



Creating Solutions for Healthy Indoor Environments

Buffalo-Hanover-Montrose Schools

Attachment 99

June 2009

Attachment 99 Performance Criteria due at MDE 7/24/2009

General Comments

- School district personnel shall be involved in the process of completing this section. This section cannot be completed as a “turnkey” process.
- Responsibility for Health and Safety belongs at the district level. The task can, in certain circumstances, be delegated to employees or contractors, but not the responsibility.
- There must be a key district person responsible for each Health and Safety topic. This person is responsible for understanding Attachments 4 and 99 information.
- Attachment 99 replaces Attachment 4 as a reporting requirement. Only Attachment 99 and not Attachment 4 shall be reported to MDE. Attachment 4 should be used by your district to internally review all Health and Safety programs. MDE is phasing in topics a portion each year until they are all entirely included. For 2009 Pay 2010, no changes have been made and the topics are limited to Indoor Air Quality, Safety Committees, Laboratory Safety, Confined Spaces and Employee Right-To-Know. Specific performance criteria are described and the district must either verify they will meet MDE’s criteria or provide their own. Either way, districts will be held to their board-adopted performance criteria. Substituted criteria which is not performance based is an unacceptable report.
- Districts are required to follow the directions shown below and return the completed, board-certified Attachment 99 in order to receive H&S funding for 2009 Pay 2010. All H&S new funding will be delayed until Attachment 99 is received and verified.
- H&S Management Assistance professionals will key their reporting to the elements in this Attachment. This is part of MDE’s plan to verify that the district is meeting its performance criteria commitment and has conducted a hazard assessment and adopted plans for hazard removal, per page 57 of this Attachment. A district may not refuse access by a Management Assistance professional to accomplish this task and the MDE will not process requests for funding approval without a properly completed Attachment 99. See Attachment 9 for MDE involvement with the Management Assistance program.

Completion Steps for Attachment 99

- District reviews its health and safety hazards, plans/programs to manage them, and this letter and attachments.
- District reviews Attachment 99, affirms each element by highlighting or otherwise indicating, and completes all forms accurately. The attachment is designed to be a “turn-around document.”
- School board validates the information on Attachment 99, certifying that the information in the completed Attachment 99 H&S Performance Criteria will be implemented during school year 2009-2010. In this manner the board, as the policy-setting authority, recognizes and accepts its responsibility for Health and Safety in a manner satisfactory to MDE. A copy of the board-approved minutes and agenda must be attached.
- District returns Attachment 99 in time to arrive at MDE, attn Audrey Bomstad, or **alternatively each region Management Assistance professional**, no later than July 24, 2009. Late submissions are strongly discouraged.
- Electronic submission is acceptable and is preferred. Otherwise, provide two paper copies with visible highlighting. Don’t forget to maintain a copy in district files, and to highlight adopted language.

Begin board-certifying here - General Requirements

- The H&S written plans include policies for managing the hazard, assessing for the hazard, training, and record keeping.
- There is a key district person responsible for each Health and Safety topic. This person is responsible for understanding Attachments 4 and 99 information and the information in the written plans.
- The written plans are current, complete and accurate. They are concise and well organized. They do not make references to other districts or states, or persons not currently with the district.
- In particular, the documentation of training and required reporting is accurate and complete. Training includes an adequate roster of trainees, is dated, and a syllabus of the training, giving information on what trainees can be reasonably expected to know or do.

- The practice of re-photocopying required reports shall not be allowed. Each report shall have a fresh printout with fresh signatures and dates.
- The district has contracted for a Management Assistance professional (or not). His/her name is: Mike Weigel

Part I Attachment 99 Performance Criteria – IAQ Management Plan

A. IAQ Coordinator – required in plan

- A person meeting criteria in Attachments 3 and 7 has been appointed as the districts IAQ coordinator.
- Communication pathway has been established to notify district staff, parents, and students, who the IAQ Coordinator is and how to contact him/her.
- IAQ coordinator's role and authority shall be clearly defined and understood by district employees, such that he/she can operate effectively.
- The IAQ Coordinator's name and certificate number are: Eric Hamilton, Certificate #I-0721.

B. Walk-through performed (required in plan)– Walkthroughs shall be performed at least annually on all school buildings in the district that houses students and/or employees and shall evaluate the following:

- obvious water intrusion problems (interior and exterior);
- obvious ventilation failures and/or problems;
- obvious building/structural failures and/or problems;
- overall cleanliness of buildings and classrooms; and
- assess the need for O&M programs (e.g. ventilation, carpet, building compounds).

C. Evaluation of key building systems- required in plan

- District shall evaluate all classrooms using equivalent* to the EPA's Tools For Schools Teacher's Checklist at least annually.
- District shall evaluate ventilation systems using equivalent* to the EPA's Tools For Schools Ventilation Checklist at least annually. Activity 22 may be excluded here.
- District shall evaluate all building maintenance issues using equivalent* to the EPA's Tools For Schools maintenance checklist at least annually.

*** Equivalent means that each element of each topic is included to the depth described in TFS. If there is a significant departure, an explanation shall accompany the plan.**

D. IAQ Management Plan (required in plan) - District shall develop and implement an effective **district specific** IAQ management plan that shall at a minimum have the following elements:

- identification of IAQ Coordinator;
- communication plan/policy that is specific to the district;
- complaint plan/policy that is district specific;
- plan/policy to address district IAQ issues observed and/or noted during the walk through or through the building systems evaluation process;
- implementation schedule that prioritizes and allocates expenditures to remediate known IAQ issues such as deferred maintenance items (e.g. roof leaks);
- operations and maintenance plan to maintain building components and mechanical systems;
- district policies that are established that affect air quality (animals, cleaning, renovation projects, pest management, chemical use, etc.); and
- annual review of district IAQ Management Plan by IAQ Coordinator and/or IAQ Committee, and school board. This includes a review of all documentation to ensure the plan is indeed district specific and current.

E. District responses to parental concerns--required in plan

- Parents know where to go to find answers to their IAQ questions.
- Parents can obtain checklists or self help information so they can properly evaluate their child's home or other out of school situation.
- Parents can obtain information about school facility construction, maintenance and housekeeping practices, chemicals used, mold and HVAC related information, chemical producing academic

subjects, pesticides and herbicides and the like to determine the extent to which school activities contribute to a child's symptoms.

- Parents can obtain information on what a parent can do – how they can effect change – upon discovering questionable activities occurring within schools.

***F. Mechanical Ventilation improvements if funded under either H&S or Alternative Facilities Bonding and Levy programs**

- All mechanical ventilation improvements shall result in demonstrated current performance criteria as found in state law, statute or rule, to include proper amount of ventilation rate over a specified outside temperature range, proper filtration, and ability to measure ventilation rate.
- Any commissioning resulting from mechanical ventilation improvements shall be done and validated by a Systems Inspector per M.S. 123B.72 that has adequate errors and omissions insurance.
- Mechanical ventilation improvement work funded under H&S shall remain under warranty by the outside party until a full range of seasons has occurred, allowing any deficiencies to become manifest and be corrected.

***G. M.S. 123B.57 responsibility to "...monitor and improve the quality of indoor air..."**

- The district shall determine the mechanical ventilation rate of each occupied space and plan and implement its improvement in a timely manner where found to be inadequate. Use of outside air intake flow hood for unit ventilators or CO2 or thermal-based calculations found in ASHRAE 62-1989 with controls set to minimal outside air settings are adequate. Intended to satisfy TFS Ventilation Checklist Activity 22. This activity does not have to be done to receive HS & funding.
- The district shall determine if there is mold or water intrusion for each occupied space and plan and implement its remediation in a timely manner where found to exist. Visual inspections are adequate.
- The district shall determine the quality of air entering the building and make improvement where needed. Use of human senses is adequate.
- The district shall monitor the use of chemicals, cleaning materials, carpet maintenance (if applicable) pesticides and general housekeeping to ensure proper indoor air quality. Use of human senses is adequate.

Note: Starred paragraphs are not mandatory for inclusion in the district's IAQ program for H&S funding.

Attachment 99 Performance Criteria – Safety Committees

- A district safety committee shall be established where the district exceeds 25 employees or is experiencing excessive lost workdays or accident/incident rates.
- Written statements shall be developed describing safety committee role, responsibilities, activities and administrative support.
- Role of safety committee shall be stated, and shall include consideration of the following.
 - ✓ Review high hazard areas of health and safety for adequacy of program protection.
 - ✓ Monitor the effectiveness of the safety and health program. Assist administrators, H&S coordinators and supervisors on district/school H&S issues. Bring committee recommendations to school board.
 - ✓ Everyone in district needs to know they should contact members of safety committee FIRST for H&S issues.
- There shall be greater employee representation than management, with each bargain unit represented. The safety committee member list shall be posted.
- The number of employee representatives on the committee shall equal or exceed the number of management representatives. The safety committee members shall be made known to all district staff.
- The safety committee shall meet at least quarterly.
- An agenda shall be established prior to meeting. Attendance and minutes shall be recorded. A report of activities shall be posted where all employees have access to it.
- The chair shall be elected by the committee and identified by name.
- Training shall be provided to safety committee members as to their roles and responsibilities.
- Meeting activities shall include consideration of these activities.
 - ✓ Establish annual safety goals and objectives for meeting those goals.
 - ✓ Conduct and/or review safety inspections.

- ✓ Assist in accident investigation.
- ✓ Review accident reports and OSHA 300 logs.
- ✓ Accept and evaluate employee suggestions. Make reporting uncomplicated, keeping reporters at ease.
- ✓ Review job procedures and recommend improvements.
- ✓ Monitor safety program effectiveness.
- ✓ Publicize and promote safety and health.
- School board shall review the program annually.

Attachment 99 Performance Criteria – Laboratory Safety Standard and Chemical Hygiene Plan

- There shall be a written and current Chemical Hygiene Plan for all laboratories, per OSHA Laboratory Safety Standard 29 CFR 1910.1450.
- The Chemical Hygiene Officer (CHO) shall be identified for each laboratory. His or her names are: Paul Anderson (High School) and Jeff Erickson (Middle School).
- The CHO shall be responsible for developing and reviewing at least annually chemical handling, storage labeling and disposal procedures (SOPs).
- The CHO shall be responsible for reviewing at least annually lab activities to ensure safe procedures are used.
- The CHO shall review stored chemicals annually and remove unused or excess amounts.
- The CHO shall be responsible for developing and reviewing at least annually engineering controls (e.g. ventilation, chemical storage, fume hoods, gas lines and shutoff, fire prevention, eye-wash and deluge shower)
- The CHO shall be responsible for developing and reviewing at least annually personal protective equipment (PPE) needs (e.g. eye protection, gloves, splash guards, gowns). Included are ensuring students do not wear dangerous clothing (e.g. rings, chains, unsafe shoes, un-bound hair).
- The CHO shall be responsible for developing and reviewing at least annually necessary training for lab employees and ensure that safety is adequately included in curriculum.
- The CHO shall be responsible for developing and reviewing at least annually record keeping practices and procedures, to include chemical inventory, MSDS sheets, monthly checks of safety equipment and implementing MDE and other safety checklists.

Attachment 99 Performance Criteria – Lockout/Tagout (LO/TO)

- District shall develop and implement a Written Management Plan for Lockout/Tagout, encompassing OSHA standard 29 CFR 1910.147, explaining procedures for implementing Lockout/Tagout for each area for each building where LO/TO hazards exist.
- The district administration shall identify school district Contact Person(s) for Lockout/Tagout zones.
- The district administration shall review the inventory at least annually to identify any changes to the energy potential physical hazards that require Lockout/Tagout using the criteria found at http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9804 as a resource.
- The district administration shall train affected employees on proper Lockout/Tagout methods and techniques at least annually.
- The district administration shall identify and procure Lockout/Tagout locks, tags and other devices. (List locations of equipment) Head Custodian's Offices
- The district administration shall evaluate Lockout/Tagout record keeping practices and procedures at least annually.
- Procedures are in place to inform contractors of Lockout/Tagout requirements
- Specific energy controls are developed when required.
- The district administration shall evaluate current Lockout/Tagout procedures at least annually.
- The district administration shall survey the facility at least annually to identify Confined Spaces physical hazards per the standard that require Confined Space entry procedures, using the criteria found at http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9797 http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9804

Attachment 99 Performance Criteria – Confined Spaces

Review program and obtain school board approval at least annually.

Confined Space Standard

- District shall develop and implement a Written Management Plan for Confined Spaces, encompassing OSHA standard 29 CFR 1910.146, explaining procedures for implementing Confined Spaces for each area for each building where Confined Spaces hazards exist.
- The district administration shall identify school district Contact Person(s) for Confined Spaces permit and non-permit zones.
- The district administration shall review the inventory at least annually to identify any changes to the Confined Spaces physical hazards per the standard that require Confined Space entry procedures, using the criteria found at http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9797
- The district shall determine the location of all Confined Spaces, and which are Permit Required Confined Spaces using the criteria found in Attachment A of the standard.
- Using the criteria found in 1910.146(c)(5), the district shall determine which Permit Required spaces need comply with paragraphs (d) through (f) and (h) through (k) of the standard.
- For Permit Required spaces that need not comply with paragraphs (d) through (f) and (h) through (k) of the standard, the district shall establish and maintain monitoring and inspection data that will demonstrate that continuous forced air ventilation alone is sufficient.
- For Permit Required spaces where the district has not established and maintained monitoring and inspection data that will demonstrate that continuous forced air ventilation alone is sufficient, the district shall implement paragraphs (d) through (f) and (h) through (k) of the standard.
- The district shall establish a properly trained and provisioned Permit Required Confined Space rescue and emergency service, that will become activated whenever a person enters a Permit Required Confined Space.
- The district shall carry out practice Permit Required Confined Spaces rescues at least once every 12 month, as called for under paragraph (K) of the standard.
- District shall inform Confined Spaces entrants information called for in the standard, how they may communicate with persons outside the Confined Spaces and what steps they should take if they should develop a medical emergency while in the Confined Spaces (e.g. heat stress, electrocution, burns, heart attack).
- The district shall inform any outside contractor doing work in a Confined Space that the workplace contains permit spaces and that permit space entry is allowed only through compliance with a permit space program per 1910.143.

Attachment 99 Performance Criteria – Employee Right-To-Know (ERTK)

Employee-Right to Know - Hazard Communication. The program shall:

- Develop and implement a Written Management Plan for Minnesota Employee Right To Know, in compliance with Minnesota Rule 5206.
- Identify school district Contact Person(s) for MN ERTK.
- Review Written Plan as needed, and update (at least annually).
- Identify Hazard communications functional areas (e.g. kitchen, shops, art, maintenance).
- Survey the facility to identify chemical, heat, noise, radiation and infectious agents hazards.
- Manage Material Safety Data Sheet (MSDS) acquisition, compilation and distribution. Ideally, MSDS would be available in functional area.
- Perform Chemical Inventory. Update at least annually. Ideally, chemical inventory would be available with MSDSs in functional area.
- Monitor use and markings on Secondary Use Containers.
- Ensure placement of ERTK Minnesota-approved posters.
- Perform initial and annual functional area training.
- Provide all record keeping activities and procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations, guidelines and recommendations.
- Monitor or provide updates on regulatory changes and new developments.
- Review program and obtain school board approval at least annually.

Individual Hazards Identified In H&S Management Assistance Reports

Location	Equipment	Brief Description of Hazard	Work to be accomplished	Anticipated Completion
Please see attached MAP report.				

Date: _____

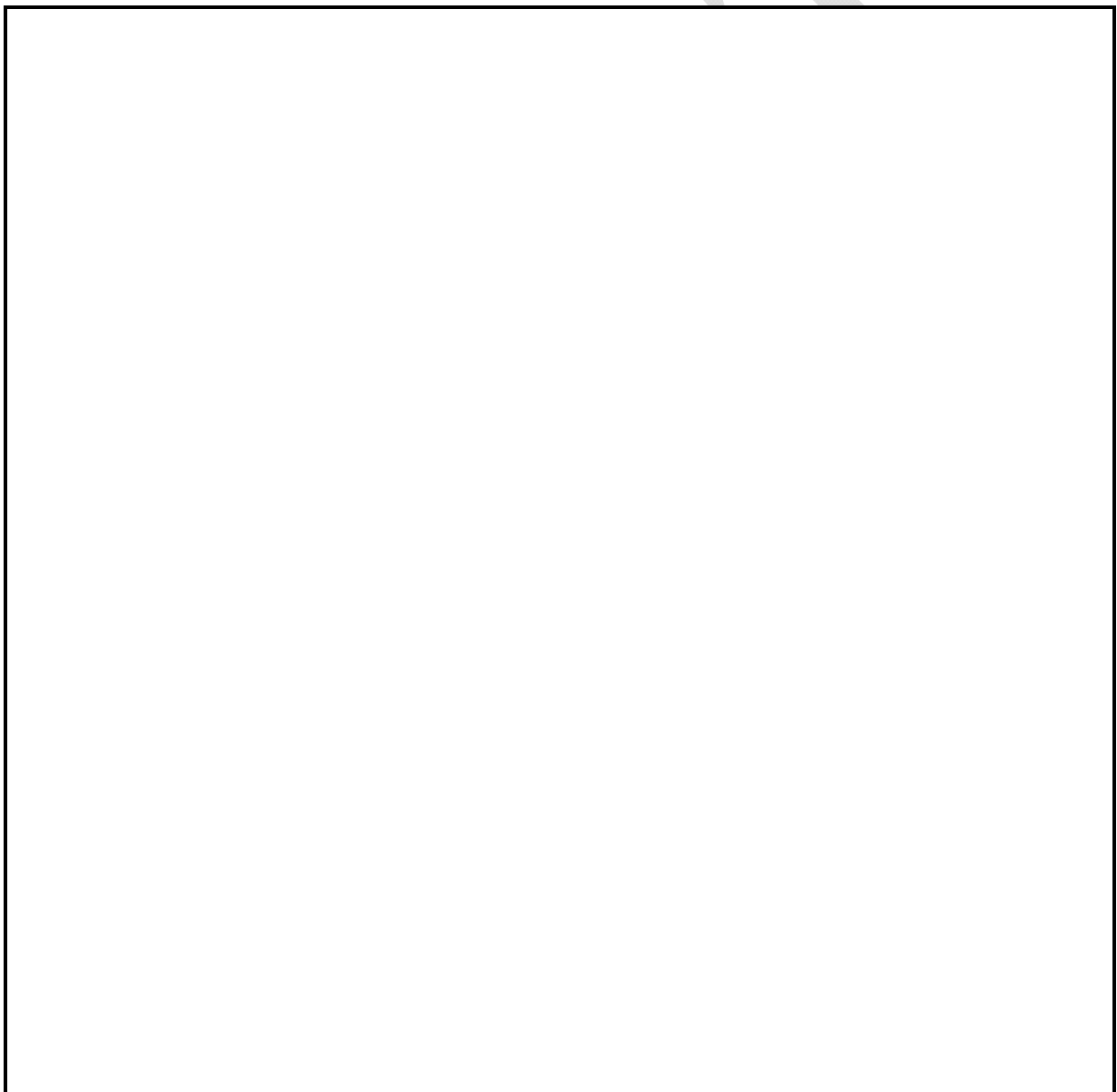
School District: _____

Person Affirming: _____

Signature: _____

Telephone with ext. _____

I affirm that the following is an accurate, board-approved summary of this school district's current Health and Safety program, submitted in accordance with Minn. Stat. § 123B.57 regardless of whether or not funding is requested. A copy of the school board minutes is attached.
Additional comments:



School District Name Buffalo

School District Number 877

*OSHA is citing

Assessment Results/Findings

possible OSHA fines

Building	Location	Standard	Description	Min	Max
Buffalo High School	chemistry storage #5	chemical hygiene	Why do you need phosphorus		
Buffalo High School	electrical room in boiler room	electrical	Combustibles cannot be stored within 3 feet of electrical panel	\$500.00	\$1500.00
Buffalo High School	CAD/3D modeling, metal shop	electrical	Electrical wiring exposed	\$500.00	\$3000.00
Buffalo High School	rmD101	electrical	Power strips cannot be daisy chained together	\$1500.00	\$2000.00
Buffalo High School	dishroom	electrical	Ungrounded - Box fan	\$1500.00	\$3000.00
Buffalo High School	CAD/4D modeling, dark room	first aid	Emergency eyewash station needed in	\$2000.00	\$3000.00
Buffalo High School	battery charging area	first aid	Emergency eyewash not flushed weekly	\$500.00	\$1500.00
Buffalo High School	art room	hazardous material	Flammable cabinet recommended.		
Buffalo High School	metal shop	machine guarding	Anti-magnetic switch needed on - drill press	\$2000.00	
Buffalo High School	2nd floor metal shop	machine guarding	Anti-magnetic switch needed on - table saw		\$2000.00
Buffalo High School	metal shop	machine guarding	Needs guarding - drill press	\$500.00	\$2500.00
Buffalo High School	wood shop	machine guarding	Radial arm saw does not return to starting position	\$500.00	\$2500.00
Buffalo High School	wood shop	machine guarding	Guard on radial arm saw needs repair		
Buffalo High School	hallway by D101		Missing ceiling tile		
Buffalo High School	prop room	electrical	recommend ground faulting outlets by sink		

School District Name Buffalo

School District Number 877

*OSHA is citing

Assessment Results/Findings

Building	Location	Standard	Description	possible OSHA fines		
	Mike Weigel			Total	Min	Max
					\$9500.00	\$21000.00

Inspected by Mike Weigel Date 12/11/2008