

# Children's Health Protection Advisory Committee

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Committee Members:

Pamela Shubat, PhD, Chair  
Environmental Health Division  
Minnesota Department of Health  
625 N. Robert Street  
St. Paul, MN 55155-2538  
Ph: 651/201-4925  
Pamela.shubat@health.state.mn.us

Robert Amler, M.D.  
Laura Anderko, R.N., Ph.D.  
Tyra Bryant-Stephens, MD  
Gail Cynthia Christopher, D.N.  
Ed Clark, M.D.  
Nancy Clark, M.A., C.I.H., C.S.P.  
Rochelle Davis  
Janice Dhonau  
Maida Galvez, M.D., M.P.H.  
Janvier Gasana, M.D., Ph.D.  
Peggy Nilsson Geimer, M.D.  
LeRoy Graham, M.D., F.C.C.P.  
Dan Hryhorczuk, M.D., M.P.H.  
David Jacobs, Ph.D., C.I.H.  
Richard W. Janssen, Jr.  
Lynda Knobeloch, Ph.D.  
Amy D. Kyle, Ph.D., M.P.H.  
Elise Miller, M.Ed.  
Marie Lynn Miranda, Ph.D.  
Curtis Munoz  
Jonathon Patz, M.D., M.P.H.  
Jerome Paulson, M.D., F.A.A.P.  
Jennifer D. Roberts, Dr.P.H., M.P.H.  
Martha S. Sandy, Ph.D., M.P.H.  
Sheela Sathyanarayana, M.D.,  
M.P.H.  
Barbara Sattler, R.N., Dr.P.H.,  
F.A.A.N.  
Anne Turner-Henson, R.N., D.S.N.  
Nsedu Obot Witherspoon, MPH

April 7, 2010

Lisa P. Jackson, Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Ave, NW  
Washington, DC 20460

RE: EPA School Siting Guidelines

Dear Administrator Jackson:

In 2009 the Environmental Protection Agency (EPA) Office of Children's Health Protection requested that the Children's Health Protection Advisory Committee (CHPAC) provide assistance to EPA in fulfilling its Congressional mandate<sup>1</sup> to issue voluntary model guidelines for the siting of school facilities. CHPAC appreciates the request and opportunity to be involved early in EPA's response to this mandate. Ensuring healthy school environments is a major environmental public health priority as children are more susceptible to certain environmental hazards than are adults, and children spend a large portion of their childhood in schools. Childhood asthma, obesity, learning and behavior issues are all major public health concerns that can be positively or negatively affected by school siting.

The Office of Children's Health Protection established a CHPAC School Siting Task Group (SSTG) for the purpose of providing advice to EPA concerning the school siting draft guidelines. SSTG members included five CHPAC members and seventeen individuals recruited by EPA. CHPAC is pleased that EPA engaged stakeholders who represent a wide diversity of experience with issues concerning school siting.

The SSTG was charged with making recommendations on the contents and scope of a draft EPA school siting guideline document that would subsequently be available for public comment. EPA's purpose in asking for assistance from CHPAC was to ensure that comments on the draft reflected a diverse range of perspectives concerning the complex issues around school site selection and children's health. After research and deliberation the SSTG prepared an extensive report (enclosed) that contains responses to charge questions that EPA addressed to the SSTG, comments on the draft EPA guidelines, and extensive comments on school siting.

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<sup>1</sup> The Energy Independence and Security Act of 2007 (Federal Public Law 110-140), Section 502 of Subtitle E – Healthy High Performance Schools, requires EPA to issue national voluntary model guidelines for school siting.

CHPAC emphasizes that while these guidelines are focused on siting new schools, there are over 132,000<sup>2</sup> existing schools in the United States. Consequently it is critical that EPA attend to decisions that affect environmental conditions around these existing schools, especially in the country's most disadvantaged and vulnerable communities.

CHPAC urges EPA to support approaches to school siting decisions that lead to health benefits to both the school population and larger community. This principle and the others that follow are reflected in the comments and suggestions in the report. CHPAC recommends that EPA incorporate these principles into its guidance.

- Protect the health and well being of school children and school staff;
- Incorporate best practices for promoting collaborative, inclusive, and transparent site selection processes;
- Emphasize meaningful public involvement and stakeholder participation throughout the school siting process;
- Explicitly consider how the built environment supports health and healthy behaviors (e.g., increased physical activity, reduced driving);
- Incorporate an effective and rigorous environmental review process as specified in the report; and
- Promote siting on uncontaminated sites.

CHPAC recommends EPA incorporate the SSTG's specific comments (found in the enclosed report) into the next draft of the guidelines. In addition to the wide range of technical issues presented in the report, CHPAC members urge EPA to develop siting guidance that will result in reduced exposures to traffic related emissions. This is an emerging area of research that deserves attention beyond what is included in the report.

CHPAC urges EPA to view the issuing of guidelines as only the first step in ensuring that schools have proper support for making sound siting decisions. Mindful of the diversity of resources among local, state and tribal governments, CHPAC strongly recommends that the EPA provide these entities with individualized leadership, actionable strategies, and technical assistance in implementing EPA guidelines on school siting.

CHPAC recommends the following specific roles and tasks for EPA to undertake in order to assure guidelines are used effectively:

- Provide regional and national EPA technical support for school siting activities.
  - ◆ Establish and fund/support EPA staff at the regional level to provide technical support for environmental review.
  - ◆ Evaluate the extent to which states have the necessary capacities and authorities to integrate the guidelines into their siting decision processes.
  - ◆ Include resources to support implementation of the guidelines (such as community access to technical assistance, grant programs for contamination assessments and remediation).
  - ◆ Evaluate the extent to which EPA can provide state and local support in developing effective public environmental communication strategies and civic

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<sup>2</sup> National Center for Education Statistics, 2008. Table 5: Number of educational institutions, by level and control of institution: Selected years, 1980-81 through 2006-7. Accessed March 25, 2010  
[http://nces.ed.gov/programs/digest/d08/tables/dt08\\_005.asp?referrer=list](http://nces.ed.gov/programs/digest/d08/tables/dt08_005.asp?referrer=list).

training programs to specifically promote and maintain collaboration among key stakeholders in the site selection process.

- ◆ Evaluate the extent to which EPA can assist states in developing a publicly available database of past school siting assessments to assist with future siting assessments.
  - ◆ Assist and support efforts to determine the long term cost effectiveness of considering the risks to children's health in school siting decisions.
  - ◆ Determine priorities in implementing remediation strategies.
  - ◆ Evaluate the implementation of guidelines.
  - ◆ Develop and use mechanisms to measure the impact of the school siting guidelines with particular attention to their role in addressing existing environmental disparities.
- Develop additional guidelines in related areas including construction materials and operations/maintenance procedures used in new and existing schools.
  - Extend the school siting guidelines to additional learning environments, such as child care centers, preschools, Head Start and Early Head Start programs, after-school care sites, and charter and private schools.
  - Establish effective coordination with multiple federal agencies.
    - ◆ Implement a federal interagency environmental health collaboration to address the school environment, siting new schools, and siting hazards in the vicinity of existing schools.
    - ◆ Evaluate the extent to which existing federal programs across all relevant agencies and authorizations can be used to promote compliance with guidelines.
    - ◆ Promote the adoption and integration of the guidelines into EPA and other agencies' policies, guidelines, and practices related to schools. For example situations where EPA or the states have authority for siting new facilities and infrastructure (e.g., roads, facilities) within screening perimeters of existing schools.

CHPAC recommends that, whenever possible, contaminated sites should be avoided, but recognizes that some local education authorities may need to consider sites that require remediation of past contamination. CHPAC recommends that EPA develop soil, air, and groundwater remediation standards that rigorously protect children's health and are specific to the unique exposures at existing and proposed school sites. Until national standards are established, CHPAC recommends consulting the best available state and local sources for such standards.

The SSTG emphasized the importance of the timing and frequency of public participation. Implementing an open and participatory siting process requires time and talents that may not be factored into an environmental review. CHPAC recommends incorporating information (as detailed in the report) and examples on the role of meaningful public participation in successful school siting into the guidelines in order to encourage state/tribal and local education authorities to devote time, staff, and funding to this important process.

CHPAC acknowledges that the guidelines may require additional resources within local education authorities in states and tribes that do not currently require or carry out rigorous environmental review on prospective school sites. However, poor school siting decisions may prove much more expensive in the long run. EPA should consider grant programs to help local municipalities defray the costs associated with the proposed siting guidelines.

Administrator Jackson  
Page 4  
April 7, 2010

CHPAC recommends that EPA provide guidelines based on best practices as a goal and model. In addition, CHPAC recommends that EPA develop information for states and tribes both on the benefits of a thorough environmental review and those steps that are most critical for ensuring that the health of the community is protected and promoted. These guidelines hold tremendous potential for reducing morbidities including childhood asthma obesity, and learning deficits and result in major cost savings in health care.

Thank you for your continued recognition that schools are an important component of assuring healthy children and healthy communities. CHPAC requests a visit from you or your representative to describe how EPA is responding to the recommendations detailed in this letter and attached report, and EPA's response to the larger issue of creating health protective school environments.

Sincerely,

Pamela Shubat, Ph.D.  
Chair  
Children's Health Protection Advisory Committee

Enclosure: Report of the School Siting Task Group: Comments on US Environmental Protection Agency Draft Guidelines for the Siting of School Facilities

cc:

Peter Grevatt, Director, Office of Children's Health Protection and Environmental Education  
Bob Perciasepe, Deputy Administrator  
Scott Fulton, General Counsel  
Gina McCarthy, Assistant Administrator for Air and Radiation  
Mathy Stanislaus, Assistant Administrator for Solid Waste and Emergency Response  
Steve Owens, Assistant Administrator for Prevention, Pesticides, and Toxic Substances  
Paul Anastas, Assistant Administrator for Research and Development  
Cynthia Giles, Assistant Administrator for Enforcement and Compliance Assurance  
Peter Silva, Assistant Administrator for Water  
Lisa Heinzerling, Associate Administrator, Office of Policy, Economics, and Innovation  
Bob Axelrad, Office of Air and Radiation  
Ann Carroll, Office of Solid Waste and Emergency Response  
Henry Falk, Acting Director, National Center for Environmental Health and ATSDR, Centers for Disease Control  
Kevin Jennings, Assistant Deputy Secretary, Office of Safe and Drug-Free Schools, U.S. Department of Education  
Donald Yu, Senior Counselor, Office of the General Counsel, U.S. Department of Education