



EPA's School Siting Guidelines: What's Missing?



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Nearly four years after Congress directed EPA to develop voluntary school siting guidelines that take into account “[t]he special vulnerabilities of children to hazardous substances or pollution exposures . . . in which the potential for contamination at a potential school exists,” EPA’s School Siting Guidelines were made public in October 2011. These Guidelines, if followed, will create new opportunities for those concerned with school facility siting decisions to impact the location of those facilities; and will require school districts to conduct extensive environmental reviews of sites where potential health and environmental concerns exist. While the Guidelines represent a major victory for children’s environmental health advocates there are several issues that the Guidelines fail to address. Listed below are key issues that are missing from the Guidelines.

1. **EPA’s School Siting Guidelines fail to provide guidance on where not to build schools so as to avoid toxic exposures from contaminated sites and major sources of air pollution.** To help school districts screen candidate school sites the Guidelines

contain a list of environmental hazards that exist within specific distances from each site (Exhibit 6 of the Guidelines). EPA recommends that school districts should use the list to “identify potential land uses near schools that warrant further consideration rather than to identify land uses that may be incompatible with the location of schools.” Unfortunately, EPA rejected the advice of the agency’s Children’s Health Protection Advisory Committee (CHPAC) which recommended the use of two distance-based siting criteria screens: 1) screening perimeters as a “wide screen” (similar to EPA’s proposal) and 2) a narrow screen that identifies potential sites that pose acute risks to children’s health and defines a desirable distance between proposed school sites and these environmental hazards. Both the wide and narrow screens were based on the best available science and best practices found in existing rules and regulations already in place. When evaluating candidate school sites, CHEJ urges advocates to use the exclusion zone distance recommendations of the CHPAC report found in Appendix D of the report. The CHPAC report can



be downloaded at [http://yosemite.epa.gov/oachp/ochpweb.nsf/content/CHPAC_SSTG_Report2.htm/\\$File/CHPAC_SSTG_Report2.pdf](http://yosemite.epa.gov/oachp/ochpweb.nsf/content/CHPAC_SSTG_Report2.htm/$File/CHPAC_SSTG_Report2.pdf)

2. Instead of providing guidance on where to avoid siting schools, the Guidelines rely heavily on the use of engineering and institutional controls to reduce the harm posed by various environmental hazards. Engineering controls refer to controls that physically contain contamination or provide protective barriers to prevent contamination from spreading. Institutional controls are non-engineered controls, such as administrative and legal controls, that help minimize the potential for human exposure to contamination and/or protect the integrity of engineering controls used at a particular site. Since these controls need to be monitored and maintained over the life of the school, the Guidelines should have contained more information about the use of these controls. First, the Guidelines should have contained more information on how children and other users of school facilities could be exposed to contamination found on or near school grounds. The technical term for this problem is called “exposure pathways,” which engineering and institutional controls are supposed to interrupt. You can read more about exposure pathways at: <http://www.atsdr.cdc.gov/hac/PHAManual/ch6.html> The Guidelines also contain relatively little information about engineering and institutional controls, especially information related to their costs. Since construction and maintenance costs are a major factor in school siting decisions, the Guidelines should have contained detailed information about the costs of using the various remedial strategies suggested in the Guidelines, including information about long term maintenance and monitoring of those strategies. Some information about costs of engineering and institutional controls can be found at: http://epa.gov/brownfields/tools/lts_cost_fs.pdf. Similarly, the guidelines should have included a table that

describes the strengths and weaknesses of the different engineering and institutional controls and the type of environmental conditions that each control is intended to address. A fairly technical document that further describes institutional controls can be found at: <http://www.epa.gov/superfund/policy/ic/pdfs/PIME-IC-Guidance-Interim.pdf>

3. EPA's School Siting Guidelines lack consistency in discussing cleanup goals. Different options are presented that often conflict with each other and there is no consistent guidance on which cleanup standards to use. EPA's Guidelines offer three different cleanup goals and does not provide clear guidance on which to use. In some places, EPA states “when states or tribal standards exist, they should be used.” In the absence of state standards, EPA advises that states and tribes may wish to use EPA risk assessment methods to set cleanup standards. Still other times EPA states that the “most stringent levels in effect for any contaminants found at the site, which typically are levels set for residential use” should be used. At no time does EPA offer specific guidance on which of these options to use. CHEJ believes that any standard used for evaluating or cleaning up candidate school sites should be the most stringent levels in effect for any contaminants found at the site, which is residential unrestricted use. Most states have adopted clean up standards for residential unrestricted use. To find out whether your state has a standard for residential unrestricted use you should contact the division of your state's environmental agency that oversees hazardous waste. A list of those agencies is available at: <http://www.epa.gov/osw/wyl/stateprograms.htm>

4. EPA's Guidelines contain no mention of how patterns of racial segregation should factor into school site selection, even though smart growth proponents recognize that those patterns constrain the development of sustainable communities. The siting of schools in already developed areas “near existing populations” may

perpetuate or even exacerbate existing patterns of racial segregation within school districts where housing segregation already contributes to segregated schools. In the Guidelines, EPA declined to address the problem of racial segregation. However, the Guidelines indicate that EPA and the U.S. Department of Education are available to provide technical assistance to school districts on “applicable civil rights laws.”

Written by: Steven Fischbach, a community lawyer at Rhode Island Legal Services