



Lead in School Drinking Water

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Introduction

Lead has been a known toxin for hundreds of years. As a heavy metal, it can affect almost every organ in the body, the most sensitive of which is the central nervous system. Children are at greatest risk because of their developing neurological systems. For them, even lower blood lead levels can cause impaired growth, reduced IQ and attention span, learning disability, behavioral problems and hearing loss.

Lead is also harmful to developing fetuses. Lead from the mother's bloodstream can cross the placenta and result in premature birth and low birth weight, as well as brain, kidney and neurological problems. No safe blood lead level in children has been identified. For this reason, the EPA has set the maximum contaminant level goal for lead in drinking water at zero.

Prolonged lead exposure in adults can lead to neurological problems and can also damage kidneys and increase risk for conditions like high blood pressure.

While most lead poisoning comes from ingestion of lead paint dust, lead in water has been an increasing concern. The tragic accounts of lead poisoning from the water in Flint, Michigan, and high levels discovered in Newark, New Jersey, are reminders of how important it is to test water and repair and replace sources of lead.



Lead in Water

Lead poisoning from water is not likely to elevate adult blood lead levels. However, risk varies by individual, circumstances and the amount of water consumed. Because children and pregnant women are so vulnerable, it's important for schools to make sure the water supply doesn't contribute to or create lead exposure.

Lead gets in water from corrosion of older fixtures or from solder that connects pipes. This is especially of concern in buildings constructed before 1986. Lead can leach into the water after sitting in pipes for several hours.

The only way to know if you have lead in your water is to have it tested. The action level for lead in school drinking water is 5 micrograms per liter (mcg/L) or parts per billion (ppb).



NYS Law on School Water Testing Updates December 22, 2023

Public Health Law Section 1110 was amended by Governor Hochul on December 23, 2021, requiring changes to Subpart 67-4. Revisions to the Public Health Law (PHL) Section 1110 went into effect on [December 22, 2022](#).

- Testing now falls under a three-year compliance period: Therefore, all schools must complete initial first-draw sampling for the 2023-2025 Compliance Period between: **January 1, 2023 – December 31, 2025**

The State Department of Health regulations include the following steps for testing:

- “First-draw” samples must be collected at all potable water fixtures currently or potentially used for drinking or cooking purposes outlets within the school.
- “First-draw” samples are those collected from a cold-water outlet where water is motionless in the pipes for a minimum of 8 hours, but not more than 18 hours, before sample collection. During this time period, no water can be used in the facility
- All first-draw samples must be analyzed by a laboratory approved to do lead testing by the Department’s Environmental Laboratory Approval Program (ELAP). A list of approved labs can be found at: <https://www.wadsworth.org/regulatory/elap>
- Within one business day of receipt of laboratory reports: report all exceedances lead result greater than 5 ppb to local department of health department.
- Within 10 business days of receipt of the report from the laboratory all staff and parents/guardians must be notified of test results in writing.
- Within 10 business days after the school receives the laboratory test results report test results (including post-remediation results) in the DOH’s electronic reporting system, HERDS. This information is posted on DOH’s website for the public.
- Within six weeks of receipt of laboratory report post copies of lab test results and information about remediation actions taken to address outlets where lead exceeds the action level on the school’s website. This should remain posted on the school’s website for the duration of the compliance period.
- Continued monitoring is required and schools must collect first-draw samples at least every three years. Schools are ultimately responsible for ensuring that the samples are taken correctly.



What If Tests Are Above the Action Level?

Faucets that exceed the *action level* must be taken out of service (or not allowed) for drinking and cooking purposes until they are remediated, and tests show lead levels are at or below the *action level*. Schools must also provide information about lead remediation plans on their websites. Until the faucets are safe, schools must provide an adequate supply of water for drinking and cooking.

If an outlet tested above the *action level*, signage must be placed at the applicable sinks indicating that the water should not be used for drinking but can be used for handwashing and cleaning ONLY. For small children, pictures should be used for effective communication.



What if the school says it's "lead free"?

The original legislation for 67-4 had an exemption for "Lead-Free" any school building, facility, addition, or wing met the definition in 1417 of the Federal Safe Drinking Water Act. The revisions to Public Health Law eliminates this exemption. All buildings will be required to conduct lead testing at all applicable outlets.



How is lead exposure determined?

Lead in drinking water can increase a person's total lead exposure, particularly the exposure of children under the age of six. The EPA estimates that drinking water can make up 20% or more of a person's total exposure to lead.

A family doctor or child's pediatrician can perform a blood test for lead and provide health information. State, city or county departments of health can also provide information about how you can have blood tested for lead.

Some districts in New York with high lead levels in a school have offered to pay for blood tests if employees and/or parents request it. Talk to your local president and Labor Relations Specialist to approach the district about providing these tests.



For More Information

For information on the regulations, sampling instructions, and requirements, email questions to: lead.in.school.drinking.water@health.ny.gov

Telephone Number 518-402-7650

Your local health department will also be able to answer questions about the law and health concerns related to lead exposure. Contact information is available at:

https://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm





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