

116TH CONGRESS
2D SESSION

S. 4277

To amend the Toxic Substances Control Act to reauthorize healthy high-performance schools, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2020

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Toxic Substances Control Act to reauthorize healthy high-performance schools, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Get Toxic Substances
5 Out of Schools Act of 2020”.

6 **SEC. 2. REAUTHORIZATION OF HEALTHY HIGH-PERFORM-**
7 **ANCE SCHOOLS.**

8 (a) GRANTS FOR HEALTHY SCHOOL ENVIRON-
9 MENTS.—Section 501 of the Toxic Substances Control Act
10 (15 U.S.C. 2695) is amended—

1 (1) in subsection (a)—

2 (A) by striking paragraph (1) and insert-
3 ing the following:

4 “(1) providing technical assistance to local edu-
5 cational agencies (as defined in section 8101 of the
6 Elementary and Secondary Education Act of 1965
7 (20 U.S.C. 7801)), State-licensed childcare facilities,
8 and schools in addressing environmental problems,
9 contaminants, hazardous substances, and pollutant
10 emissions, as described in section 504(a)(3)(A);”;

11 (B) in paragraph (2)—

12 (i) in the matter preceding subpara-
13 graph (A), by striking “and implementa-
14 tion”; and

15 (ii) in subparagraph (B)—

16 (I) by inserting “as described in
17 section 504(a)(3)(A),” after “pollut-
18 ant emissions,”; and

19 (II) by striking the period at the
20 end and inserting a semicolon; and

21 (C) by adding at the end the following:

22 “(3) development of State-level interagency
23 memoranda of understanding for the implementation
24 of programs developed under paragraph (2);

1 “(4) performing inspections, testing, and moni-
 2 toring for contaminants, hazardous substances, and
 3 pollutant emissions, as described in section
 4 504(a)(3)(A), within schools; and

5 “(5) carrying out remediation measures for con-
 6 taminants, hazardous substances, and pollutant
 7 emissions, as described in section 504(a)(3)(A),
 8 within schools.”; and

9 (2) by striking subsection (b) and inserting the
 10 following:

11 “(b) STATE PLAN.—To be eligible to receive a grant
 12 under subsection (a), a State shall submit to the Adminis-
 13 trator a plan that describes the means by which the State
 14 will—

15 “(1) ensure coordinated programmatic and
 16 funding efforts across relevant State-level agencies,
 17 including education, environment, health, and en-
 18 ergy-related agencies; and

19 “(2) use the grant to make long-term improve-
 20 ments to—

21 “(A) schools; and

22 “(B) State-licensed childcare facilities, if
 23 applicable.

24 “(c) GRANTEE DATA COLLECTION AND REPORT-
 25 ING.—A State that receives a grant under subsection (a)

1 shall submit to the Administrator an annual report de-
2 scribing—

3 “(1) the amount of the grant funds that were
4 used for the activities described in paragraphs (4)
5 and (5) of subsection (a) during the previous year;
6 and

7 “(2) any inspections, testing, and monitoring
8 performed, and remediation measures carried out,
9 during the previous year using the grant, including
10 the number of schools and the number of students
11 that were directly served.

12 “(d) REPORTS.—

13 “(1) IN GENERAL.—Not later than 2 years
14 after the date of enactment of this subsection, and
15 every 2 years thereafter, the Administrator shall
16 submit to the Committee on Environment and Pub-
17 lic Works and the Committee on Health, Education,
18 Labor, and Pensions of the Senate, and the Com-
19 mittee on Energy and Commerce and the Committee
20 on Education and Labor of the House of Represent-
21 atives, a report describing the results of the grant
22 program under this section, including a description
23 of—

24 “(A) the States that were awarded a grant
25 under subsection (a); and

1 “(B) the activities for which the States de-
 2 scribed in subparagraph (A) used the grant.

3 “(2) PERIOD COVERED.—A report submitted
 4 under paragraph (1) shall cover—

5 “(A) in the case of the initial report, the
 6 period beginning on the date of enactment of
 7 this section and ending on the date of submis-
 8 sion of the report; and

9 “(B) in the case of each report thereafter,
 10 the 2-year period preceding the date of submis-
 11 sion of the report.”.

12 (b) PUBLIC OUTREACH.—Section 503 of the Toxic
 13 Substances Control Act (15 U.S.C. 2695b) is amended—

14 (1) in subsection (a), by striking “, until the ex-
 15 piration of authority described in section 501(b)”;

16 (2) in subsection (b), by striking “children” and
 17 inserting “students”; and

18 (3) by adding at the end the following:

19 “(c) OUTREACH TO STATES.—The Administrator
 20 shall—

21 “(1) carry out periodic outreach to States to
 22 make available information relating to—

23 “(A) the exposure of school children to en-
 24 vironmental hazards in school facilities;

1 “(B) regulations and guidelines applicable
 2 to environmental hazards in school facilities;
 3 and

4 “(C) other materials that may assist
 5 States in addressing environmental problems,
 6 contaminants, hazardous substances, and pol-
 7 lutant emissions, as described in section
 8 504(a)(3)(A); and

9 “(2) annually convene school stakeholders, in-
 10 cluding parents, child health experts, researchers,
 11 nonprofit organizations, and States that receive
 12 grants under section 501 to meet with employees of
 13 the Environmental Protection Agency and other
 14 Federal agencies to discuss topics relating to—

15 “(A) the environmental health of children
 16 at school; and

17 “(B) the prevention, identification, and re-
 18 mediation of contaminants in indoor air and
 19 other environmental health risks and threats re-
 20 lating to school buildings and grounds.”.

21 (c) ENVIRONMENTAL HEALTH PROGRAM.—Section
 22 504 of the Toxic Substances Control Act (15 U.S.C.
 23 2695c) is amended—

24 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),
2 by inserting “and not less frequently than once
3 every 10 years thereafter,” after “section,”;

4 (B) in paragraph (3)(A)—

5 (i) by redesignating clauses (v)
6 through (vii) as clauses (vi) through (viii),
7 respectively; and

8 (ii) by inserting after clause (iv) the
9 following:

10 “(v) polychlorinated biphenyls;”;

11 (C) in paragraph (6), by striking “and” at
12 the end;

13 (D) in paragraph (7), by striking the pe-
14 riod at the end and inserting a semicolon; and

15 (E) by adding at the end the following:

16 “(8) provides technical assistance on best prac-
17 tices for the removal, remediation, and disposal of
18 polychlorinated biphenyls and other hazardous sub-
19 stances; and

20 “(9) collects an inventory of schools affected by
21 polychlorinated biphenyls and other hazardous sub-
22 stances.”; and

23 (2) by striking subsection (b) and inserting the
24 following:

1 “(b) PUBLIC AVAILABILITY OF INFORMATION.—To
2 the maximum extent practicable, the Administrator shall
3 make publicly available—

4 “(1) information relating to the exposure of
5 children to environmental hazards in school facili-
6 ties; and

7 “(2) an inventory of schools in which poly-
8 chlorinated biphenyls have been found in light bal-
9 lasts or other media.”.

10 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
11 505 of the Toxic Substances Control Act (15 U.S.C.
12 2695d) is amended by striking “There are authorized”
13 and all that follows through “2013” and inserting “There
14 is authorized to be appropriated to carry out this title
15 \$50,000,000 for each of fiscal years 2021 through 2026”.

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