

ASSEMBLY BILL 821
CLEAN AND HEALTHY SCHOOLS ACT
(Brownley)
UPDATED MARCH 11, 2009

SUMMARY

More than 1 in 5 Californians – including over 6 million children – spend their day in a school. Cleaning products used in schools contain a wide variety of hazardous chemicals that can cause asthma, cancer, reproductive harm, and damage to the body’s nervous system and internal organs. While a few school districts have switched to less-toxic environmentally preferable cleaning products (or “green” cleaners), conventional cleaning products are still widely used. AB 821, The Clean and Healthy Schools Act, requires all K-12 schools with 50 or more students to switch to safer “environmentally preferable” cleaning products in order to reduce exposures to toxic chemicals among students, teachers and custodians, if switching will have no net cost increase.

BACKGROUND

One out of every three cleaning products used in the US contains ingredients known to cause human health or environmental problems, according to the Environmental Protection Agency-funded Janitorial Products Pollution Prevention Project. Chemicals of concern found in cleaners include formaldehyde, benzene, phthalates, volatile organic compounds (VOCs), glycol ethers, ethanalamines, and many more. These chemicals have been linked to a wide variety of health and environmental problems including asthma, cancer, reproductive harm, smog production, global warming, water pollution and aquatic toxicity.

Of particular concern is the link between cleaning products and asthma, since asthma is the leading cause of absenteeism from a chronic illness among California’s school children, and is the primary cause of hospitalization for children under the age of 15. In California, nearly 1 million children have asthma (about 1 in 6). A recent study published in the Journal of Occupational and Environmental Medicine found that 12% of work-related asthma can be linked to cleaning product exposure. And

according to the National Institute for Occupational Safety and Health, teachers and custodians have much higher incidence of asthma compared to the general workforce.

Environmental Protection Agency (EPA) studies of human exposure to air pollutants indicate that indoor levels of pollutants may be 2 to 5 times, and occasionally more than 100 times, higher than outdoor levels, especially after some cleaning activities. In fact, VOC levels can exceed safety levels established for industrial settings after cleaning (California Air Resources Board, April 2006). According to the EPA, half of the nation’s schools have poor indoor air quality, which has been shown to reduce students’ academic achievement and test scores.

SOLUTION

AB821 would require, when it is economically feasible, that all schools purchase and use “environmentally preferable cleaning and maintenance products.” “Environmentally preferable” cleaning products are defined as those that are independently certified by a third-party as meeting a set of 13 criteria for lesser or reduced effects on human health and the environment. The bill also makes findings recognizing the negative effects of cleaning chemicals on indoor air quality, children’s health and learning.

To avoid the costs associated with a State agency developing new regulations for institutional cleaners on their own, schools can use cleaning products that are independently certified by third-party organizations such as Green Seal or EcoLogo. The recently revised Green Seal standard for institutional cleaners (GS37) prohibits carcinogens, mutagens, reproductive toxins, asthmagens, phthalates and other chemicals of concern. The bill references the standard and lays out strict criteria for acceptable third-party certifiers.

There are now hundreds of less-toxic commercial and institutional cleaning products available on the market that have been independently certified. All ingredients are disclosed to the third-party certifiers.

The bill explicitly states that there is no preemption of local standards that are more stringent. It does not apply to disinfectants or sanitizers, which are registered pesticides and for which there are currently no third-party certifications.

Many institutions are finding that green cleaners save money. Chicago public schools found that green cleaning products were cost-competitive. The City of Santa Monica, CA documented a 5% price savings after its switch to green cleaners. California's Novato Unified School District negotiated a contract for purchasing green cleaners at the same prices as the conventional cleaners. Schools that switch are also finding an increase in attendance and a reduction in workplace injuries and sick leave.

PREVIOUS GOVERNMENTAL ACTION

- The states of New York and Illinois have already passed laws requiring schools to use environmentally-sensitive cleaners. Lead agencies in those states have defined – through a stakeholder process – “environmentally sensitive” cleaners to include third-party certified products. Similar legislation is currently pending in Connecticut, Massachusetts, Oregon, and Vermont.
- In 1987, California adopted Section 32060-32066 of the Education Code to prohibit the sale and use of toxic art supplies to schools if deemed by the California Department of Health Services (now CDPH and OEHHA) to contain a toxic substance or cause chronic illness (for grades K-6), or that such supplies must be properly labeled (for use in grades 7-12).

INSTITUTIONS USING “GREEN” CLEANING PRODUCTS

Numerous schools, municipal, county and state agencies, and businesses are already purchasing

and using environmentally preferable cleaners that are cost-effective and perform well.

- In California, at least some “green” cleaners are already being used by many independent schools and public school districts, including Elk Grove, Fairfield-Suisun, Fresno, Hemet, Los Angeles, Martinez, Natomas, Novato, Oakland, San Francisco, and Santa Cruz school districts.
- At least 12 states and dozens of municipalities across the U.S. reference Green Seal’s GS37 standard in their procurement policies or specifications. In California, the cities of Oakland, Palo Alto, San Francisco, and Santa Monica, as well as Los Angeles County, reference GS37 in their purchasing programs.
- U.S. Green Building Council’s LEED Program gives credits for using “green” cleaners that comply with Green Seal and EcoLogo standards.
- The California Department of Education headquarters building in Sacramento uses green cleaners.
- The State of California’s Mandatory Procurement Contract for Janitorial Supplies, offers several Green Seal certified products at discounted prices.

SUPPORT

- California Teachers Association
- Coalition for Clean Air
- Environmental Working Group (sponsor)
- Green Purchasing Institute
- Green Schools Initiative (sponsor)
- Regional Asthma Management and Prevention Initiative (sponsor)

OPPOSITION

- None on File

FOR MORE INFORMATION

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