



New state law means public schools will test for lead in water

On Sept. 6, 2016, New York state became the first state in the nation to require all public schools and BOCES to test all sources of drinking water for lead. If a water outlet is found to have a lead level above the state's "action level" of 15 parts per billion (ppb), a school district must:

- take immediate steps to prohibit use of the outlet for drinking or cooking purposes;
- implement a remediation plan; and
- ensure that students and staff have an adequate supply of water for drinking and cooking in the meantime.

Why are school districts testing for lead?

With heightened awareness of water quality issues around the country, New York adopted these water testing regulations to help ensure that children are protected from lead exposure while in school. According to the state Department of Health, lead is a common metal found in the environment, but it is also a toxic material that can be harmful if ingested or inhaled. Although the primary source of lead exposure for most children is lead-based paint, exposure can also come from drinking water as a result of the lead content of plumbing materials and source water. While federal law now restricts the amount of lead used in new plumbing materials, the corrosion of older plumbing and fixtures in many buildings can cause lead to enter drinking water.

Where will districts test for lead?

Under the new state law, school districts must collect samples to be tested from every possible source of water used for drinking and cooking in any buildings that may be occupied by students. These outlets include, but may not be limited to, drinking fountains (both bubbler and water-cooler types), kitchen sinks, classroom combination sinks/drinking fountains, student restroom sinks and nurse's office sinks. To comply with the regulations, water samples must be collected when water has been motionless for at least 8 hours but no more than 18 hours.

WHAT "LEAD-FREE" MEANS

New York's new law does not require water testing in school buildings that are designated as "lead-free," as defined by the federal Safe Drinking Water Act. It is important to understand that the term "lead-free" does not refer to the presence or absence of lead in water. Federal laws enacted in 1986, and updated in 2011, limit the amount of lead that can be used in new plumbing and fixtures. A building can be deemed lead-free if it was built after Jan. 4, 2014, or a New York State licensed Professional Engineer or Architect certifies it to be lead-free.

When will I know the results of water testing at my school?

That depends. While the state gave school districts deadlines for the water sampling, it requires the testing to be completed by a state-approved laboratory. So how quickly a district receives the results depends upon how quickly the lab can turn the samples around.

Once school districts receive the results, if any outlets exceed the action level, districts are required to notify all staff and parents/guardians in writing about the test results *within 10 business days*. Within six weeks of receiving the results, districts must post all results and any remediation plans on their websites.

What happens if the lead level in my child's school exceeds the "action level"?

If test results show the lead concentration of water at an outlet exceeds the action level, schools must immediately prohibit the use of the outlet for drinking or cooking purposes and implement a remediation plan, under the guidance of the Department of Health, to address the issue. The outlet may not be used until follow-up test results indicate that lead levels are at or below the action level.

What if my child's school tested the water before the state law was passed?

Schools that conducted testing prior to the passage of the law can meet the requirements if their water sampling occurred after Jan. 1, 2015, and was in full compliance with the procedures outlined in the regulations. Schools where sampling procedures *substantially complied* with the regulations can apply to their local health department for a waiver. Regardless of prior testing, public reporting and parent/staff notification requirements remain.

Are schools required to test for lead in the future?

Schools will need to conduct water testing again in 2020 and every five years thereafter, or sooner if required by the state Commissioner of Health.

What if I have more questions?

If you have health concerns, it is always best to consult your family's physician. For more information about lead in drinking water:

- 💧 U.S. Environmental Protection Agency, "Basic Information About Lead in Drinking Water"
<http://bit.ly/1TckaVX>
- 💧 NYS Department of Health, "Get Ahead of Lead! Get the Lead Out of Drinking Water"
<http://on.ny.gov/2cEe50A>

BY THE NUMBERS

1

New York is the first state in the nation to require schools to test water for lead.

15

Lead in water is measured in parts per billion (ppb). 15 ppb is the "action level" established by the new state regulations.

8

All water samples must be "first draw," which means there has been no water flow for at least 8 hours.

