENE PLAN**

## **Citation**

29 CFR 1910.1450

## **Synopsis**

The Chemical Hygiene Plan details standard procedures to follow for the use of chemicals in school laboratories. The Plan must be incorporated into the Board's Policy Manual.

The following areas are covered by the Plan:

1. Accidents or spills
2. Routine exposure avoidance
3. Choice of chemicals
4. General laboratory behavior
5. Equipment and glassware
6. Pipefitting routines
7. Untended operations
8. General housekeeping
9. Personal protective equipment
10. Use of fume hoods
11. Chemical waste disposal
12. Electrical apparatus
13. Fire and explosion procedures
14. Low and high pressure operations
15. Bacterial safety procedures

## **Regulating Agency/Contact Person**

New Jersey Department of Health

# CONFINED SPACE

Citation: OSHA 29 CFR 1910

- **A confined space is any space:**
  - that has limited or restricted means of entry or exit;
  - is large enough for a person to enter to perform tasks,
  - is not designed or configured for continuous occupancy.
- A utility tunnel, the inside of a boiler (only accessible when the boiler is off), the inside of a fluid storage tank, a septic tank that has contained sewage, and a small underground electrical vault are all examples of confined spaces.
- In the U.S., entry into permit-required confined spaces must comply with regulations promulgated by the Occupational Safety and Health Administration. These regulations include developing a written program, issuing entry permits, assigning attendant(s), designating entrants, and ensuring a means of rescue.
- According to Occupational Safety and Health Administration, a permit-required confined space (permit space) has the three characteristics listed above (which define a confined space) and one or more of the following:
  - Contains or has the potential to contain a hazardous atmosphere
  - Contains a material that has the potential for engulfing the entrant
  - Has an internal configuration that might cause an entrant to be trapped or asphyxiated by inwardly converging walls or by a floor that slopes downward and tapers to a smaller cross section
  - Contains any other recognized serious safety or health hazards.
- In addition to the hazards posed by the design of the space, work activities can also pose serious safety hazards (heat, noise, vapors, etc.) that must be taken into account when identifying safety measures that must be taken.

# **ELECTROMAGNETIC FIELDS**

## **Regulating Agency**

The New Jersey Department of Environmental Protection  
Trenton, NJ 08625

## **Synopsis**

Electromagnetic fields are physical phenomena, invisible lines of force that occur when electricity is present. The fields surround any wire conducting electricity and are produced in all electrical tools, household appliances, power lines and household wiring. The Electromagnetic Fields (EMF) fall off rapidly in strength when the distance from the source increases.

The term Electromagnetic Field typically refers to “electric” and “magnetic” fields at “extremely low frequencies” (ELF) such as would be associated with the use of electric power.

*We are all exposed to Electromagnetic Fields (EMF), whether we are at work, at home, or at school. The generation, transmission and use of electricity produce the electric and magnetic fields. Several studies have indicated that there is a possible link between exposure to EMF's and cancer such as leukemia and brain cancer. At this time research is inconsistent and additional information is required to determine the EMF affect on human health.*

## **Contacts**

Web: [www.state.nj.us/health/](http://www.state.nj.us/health/)  
County Health Departments (as listed below)  
Local Utility Company  
Local Department of Health  
National Institute for Occupational Safety and Health  
National Institute of Environmental Health Sciences  
United State Department of Energy

# **ELEVATOR REGISTRATION AND INSPECTION**

## **Code Citations:**

Failure to comply with the administrative code N.J.A.C. 5:23-2.31, may subject you to a **penalty of up to \$500 per violation / per week**. Failure to comply with the technical requirements N.J.A.C. 5:12 may result in **penalties of up to \$500 per week**.

## **Synopsis/Timelines:**

Regulations (N.J.A.C. 5:23) were adopted on July 1, 1991 pursuant to the authority of the Uniform Construction Code Act (N.J.A.C. 52:27d-119 et seq.) which requires the registration, periodic inspection and maintenance of elevator devices. Periodic inspection is required two times a year, one routine (walkthrough) inspection, and one annual inspection and test. Municipalities can choose either the State (DCA), or a local or third party to inspect elevators in the community and your school. Check with the DCA or your municipal code office, to determine who would inspect your elevator.

Pursuant to N.J.A.C. 5:23 – 12.1, an elevator device is defined as a “hoisting and lowering device equipped with a car or platform which moves in guides for the transportation of individuals or freight in a substantially vertical direction through successive floors, raising or lowering passengers, or, a type of passenger carrying device on which passengers stand or walk, and in which the passenger carrying surface remains parallel to its direction of motion, and is uninterrupted.” This includes without limitations, elevators, escalators, moving walks, dumbwaiters, wheelchair lifts, manlifts, stairway chair lifts, and any device within the scope of ASME A17.1 (Safety Code of Elevators and Escalators) or ASME A90.1 (Safety Standard for Belt Manlifts).

For Construction of new elevators, a permit must be secured from your local elevator subcode official.

## **Regulating Agency:**

State of New Jersey, Department of Community Affairs Division of Codes and Standards, Bureau of Code Services

Elevator Safety Unit

CN 816

Trenton, N.J. 08625-0816

Contact Person: Richard Z. Osworth, Chief

Paul Sachdeva, Manager

Phone Number: 609-984-7833

FAX Number: 609-984-7952

# **EMERGENCY GENERATORS**

## **Purpose:**

Identify the Air Quality Forecast to determine if Emergency Generator can or can not be used *for normal testing/maintenance* on a specific day.

## **IMPORTANT NOTE:**

**EMERGENCY GENERATORS CAN BE USED WHENEVER  
NEEDED FOR TRUE EMERGENCIES,  
REGARDLESS OF THE AIR QUALITY.**

The procedures below apply only *to normal testing and maintenance* usage. They do not apply to *emergency* usage.

## **Background:**

Emergency Generators might not be allowed to operate for normal testing/maintenance on a certain day, depending on New Jersey's Air Quality for that day, in accordance with the Department's rules at N.J.A.C. 7:27-19.2(d).

New Jersey's Air Quality is based on the National Air Quality Index System, which looks at 5 major pollutant levels currently in the air, compares those pollutant levels to established health standards, and then gives the air a current rating (or grade), such as "good" or "unhealthy." The prohibition from testing/maintaining Emergency Generators on certain days is designed to:

- ensure that NJ's air quality does not get worse on those days with unhealthful air, and
- help protect the public health from the harmful effects of unhealthy air.

## **Procedure:**

Check the air quality forecast before using the Emergency Generator for normal testing/maintenance, using either "A" or "B" below, whichever is more appropriate:

**A. Same day the emergency generator will be used for normal testing/maintenance**

- At anytime on the same day the emergency generator will be used for normal testing/maintenance, go to:

- **AIR QUALITY FORECAST**

- Read the "Forecast" column for today's date.
- If this column lists the air quality *anywhere* in NJ as Unhealthy for Sensitive Groups, Unhealthy, Very Unhealthy, or Hazardous, then testing/maintenance

**CAN NOT be done today.**

- Reschedule testing/maintenance for another day.
- Remember to re-check the Air Quality Forecast on that rescheduled testing day, and on any other day that the Emergency Generator will be used for normal testing/maintenance.

**B. Day before the emergency generator will be used for normal testing/maintenance**

- Only after 5:00 pm on the day before the emergency generator will be used for normal testing/maintenance.

# **EMERGENCY RESPONSE PLAN**

## **Citation:**

Occupation Safety and Health Act (29 CFR 1910)  
Public Employees Occupation Safety and Health Act (PEOSHA) 1989  
Guidelines for Occupational Safety and Health Programs (PDF, 69KB)

## **Synopsis:**

- A. An Emergency Response Plan (ERP) must be developed and implemented prior to the commencement of emergency response operations. It must include pre-emergency planning, protocols for personnel and lines of authority, site control measures, and procedures for handling all emergency incidents including dangerous/around persons. This plan must be in writing and be available for review and copying by employees or their representatives.
- B. Every New Jersey municipality must develop an emergency response plan. The plan for individual organizations such as schools should be integrated into the emergency response plan for the municipality. Requirements and guidance for developing this plan are contained in the New Jersey State Police "Emergency Operations Plan Guidance Manual." The ERP should be developed in coordination with school administration, the local Chief of Police, Fire Chief, Rescue Squad Captain, and the Director of the County Office of Emergency Management.

## **Regulating Agency:**

New Jersey State Department of Labor  
PEOSHA Program  
Louis J. Lento, Director  
CN 360  
Trenton, NJ 08625-0360  
Phone (609) 292-3923  
Email: [peosh@doh.state.nj.us](mailto:peosh@doh.state.nj.us)  
Website: [www.state.nj.us/health/eoh/peoshweb/safhlth.htm](http://www.state.nj.us/health/eoh/peoshweb/safhlth.htm)

# **FIRE DRILLS**

## **Citation**

N.J.S.A. 18A: 41.1 et seq  
N.J.A.C. 6 :29-1.3

## **Synopsis**

The following is an exact excerpt from the law:

*Every principal of a school of two or more rooms, or of a school of one room, when located above the first story of a building, shall have at least two fire drills each month within the school hour and shall require all teachers of all schools, whether occupying buildings of one or more stories to keep all doors and exits of their respective rooms and buildings unlocked during the school hours. Where school buildings have been provided with fire escapes, they shall be used by a part or all of the pupils performing every fire drill.*

*Every principal and janitor of a school building having furnace room, hallway or stair-tower fire or smoke doors shall keep them closed during the time the building is occupied by teachers and pupils.*

*Any principal, teacher, or janitor failing to comply with the provisions of this chapter shall be guilty of a misdemeanor, and shall be punishable by a fine of not to exceed \$100.00 for each offense.*

The school office must maintain accurate records to be reviewed by the local fire official. Although no specific statutory or code citation could be found addressing this issue, it is common for these records to include the time, date, evacuation time and weather conditions for each drill conducted, and for notifications of the conduct of drills to be reported to the Board of Education at least annually.

## **Regulating Agency/Contact Person**

New Jersey Department of Education  
Local Fire Subcode Official

# **FIRE EXTINGUISHERS**

## **Citation:**

Uniform Fire Code

National Fire Prevention Code/1996

NFPA Standard 10 for portable fire extinguishers

OSHA 29 c CFR 1910.157

N.J.A.C.5:70

- Fire extinguishers shall be mounted, located and identified so that they are readily visible and accessible.
- Extinguisher operating instructions located on the front of the extinguisher and clearly visible.
- All portable fire extinguishers must bear the label of an approved agency.
- Fire extinguishers labeled, tagged, stenciled or otherwise marked with the following information:
  - a. the contents product name as it appears on the manufacturer's Material Safety Data Sheet;
  - b. the listing of the hazardous material identification in accordance with the hazardous materials identification systems (HMIS) developed by the National Paint & Coating Association;
  - c. the list of any hazardous materials that are in excess of 1.0 percent of the contents;
  - d. the list of each chemical in excess of 5.0 percent of the contents;
  - e. information as to what is hazardous about the agent in accordance with the Material Safety Data Sheet; and
  - f. the manufacturer's or service agency's name, mailing address, and phone number?
- Portable fire extinguishers inspected monthly to ensure that a fire extinguisher is available and will operate? [29 CFR 1910.157(e)(2) and N.J.A.C. 5:70-3.2{NFPA 10}]
- Records maintained of all fire extinguishers inspected monthly, including those found to require corrective action? [N.J.A.C. 5:70-3.2{NFPA 10}]
- Portable fire extinguishers subjected to at least an annual maintenance check by a trained individual? [29 CFR 1910.157(e)(3) and N.J.A.C. 5:70-3.2{NFPA 10}]
- Records of the annual maintenance check kept and retained for at least a year? [29 CFR 1910.157(e)(3)]
- Does each extinguisher have a tag or label securely attached that indicates the month and year the maintenance and recharging was performed and identifies the person performing the service? [N.J.A.C. 5:70-3.2{NFPA 10}]

# **FIRE INSPECTIONS**

## **Code Citation**

New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) pursuant to the New Jersey Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et seq.)

## **Synopsis**

Schools are identified in the New Jersey Uniform Construction Codes as “Use Group E” type occupancies. The Uniform Fire Code has designated all buildings or structures classified in any of the use groups in the Construction Codes as a “Life Hazard” use, and subject to the established regulations. Buildings which fall into a Life Hazard classification (schools) must complete a registration application with the Bureau of Fire Safety.

In accordance with the code, school buildings must be inspected once every 12 months by the authority having jurisdiction. Upon arrival and provision of proper credentials, inspectors must promptly be permitted entry, at all reasonable times. Should an inspector be denied entry, a warrant may be obtained to secure access to the building. The primary purpose of inspections are to ensure that fire safety related building components that were required at the time of construction are maintained, and, to cause the correction of any conditions liable to cause fire, contribute to the spread of fire, interfere with fire fighting operations, endanger life, or any other conditions constituting violations of the provisions or intent of the code.

A “Notice of Violation – Order To Correct” will typically be issued for violations noted during an inspection, and a period of time will be cited in which the school must abate the deficiencies. Failure to abate deficiencies noted can result in penalties of up to \$5000 per day. An owner who has been given notice of a violation shall be responsible for a penalty not exceeding \$150,000, or the costs of suppressing any fire, which directly or indirectly results from the violation, whichever is greater.

Common violations found in schools include: defective emergency/exit lights, failure to post an exit map in classrooms, improper use of extension cords, exposed wiring, lack of 30” clearance around electrical panels, fire extinguishers not inspected yearly, blocked or locked means of egress components, missing ceiling tiles, and excessive or improperly stored materials.

## **Regulating Agency**

New Jersey Department of Community Affairs, Division of Fire Safety  
101 South Broad Street  
P.O. Box 809  
Trenton, N.J. 08625-0809

## **Enforcement**

Local fire departments can provide trained and licensed inspectors, or, default to DCA - Department of Fire Safety, to conduct inspection

# **FIREPROOF STAGE CURTAINS**

## **Flame Resistant Curtains and Draperies**

### **Code Citation**

New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) pursuant to the New Jersey Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et seq.)

### **Synopsis**

N.J.A.C. 5:70 - F306.4 Curtains and Draperies

In educational occupancies, all curtains, draperies, hangings and other decorative materials suspended from walls or ceilings shall be noncombustible or maintained flameresistant in accordance with both the small and large scale tests of NFPA 701.

N.J.A.C. 5:70 – F306.3.1 Renewal of Treatment

Treatments applied to accomplish flameresistance shall be renewed as often as necessary to maintain the flameresistance effect. The fire official shall require a certificate to be supplied by the firm or person providing the flameresistance and such certificate shall indicate the date of treatment, the name of the chemical utilized, and the nature of the process. The certificate shall be filed with the fire official.

### **Regulating Agency**

New Jersey Department of Community Affairs Division of Fire Safety  
101 South Broad Street  
P.O. Box 809  
Trenton, N.J. 08625-0809

### **Enforcement**

Local fire departments can provide trained and licensed inspectors, or, default to the DCA Department of Fire Safety.

### **Glossary of Terms/Acronyms**

NFPA – National Fire Protection Association

# **FLUORESCENT BULB DISPOSAL**

Citations:

NJDEP

Local Recycling Laws

Fluorescent bulbs fall under the NJDEP Universal Waste Rule.

Fluorescent lamps, all of which contain mercury, are widely used by businesses, public facilities and buildings of all types. However, many businesses have not been properly recycling or disposing of spent lamps. The U.S. Environmental Protection Agency (EPA) and state environmental agencies have been working to increase awareness of the problems associated with mismanagement of mercury, while increasing enforcement for mishandling mercury-containing lamps.

The allowable methods of managing spent fluorescent lamps depend largely on the number of lamps and other hazardous waste generated per month ; the type and mercury content of the lamps; and the state, commonwealth or territory in which they are generated. There are no completely mercury-free fluorescent lamps, but some have a reduced amount of mercury or contain a chemical that binds with the mercury to reduce its mobility.

Although this summary only addresses fluorescent lamps, other lamp types are commonly classified as hazardous waste, including high-intensity discharge (HID), neon, mercury vapor, high pressure sodium, compact fluorescent and metal halide lamps.

Bulb crushers, which crush lamps into attached drums, are often marketed as a space-saving alternative. However, crushing of lamps is considered treatment and is specifically prohibited in some states. In others, lamps may not be crushed unless the facility first obtains a permit from the state environmental agency. Additionally, crushed lamps may not be managed as universal waste; rather, they are subject to hazardous waste requirements from the point of generation. Check with your state for details on rules regarding the use of bulb crushers.

State, County and Local Recycling Laws should be checked for compliance.

## **FOLDING DOOR INSPECTIONS**

Because of constant use, manufacturers recommend that preventive maintenance services be performed annually on each folding partition and its safety system.

Preventive maintenance service for folding walls and safety systems cover the following and more:

- Inspecting and calibrating end of travel and stack limit switches for safe operation.
- Lubricating and adjusting stacking arm for proper braking action.
- Lubricating and tightening all door hinges as required.
- Removing covers and cleaning/calibrating sensors.
- Tightening all connections to sensors and folding partition safety system and checking pocket areas to ensure intrusions are operating correctly.
- Opening the main safety system panel and vacuuming and cleaning dust from entire panel.
- Tightening of electrical connections and check of complete safety system to ensure correct operation.
- Training Class for all personnel who operate the partition to ensure proper operation procedures are followed.

Periodic safety inspections will safeguard against possible injuries and/or damage to property.

At a **MINIMUM**, all electrically operated folding partitions and bleachers must have a spring loaded switching (on/off) device for safe operations.

# **GREASE TRAP MAINTENANCE**

## **Citation – Local Codes**

### **Grease Traps and Interceptors - NJ**

Grease traps are passive required by New Jersey city sanitation and food service departments to stop grease, fat, oil, wax or debris from entering the public sanitary sewer system.

Greasy materials will cause blockages in the system, which cause backups and overflows. Grease traps are designed to separate greasy materials from wastewater so that they can be removed before they enter the sewer system.

All New Jersey restaurants, caterers, school cafeterias and other commercial cooking facilities must avoid discharging grease into the municipal sewer system.

Grease interceptors in New Jersey must receive wastewater from all contributory sources, such as pot sinks, dishwashers, floor drains and mat washing area drains before draining to the sanitary sewer system.

Typical building codes require all such new or rebuilt facilities to install a grease interceptor to pre-treat grease entering a sewer. All units should be fitted with a standard final-stage sample box. Interceptors must typically be sized for at least a 30 minute peak wastewater flow detention time from all contributory sources.

Usually, grease interceptors must be installed by a **New Jersey state-certified plumber**. For grease interceptors and traps to function properly they must also be regularly serviced and maintained by a qualified contractor.

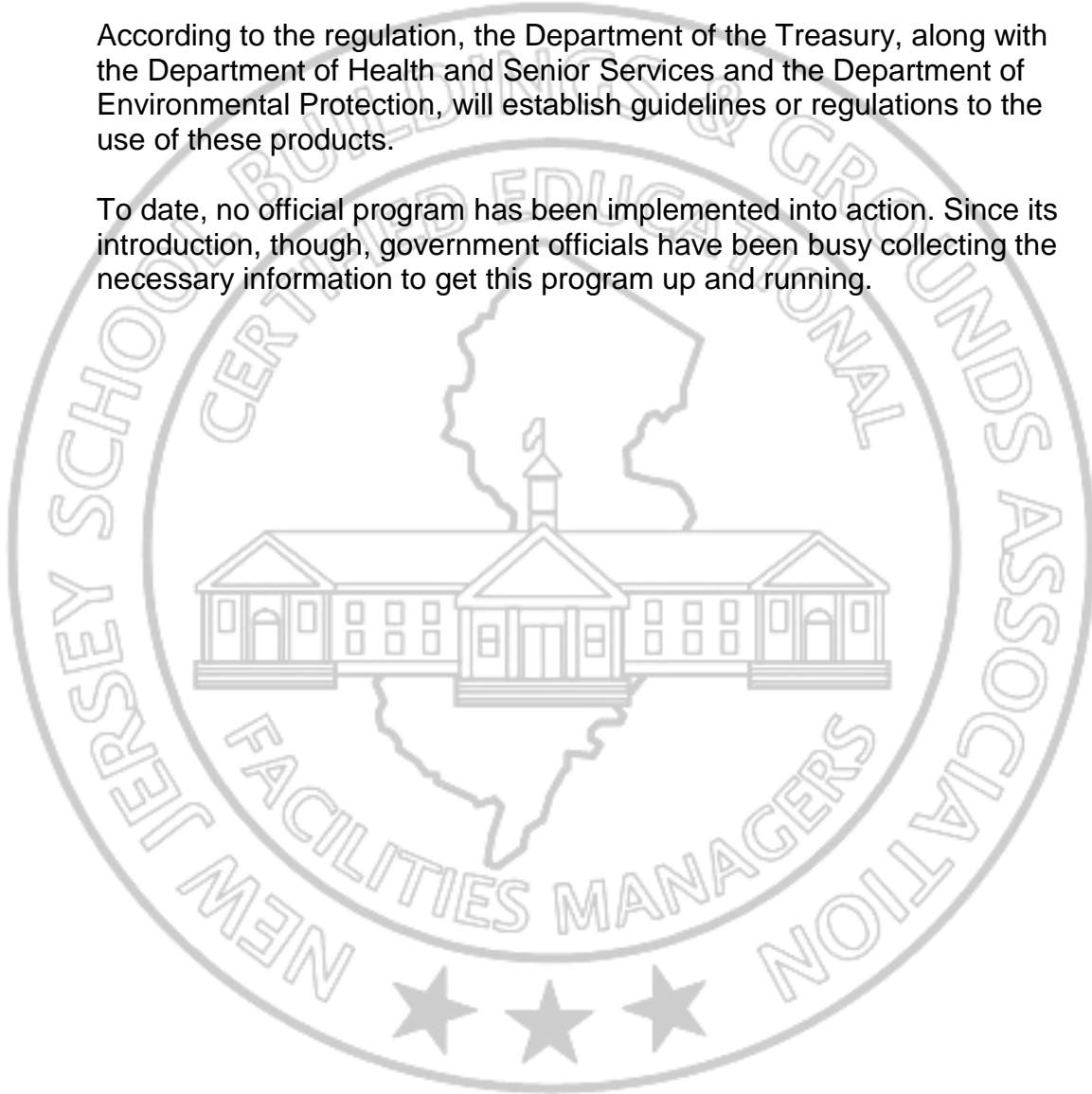


## **GREEN SEAL CLEANING**

- New Jersey jumped on the green bandwagon in January 2006, when acting Governor Richard J. Codey signed an executive order to require the use of cleaning products that minimize potential impacts of human health and the environment in all state-owned facilities.

According to the regulation, the Department of the Treasury, along with the Department of Health and Senior Services and the Department of Environmental Protection, will establish guidelines or regulations to the use of these products.

To date, no official program has been implemented into action. Since its introduction, though, government officials have been busy collecting the necessary information to get this program up and running.



# **HAZARDOUS WASTE**

## **Code Citation**

N.J.S.A. 13:1E et seq.  
N.J.A.C. 7 :26G-14

## **Synopsis**

The New Jersey Solid Waste Management Act, N.J.S.A. 13:1E et seq., regulates the management of hazardous waste in New Jersey. A “Hazardous Waste” for the purposes of N.J.S.A. 7:26G-14 is any waste or combination of wastes which pose a present or potential threat to human health, living organisms or the environment including, but not limited to, waste material that is toxic, carcinogenic, corrosive, irritating, sensitizing, biologically infectious, explosive or flammable, and any waste so designated by the United States Environmental Protection Agency, or as more specifically defined in N.J.A.C. 7:26G-5.

Materials that may be considered “hazardous wastes” that are typically found in schools include;

- science (lab) supplies,
- vocational shop chemicals,
- custodial products,
- oil-based paints and Gym finishes,
- solvents,
- switches/thermometers/gauges containing mercury,
- asbestos containing building materials,
- pesticides, weed killers,
- light ballasts, transformers, fluorescent light bulbs,
- batteries.

It is important to recognize that the disposal of hazardous waste is heavily regulated, and that compliance with the regulations are strictly enforced. In addition, the generator of the waste is charged with “cradle to grave” responsibility, holding them accountable for proper transport and final disposal.

Generators of hazardous waste are required to obtain a registration number from the United States Environmental Protection Agency in order to store, or offer for disposal, a hazardous waste. Transporters and Waste Disposal Facilities must also be licensed, and specific laws govern the labeling and storing of containers, training of personnel, and manifesting of shipments.

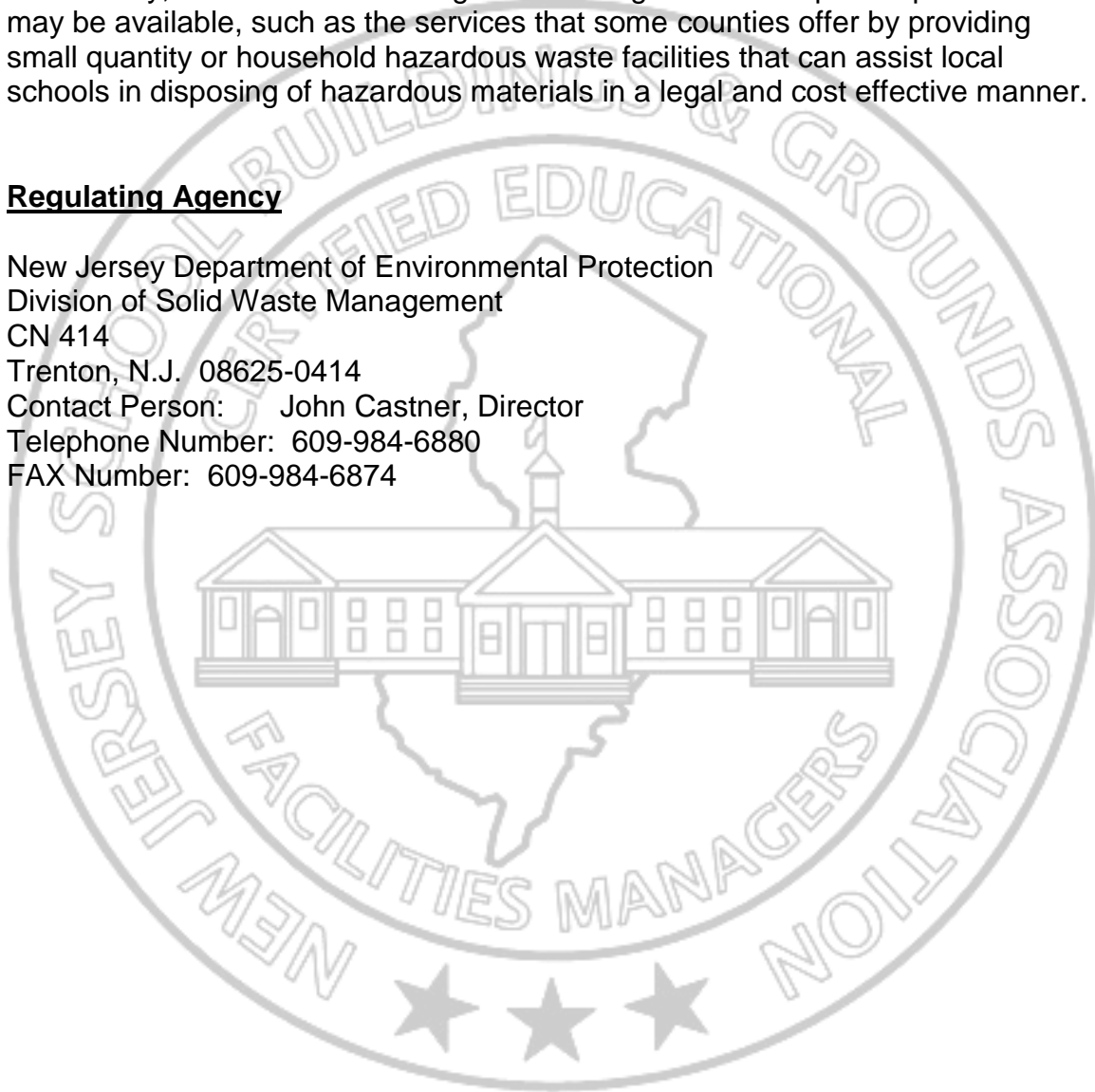
School districts should evaluate the options of becoming a “Small Quantity Generator”, which limits disposal of hazardous substances to 220 lbs. a month, and less than 2.2 lbs. of acutely hazardous substances a month.

As a small quantity generator, many of the regulations that apply to larger generators are less restrictive, or, do not apply.

Additionally, schools are encouraged to investigate other disposal options that may be available, such as the services that some counties offer by providing small quantity or household hazardous waste facilities that can assist local schools in disposing of hazardous materials in a legal and cost effective manner.

**Regulating Agency**

New Jersey Department of Environmental Protection  
Division of Solid Waste Management  
CN 414  
Trenton, N.J. 08625-0414  
Contact Person: John Castner, Director  
Telephone Number: 609-984-6880  
FAX Number: 609-984-6874



# **HEALTH INSPECTIONS**

## **Code Citation:**

Chapter 12 New Jersey Sanitary Code  
Subchapter 9 8:24-9.2 (a) The Department of Health Authority shall inspect every retail food establishment as often as it deems necessary.

## **Synopsis**

The following are requirements of the Child Nutrition Program Agreement:

- Maintain, in the storage, preparation, and service of food, proper sanitation and health practices that meet the standards of the current sanitation code established by the New Jersey Department of Health and all applicable state and local health laws and regulations. Maintain facilities to safeguard theft.
- A current inspection of each food service site by the Board of Health is required. The certificate must be posted in a conspicuous place.

## **Regulating Agency**

Local Health Office

## **Contacts**

Local Health Department  
County Health Departments (as listed in the glossary to this document)  
Web: [www.state.nj.us/health/](http://www.state.nj.us/health/)

New Jersey Department of Health and Senior Services  
PO Box 360  
John Fitch Plaza  
Trenton, NJ 08625-0360  
609-292-7837

# **INDOOR AIR QUALITY - PEOSH**

## **Citation**

N.J.A.C. 12:100-1.3 et seq

## **Synopsis:**

The standard applies to matters relating to indoor air quality in existing buildings occupied by public employees during their regular working hours. The World Health Organization estimates that approximately 30 percent of all buildings have an indoor air quality (IAQ) problem. Asbestos, formaldehyde, radon, bacteria, fungi, carbon monoxide, hydrocarbons, particulates, nitrogen oxides, ozone, fiberglass, tobacco smoke, temperature, humidity and poor ventilation top the list of contaminants that may cause IAQ problems.

## **General Requirements:**

### **Designated Person:**

The district shall designate a person responsible for compliance with the IAQ Standard and ensure he or she is familiar with its requirements.

### **Written program:**

The district shall have an up-to-date Written Plan for complying with the standard.

### **Fresh air:**

When carbon dioxide levels exceed 1,000 parts per million (ppm), the district shall check and repair the ventilation system to ensure it is working properly. Fresh air intakes shall be relocated if contamination of fresh air intakes from cooling towers, sanitary vents, or vehicle exhaust cannot be eliminated.

### **Windows:**

Windows, doors, vents, stacks, and other openings used to allow natural ventilation shall be in operable condition in buildings without mechanical ventilation.

### **Mold:**

The district shall promptly repair water leaks and dry, replace, remove, or clean damp or wet materials within 48 hours of discovery and continue until water intrusion is eliminated. Visible mold and mildew shall be removed from ventilation system components and surfaces such as carpeting and ceiling tiles.

**Temperature:**

When indoor temperatures are outside the 68-79 degrees Fahrenheit range, the district shall check and repair the ventilation system to ensure it is working properly.

**Ventilation maintenance:**

The district shall replace or repair damaged or inoperable components of the ventilation system. The district shall establish and follow a preventive maintenance schedule to check, lubricate, and ensure all components are in operating order. Maintenance records shall be kept for three years and be available no later than 10 days after a request to employees or their representatives.

**Renovation and construction work:**

Employees shall be notified at least 24 hours in advance, or promptly in an emergency, of work to be performed on the building that may introduce air contaminants. Renovation areas in occupied buildings shall be isolated, ventilated, and dust and debris confined to the area. Work areas shall be cleaned and aired out prior to reoccupancy.

**Chemical Exposure:**

The district shall use hazard information on labels and Material Safety Data Sheets to select products and control measures used in renovation and construction work.

**Enforcement Agencies:**

New Jersey Department of Labor  
PO BOX 110  
Trenton, New Jersey 08625  
Telephone: (609) 292-2323  
Fax: (609) 633-9271  
<http://www.state.nj.us/labor/>

New Jersey Department of Health and Senior Services  
Public Employees Occupational Health Safety Program  
PO Box 360  
Trenton, New Jersey 08625-0360  
(609) 984-1863  
<http://www.state.nj.us/health/eoh/peoshweb/>

# **INTEGRATED PEST MANAGEMENT**

## **Citation:**

Federal Insecticide, Fungicide and Rotlenticide Act 1974.  
Federal Food, Drug, and Cosmetic Acct., Part 120, Title 21

## **Synopsis:**

- A. Every school must have a written Integrated Pest Management Program on file and it must be updated as changes occur regardless as to whether the program is managed by an outside contractor or in-house.
- B. A logbook containing all pertinent facts relating to pest control programs should be made available.
- C. This written program must include the name of all chemical compounds used and for what purpose.
- D. All chemical compounds must be approved and should include an EPA approved label.
- E. The program must include the frequency of performance and whether emergency calls are complied with or whether the establishment has responsible personnel to perform when necessary.
- F. The written program must indicate what the operator actually does in performance. (Log report on services performed and pesticide usage.)
- G. Integrated Pest Management (IPM) is the coordinated use of pest and environmental information with available pest control methods to prevent unacceptable levels of pest damage by the most economical means, and with the least possible hazard to people, property and the environment. The goal of the IPM approach is to manage pests and the environment and take advantage of all appropriate pest management options including but not limited to pesticides.

## **Regulatory Agency:**

Department of Environmental Protection Region II

Local Department of Health

Email: [peosh@doh.state.nj.us](mailto:peosh@doh.state.nj.us)

# **KITCHEN HOODS**

## **Citation:**

The National Fire Protection Code 96 (NFPA 96) Standard is what most counties, cities and states adopt as their fire code.

### **11.4 Cleaning of Exhaust Systems**

Upon inspection, if found to be contaminated with deposits from grease-laden vapors, the entire exhaust system shall be cleaned by a *properly trained, qualified, and certified* company or person (s) acceptable to the authority having jurisdiction in accordance with Section 11.3.

**11.4.2** Hoods, grease removal devices, fans, ducts, and other appurtenances shall be cleaned to bare metal prior to surfaces becoming heavily contaminated with grease or oily sludge.

**11.4.8** After the exhaust system is cleaned to bare metal, it shall not be coated with powder or other substance.

**11.4.12** When a vent cleaning service is used, a certificate showing date of inspection or cleaning shall be maintained on the premises.

**11.4.13** After cleaning is completed, the vent cleaning contractor shall place or display within the kitchen area a label indicating the date cleaned and the name of the servicing company, and areas not cleaned.

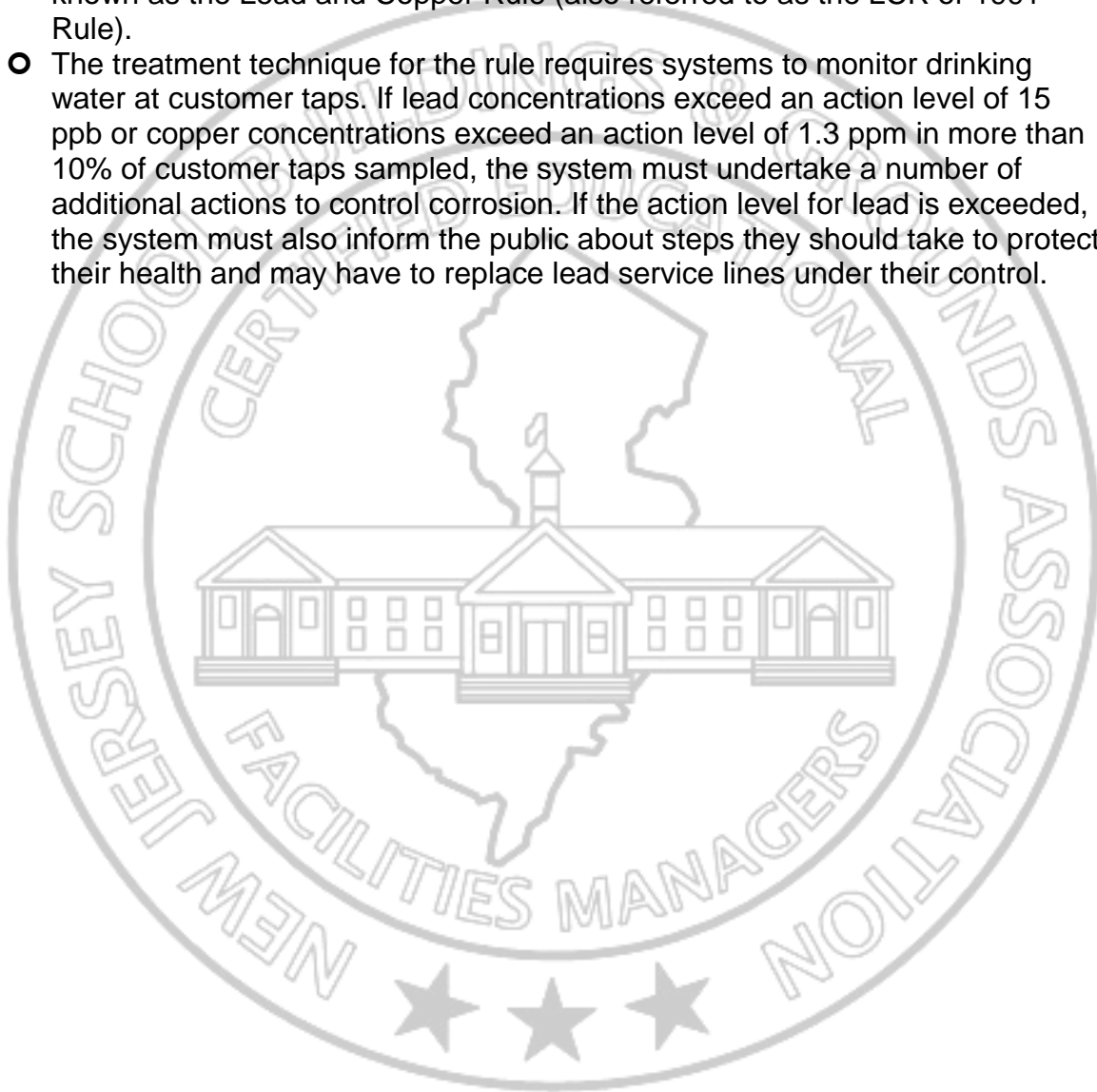
**11.4.14** Where required, certificates of inspection and cleaning shall be submitted to the authority having jurisdiction.

### **Table 11.3 Exhaust System Inspection/Cleaning Schedule**

<b>Type or Volume of Cooking Frequency</b>	<b>Frequency</b>
Systems serving solid fuel cooking operations	Monthly
Systems serving high-volume cooking operations such as 24-hour cooking, charbroiling, or wok cooking.	Quarterly
Systems serving moderate-volume cooking operations.	Semiannually
Systems serving low-volume cooking operations, such as churches, day camps, seasonal businesses, or senior centers.	Annually

## **LEAD AND COPPER RULE**

- Lead and copper enter drinking water primarily through plumbing materials. Exposure to lead and copper may cause health problems ranging from stomach distress to brain damage. On June 7, 1991, EPA published a regulation to control lead and copper in drinking water. This regulation is known as the Lead and Copper Rule (also referred to as the LCR or 1991 Rule).
- The treatment technique for the rule requires systems to monitor drinking water at customer taps. If lead concentrations exceed an action level of 15 ppb or copper concentrations exceed an action level of 1.3 ppm in more than 10% of customer taps sampled, the system must undertake a number of additional actions to control corrosion. If the action level for lead is exceeded, the system must also inform the public about steps they should take to protect their health and may have to replace lead service lines under their control.



# **LEAD IN PAINT**

## **Citation**

None.

## **Synopsis**

Renovating, repairing or painting a home, child care facility or school containing lead-based paint

- Beginning in April 2010, federal law will require that contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities, and schools built before 1978 must be certified and follow specific work practices to prevent lead contamination. Read about EPA's requirements for renovation, repair and painting.
- EPA requires that anyone performing renovation, repair, and painting projects that disturb lead-based paint in pre-1978 homes, child care facilities and schools with 50 or more students be Certified and follow lead-safe work practices. All Contractors and Workers shall be properly Certified and Trained in safe handling procedures of lead paint and should follow these three simple procedures:
  - Contain the work area
  - Minimize dust
  - Clean up thoroughly

Most school buildings constructed before 1960 contain heavily leaded paint. Tiny pieces of peeling or chipping lead paint are dangerous if eaten. Removal should be conducted by a firm with special training for correcting lead paint problems.

## **Regulating Agency**

United States Environmental Protection Agency  
New Jersey Department of Health

These agencies are not officially regulatory with respect to lead in paint since there is no requirement for its removal. However, they can be contacted for information. Fact Sheets are available from:

New Jersey Department of Health  
CN 360  
Trenton, New Jersey 08625-0360  
(609) 984-1863

# **LOCK OUT/TAG OUT**

## **Citation**

29 CFR 1910.147

## **Synopsis:**

This standard covers the servicing and maintenance of machines and equipment in which the unexpected energization or start up of the machines or equipment, or release of stored energy could cause injury to employees. This standard establishes minimum performance requirements for the control of such hazardous energy.

## **Requirements:**

The employer shall establish a program consisting of energy control procedures, employee training and periodic inspections to ensure that before any employee performs any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative. Retraining shall be provided for all authorized and affected employees whenever there is a change in their job assignments, a change in machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.

Whenever outside servicing personnel are to be engaged in activities covered by the scope and application of this standard, the on-site employer and the outside employer shall inform each other of their respective lockout or tagout procedures.

The law sets forth record-keeping requirements for the training, re-training and other aspects of this requirement.

## **Regulating Agency/Contact Persons**

New Jersey Department of Labor - N.J. Department of Health/Senior Services  
PO BOX 110  
Trenton, New Jersey 08625

P.E. Occupational. Health and Safety Program

P. O. Box 360

Trenton NJ 08625-0360

Telephone: (609) 292-2323

Fax: (609) 633-9271

(609) 984-1863

<http://www.state.nj.us/labor/>

<http://www.state.nj.us/health/eoh/peoshweb/>

## **MERCURY VAPOR BULBS**

The use of mercury vapor lamps in New Jersey is regulated under;

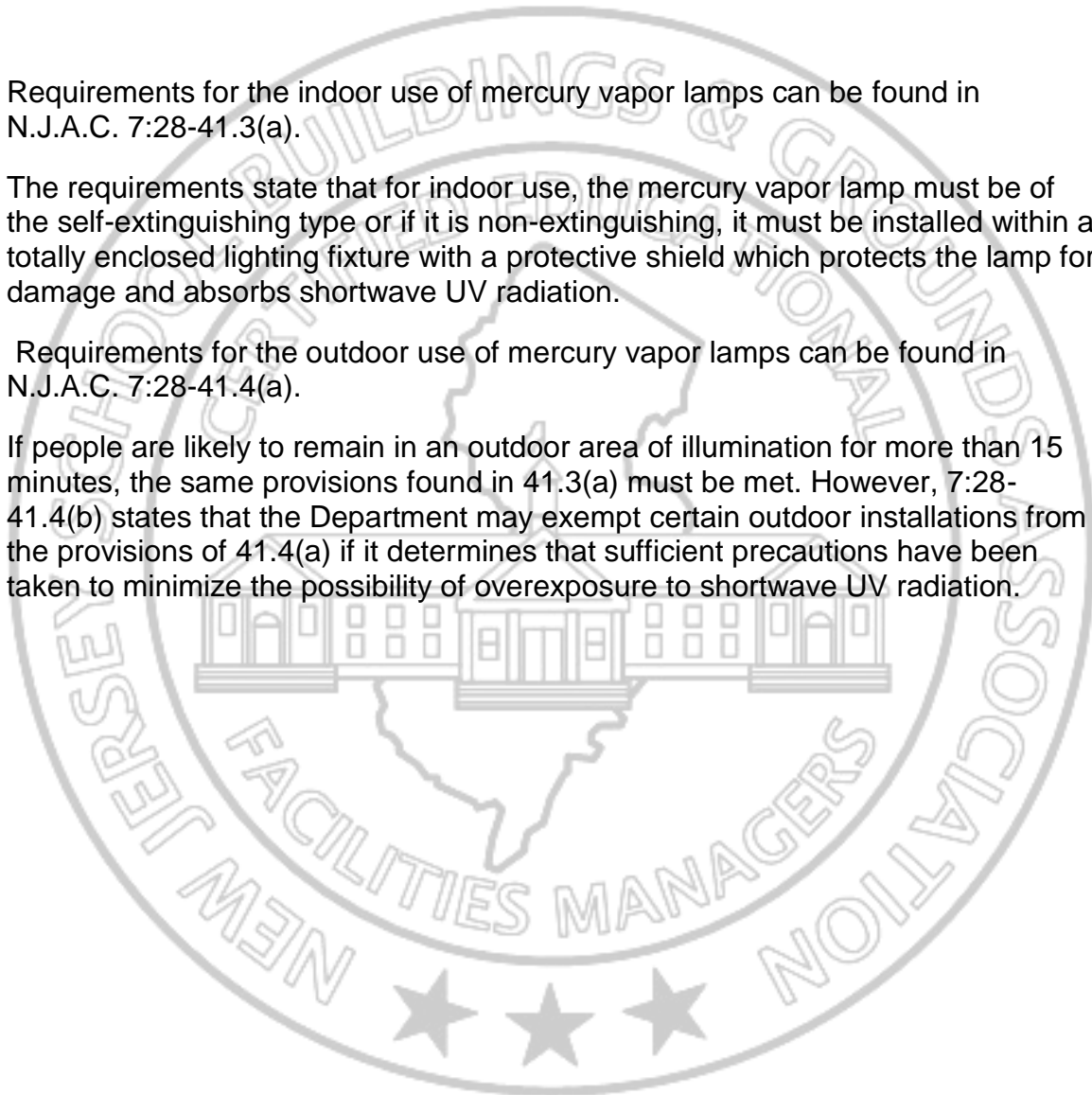
N.J.A.C. 7:28-41, Mercury Vapor Lamps.

Requirements for the indoor use of mercury vapor lamps can be found in N.J.A.C. 7:28-41.3(a).

The requirements state that for indoor use, the mercury vapor lamp must be of the self-extinguishing type or if it is non-extinguishing, it must be installed within a totally enclosed lighting fixture with a protective shield which protects the lamp for damage and absorbs shortwave UV radiation.

Requirements for the outdoor use of mercury vapor lamps can be found in N.J.A.C. 7:28-41.4(a).

If people are likely to remain in an outdoor area of illumination for more than 15 minutes, the same provisions found in 41.3(a) must be met. However, 7:28-41.4(b) states that the Department may exempt certain outdoor installations from the provisions of 41.4(a) if it determines that sufficient precautions have been taken to minimize the possibility of overexposure to shortwave UV radiation.



**NJ ADMINISTRATIVE CODE:  
TITLE 6A - CHAPTER 26**

**EDUCATIONAL FACILITIES**

**SUBCHAPTER 1**

GENERAL PROVISIONS

**SUBCHAPTER 2**

LONG-RANGE FACILITIES PLANS

**SUBCHAPTER 3**

CAPITAL PROJECT REVIEW

**SUBCHAPTER 4**

MANAGEMENT OF CAPITAL PROJECTS

**SUBCHAPTER 5**

REVIEW OF CAPITAL PROJECTS FOR EDUCATIONAL ADEQUACY

**SUBCHAPTER 6**

PLANNING AND CONSTRUCTION STANDARDS FOR SCHOOL FACILITIES

**SUBCHAPTER 7**

LAND ACQUISITION, SCHOOL CLOSING, AND LAND DISPOSAL

**SUBCHAPTER 8**

TEMPORARY SCHOOL FACILITIES

**SUBCHAPTER 9**

CAPITAL RESERVE ACCOUNTS

**SUBCHAPTER 10**

LEASE PURCHASE AND LEASE AGREEMENTS

**SUBCHAPTER 11**

COUNTY VOCATIONAL DISTRICT FACILITIES REHABILITATION FUND

**SUBCHAPTER 12**

OPERATION AND MAINTENANCE OF FACILITIES

**SUBCHAPTER 13**

APPLICATIONS FOR RETROACTIVE FUNDING OF PROJECTS

**SUBCHAPTER 14**

WITHHOLDING OF STATE SUPPORT FOR NON-COMPLIANCE

**SUBCHAPTER 15**

STATE SCHOOL FACILITIES DOCUMENTS

**SUBCHAPTER 16**

CERTIFIED EDUCATIONAL FACILITIES MANAGER

6A:26-16.1 Certified educational facilities manager

- (a) Effective September 1, 2002, no person shall be employed by a district board of education to supervise buildings and grounds unless, pursuant to N.J.S.A. 18A:17-49 et seq., the candidate meets one of the following criteria:

1. Has completed a minimum of two years experience in the field of buildings and grounds supervision and has graduated from the New Jersey Educational Facility Management Program at Rutgers, the State University, as a certified educational facilities manager, or has graduated from an equivalent program offered at either a regionally accredited institution of higher education or an approved post-secondary institution located within or outside the State;
2. Is a code enforcement official licensed by the Department of Community Affairs and was serving as a supervisor of buildings and grounds on January 10, 2000; or
3. Has served as a supervisor of buildings and grounds in a district continuously for five years prior to September 1, 2002.

(b) Any applicant for certification as an educational facilities manager shall submit documentation to the Division demonstrating compliance with one of the above criteria in (a) above. After verifying compliance with one of the criteria in (a) above, the Division will issue an authorization to serve as an educational facilities manager to the applicant and add the applicant to a master list of certified educational facilities managers to be maintained by the Division.

(c) When a vacancy occurs in a position in which the duties of a supervisor of buildings and grounds are performed, a board may select, for a period not to exceed two years, and commencing on the date of the vacancy, a person who is not a certified educational facilities manager to perform on an interim basis the duties of a supervisor of buildings and grounds. At the expiration of the two year period, the board shall employ a person certified by the Division as an educational facilities manager to supervise its buildings and grounds.

## **SUBCHAPTER 17**

### **APPEALS**

# **NJ ADMINISTRATIVE CODE: TITLE 6A - CHAPTER 26A**

## **COMPREHENSIVE MAINTENANCE PLANS**

### **6A:26A-1.1 Purpose**

These rules are intended to implement the provisions of the Educational Facilities Construction and Financing Act (EFCFA), P.L. 2000, c.72, specifically sections 3, 9(b)(3) and 13(d) of EFCFA ([N.J.S.A. 18A:7G-3](#), 9(b)(3) and 13(d)), requiring the Commissioner of the Department of Education to promulgate rules requiring districts to have comprehensive maintenance plans for school facilities and make the appropriate investment in the maintenance of school facilities.

### **6A:26A-1.2 Scope**

(a) These rules shall apply to every district that owns school facilities or operates school facilities owned by another party, when the operating district is responsible for maintenance of the school facilities.

(b) Each district that operates school facilities owned by other districts shall include such school facilities in the operating district's comprehensive maintenance plan, and shall forward a copy of the comprehensive maintenance plan to the owning district.

## **SUBCHAPTER 3. DISTRICT COMPREHENSIVE MAINTENANCE PLANS**

### **6A:26A-3.1 Requirements for comprehensive maintenance plans**

- (a) Each district shall develop a comprehensive maintenance plan to document prior year required maintenance activities and expenditures and the district's planned required maintenance activities and budgeted costs for the filing year and the one year subsequent to the filing year. The plan shall not include activities for capital maintenance or routine maintenance.

## **SUBCHAPTER 4. REQUIRED MAINTENANCE BUDGET AMOUNT AND MAINTENANCE RESERVE**

### **6A:26A-4.1 Required maintenance budget amount**

## **SUBCHAPTER 4. REQUIRED MAINTENANCE BUDGET AMOUNT AND MAINTENANCE RESERVE**

### **6A:26A-4.1 Required maintenance budget amount**

# **NEW JERSEY WORKER AND COMMUNITY RIGHT TO KNOW ACT**

## **Citations/Authority**

N.J.A.C. 8:59 Title 8: Department of Health  
Chapter 59: NJ Worker and Community Right to Act  
N.J.S.A. 34:5A-1 et Seq.

## **Synopsis**

The New Jersey Worker and Community Right To Know Act requires employers to provide information about hazardous substances at their workplace.

All employers covered by the Right To Know Act must complete surveys listing the names and quantities of hazardous chemicals stored and used in the workplace. Public employers are required to label containers and train employees about hazardous substances. Every employer shall establish and maintain a central file at each facility, which will contain the annual workplace survey for the facility and the appropriate hazardous substance fact sheets and the material safety data sheets.

Public employees have certain rights and access to information about substances with which they work. The rights of the employee include:

- The right to work with labeled containers, which identify their chemical contents.
- The right to obtain a copy of the RTK Survey of hazardous substances in the workplace.
- The right to get Hazardous Substance Fact Sheets and Material Safety Data Sheets about chemicals they may be potentially exposed to from their employer.
- The right to education and training about hazardous chemicals in the workplace.
- The right to file a complaint against their employer for not complying with the RTK Act.
- To exercise any rights provided by the RTK Act without reprisals from their employer.

## **Regulating Agency/Contact Persons**

New Jersey Department of Health and Senior Services  
Division of Environmental and Occupational Health  
PO Box 360  
Trenton, NJ 08625-0360

## **Contacts**

New Jersey Department of Health and Senior Services  
Telephone: 609-984-2202 Fax: 609-292-5677  
Email: [skoppelman@doh.state.nj.us](mailto:skoppelman@doh.state.nj.us)  
Web: [www.state.nj.us/health/eoh/rtkweb](http://www.state.nj.us/health/eoh/rtkweb)

## **NOISE POLLUTION**

### **Citation/Regulating Agency/Contact Person**

Contact local municipal governing body.

### **Synopsis**

Individual municipalities may adopt noise ordinances. Local school district officials should contact municipal officials to determine if one exists. The following sample is an excerpt from an actual ordinance.

#### *3-2.1 Noise Prohibited*

*It shall be unlawful for any person to make, continue or cause to be made or permit any unnecessary or disturbing noise, which either annoys, injures or endangers the comfort, repose, health or safety of others.*

#### *3-2.2 General Regulation*

*No person shall:*

- a. Maintain or operate in any public building or upon any premises in the township any radio, device or mechanical musical instrument or device of any kind whereby the sound therefrom is cast directly upon the public streets or places where such device is maintained and operated for advertising purposes of attracting the attention of the passing public or which is so placed and operated that the sounds coming therefrom can be heard to the annoyance, disturbance or inconvenience of travelers upon any street or public place or of persons in neighboring places, without a written permit from the police committee of the township.*
- b. In conducting any building operation, between the hours of ten p.m. and seven a.m., operate or use any pile apparatus, the use of which is attended by loud or unusual noise, except by written permission of the police committee of the township, and then only in case of emergency.*

- c. *Permit or cause the emission of steam or other gasses, if such emission cannot be done without the production of unnecessary or disturbing noises.*

## **PEOSH**

### **NJPEOSH CONSULTATION**

The New Jersey Department of Health and Senior Services, Public Employees Occupational Safety and Health (PEOSH) Program, Consultation Project is a free service that serves as a source of information and technical assistance to help public employers identify, evaluate, and prevent hazardous workplace conditions and work practices that may cause injury and illness in the workplace. The Consultation Project also serves to assist public employers to achieve compliance with PEOSH health standards, including but not limited to the following:

Respiratory Protection	Hazard Communication
Indoor Firing Ranges	Occupational Noise Exposure
Indoor Air Quality	Air Contaminants
Asbestos	Blood borne Pathogens
Firefighters	Personal Protective Equipment
Sanitation	Lead
Hazardous Waste Operations	Emergency Response

#### **Benefits - IT'S FREE**

PEOSH consultation services are free of charge to public employers. The Consultation Project will provide expert advice that will help in establishing a safe and healthful workplace.

#### **No Citations or Penalties**

No citations are issued for violations identified during a consultation and no penalties are proposed.

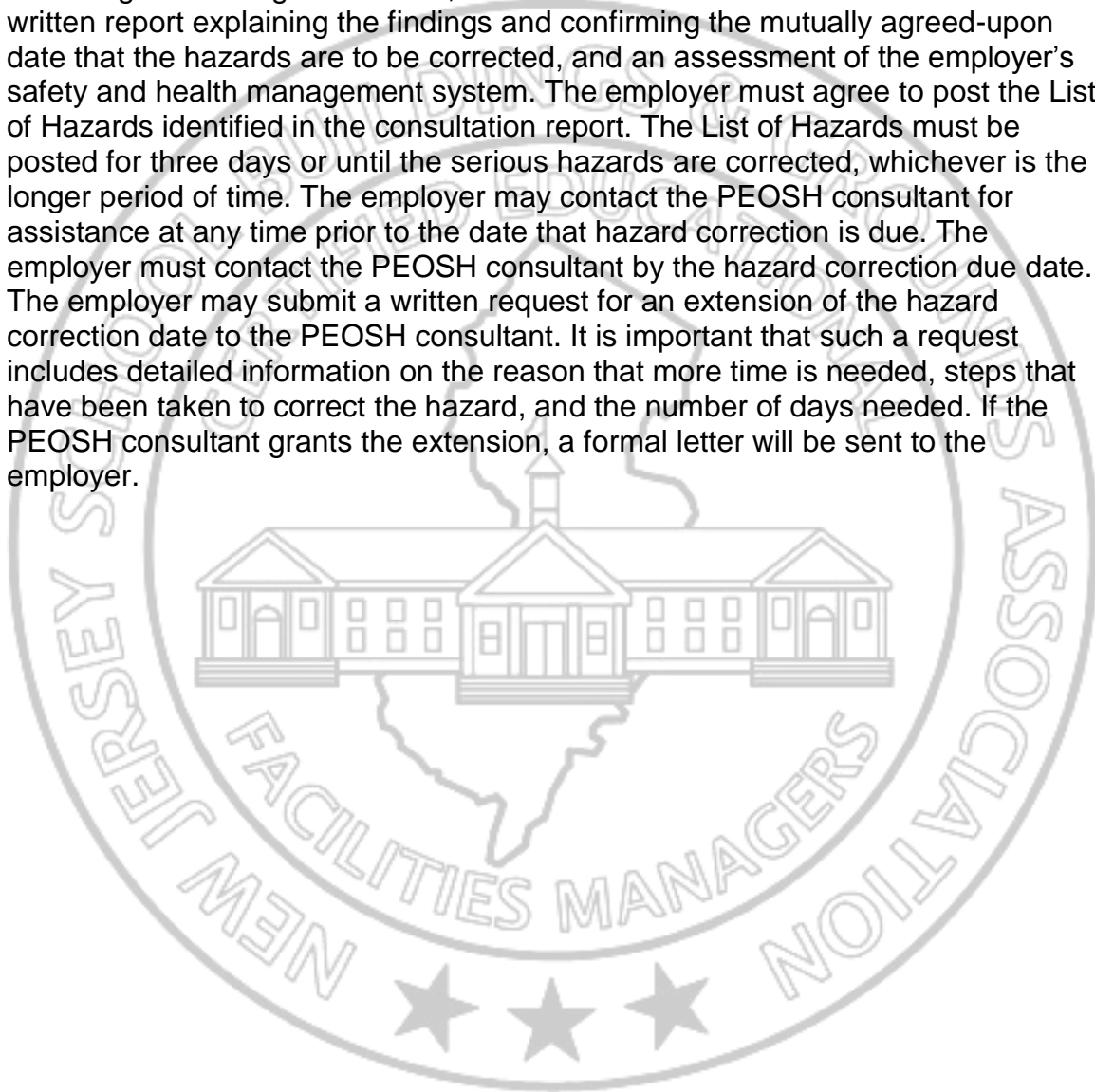
#### **On-Site Survey**

Upon arriving at the workplace for a scheduled visit, the consultant will conduct an opening conference, during which the ground rules of the visit will be reviewed with employer and employee representatives. At this time, administrative paperwork for the survey will be completed, the subject matter of the survey will be discussed, and any written material that the employer provides to the consultant will be reviewed. A walkthrough tour of the area(s) of concern will then be conducted. A survey may require one or several site visits, depending on the scope, size of the facility, or other factors. At the conclusion of the survey, a closing conference will take place, during which the PEOSH consultant will

review the hazards identified during the walkthrough and upon review of written programs and records. At the time of the closing conference, the employer and the consultant mutually agree to correction dates for serious hazards identified during the survey.

### **Correction and Follow-Up**

Following the closing conference, the PEOSH consultant will send a detailed written report explaining the findings and confirming the mutually agreed-upon date that the hazards are to be corrected, and an assessment of the employer's safety and health management system. The employer must agree to post the List of Hazards identified in the consultation report. The List of Hazards must be posted for three days or until the serious hazards are corrected, whichever is the longer period of time. The employer may contact the PEOSH consultant for assistance at any time prior to the date that hazard correction is due. The employer must contact the PEOSH consultant by the hazard correction due date. The employer may submit a written request for an extension of the hazard correction date to the PEOSH consultant. It is important that such a request includes detailed information on the reason that more time is needed, steps that have been taken to correct the hazard, and the number of days needed. If the PEOSH consultant grants the extension, a formal letter will be sent to the employer.



# **PUBLIC PLAYGROUND SAFETY CHECKLIST**

## **Consumer Product Safety Commission**

1. Make sure surfaces around playground equipment have at least 12 inches of wood chips, mulch, sand, or pea gravel, or are mats made of safety-tested rubber or rubber-like materials.
2. Check that protective surfacing extends at least 6 feet in all directions from play equipment. For swings, be sure surfacing extends, in back and front, twice the height of the suspending bar.
3. Make sure play structures more than 30 inches high are spaced at least 9 feet apart.
4. Check for dangerous hardware, like open "S" hooks or protruding bolt ends.
5. Make sure spaces that could trap children, such as openings in guardrails or between ladder rungs, measure less than 3.5 inches or more than 9 inches.
6. Check for sharp points or edges in equipment.
7. Look out for tripping hazards, like exposed concrete footings, tree stumps, and rocks.
8. Make sure elevated surfaces, like platforms and ramps, have guardrails to prevent falls.
9. Check playgrounds regularly to see that equipment and surfacing are in good condition.

## **POLYCHLORINATED BIPHENYLS (PCBs)**

### **Citation**

The Toxic Substances Control Act - 40CFR Part 761

### **Synopsis**

PCBs are a class of man-made chemicals found in many older pieces of electrical equipment. Their manufacture was banned by the EPA in 1979. While not acutely toxic, exposure may produce skin disorders, nausea, dizziness, eye irritation and bronchitis, and ingestion may cause liver damage and digestive problems. It is classified by the EPA as a suspected human carcinogen.

Some older ballasts may contain PCBs. Continuing use and disposal is regulated by the Toxic Substances Control Act. Testing and removal of PCBs is not required under this federal act or by New Jersey state law.

The EPA recommends (but does not require) maintenance of an inventory showing the location and condition of PCB sources. They also suggest that routine inspection and maintenance may reduce risks.

### **Regulating Agency/Contact Person**

U.S. Environmental Protection Agency  
New Jersey Department of Environmental Protection and Energy  
EPA Region II contact person: David Greenlaw (732) 906-6817  
E-mail address [greenlaw.david@epa.gov](mailto:greenlaw.david@epa.gov)

## **RADIUS STACK REGISTRATION**

The RADIUS program was designed in such a manner to allow the NJ DEP Air Program to adapt the information contained within RADIUS to the rapidly changing environmental world. Reference tables, as referred to in RADIUS, is the tool that allows us to do this. For example, selections contained in the drop down window for Control Device Type (on the Control Device Inventory Screen), may be adjusted to allow the addition of a new control technology. The RADIUS user, simply needs to download the new reference tables from our Reference Table Download Page and import them into their copy of RADIUS

The Remote AIMS Data Input User System (RADIUS) allows you to electronically prepare and submit pre-construction and operating permit applications for the New Jersey Department of Environmental Protection. These submissions are loaded into the New Jersey Environmental Management System (NJEMS). The NJDEP uses NJEMS to process inputs from all stationary air-regulated industries in the state.

### **NJDEP NEW JERSEY ADMINISTRATIVE CODE TITLE 7 - CHAPTER 27 - SUBCHAPTER 1**

#### **7:27-1.1 Scope**

Unless otherwise provided by rule or statute, the following shall constitute the rules of the Bureau of Air Pollution Control and shall govern the emitting of and such activities as result in the introducing of contaminants into the ambient atmosphere.

- Annual report required for facilities with Potential-To-Emit (PTE) that meet the reporting threshold under N.J.A.C. 7:27-21 (revised in 2003).
- Air contaminants required include CO, NO<sub>x</sub>, VOC, Pb, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, TSP, ammonia, greenhouse gases (CO<sub>2</sub> and methane), and 36 toxic air pollutants (TAP's) as listed in the Rule.
- Data is submitted using the RADIUS software.

## **RADON**

### **Citation**

None, since there is no testing requirement

### **Synopsis**

Radon is a naturally-occurring radioactive gas which has been determined to be the second leading cause of lung cancer in the U.S (behind smoking). The acceptable level of radon is under 4 pCi/l according to guidelines established by the U.S. EPA.

Although testing for and mitigation of radon in schools is not mandatory, schools were surveyed by the NJDEPE in 1994 pursuant to the federal *Indoor Radon Abatement Act of 1988*. A manual developed by the EPA entitled "Radon Reduction Techniques in Schools" is available by calling one of the telephone numbers listed below.

### **LETTER FROM NJDEP**

October 18, 2004

Dear Superintendent/School Business Administrator:

On August 20, 2004, the Council on Local Mandates nullified the New Jersey law requiring radon testing in public school buildings (N.J.S.A. 18A:20-40). Following the Council's decision, several school districts have asked the Department of Environmental Protection for guidance.

We strongly encourage all schools to test for the presence of radon. The more radon that the school children, teachers, and employees are exposed to, and the longer the exposure, the greater the risk of eventually developing lung cancer. Radon is the second leading cause of lung cancer in the United States. According to the U.S. Environmental Protection Agency, it may be responsible for 15,000 to 22,000 deaths per year. In New Jersey, of the 4,500 lung cancer deaths reported annually, as many as 200-300 may be associated with radon exposure. These estimates of cancer risk from radon exposure are less than those caused by smoking, but are far greater than the number of cancers estimated to occur as a result of exposure to other environmental hazards, such as toxic chemicals in drinking water or pesticide residues on food.

Testing your school buildings for radon can identify unacceptably high levels of radon. If unacceptably high levels of radon are found, proven mitigation methods can be employed to significantly reduce children's exposure and thereby lower their risk of developing lung cancer in future years. Even in areas of New Jersey with low potential for radon problems there can be local geological formations that generate high concentrations of radon in a very small area.

Residential testing has identified many New Jersey communities that have small numbers of homes with relatively high radon levels among much larger groups of homes with low radon levels.

Both the EPA and the DEP recommend that radon testing be conducted in all frequently occupied classrooms and offices that are in contact with the ground or are directly above unoccupied areas of the basement. Testing can be done by a certified contractor for as little as \$20 per room.

I know from inquiries from school administrators from all over New Jersey that many school districts have already set aside funding and, in some cases, negotiated contracts to perform radon testing during this year. If your district is among those who were preparing to test for radon, I strongly encourage you to follow through with your plans. If you were not planning to test this school year, I encourage you to do so as soon as feasible.

A wide variety of information regarding radon is available on our Web site at [www.nj.gov/deR/mR/radon/index](http://www.nj.gov/deR/mR/radon/index)

Please direct any questions or concerns you may have to;

Gerald P. Nicholls, Ph.D., Director, Division of Environmental Safety and Health,  
(609) 633-7964.

Sincerely,  
Bradley M. Campbell  
Commissioner

### **Regulating Agencies**

N.J. Department of Environmental Protection and Energy

Tara Cole

1-800-648-0394

## **RECYCLING**

The NJDEP's new recycling rules (N.J.A.C.7:26A) were adopted on January 7, 2009 and will be published in the New Jersey Register on February 2, 2009. Among other provisions, the rules include new subchapters that address penalties for recycling violations, standards for generators of recyclable materials, and the requirements placed upon municipal and county governing bodies by the Recycling Act.

- Municipalities are required by state law to have a recycling ordinance in place (a local law) that specifies those recyclable materials that must be recycled from the residential, commercial and institutional (schools, hospitals, etc.) sectors. These mandatory designated recyclable materials must be consistent with those materials designated for recycling in the applicable county recycling plan. Municipal ordinances may require the recycling of more materials than that listed in the county recycling plan.
  - Municipal recycling ordinances can be enforced by local or county health department officials as per the County Environmental Health Act or by other municipal staff empowered by the municipality for this purpose. Of course, police officers can also enforce recycling ordinances although they typically are not involved in this municipal function.
- 
- Atlantic [http://www.acua.com/recycling/r\\_home.cfm](http://www.acua.com/recycling/r_home.cfm)
  - Bergen [http://www.bcua.org/SolidWaste\\_Recycling.htm](http://www.bcua.org/SolidWaste_Recycling.htm)
  - Burlington [http://www.co.burlington.nj.us/departments/resource\\_conservation/recycling/index.htm](http://www.co.burlington.nj.us/departments/resource_conservation/recycling/index.htm)
  - Camden <http://www.camdencounty.com/government/offices/environment/index.html#top>
  - Cape May <http://www.cmcmua.com/>
  - Cumberland <http://www.ccia-net.com/recycling.asp>
  - Essex No website. Call 973-857-2350
  - Gloucester <http://www.gcianj.com>
  - Hudson <http://www.hcia.org>
  - Hunterdon <http://www.co.hunterdon.nj.us/depts/swr/hcua.htm>
  - Mercer <http://www.mcia-nj.com/recycling.html>
  - Middlesex <http://co.middlesex.nj.us/planningboard/solidwaste.asp>
  - Monmouth <http://www.monmouthplanning.com/RecyclingNews/MainRecycling.htm>
  - Morris <http://www.mcmua.com/recycling/index.htm>
  - Ocean <http://www.co.ocean.nj.us/recycle>
  - Passaic <http://www.passaiccountynj.org/Departments/departments.htm>
  - Salem <http://www.scua.org/>
  - Somerset <http://www.co.somerset.nj.us/recycle.html>

- Sussex <http://www.scmua.org/>
- Union <http://www.ucnj.org/>
- Warren <http://www.pcfawc.com/recycling-center.html>

## **REFRIDGERANT RECYCLING**

- Note: Recovery and disposition of refrigerant fluid must comply with all applicable laws, regulations and guidelines, including, but not limited to, the following:
  - 1. Safety standards of the Occupational Safety and Health Administration (OSHA), including standards for handling compressed gases at 29 C.F.R. 1910.101 and standards for air contaminants at 29 C.F.R. 1910.1000;
  - 2. Persons transporting recovered chlorofluorocarbons mixed or combined with a hazardous waste shall comply with the Department's hazardous waste rules at N.J.A.C. 7:26G, particularly N.J.A.C. 7:26G-5 and 7:26G-6;
  - 3. Recovered refrigerant fluid shall be stored and transported in containers in accordance with the requirements at 49 C.F.R., particularly Chapter 1 and Subchapter C;
  - 4. Recovery, storage and transport of refrigerants shall comply with Air Conditioning and Refrigerant Institute (ARI) guideline K for containers for recovered refrigerants, incorporated herein by reference.
  - 5. The provisions of Title VI of the Clean Air Act Amendments of 1990. [N.J.A.C. 7:26A-5.1(d)]

## **REGISTERED MEDICAL WASTE**

### **Definitions:**

Regulated medical waste is the following solid waste, generated in the diagnosis, treatment, or immunization of human beings or animals:

- cultures and stocks contaminated with infectious agents;
- pathological wastes;
- human blood and blood products;
- sharps such as hypodermic needles, syringes, pipettes, scalpel blades, blood vials, needles with attached tubing, and used slides and cover slips contaminated with blood or other infectious materials;
- animal waste contaminated with infectious agents;
- isolation wastes;
- unused sharps such as hypodermic needles, suture needles, syringes, and scalpel blades.

The following are not considered regulated medical waste:

- hazardous waste listed in 40 CFR Part 261;
- household waste generated in households utilizing home self care;
- incineration ash generated by burning regulated medical waste
- residues from treatment and destruction processes once the regulated medical waste has been treated and destroyed; and human corpses, remains, and anatomical parts that are intended for interment or cremation.

A comprehensive, cradle-to-grave, regulated medical waste (RMW) management program was developed by the New Jersey Department of Environmental Protection (NJDEP) under New Jersey's Comprehensive Regulated Medical Waste Management Act (N.J.S.A. 13:1E-48 et seq.), with the assistance of the Department of Health and Senior Services (DHSS). Procedures for the proper processing, transportation and ultimate disposal of RMW are listed in the New Jersey Administrative Code, Title 7, Chapter 26, Subchapter 3A, (N.J.A.C. 7:26-3A). Guidelines for general procedures in other medical situations may be found in the DHSS Hospital Licensure Manual, Section 306 and in the Occupational Safety and Health Administration Instruction (CPL 2-2.44).

<http://www.state.nj.us/dep/dshw/resource/rules>

New Jersey RMW tracking forms, reporting forms and technical assistance with regulatory interpretations may be obtained from the NJDEP, DSHW, Bureau of Resource Recovery and Technical Programs, PO Box 414, Trenton, NJ 08625-0414 or by calling (609) 984-6620 during normal business hours.

## **SEPTIC TANK MAINTENANCE & DESIGN**

Citation

State of New Jersey Administrative Code - N.J.A.C. 7:9A

### **7:9A-12.1 System use**

- a) The individual subsurface sewage disposal system shall be used only for the disposal of wastes of the type and origin provided for in the approved engineering design. No permanent or temporary connection shall be made to any source of wastes, wastewater or clean water. This prohibition does not apply to those plumbing fixtures which are normally present within the type of facility indicated in the approved engineering design such as air conditioning condensate, heating system condensate and water softener backwash.
- b) Drainage from basement floors, footings or roofs shall not enter the individual subsurface sewage disposal system and shall be diverted away from the area of the disposal field.
- c) As set forth in N.J.S.A. 58:10A-17, no person shall use or introduce or cause any other person to use or introduce into any individual subsurface sewage disposal system any sewage system cleaner containing any restricted chemical material.
- d) Disposal of materials containing toxic substances into an individual subsurface sewage disposal system is prohibited. Material containing toxic substances include, but are not limited to, waste oil (other than cooking oil), oil-based or acrylic paints, varnishes, photographic solutions, pesticides, insecticides, paint thinners, organic solvents or degreasers and drain-openers.
- e) Inert or non-biodegradable substances shall not be disposed of in the individual subsurface sewage disposal system. Such substances include, but are not limited to, disposable diapers containing plastic, cat box litter, coffee grounds, cigarette filters, sanitary napkins, facial tissues and wet-strength paper towels.
- f) Large quantities of cooking greases or fats shall not be discharged into systems not equipped with a grease trap designed and constructed as prescribed in N.J.A.C. 7:9A-8.1.
- g) Major plumbing leaks shall be repaired promptly to prevent hydraulic overloading of the system.

**TANK PUMPING IS REQUIRED EVERY 3 YEARS.**

## **SEWERAGE TREATMENT PLANTS**

### **PUMPING STATION**

#### A. Lift Stations/Waste Treatment Facilities

1. The most critical component of a lift station is the pumping unit.
2. Most stations are rated at gallons per minute. (GPM)
3. Pumps should be specified to handle peak flows.

#### B. Inspections

1. The contractor, the engineer, and the operating agency before final acceptance should inspect new facilities.
2. Inspections should be planned and conducted by the people responsible for the operation and maintenance of the station.
3. Punch-list should be developed and presented to all concerned and contractor for immediate attention.
4. The engineer should be the only person who accepts the station as functional and ready for use.

#### C. Record keeping

1. Record keeping should begin immediately and identify any peculiarities.
2. Included in this should be O & M manuals, Instruction booklets, Engineer's instructions, pump and motor characteristics, alignment readings, wet well control levels, and auxiliary equipment data.
3. Records are an important part of the lift station operations and maintenance program.
4. All records should be filed at the agency's main office.
5. Use the "Maintenance Task Forms #402 Collections Systems.

#### D. Inspections and Maintenance should be conducted monthly, quarterly, semi-annual and annual basis with specific tasks outlined for each inspection and preventive maintenance.

## **SEXUAL HARASSMENT**

It is forbidden to discrimination against any employee or applicant for employment on the basis of sex. Sexual harassment activity in the workplace by any of its employees is not allowed. Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment if:

### **General Prohibitions - Unwelcome Conduct of a Sexual Nature:**

- A. Conduct of a sexual nature may include verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; and sexually-oriented "kidding," "teasing," double-entendres, and jokes.
- B. Verbal or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee has indicated, by his or her conduct, that it is unwelcome.
- C. An employee who has initially welcomed such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.
- D. Submission to the conduct is made either an explicit or implicit condition of employment;
- E. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or
- F. The conduct substantially interferes with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.
- G. It is sexual harassment for an administrator or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment.

H. Non-administrative and Non-supervisory Employees:

- I. It is sexual harassment for a non-administrative and non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature.

Additional information is available on the website at:

[http://www.state.nj.us/humanservices/polices\\_procedures/EEO\\_harassment\\_policy.pdf](http://www.state.nj.us/humanservices/polices_procedures/EEO_harassment_policy.pdf)

## **SPRINKLER SYSTEMS**

### **Citation**

NJ Uniform Fire Safety Code in accordance with the National Fire Protection Association 25, Standard for the Inspection, Testing and Maintenance of Water Based Fire Protection Systems, Chapter 2

### **Synopsis:**

Tests on sprinkler systems water flow alarms that provide audible or visual signals shall be tested quarterly. The test shall be conducted by opening the inspectors test valve. The inspectors test valve must be marked. Prior to the testing, the alarm company must be notified.

*The entire system shall be inspected and tested annually by the local fire official. This test includes inspection of visible piping, fittings, and sprinklers. Sprinklers must be closely monitored for corrosion, foreign materials, paint, or physical damage. If any of the previous conditions are found the sprinkler must be replaced immediately. Any unacceptable obstruction to spray patterns shall be corrected at the time of inspection. The minimum clearance to the sprinkler head must be 18 inches. A supply of spare sprinklers never less than six (6), and a sprinkler wrench shall be stored in a cabinet near the main sprinkler control valve for replacement purposes.*

A sprinkler system placed out of service at any time, must be reported to the local fire official.

### **Regulating Agency**

Local Enforcing Agency (State, County, or Local)

### **Contacts:**

Local Fire Official

## **UNDERGROUND STORAGE TANKS**

### **Citation**

N.J.S.A. 58:10A-1 et seq

### **Synopsis**

On September 4, 1990, regulations for New Jersey's Underground Storage of Hazardous Substance Act were implemented. Those regulations required owners and operators of underground storage tanks (USTs) to have registered their tanks by February 19, 1988, and to submit an annual certification form along with the required annual fee.

Owners and operators were also required to upgrade all existing USTs with corrosion protection, release monitoring, spill protection and overfill protection by the following dates:

Regulated substances other than heating oil – December 22, 1993  
Heating oil for on-site consumption – August 6, 1995

THE DEADLINE TO PROVIDE SECONDARY CONTAINMENT ON ALL HAZARDOUS SUBSTANCE USTs WAS DECEMBER 22, 1998. Recordkeeping of inventory reconciliation, repairs, precision testing, monitoring results, and monitoring manufacturer's claims must be kept on file for the life of the site.

Removal of USTs is to be performed in strict compliance with the regulations. New UST installation must comply with all requirements of the regulation at installation.

Failure to comply with the code could generate a fine of up to \$50,000 a day depending on the severity of the offense.

### **Regulating Agency/Contact Person**

New Jersey Department of Environmental Protection  
Division of Responsible Party Site Remediation  
Bureau of Underground Storage Tanks

P. O. Box 433  
Trenton, NJ 08625-0028  
Kevin Kratina, Bureau Chief  
(609) 292-8761

## **VEHICLE IDLING**

### **Motor Vehicle Idling Restrictions for Diesel and Gasoline Motor Vehicles**

It is illegal in New Jersey (Since Feb 2003) to let either a gasoline or diesel powered motor vehicle idle for more than 3 minutes, while the vehicle is not in motion.

The only exceptions are as follows:

- Vehicles picking up or discharging passengers (maximum 15 minutes)
- Vehicles stopped in traffic or at a traffic light
- Emergency vehicles used for emergency work, only when they are actively involved in emergency work.
- A motor vehicle whose engine is used for powering another mechanical operation other than propulsion (like a bucket truck or backhoe)
- Diesel vehicles stopped for more than 3 hours when the temperature is below 25 degrees Fahrenheit may idle for 15 minutes.
- Vehicles with sleeper berths under certain conditions

## **WATER TEST/SCHOOL OPERATING SYSTEM**

### **Citation:**

SWDA of 1974  
SWDA of 1986  
SWDA Amendments of 1996  
Lead Contamination Control Act 1988  
Assembly Bill 2160 of 1998

### **Synopsis:**

- A. Schools or non-residential buildings that own or operate their own water supply and meet the States' definition of public water supply are subject to the provisions of the Safe Water Drinking Act (SWDA).
- B. This report must include the following information: a list of contaminants that have been found in the drinking water, and a list of the acceptable levels in drinking water.
- C. Schools categorized as non-community water systems must, in writing by mail, send copies of the annual drinking water quality report to employees as well as parents or guardians of enrolled students.
- D. Parents or guardians of children at "sleep away" or "day" camps, as well as employees of camps categorized as non community water systems must, in writing by mail, be sent copies of the annual drinking water quality report.
- E. Testing protocol includes but not limited to:
  - 1. Develop a plumbing profile.
  - 2. Develop a sampling plan.
  - 3. Conduct initial and follow-up sampling and analysis of test results.
  - 4. Determination of interim and long term remedies.

### **Regulating Agency:**

State of New Jersey, Department of Environmental Protection  
Water Supply Administration – Bureau of Safe Drinking Water  
401 East State Street, PO Box 426

Trenton, NJ 08625-0426  
Phone (609) 292-5550  
Fax (609) 292-1654  
[www.State.NJ.US/DEP/Watersupply/Standard.htm](http://www.State.NJ.US/DEP/Watersupply/Standard.htm)

**NEW LEGISTRATION TO WATCH FOR;**

**ASSEMBLY, No. 2984**  
**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

INTRODUCED JUNE 16, 2008

**Sponsored by:**

**Assemblyman JOHN DIMAIO**

**District 23 (Warren and Hunterdon)**

**Assemblywoman MARCIA A. KARROW**

**District 23 (Warren and Hunterdon)**

**SYNOPSIS**

Requires executive county superintendent of schools to review all proposed contracts for goods or services of school districts with State support ratio of 70% or greater.

**CURRENT VERSION OF TEXT**

As introduced.

**NEW LEGISLATION TO WATCH FOR;**

**ASSEMBLY, No. 1240**  
**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

**Sponsored by:**

**Assemblywoman LINDA STENDER**

**District 22 (Middlesex, Somerset and Union)**

**Assemblyman JOHN F. MCKEON**

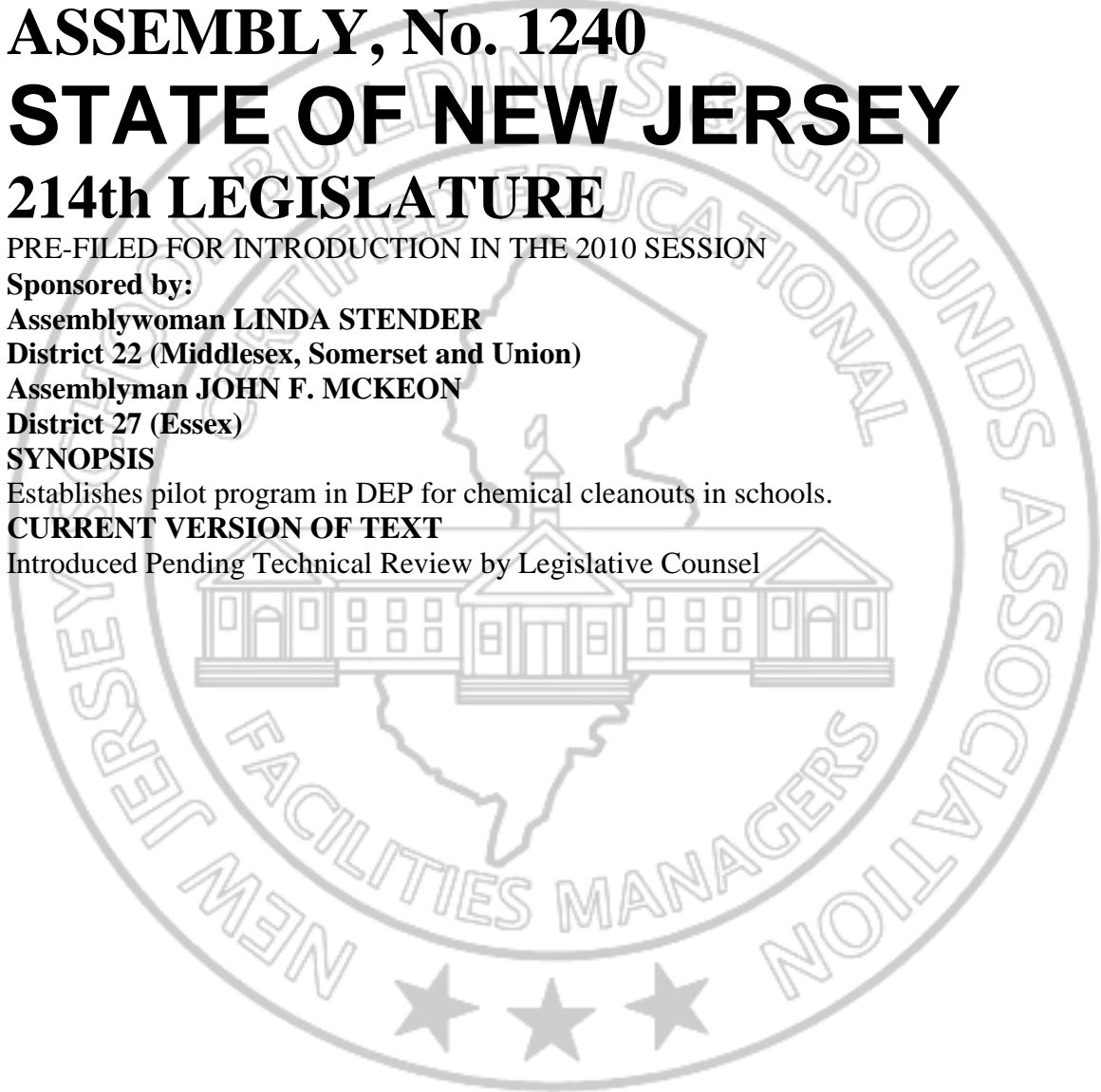
**District 27 (Essex)**

**SYNOPSIS**

Establishes pilot program in DEP for chemical cleanouts in schools.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**NEW LEGISLATION TO WATCH FOR;**

**ASSEMBLY, No. 1848**

**STATE OF NEW JERSEY**

**214th LEGISLATURE**

INTRODUCED JANUARY 25, 2010

**Sponsored by:**

**Assemblyman REED GUSCIORA**

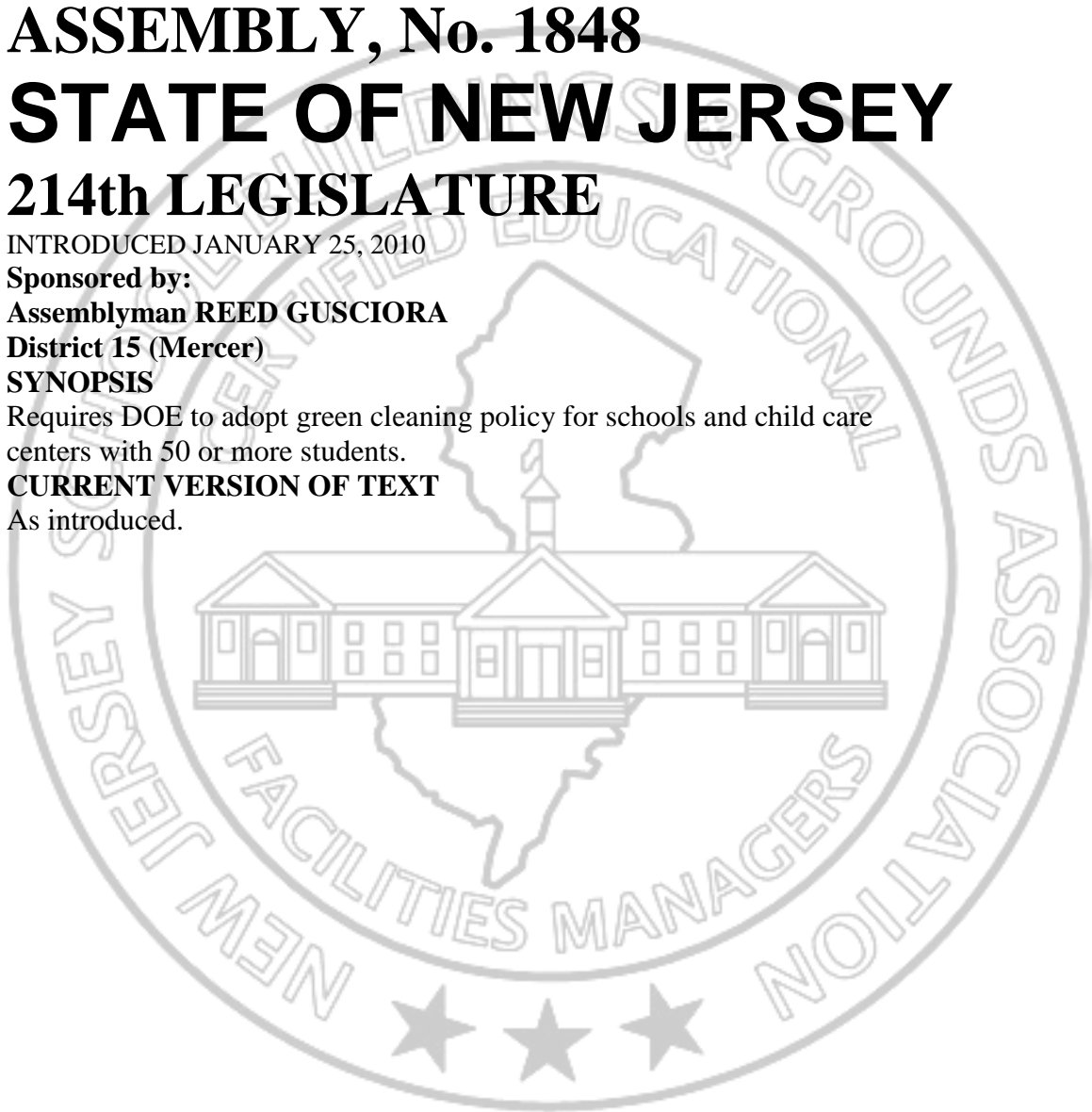
**District 15 (Mercer)**

**SYNOPSIS**

Requires DOE to adopt green cleaning policy for schools and child care centers with 50 or more students.

**CURRENT VERSION OF TEXT**

As introduced.



**NEW LEGISLATION TO WATCH FOR;**

**SENATE, No. 2610**  
**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

INTRODUCED JANUARY 10, 2011

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

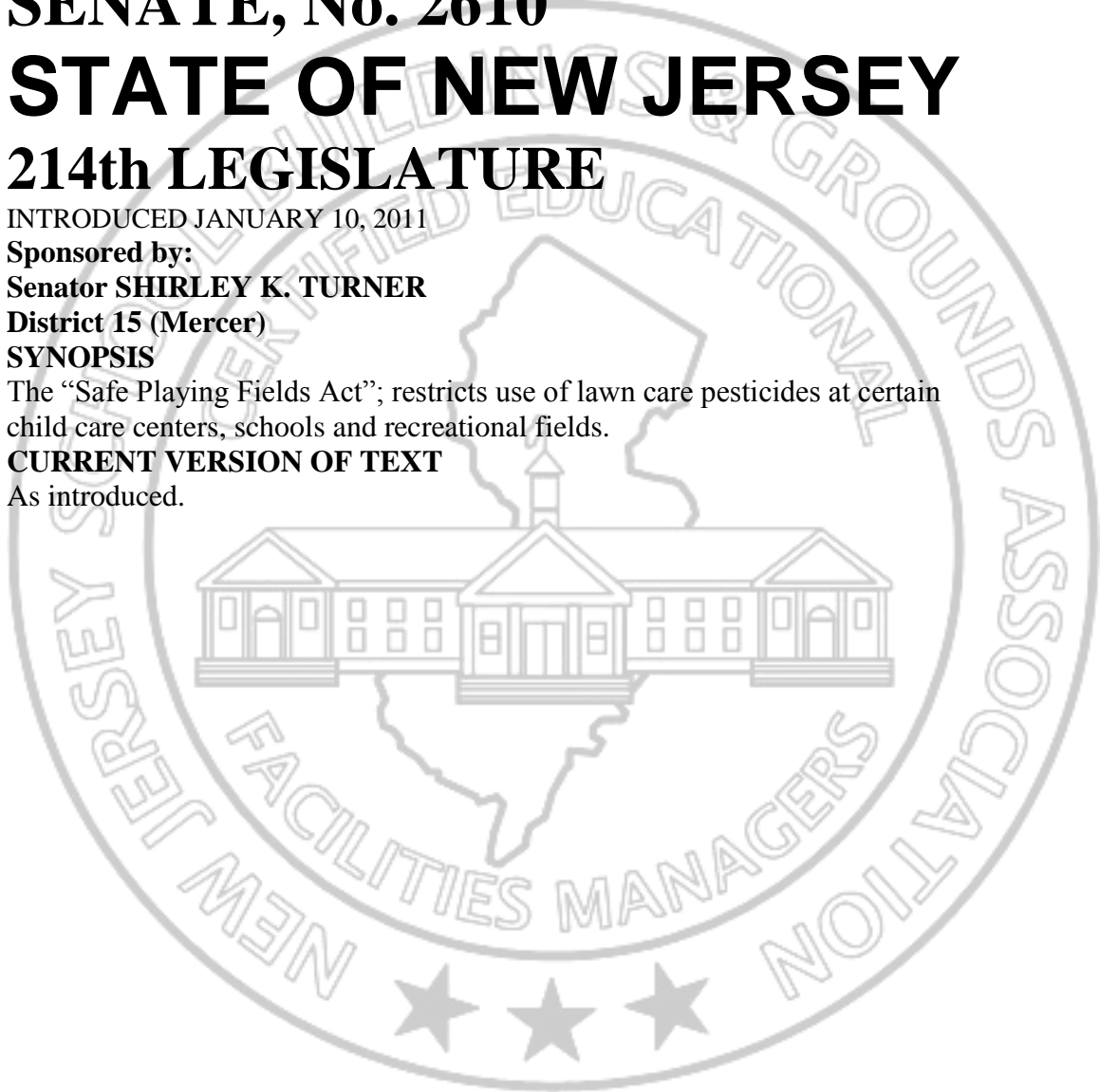
**District 15 (Mercer)**

**SYNOPSIS**

The “Safe Playing Fields Act”; restricts use of lawn care pesticides at certain child care centers, schools and recreational fields.

**CURRENT VERSION OF TEXT**

As introduced.



**NEW LEGISLATION TO WATCH FOR;**

**SENATE, No. 239**  
**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Senator **CHRISTOPHER "KIP" BATEMAN**

District 16 (Morris and Somerset)

Senator **SHIRLEY K. TURNER**

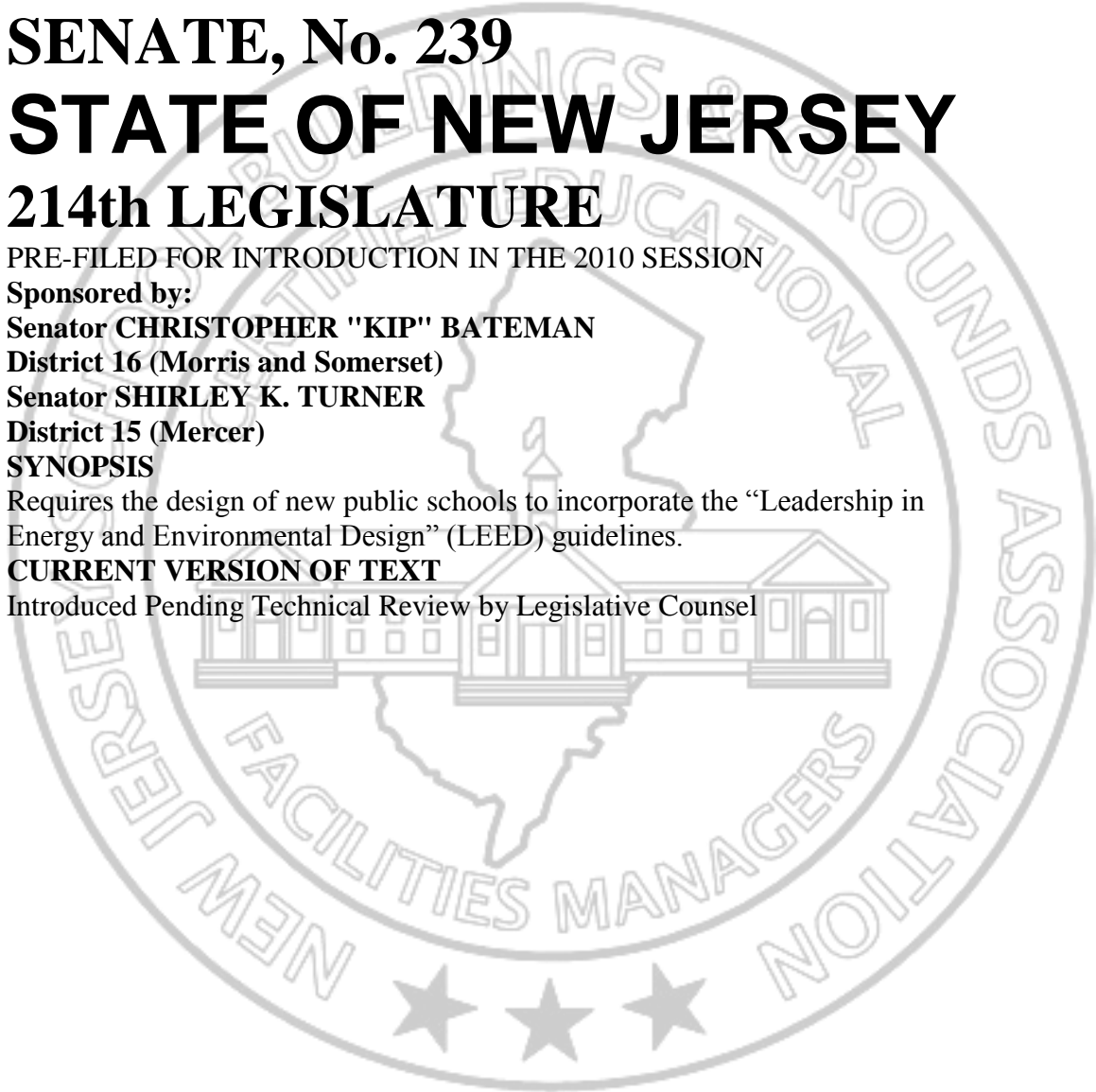
District 15 (Mercer)

**SYNOPSIS**

Requires the design of new public schools to incorporate the “Leadership in Energy and Environmental Design” (LEED) guidelines.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**NEW LEGISLATION TO WATCH FOR;**

**SENATE, No. 1490**

**STATE OF NEW JERSEY**

**214th LEGISLATURE**

INTRODUCED FEBRUARY 22, 2010

**Sponsored by:**

**Senator RONALD L. RICE**

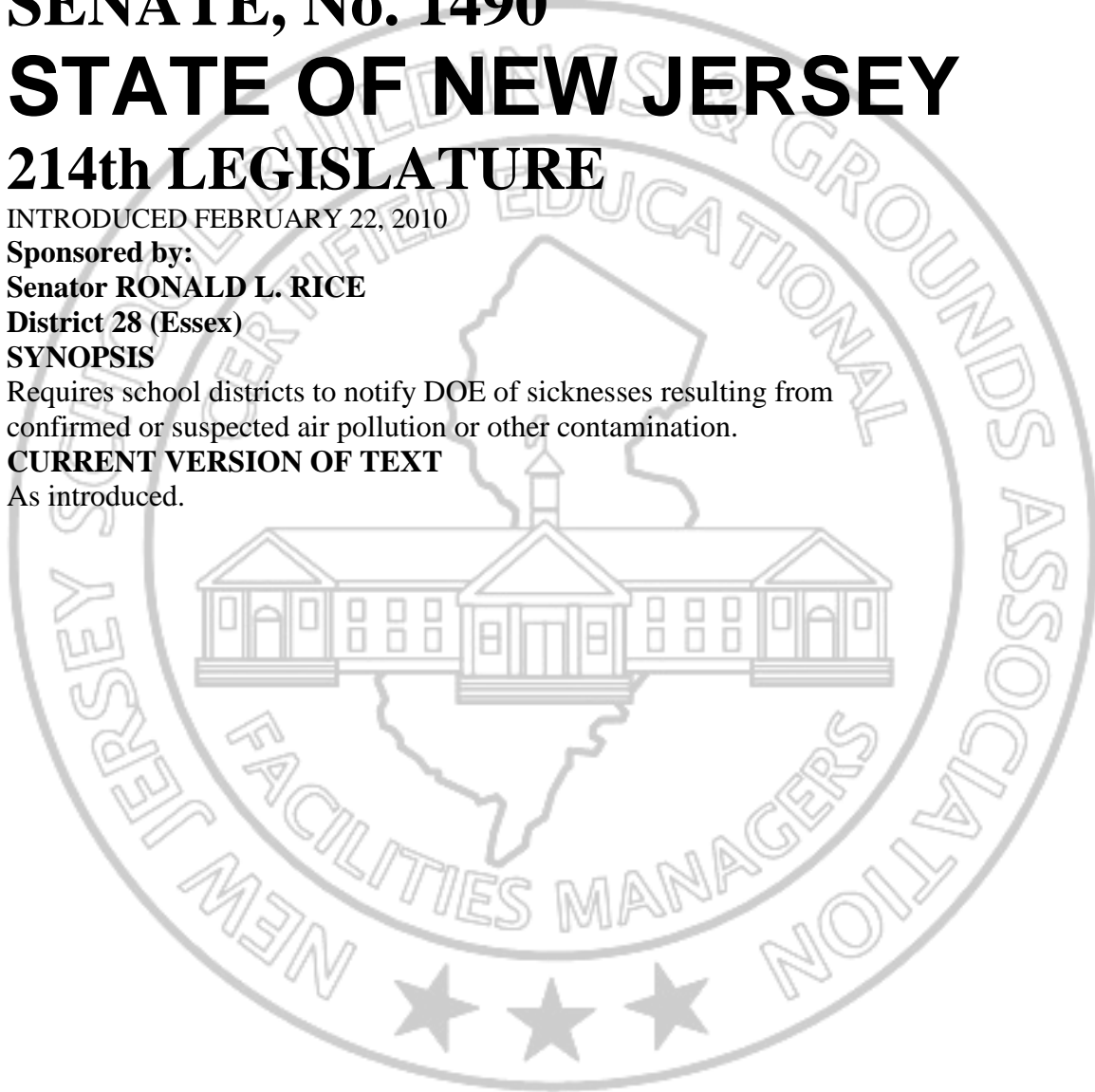
**District 28 (Essex)**

**SYNOPSIS**

Requires school districts to notify DOE of sicknesses resulting from confirmed or suspected air pollution or other contamination.

**CURRENT VERSION OF TEXT**

As introduced.



**NEW LEGISLATION TO WATCH FOR;**

**SENATE, No. 2357**  
**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

INTRODUCED OCTOBER 18, 2010

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

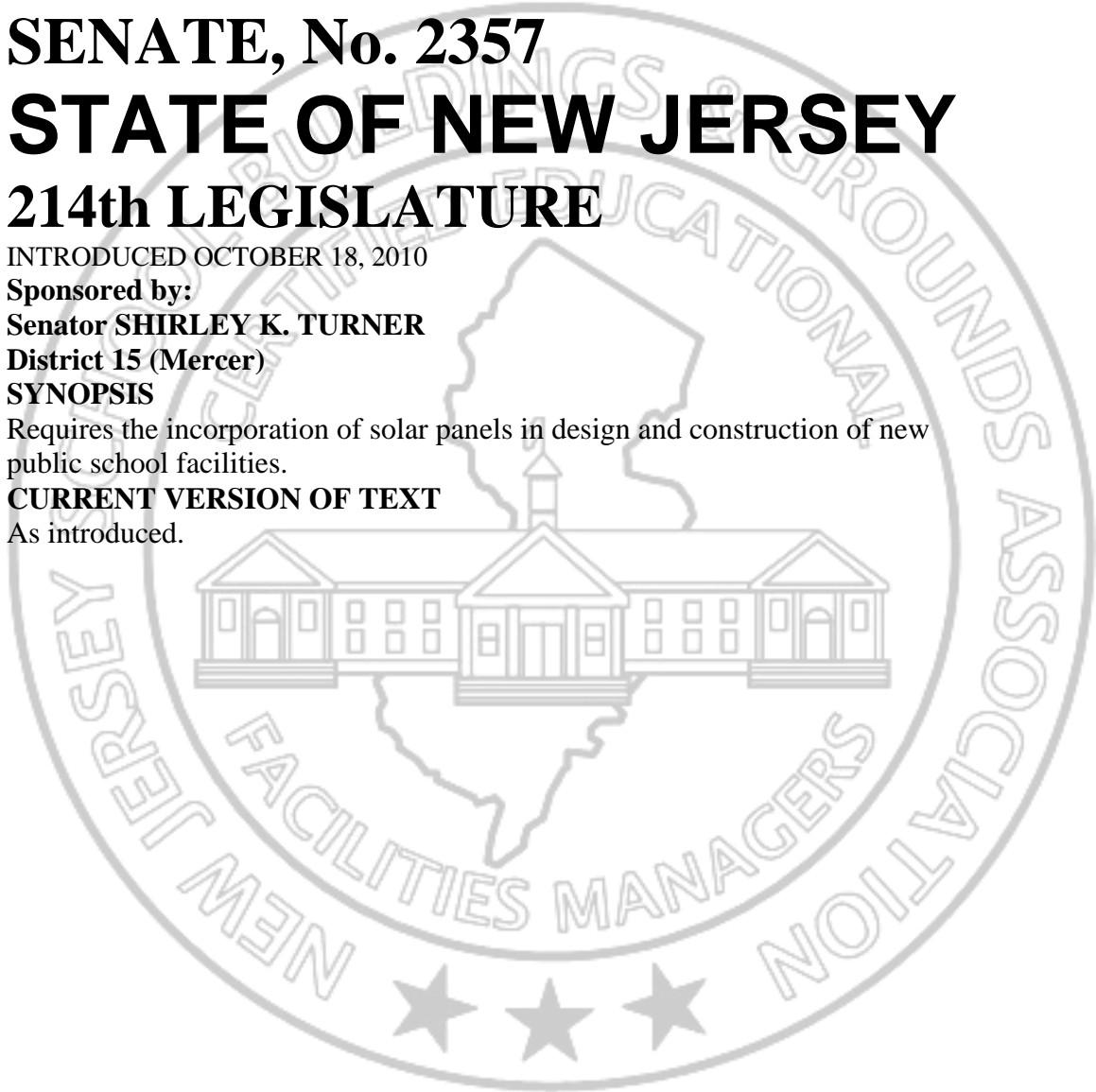
**District 15 (Mercer)**

**SYNOPSIS**

Requires the incorporation of solar panels in design and construction of new public school facilities.

**CURRENT VERSION OF TEXT**

As introduced.



**There are over 3,600 public and nonpublic schools in New Jersey. School Administrators are charged with educating our children in a safe and healthy environment. In order to provide New Jersey's schools with compliance assistance on environmental issues, the Department of Environmental Protection's Division of Compliance and Enforcement has identified the following nine (9) most frequently encountered environmental compliance issues found when inspecting schools:**

- Illegal idling of school buses;
- Unregistered underground storage tanks;
- Lack of/or expired permits for regulated boilers and emergency generators;
- Improper management of chemicals in school laboratories;
- Lack of an Integrated Pest Management (IPM) program or improper implementation of the IPM program;
- Improper management of "Recyclables";
- Improper management of septic systems and/or lack of/expired permit (if required);
- Violation of land use regulations;
- Failure to comply with the Safe Drinking Water requirements, including the posting of Consumer Confidence Report.

**Who should I contact with questions?**

You may contact Farouk Afrasiabi (School Facilities Coordinator) at:  
NJ Department of Environmental Protection  
Division of Compliance and Enforcement  
P.O. Box 422  
401 E. State Street  
Trenton, NJ 08625-0422  
farouk.afraziabi@dep.state.nj.us

# GLOSSARY

## COUNTY HEALTH DEPARTMENTS

### **Atlantic County:**

Atlantic County Health Department  
201 South Shore Road  
Northfield, NJ 08225

Telephone: 609-645-5971  
Fax: 609-645-5923

### **Bergen County:**

Bergen County Health Department  
327 East Ridgewood Road  
Paramus, NJ 07652

Telephone: 201-599-6150  
Fax: 201-599-6270

### **Burlington County:**

Burlington County Health Department  
15 Pioneer Boulevard  
Westampton, NJ 08060

Telephone: 609-265-5515  
Fax: 609-265-5541

### **Camden County:**

Camden County Health Department  
PO Box 9  
Blackwood, NJ 08012

Telephone: 856-374-6046  
Fax: 856-374-6211

### **Cape May County:**

Cape May County Health Department  
Crest Haven Complex  
Cape May Court House, NJ 08210

Telephone: 609-465-1208  
Fax: 609-465-6564

### **Cumberland County:**

Cumberland County Health Department  
790 East Commerce Street  
Bridgeton, NJ 08302

Telephone: 856-453-2156  
Fax: 856-453-0338

### **Essex County:**

Essex County Health Department  
120 Fairview Avenue  
Cedar Grove, NJ 07009

Telephone: 973-228-8152  
Fax: 973-403-1754

### **Gloucester County:**

Gloucester County Health Department  
160 Fries Mill Road  
Turnersville, NJ 08012

Telephone: 856-262-4200  
Fax: 856-629-0469

**Hudson County:**

Hudson County Health Department  
595 County Avenue  
Secaucus, NJ 07094

Telephone: 201-223-1133  
Fax: 201-223-0122

**Hunterdon County:**

Hunterdon County Health Department  
Administration Building  
Flemington, NJ 08822

Telephone: 908-788-1351  
Fax: 908-782-7510

**Mercer County:**

Mercer County Health Department  
209 South Broad Street  
Trenton, NJ 08650

Telephone: 609-989-6497  
Fax: 609-394-8785

**Middlesex County:**

Middlesex County Health Department  
35 Oakwood Avenue  
Edison, NJ 08820

Telephone: 732-494-6742  
Fax: 732-494-7771

**Monmouth County:**

Monmouth County Health Department  
3435 Route 9  
Freehold, NJ 07728

Telephone: 732-431-7456  
Fax: 732-409-7579

**Morris County:**

Morris County Health Department  
PO Box 900  
Morristown, NJ 07963

Telephone: 973-285-6113  
Fax: 973-285-6360

**Ocean County:**

Ocean County Health Department  
PO Box 2191  
Toms River, NJ 08754

Telephone: 732-341-9700  
Fax: 732-286-1495

**Passaic County:**

Passaic County Health Department  
311 Pennsylvania Avenue  
Paterson, NJ 07503

Telephone: 973-225-3643  
Fax: 973-225-0222

**Salem County:**

Salem County Health Department  
98 Market Street  
Salem, NJ 08079

Telephone: 609-935-7510  
Fax: 609-935-8483

**Somerset County:**

Somerset County Health Department  
20 Grove Street  
Somerville, NJ 08876

Telephone: 908-231-7000  
Fax: 908-707-4127

**Sussex County:**

Sussex County Health Department  
127 Morris Turnpike  
Newton, NJ 07860

Telephone: 973-948-4545  
Fax: 973-948-2593

**Union County:**

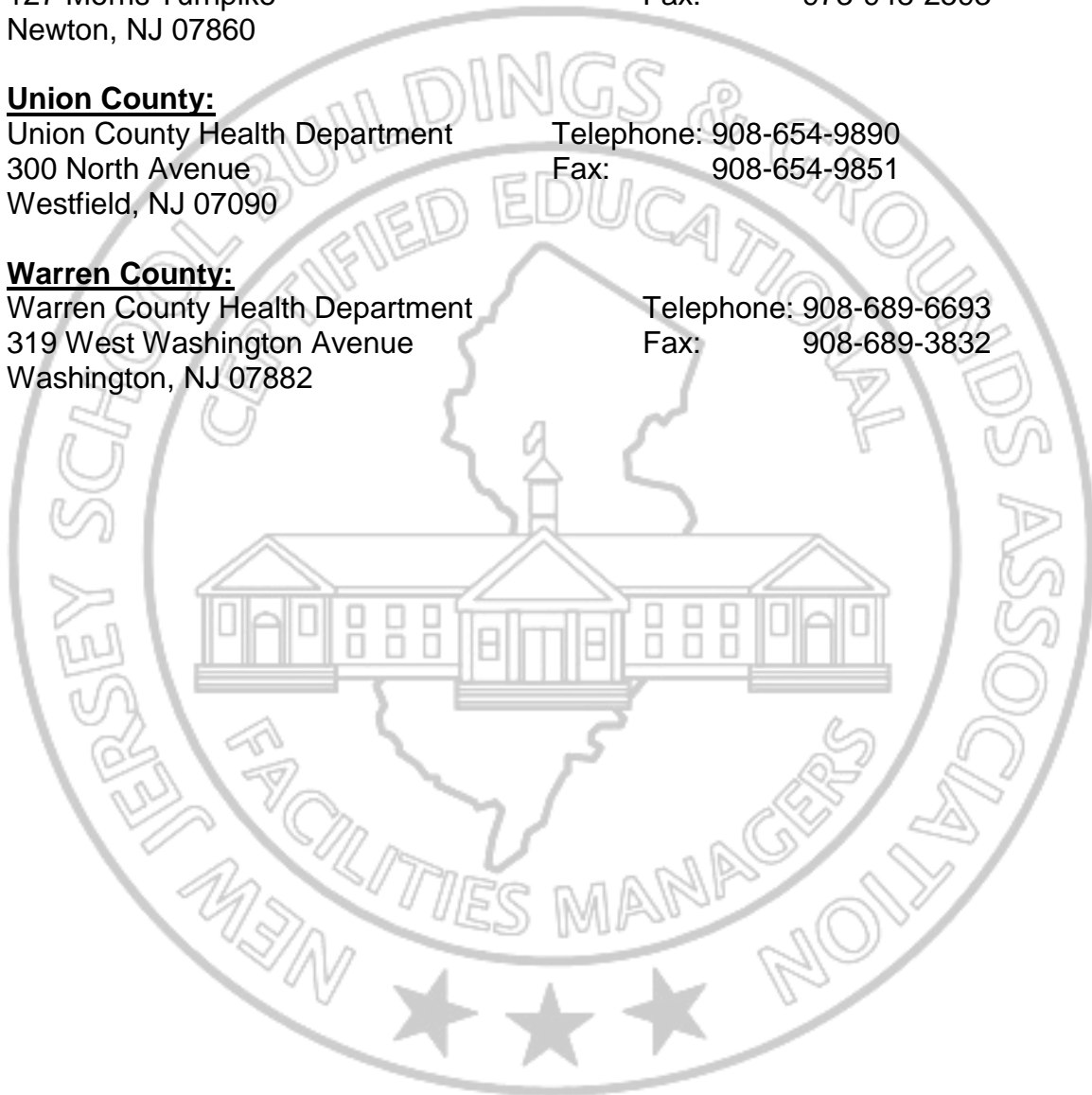
Union County Health Department  
300 North Avenue  
Westfield, NJ 07090

Telephone: 908-654-9890  
Fax: 908-654-9851

**Warren County:**

Warren County Health Department  
319 West Washington Avenue  
Washington, NJ 07882

Telephone: 908-689-6693  
Fax: 908-689-3832



## COUNTY EDUCATION DEPARTMENTS

<http://www.nj.gov/education/>

### Atlantic County:

6260 Old Harding Highway  
Mays Landing, NJ 08330-1599  
phone: (609) 625-0004 fax: (609) 625-6539

### Bergen County:

One Bergen County Plaza  
3rd Floor, Room 350  
Hackensack, NJ 07601  
phone: (201) 336-6875 fax: (201) 336-6880

### Burlington County:

2 Academy Drive  
Westampton, NJ 08060  
phone: (609) 265-5060 fax: (609) 265-5922

### MAILING ADDRESS:

Burlington County Office of Ed., P.O. Box 6000, Mount Holly, New Jersey 08060

### Camden County:

Jefferson Hall  
PO Box 200  
College Drive  
Blackwood, NJ 08012  
phone: (856) 401-2400 fax: (856) 401-2410

### Cape May County:

4 Moore Road  
Cape May Court House,  
DN 701, NJ 08210  
phone: (609) 465-1283 fax: (609) 465-2094

### Cumberland County:

19 Landis Avenue  
Bridgeton, NJ 08302  
phone: (856) 451-0211 fax: (856) 455-9523

### Essex County:

7 Glenwood Avenue - Suite 404  
East Orange, NJ 07018  
phone: (973) 395-4677 fax: (973) 395-4696

**Gloucester County:**

1492 Tanyard Road  
Sewell, NJ 08080-4222  
phone: (856) 468-6500 fax: (856) 468-9115

**Hudson County:**

Mailing Address:  
595 Newark Avenue, Jersey City, NJ 07306  
Office Location:  
595 County Avenue, Bldg. 3  
Secaucus, NJ 07094  
phone: (201) 319-3850 fax: (201) 319-3650

**Hunterdon County:**

Mailing Address:  
P.O. Box 2900, Flemington, NJ 08822-2900  
Office Location:  
10 Court Street  
Flemington, NJ 08822-2900  
Phone: (908) 788-1414 fax: (908) 788-1457

**Mercer County:**

1075 Old Trenton Road  
Trenton, NJ 08690  
phone: (609) 588-5884 Fax: (609) 588-5849

**Middlesex County:**

1460 Livingston Ave. , Building 400, 2nd floor  
North Brunswick, NJ 08902  
phone: (732) 249-2900 fax(732) 296-0683

**Monmouth County:**

Mailing Address:  
Monmouth Co. Office of Education, PO Box 1264, Freehold, NJ 07728-1264  
Office Location:  
60 Neptune Blvd., 2nd floor  
Neptune, NJ 07753  
phone: (732) 431-7816 fax(732)776-7237

**Morris County:**

Mailing Address:  
Court House, P.O. Box 900, Morristown, NJ 07963-0900  
Office Location:  
30 Schuyler Place  
Morristown, NJ 07960  
Phone: (973) 285-8332 fax: (973) 285-8341

**Ocean County:**

212 Washington Street  
Toms River, NJ 08753  
phone: (732) 929-2078 fax: (732) 506-5336

**Passaic County:**

501 River Street  
Paterson, NJ 07524  
phone: (973) 569-2110 fax: (973) 754-0241

**Salem County:**

164 Route 45  
Salem, NJ 08079  
phone: (856) 339-8611 fax: (856) 935-6290

**Somerset County:**

Mailing Address:  
P.O. Box 3000, Somerville, NJ 08876  
Office Location:  
27 Warren St.  
Somerville, NJ 08876  
Phone: (908) 541-5700 fax: (908) 722-6902

**Sussex County:**

262 White Lake Road  
Sparta, NJ 07871  
phone: (973) 579-6996 fax: (973) 579-6476

**Union County:**

300 No. Avenue East  
Westfield, NJ 07090  
phone: (908) 654-9860 fax: (908) 654-9869

**Warren County:**

1501 Route 57,  
Washington, NJ 07782  
phone: (908)689-0464 fax: (908)689-1457