



ADMINISTRATIVE RULES OF MONTANA



37.111.804 PRECONSTRUCTION REVIEW

- (1) Before construction commences, plans for construction of a new school or an addition to or an alteration of an existing school must be submitted to the department or local health authority for review and approval. Plans must include the following where applicable:
 - (a) location and detail of classrooms used for science or science laboratories, consumer science, art classrooms, art supply rooms, mechanic/carpentry, and industrial arts, including location and ventilation detail of lockable storage area of chemicals and other hazardous products;
 - (b) location and detail of janitorial facilities;
 - (c) specifications for the sewage treatment and disposal system to serve the school, except as provided in (2);
 - (d) specifications for the water supply to serve the school, except as provided in (2);
 - (e) locations for all emergency eyewash and shower stations, which must meet the American National Standard for Emergency Eyewash and Shower Equipment (ANSI/ISEA Z358.1);
 - (f) location and detail of laundry facilities including description of equipment and a flow chart indicating the route of laundry through sorting, washing, drying, ironing, folding, and storage;
 - (g) specifications for the final finishes of floors, walls and ceilings in toilet, locker and shower rooms, laundries, and janitorial closets;
 - (h) a statement from the designer of the facilities that lighting capable of meeting the minimum requirements of ARM 37.111.830 will be provided;
 - (i) location and detail of the solid waste storage facilities;
 - (j) name of DEQ-approved sanitary landfill which will receive solid waste from the school;
 - (k) specifications for a food service to serve the school unless the food service has been previously approved by the department and/or local health department;
 - (l) any other information requested by the department or local health authority relating to the health, sanitation, safety, and physical well-being of the teachers, staff, and students;
 - (m) specifications for any new or modified playground equipment, which must comply with the standards of the United States Consumer Product Safety Commission's Handbook for Public Playground Safety (2010 edition) and the requirements of the 2010 ADA Standards for Accessible Design;
 - (n) specifications for any new or modified air intakes; and

- (o) specifications for any radon-resistant technique used in the building process.
- (2) If the sewage treatment or disposal system or water supply has been previously approved by the department and/or DEQ and is designed to handle any increased load necessitated by the school's use, the applicant need not submit system specifications, but must submit written certification that the owner of the system has agreed to provide service.
- (3) Schools must be constructed in locations which present the least risk of exposure to pollutants or other health hazards originating onsite or offsite. If potential environmental concerns are identified during the preconstruction process, and the Local Education Agency (LEA) still desires to consider the site, a more comprehensive environmental review must be performed with the help of the department, the local health authority, or DEQ.
- (4) The topography of the site must permit good drainage of surface water away from the school building to eliminate significant areas of standing water and infiltration of surface water into the school building.
- (5) All chemical storage areas in new construction must be constructed to maintain negative air pressure to eliminate contamination of the school's indoor air quality by being vented to the outside of the building.
- (6) Gas supply lines serving science laboratories, consumer science, industrial arts, and other rooms utilizing multiple outlets must have a master shut-off valve that is readily accessible to the instructor or instructors-in-charge without leaving the classroom or storage area.
- (7) Industrial arts classrooms or buildings and other rooms using electrically operated instruction equipment which presents a significant safety hazard to the student utilizing such equipment must be supplied with a master electric switch readily accessible to the instructor or instructors-in-charge without leaving the classroom or storage area.
- (8) Janitorial storage spaces must be constructed to meet the following requirements:
 - (a) must be lockable;
 - (b) must include a storage area for equipment and chemicals; and
 - (c) must be vented to the outside of the building.
- (9) Hot and cold water must be provided to handwashing sinks and shower facilities. Hot water must not be below 100° F nor exceed a temperature of 120° F.
- (10) The department recommends the use of radon prevention strategies in new construction.
- (11) Construction may not commence until all plans required by (1) through (9) have been approved by the department or local health authority. The department or local health authority must complete this review within 60 days after submission to them of complete plans and specifications. Construction must be in accordance with the plans as approved unless permission is granted in writing by the department or local health authority to make changes.
- (12) Approval will be granted for a period not to exceed 3 years, after which, if construction has not been completed, plans must again be submitted to the department or local health authority for re-evaluation.

Authorizing statute(s): 50-1-206, MCA

Implementing statute(s): 50-1-203, 50-1-206, MCA

History: NEW, 1986 MAR p. 546, Eff. 4/11/86; TRANS, from DHES, 2001 MAR p. 2425; AMD, 2020 MAR p. 47, Eff. 1/18/20.