BLIND BROOK-RYE UNION FREE SCHOOL DISTRICT
390 NORTH RIDGE STREET
RYE BROOK, NEW YORK 10573-1105
(914) 937-3600
(914) 937-7570

JONATHAN ROSS, Ed.D.
SUPERINTENDENT OF SCHOOLS

November 2016

Dear Members of the Blind Brook MS/HS Community,

Last April, Regulatory Compliance conducted drinking and cooking water testing at the water fountains in all of our schools. A total of 22 samples were collected and analyzed for lead and copper contaminates. We received notification that 21 of 22 testing samples were in compliance with the National Drinking Water Standard (NDWS). As reported then, all fountains at BBMS were determined to be in compliance with allowable NDWS limits for copper and lead. One water fountain at BBHS, in the 2nd floor hallway near room H201, was found to be slightly beyond allowable limits for copper and lead. The fountain apparatus was suspected of being the source of contaminates and replaced with a new fountain in May. A second series of water samples were taken from this fountain and the results were within NDWS limits. The fountain was returned to service in early June. Additionally, testing was done to the water fountain outside at the MSHS soccer/football field and all kitchen sinks and filtered water machines located in our school offices. All test results for these came back within acceptable limits.

Earlier this month, a third series of water samples were taken from faucets in science labs and bathrooms at the MS/HS. In all 178 samples were taken. While these water faucets are not used for drinking or cooking water, and not required to be tested under the law, it was determined that it was best to test them nonetheless. Yesterday, we received by email the attached summary report revealing that of the 178 faucets sampled there were 64 that came back with elevated lead levels of which 50 were science lab faucets, one was a MS classroom faucet and the other 13 faucets are located in bathrooms. As a preliminary remediation effort signage has been posted at each faucet location ascertaining the water as "not for drinking or cooking purposes." The facilities department will be investigating permanent solutions as may be necessary to remediate fixtures/faucets that exceed allowable lead levels.

More information about lead and drinking water in schools is available at:
New York Department of Health Website, https://www.health.ny.gov/publications/2508/

Environmental Protection Agency, www.epa.gov/sites/production/files/2015-09/documents/toolkit_leadschools_guide_3ts_leadschools.pdf

Please feel free to contact me if you have any questions.

Sincerely,

Jonathan Ross

Jonathan Ross

Attachment

Regulatory Compliance
245 Albany Avenue
Thornwood, New York 10594
(914) 439-6513

Lead Concentration In Drinking Water

At

Blind Brook-Rye UFSD
390 North Ridge Street
Rye-Brook, NY 10573

High School
Middle School

RegCom's Project # BB.1154.16.IH

Date of Survey:
November 12, 2016

Field Work performed by:
Ernest Coon, MSc, RPIH, HEM
Nicholas Coon, BS

Report Written by:
Ernest Coon, MSc, RPIH, HEM
November 25, 2016

ABSTRACT

The Blind Brook-Rye UFSD retained Regulatory Compliance to test the sinks/retest water fountains in selected areas, as identified by the district, for lead contamination. The overall objective is to determine the lead content in drinking water in the districts buildings.

A total of 178 samples were collected (including blanks) and analyzed for lead contaminates.

The water fountains /sinks that were tested are in compliance with the NYS *Lead testing in School Drinking Water – 10 NYCRR Subpart 67-4*, with the exception of the sinks/water fountains listed in the Results Section of the report.

For all outlets that exceed the NYS Action Level action is required. In accordance with the Lead testing in School Drinking Water – 10 NYCRR Subpart 67-4, if lead is detected the school is obligated to:

- Prohibit use of the outlet until a remediation plan is implemented and test results indicate that the lead levels are at or below the action level.
- Provide building occupants with an adequate supply of potable water for drinking and cooking until remediation is performed.
- Report the results to the local health department as soon as practicable but no more than 1 business day after the school received the laboratory report.
- Notify all staff and all persons in parental relation to students of the test results in writing as soon as practicable but no more than 10 business days after the school received the laboratory report.
- The school shall make available the results of all lead testing performed and remediation plans implemented on its website as soon as practicable, but no later than 6 weeks after the school received the laboratory results.

Recommendations and NYS DOH required actions:

- For all outlets that exceed the NYS Action Level action is required. In accordance with the Lead testing in School Drinking Water – 10 NYCRR Subpart 67-4, if lead is detected the school is obligated to:
    - Prohibit use of the outlet until a remediation plan is implemented and test results indicate that the lead levels are at or below the action level.
    - Provide building occupants with an adequate supply of potable water for drinking and cooking until remediation is performed.
    - Report the results to the local health department as soon as practicable but no more than 1 business day after the school received the laboratory report.
    - Notify all staff and all persons in parental relation to students of the test results in writing as soon as practicable but no more than 10 business days after the school received the laboratory report.

    - The school shall make available the results of all lead testing performed and remediation plans implemented on its website as soon as practicable, but no later than 6 weeks after the school received the laboratory results.
- If the water outlet isn't used for consumption or food preparation, in accordance with the NYS DOH regulation, Lead testing in School Drinking Water – 10 NYCRR Subpart 67-4 and the FAQs posted on the NYS DOH website (dated 11.1.16), FAQ #33, the school can achieve compliance by posting an age appropriate sign. Signage should be placed at non-drinking water outlets stating that water should not be used for drinking; only handwashing and cleaning. Pictures should be used if there are small children using the water outlets, and staff should ensure they understand what the signs mean and monitor to ensure that they don't drink the water. Example signage can be found on the department's website at: http://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm
- If aerators are present in the affected sinks (lead sediment can build up and leach out and end up in the drinking water), they should be removed cleaned, reinstalled and the fixture should be retested.
- Install a water filter to control the lead concentration and, maintain and replace the filter in accordance with the manufactures requirements/instructions. The process should be documented. The fixture should be retested.
- If a water filter was in use and the unit's lead concentration exceeded the regulatory limit, then the filter should be replaced and the unit retested.

Reminders:

- For results of tests performed before the effective date of these regulations, notify all staff and all persons in parental relation to students within 10 business days of this regulation's effective date, unless written notification has already occurred.

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1.0 INTRODUCTION

The Blind Brook-Rye UFSD retained Regulatory Compliance to test the sinks/retest water fountains in selected areas, as identified by the district, for lead contamination. The overall objective is to determine the lead content in drinking water in the districts buildings.

Lead is a toxic metal that can be harmful when ingested (or inhaled), and young children are particularly sensitive to the effects of lead. Lead can get into drinking water by being present in the source water, or by interaction of the water with plumbing materials containing lead (through corrosion). Common sources of lead in drinking water include: solder, fluxes, pipes and pipefittings, fixtures, and sediments. Thus, it is possible that different water outlets in a given building could have dissimilar concentrations of lead. Lead in drinking water is regulated under the Safe Drinking Water Act (1974) as amended. The Lead Contamination Control Act (LCCA) amended the Safe Drinking Water Act and is aimed at identifying and reducing lead in drinking water in schools (and day care facilities). In April 1994, EPA prepared two guidance documents to assist municipalities in meeting the requirements of the LCCA. On September 6, 2016 the Department of Health DOH issued emergency regulations for the implementation of the new law, *Lead Testing in School Drinking Water*, the regulations became Subpart 67-4 of Title 10 (Health) of the Official Compilation of Codes, Rule and Regulations of the State of New York.

2.0 SAMPLING METHODOLOGY

Samples were collected in accordance with the *Lead testing in School Drinking Water* – 10 NYCRR Subpart 67-4.3. A first-draw sample was collected in a wide mouth 250 mL bottle and collected from a cold water outlet before the water is used. The water was motionless in the pipes for a minimum of 8 hours but not more than 18 hours prior to collection.

3.0 RESULTS

The water fountains /sinks that were tested are in compliance with the NYS *Lead testing in School Drinking Water – 10 NYCRR Subpart 67-4*, with the exception of the sinks/water fountains listed in the Results Section of the report.

Table 1.0 The following list of water fixtures identified in the High School that exceeded the NYS Action Level of 0.015 mg/L:

Sample #	Location	Lead Conc.(mg/L)
3	Kitchen Staff Bathroom - Sink	0.039
5	Auditorium Men's Room – Sink #1	0.034
17	Girls bathroom/Commons Area – Sink #2	0.072
21	Boys bathroom/Commons Area – Sink #2	0.043
23	Boys bathroom/Commons Area – Sink #4	0.016
28	Women's Bathroom Near H2115 – Sink #3	0.189
29	Women's Bathroom Near H2115 – Handicap Stall	0.019
31	Women's Bathroom Near H2115 – Sink #2	0.016
32	Boy's Bathroom Near H2115 – Sink #3	0.079
33	2nd Floor Women's Faculty bathroom – Sink	0.034
34	2nd Floor Men's Faculty bathroom – Sink	0.023

Table 1.0 The following list of water fixtures identified in the High School that exceeded the NYS Action Level of 0.015 mg/L (Cont.):

Sample #	Location	Lead Conc.(mg/L)
37	Room H216 (Science Lab) – Sink #3	0.018
41	Room H216 (Science Lab) – Sink #7	0.031
53	Room H217 (Science Lab) – Fume Hood Sink	0.066
54	Room H218 (Science Lab) – Sink #1	0.019
58	Room H218 (Science Lab) – Sink #5	0.018
59	Room H218 (Science Lab) – Fume Hood – Sink #6	0.236
63	Room H204 (Science Lab) – Sink #1	0.028
64	Room H204 (Science Lab) – Sink #2	0.023
69	Room H204 (Science Lab) – Sink #7	0.042
81	Room H202 (Science Lab) – Sink #3	0.016
84	Room H202 (Science Lab) – Sink #6	0.163
86	Room H202 (Science Lab) – Sink #8	0.018
91	Room H202 (Science Lab) – Sink #13	0.017
92	Room H202 (Science Lab) – Sink #14	0.017
94	Room H203 (Science Lab) – Sink #2	0.046
95	Room H203 (Science Lab) – Sink #3	0.029
96	Room H203 (Science Lab) – Sink #4	0.023
97	Room H203 (Science Lab) – Sink #5	0.410
98	Room H203 (Science Lab) – Sink #6	0.016

Table 2.0 The following list of water fixtures identified in the Middle School that exceeded the NYS Action Level of 0.015 mg/L:

Sample #	Location	Lead Conc.(mg/L)
130	Room M211 (Science Lab) – Sink #2	0.042
131	Room M211 (Science Lab) – Sink #3	0.076
132	Room M211 (Science Lab) – Sink #4	0.094
133	Room M211 (Science Lab) – Sink #5	0.263
134	Room M203 (Science Lab) – Sink #1	0.035
135	Room M203 (Science Lab) – Sink #2	0.024
136	Room M203 (Science Lab) – Sink #3	0.017
137	Room M203 (Science Lab) – Fume Hood/ Sink #4	0.068
138	Room M203 (Science Lab) – Sink #5	0.053
139	Room M203 (Science Lab) – Sink #6	0.026
140	Room M203 (Science Lab) – Sink #7	0.410
141	Room M203 (Science Lab) – Sink #8	0.087
142	Room M203 (Science Lab) – Sink #9	0.088
143	Room M203 (Science Lab) – Sink #10	0.089
144	Room M203 (Science Lab) – Sink #11	0.054

Table 2.0 The following list of water fixtures identified in the Middle School that exceeded the NYS Action Level of 0.015 mg/L (Cont.):

Sample #	Location	Lead Conc.(mg/L)
145	Room M203 (Science Lab) – Sink #12	0.034
146	Room M203 (Science Lab) – Sink #13	0.110
147	Room M203 (Science Lab) – Sink #14	0.070
148	Room M203 (Science Lab) – Sink #15	0.038
150	Boy's Room Next to Room M202 – Sink #2	0.042
156	Room M200 – Sink #2	0.046
161	Room M201 (Science Lab) – Sink #4	0.995
162	Room M201 (Science Lab) – Sink #5	0.099
163	Room M201 (Science Lab) – Sink #6	0.029
164	Room M201 (Science Lab) – Sink #7	0.029
165	Room M201 (Science Lab) – Sink #8	0.079
166	Room M201 (Science Lab) – Sink #9	0.099
167	Room M201 (Science Lab) – Sink #10	0.973
168	Room M201 (Science Lab) – Sink #11	0.066
169	Room M201 (Science Lab) – Sink #12	0.105
170	Room M201 (Science Lab) – Sink #13	0.055
171	Room M201 (Science Lab) – Sink #14	0.038
172	Room M201 (Science Lab) – Sink #15	0.057
174	Field House – Boys Bathroom – Sink #1	0.034

Note: Sinks are counted rom left to right

4.0 10 NYCRR Subpart 67-4 REQUIREMENTS, RECOMMENDATIONS & REMINDERS

10 NYCRR Subpart 67-4 Requirements:

- For all outlets that exceed the NYS Action Level action is required. In accordance with the Lead testing in School Drinking Water – 10 NYCRR Subpart 67-4, if lead is detected the school is obligated to:
    - Prohibit use of the outlet until a remediation plan is implemented and test results indicate that the lead levels are at or below the action level.
    - Provide building occupants with an adequate supply of potable water for drinking and cooking until remediation is performed.
    - Report the results to the local health department as soon as practicable but no more than 1 business day after the school received the laboratory report.
    - Notify all staff and all persons in parental relation to students of the test results in writing as soon as practicable but no more than 10 business days after the school received the laboratory report.

- The school shall make available the results of all lead testing performed and remediation plans implemented on its website as soon as practicable, but no later than 6 weeks after the school received the laboratory results.

Recommendations:

- If the water outlet isn't used for consumption or food preparation, in accordance with the NYS DOH regulation, Lead testing in School Drinking Water – 10 NYCRR Subpart 67-4 and the FAQs posted on the NYS DOH website (dated 11.1.16), FAQ #33, the school can achieve compliance by posting an age appropriate sign. Signage should be placed at non-drinking water outlets stating that water should not be used for drinking; only handwashing and cleaning. Pictures should be used if there are small children using the water outlets, and staff should ensure they understand what the signs mean and monitor to ensure that they don't drink the water. Example signage can be found on the department's website at: http://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm
- If aerators are present in the affected sinks (lead sediment can build up and leach out and end up in the drinking water), they should be removed cleaned, reinstalled and the fixture should be retested.
- Install a water filter to control the lead concentration and, maintain and replace the filter in accordance with the manufactures requirements/instructions. The process should be documented. The fixture should be retested.
- If a water filter was in use and the unit's lead concentration exceeded the regulatory limit, then the filter should be replaced and the unit retested.

Reminders:

- For results of tests performed before the effective date of these regulations, notify all staff and all persons in parental relation to students within 10 business days of this regulation's effective date, unless written notification has already occurred.

Laboratory Results

Drawing for Science Rooms M201 & M203

Implementation Guidance for Subpart 67-4 Lead Testing in School Drinking Water (FAQs)

Eastern Analytical Services, Inc.

Water Sample Report

RE: CPN BB-1154-16-IH - Blind Brook UFSD - Middle School

Date Collected: 11/12/2016
Collected By: Ernest Coon
Date Received: 11/12/2016
Date Analyzed: 11/17/2016
Analyzed By: Peter P. Argyrakis
Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
109 2465724	Library Office - Sink	Water	0.009 mg/L
110 2465725	Main Office - "PA" Room - Sink	Water	0.002 mg/L
111 2465726	Main Office - Faculty Bathroom - Sink	Water	BDL < 0.001 mg/L
112 2465727	Main Office - "PA" Room - Water Cooler	Water	0.001 mg/L
113 2465728	Boys Room Next to M100 - Sink #1 (From Left to Right)	Water	BDL < 0.001 mg/L
114 2465729	Boys Room Next to M100 - Sink #2 (From Left to Right)	Water	BDL < 0.001 mg/L
115 2465730	Girls Room Next to M100 - Sink #1 (From Left to Right)	Water	BDL < 0.001 mg/L
116 2465731	Girls Room Next to M100 - Sink #2 (From Left to Right)	Water	BDL < 0.001 mg/L
117 2465732	Girls Room Next to M100 - Sink #3 (From Left to Right)	Water	0.001 mg/L

BDL = Below Detectable Limits
Liability Limited to Cost of Analysis
Results Applicable to Those Items Tested

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Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
118 2465733	Girls Locker Bathroom - Sink	Water	BDL < 0.001 mg/L
119 2465734	Boys Locker Bathroom - Sink	Water	BDL < 0.001 mg/L
120 2465735	Coaches Office - Sink	Water	0.001 mg/L
121 2465736	Room M101 - Technology - Sink	Water	0.003 mg/L
122 2465737	Room 103 - H & C - Sink #1 (From Left to Right)	Water	0.002 mg/L
123 2465738	Room 103 - H & C - Sink #2 (From Left to Right)	Water	0.001 mg/L
124 2465739	Room 103 - H & C - Sink #3 (From Left to Right)	Water	BDL < 0.001 mg/L
125 2465740	Room 103 - H & C - Sink #4 (From Left to Right)	Water	BDL < 0.001 mg/L
126 2465741	Room M105 - Art Room - Sink #1 (From Left to Right)	Water	0.005 mg/L

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Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
127 2465742	Room M105 - Art Room - Sink #2 (From Left to Right)	Water	BDL < 0.001 mg/L
128 2465743	Faculty Bathroom Near Room 211 - Sink #1	Water	0.002 mg/L
129 2465744	Room M211 - Science Lab - Sink #1 (From Left to Right)	Water	0.013 mg/L
130 2465745	Room M211 - Science Lab - Sink #2 (From Left to Right)	Water	0.042 mg/L
131 2465746	Room M211 - Science Lab - Sink #3 (From Left to Right)	Water	0.076 mg/L
132 2465747	Room M211 - Science Lab - Sink #4 (From Left to Right)	Water	0.094 mg/L
133 2465748	Room M211 - Science Lab - Sink #5 (From Left to Right)	Water	0.263 mg/L
134 2465749	Room M203 - Science Lab - Sink #1 (From Left to Right)	Water	0.035 mg/L
135 2465750	Room M203 - Science Lab - Sink #2 (From Left to Right)	Water	0.024 mg/L

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Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
136 2465751	Room M203 - Science Lab - Sink #3 (From Left to Right)	Water	0.017 mg/L
137 2465752	Room M203 - Science Lab - Sink #4 - Fume Hood	Water	0.068 mg/L
138 2465753	Room M203 - Science Lab - Sink #5 (From Left to Right)	Water	0.053 mg/L
139 2465754	Room M203 - Science Lab - Sink #6 (From Left to Right)	Water	0.026 mg/L
140 2465755	Room M203 - Science Lab - Sink #7 (From Left to Right)	Water	0.410 mg/L
141 2465756	Room M203 - Science Lab - Sink #8 (From Left to Right)	Water	0.087 mg/L
142 2465757	Room M203 - Science Lab - Sink #9 (From Left to Right)	Water	0.088 mg/L
143 2465758	Room M203 - Science Lab - Sink #10 (From Left to Right)	Water	0.089 mg/L
144 2465759	Room M203 - Science Lab - Sink #11 (From Left to Right)	Water	0.054 mg/L

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NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
145 2465760	Room M203 - Science Lab - Sink #12 (From Left to Right)	Water	0.034 mg/L
146 2465761	Room M203 - Science Lab - Sink #13 (From Left to Right)	Water	0.110 mg/L
147 2465762	Room M203 - Science Lab - Sink #14 (From Left to Right)	Water	0.070 mg/L
148 2465763	Room M203 - Science Lab - Sink #15 (From Left to Right)	Water	0.038 mg/L
149 2465764	Boys Room Next to Room M202 - Sink #1 (From Left to Right)	Water	0.005 mg/L
150 2465765	Boys Room Next to Room M202 - Sink #2 (From Left to Right)	Water	0.042 mg/L
151 2465766	Boys Room Next to Room M202 - Sink #3 (From Left to Right)	Water	BDL < 0.001 mg/L
152 2465767	Girls Room Next to Room M202 - Sink #1 (From Left to Right)	Water	BDL < 0.001 mg/L
153 2465768	Girls Room Next to Room M202 - Sink #2 (From Left to Right)	Water	BDL < 0.001 mg/L

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245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
154 2465769	Girls Room Next to Room M202 - Sink #3 (From Left to Right)	Water	0.001 mg/L
155 2465770	Room M200 - Sink #1 (From Left to Right)	Water	0.004 mg/L
156 2465771	Room M200 - Sink #2 (From Left to Right)	Water	0.046 mg/L
157 2465772	Faculty Bathroom - Next to M200 - Sink	Water	0.010 mg/L
158 2465773	Room M201 - Science Lab - Sink #1 (From Left to Right)	Water	BDL < 0.001 mg/L
159 2465774	Room M201 - Science Lab - Sink #2 (From Left to Right)	Water	0.004 mg/L
160 2465775	Room M201 - Science Lab - Sink #3 (From Left to Right)	Water	0.010 mg/L
161 2465776	Room M201 - Science Lab - Sink #4 (From Left to Right)	Water	0.995 mg/L
162 2465777	Room M201 - Science Lab - Sink #5 (From Left to Right)	Water	0.099 mg/L

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Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
163 2465778	Room M201 - Science Lab - Sink #6 (From Left to Right)	Water	0.029 mg/L
164 2465779	Room M201 - Science Lab - Sink #7 (From Left to Right)	Water	0.029 mg/L
165 2465780	Room M201 - Science Lab - Sink #8 (From Left to Right)	Water	0.079 mg/L
166 2465781	Room M201 - Science Lab - Sink #9 (From Left to Right)	Water	0.099 mg/L
167 2465782	Room M201 - Science Lab - Sink #10 (From Left to Right)	Water	0.973 mg/L
168 2465783	Room M201 - Science Lab - Sink #11 (From Left to Right)	Water	0.066 mg/L
169 2465784	Room M201 - Science Lab - Sink #12 (From Left to Right)	Water	0.105 mg/L
170 2465785	Room M201 - Science Lab - Sink #13 (From Left to Right)	Water	0.055 mg/L
171 2465786	Room M201 - Science Lab - Sink #14 (From Left to Right)	Water	0.038 mg/L

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NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
172 2465787	Room M201 - Science Lab - Sink #15 (From Left to Right)	Water	0.057 mg/L
173 2465788	Field House - Boys Bathroom - Sink #2 (From Left to Right)	Water	0.002 mg/L
174 2465789	Field House - Boys Bathroom - Sink #1 (From Left to Right)	Water	0.034 mg/L
175 2465790	Field House - Girls Bathroom - Sink #1 (From Left to Right)	Water	0.003 mg/L
176 2465791	Field House - Girls Bathroom - Sink #2 (From Left to Right)	Water	0.001 mg/L
177 2465792	Field House - Ice Machine (2 Bottles Combined)	Water	0.001 mg/L
178 2465793	Not Applicable	Water Blank	BDL < 0.001 mg/L

BDL = Below Detectable Limits
Liability Limited to Cost of Analysis
Results Applicable to Those Items Tested
AIHA Accreditation No. 418 Rhode Island DOH No. AAL-072T3 Massachusetts DOL No. A A 000072 Connecticut DOH No. PH-0622 Maine DEP No. LA-024 Vermont DOH No. AAS-2095

Eastern Analytical Services, Inc.

Water Sample Report

RE: CPN BB-1154-16-IH - Blind Brook UFSD - High School

Date Collected: 11/12/2016
Collected By: Ernest Coon
Date Received: 11/12/2016
Date Analyzed: 11/17/2016
Analyzed By: Peter P. Argyrakis
Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
1 2465616	Portable Classrooms Bathroom on Left Sink	Water	0.001 mg/L
2 2465617	Portable Classrooms Bathroom on Right Sink	Water	BDL < 0.001 mg/L
3 2465618	Kitchen Staff Bathroom - Sink	Water	0.039 mg/L
4 2465619	Main Office - Copy Room - Sink	Water	0.003 mg/L
5 2465620	Auditorium Men's Room - Sink #1 (From Left to Right)	Water	0.034 mg/L
6 2465621	Auditorium Men's Room - Sink #2 (From Left to Right)	Water	BDL < 0.001 mg/L
7 2465622	Auditorium Men's Room - Sink #3 (From Left to Right)	Water	0.001 mg/L
8 2465623	Auditorium Women's Room - Sink #1 (From Left to Right)	Water	BDL < 0.001 mg/L
9 2465624	Auditorium Women's Room - Sink #2 (From Left to Right)	Water	0.001 mg/L

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Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
10 2465625	Auditorium Women's Room - Sink #3 (From Left to Right)	Water	0.001 mg/L
11 2465626	Auditorium Women's Room - Sink #4 (From Left to Right)	Water	0.001 mg/L
12 2465627	Nurse's Office - Main Sink	Water	BDL < 0.001 mg/L
13 2465628	Nurse's Office - Room 5 - Sink	Water	0.003 mg/L
14 2465629	Nurse's Office - Bathroom - Sink	Water	0.001 mg/L
15 2465630	Girls Coaches Office Bathroom - Sink	Water	0.006 mg/L
16 2465631	Girls Bathroom at the Commons - Sink #1	Water	0.007 mg/L
17 2465632	Girls Bathroom at the Commons - Sink #2	Water	0.072 mg/L
18 2465633	Girls Bathroom at the Commons - Sink #3	Water	0.004 mg/L

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Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
19 2465634	Girls Bathroom at the Commons - Sink #4	Water	0.002 mg/L
20 2465635	Boys Bathroom at the Commons - Sink #1	Water	0.007 mg/L
21 2465636	Boys Bathroom at the Commons - Sink #2	Water	0.043 mg/L
22 2465637	Boys Bathroom at the Commons - Sink #3	Water	0.007 mg/L
23 2465638	Boys Bathroom at the Commons - Sink #4 (From Left to Right)	Water	0.016 mg/L
24 2465639	Boys Coaches Office Bathroom - Sink	Water	0.006 mg/L
25 2465640	Athletic Bathroom/Staff Bathroom - Sink	Water	0.013 mg/L
26 2465641	Womens Bathroom Near H2115 - Sink #1 (From Left to Right)	Water	0.003 mg/L
27 2465642	Womens Bathroom Near H2115 - Sink #2 (From Left to Right)	Water	0.009 mg/L

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Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
28 2465643	Womens Bathroom Near H2115 - Sink #3 (From Left to Right)	Water	0.189 mg/L
29 2465644	Womens Bathroom Near H2115 - Handicap Stall	Water	0.019 mg/L
30 2465645	Boys Bathroom Near H2115 - Sink #1 (From Left to Right)	Water	0.015 mg/L
31 2465646	Boys Bathroom Near H2115 - Sink #2 (From Left to Right)	Water	0.016 mg/L
32 2465647	Boys Bathroom Near H2115 - Sink #3 (From Left to Right)	Water	0.079 mg/L
33 2465648	2nd Floor - Women's Faculty Room - Sink	Water	0.034 mg/L
34 2465649	2nd Floor - Men's Faculty Room - Sink	Water	0.023 mg/L
35 2465650	Room H216 - Science Lab - Sink #1 (From Left to Right)	Water	0.010 mg/L
36 2465651	Room H216 - Science Lab - Sink #2 (From Left to Right)	Water	0.009 mg/L

Eastern Analytical Services, Inc.

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Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
37 2465652	Room H216 - Science Lab - Sink #3 (From Left to Right)	Water	0.018 mg/L
38 2465653	Room H216 - Science Lab - Sink #4 (From Left to Right)	Water	0.006 mg/L
39 2465654	Room H216 - Science Lab - Sink #5 (From Left to Right)	Water	0.011 mg/L
40 2465655	Room H216 - Science Lab - Sink #6 (From Left to Right)	Water	0.015 mg/L
41 2465656	Room H216 - Science Lab - Sink #7 (From Left to Right)	Water	0.031 mg/L
42 2465657	Room H216 - Science Lab - Sink #8 (From Left to Right)	Water	0.015 mg/L
43 2465658	Prep Room Between H216 & H217 - Sink #1 (From Left to Right)	Water	0.011 mg/L
44 2465659	Prep Room Between H216 & H217 - Sink #2 (From Left to Right)	Water	0.001 mg/L
45 2465660	Room H217 - Science Lab - Sink #1 (From Left to Right)	Water	0.004 mg/L

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Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
46 2465661	Room H217 - Science Lab - Sink #2 (From Left to Right)	Water	0.003 mg/L
47 2465662	Room H217 - Science Lab - Sink #3 (From Left to Right)	Water	0.007 mg/L
48 2465663	Room H217 - Science Lab - Sink #4 (From Left to Right)	Water	0.003 mg/L
49 2465664	Room H217 - Science Lab - Sink #5 (From Left to Right)	Water	0.007 mg/L
50 2465665	Room H217 - Science Lab - Sink #6 (From Left to Right)	Water	0.006 mg/L
51 2465666	Room H217 - Science Lab - Sink #7 (From Left to Right)	Water	0.003 mg/L
52 2465667	Room H217 - Science Lab - Sink #8 (From Left to Right)	Water	0.007 mg/L
53 2465668	Room H217 - Science Lab - Fume Hood - Sink	Water	0.066 mg/L
54 2465669	Room H218 - Science Lab - Sink #1 (From Left to Right)	Water	0.019 mg/L

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Analyzed By: Peter P. Argyrakis
Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
55 2465670	Room H218 - Science Lab - Sink #2 (From Left to Right)	Water	0.006 mg/L
56 2465671	Room H218 - Science Lab - Sink #3 (From Left to Right)	Water	0.004 mg/L
57 2465672	Room H218 - Science Lab - Sink #4 (From Left to Right)	Water	0.003 mg/L
58 2465673	Room H218 - Science Lab - Sink #5 (From Left to Right)	Water	0.018 mg/L
59 2465674	Room H218 - Science Lab - Fume Hood Sink #6	Water	0.236 mg/L
60 2465675	Room 210A/Art Room - Sink	Water	0.002 mg/L
61 2465676	Room 210B/Art Room - Sink #1 (From Left to Right)	Water	0.002 mg/L
62 2465677	Room 210B/Art Room - Sink #2 (From Left to Right)	Water	0.005 mg/L
63 2465678	Room H204 - Science Lab - Sink #1 (From Left to Right)	Water	0.028 mg/L

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Analyzed By: Peter P. Argyrakis
Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
64 2465679	Room H204 - Science Lab - Sink #2 (From Left to Right)	Water	0.023 mg/L
65 2465680	Room H204 - Science Lab - Sink #3 (From Left to Right)	Water	0.006 mg/L
66 2465681	Room H204 - Science Lab - Sink #4 (From Left to Right)	Water	0.011 mg/L
67 2465682	Room H204 - Science Lab - Sink #5 (From Left to Right)	Water	0.015 mg/L
68 2465683	Room H204 - Science Lab - Sink #6 (From Left to Right)	Water	0.015 mg/L
69 2465684	Room H204 - Science Lab - Sink #7 (From Left to Right)	Water	0.042 mg/L
70 2465685	Room H204 - Science Lab - Sink #8 (From Left to Right)	Water	0.013 mg/L
71 2465686	Room H204 - Science Lab - Sink #9 (From Left to Right)	Water	BDL < 0.001 mg/L
72 2465687	Room H204 - Science Lab - Sink #10 (From Left to Right)	Water	0.015 mg/L

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AIHA Accreditation No. 418 Rhode Island DOH No. AAL-072T3 Massachusetts DOL No. A A 000072 Connecticut DOH No. PH-0622 Maine DEP No. LA-024 Vermont DOH No. AAS-2095

Eastern Analytical Services, Inc.

Water Sample Report

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Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
73 2465688	Room H204 - Science Lab - Sink #11 (From Left to Right)	Water	0.004 mg/L
74 2465689	Room H204 - Science Lab - Sink #12 (From Left to Right)	Water	0.011 mg/L
75 2465690	Room H204 - Science Lab - Sink #13 (From Left to Right)	Water	0.010 mg/L
76 2465691	Room H204 - Science Lab - Sink #14 (From Left to Right)	Water	0.012 mg/L
77 2465692	Science Prep Room Office Next to Room H204 - Sink #1 (Center Door Near H204)	Water	0.011 mg/L
78 2465693	Science Prep Room Office Next to Room H204 - Sink #2 (Center Door Near H204)	Water	0.003 mg/L
79 2465694	Room H202 - Science Lab - Sink #1 (From Left to Right)	Water	0.003 mg/L
80 2465695	Room H202 - Science Lab - Sink #2 (From Left to Right)	Water	0.010 mg/L
81 2465696	Room H202 - Science Lab - Sink #3 (From Left to Right)	Water	0.016 mg/L

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Water Sample Report

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Analyzed By: Peter P. Argyrakis
Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
82 2465697	Room H202 - Science Lab - Sink #4 (From Left to Right)	Water	0.009 mg/L
83 2465698	Room H202 - Science Lab - Sink #5 (From Left to Right)	Water	0.010 mg/L
84 2465699	Room H202 - Science Lab - Sink #6 (From Left to Right)	Water	0.163 mg/L
85 2465700	Room H202 - Science Lab - Sink #7 (From Left to Right)	Water	0.009 mg/L
86 2465701	Room H202 - Science Lab - Sink #8 (From Left to Right)	Water	0.018 mg/L
87 2465702	Room H202 - Science Lab - Sink #9 (From Left to Right)	Water	0.010 mg/L
88 2465703	Room H202 - Science Lab - Sink #10 (From Left to Right)	Water	0.010 mg/L
89 2465704	Room H202 - Science Lab - Sink #11 (From Left to Right)	Water	0.008 mg/L
90 2465705	Room H202 - Science Lab - Sink #12 (From Left to Right)	Water	0.009 mg/L

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Water Sample Report

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Signature:
Analyte: Pb Water
Analytical Method: EPA 200.9
NYS Lab Number: 10851

Client: RegCom
245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
91 2465706	Room H202 - Science Lab - Sink #13 (From Left to Right)	Water	0.017 mg/L
92 2465707	Room H202 - Science Lab - Sink #14 (From Left to Right)	Water	0.017 mg/L
93 2465708	Room H203 - Science Lab - Sink #1 (From Left to Right)	Water	0.007 mg/L
94 2465709	Room H203 - Science Lab - Sink #2 (From Left to Right)	Water	0.046 mg/L
95 2465710	Room H203 - Science Lab - Sink #3 (From Left to Right)	Water	0.029 mg/L
96 2465711	Room H203 - Science Lab - Sink #4 (From Left to Right)	Water	0.023 mg/L
97 2465712	Room H203 - Science Lab - Sink #5 (From Left to Right)	Water	0.410 mg/L
98 2465713	Room H203 - Science Lab - Sink #6 (From Left to Right)	Water	0.016 mg/L
99 2465714	Room H203 - Science Lab - Sink #7 (From Left to Right)	Water	0.006 mg/L

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245 Albany Avenue
Thornwood, NY 10594

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
100 2465715	Room H203 - Science Lab - Sink #8 (From Left to Right)	Water	0.008 mg/L
101 2465716	Room H203 - Science Lab - Sink #9 (From Left to Right)	Water	0.014 mg/L
102 2465717	Room H203 - Science Lab - Sink #10 (From Left to Right)	Water	0.014 mg/L
103 2465718	Room H203 - Science Lab - Sink #11 (From Left to Right)	Water	0.016 mg/L
104 2465719	Room H203 - Science Lab - Sink #12 (From Left to Right)	Water	0.009 mg/L
105 2465720	Room H203 - Science Lab - Sink #13 (From Left to Right)	Water	0.010 mg/L
106 2465721	Room H203 - Science Lab - Sink #14 (From Left to Right)	Water	0.012 mg/L
107 2465722	Room H106 - Band Room Sink	Water	BDL < 0.001 mg/L
108 2465723	Faculty Bathroom Near Faculty Lunch Room - Sink	Water	BDL < 0.001 mg/L

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FREQUENTLY ASKED QUESTIONS
For School Buildings and Grounds Personnel
Lead in NYS School Drinking Water
November 1, 2016

Background

The "on-again, off-again" nature of water use at most schools can raise lead levels in school drinking water. Water that remains in pipes overnight, over a weekend, or over vacation periods stays in contact with lead pipes or lead solder and could contain higher levels of lead. It is important to identify and address elevated levels of lead in drinking water in schools as part of reducing a child's overall exposure to lead in the environment.

General Information

REVISED

1. What is the new lead testing in school drinking water legislation?

The New York State Legislature recently passed a bill (A10740/S8158) which requires the Department to develop regulations to require all school districts and boards of cooperative educational services (BOCES)—collectively, "schools"—to test all potable water outlets for lead contamination, and to take responsive actions. Governor Cuomo signed the proposed legislation, and the DOH adopted emergency regulations, titled *Lead Testing in School Drinking Water* -10 NYCRR Subpart 67-4 (Subpart 67-4), on September 6, 2016. The legislation includes all buildings owned or leased by a school.

2. Where can I find the regulations?

The regulation can be found at: http://health.ny.gov/regulations/emergency/docs/2016-09-06_lead_testing_in_school_drinking_water.pdf.

REVISED

3. Are private, charter, or Indian nation schools required to conduct lead testing under this regulation?

No. Only NYS schools districts and boards of cooperative educational services (BOCES) are required to test for lead under this regulation. Note: The regulation includes all buildings owned or leased by a school.

Monitoring

4. Where must samples be collected?

Samples must be collected at all outlets within the school. An outlet is a potable water fixture currently or potentially used for drinking or cooking purposes, including but not limited to bubblers, drinking fountains and faucets. Faucets may be located anywhere on school property where drinking water is currently or potentially obtained, including but not limited to the athletic field.

NEW

5. What are the acceptable types of laboratory containers for collecting samples?

The required sample volume for analysis of lead in school drinking water is 250 milliliters (mL). DOH recommends wide mouth 250 ml containers. New York State Environmental Laboratory Approval Program (ELAP) certified laboratories have been notified of the 250 mL container requirement and should supply the correct sampling containers. Note: Nitric acid is added to lead sample bottles by the lab as a sample preservative. As a safety precaution, due to the potential for accidental contact with the nitric acid which could burn skin and clothing, schools may request their contract lab send out bottles without the nitric acid preservative. The lab will add the nitric acid upon receipt of the samples in the laboratory. Schools will need to discuss this option with their lab in advance of the bottles being shipped.

NEW

6. Are samples collected prior to September 6, 2016, using 1-liter bottles, acceptable under Subpart 67-4?

No. Samples collected using 1-liter sample bottles will not be accepted.

NEW

7. Does a school need to sample outlets that <u>are not</u> used (or potentially used) for drinking or cooking purposes?

If the school has evaluated and determined that an outlet is not currently or potentially used for cooking or drinking purposes, then sampling is not required under Subpart 67-4.

NEW

8. Should aerators be removed before collecting samples?

Aerators should be left in place.

NEW

9. Is a point of entry sample a requirement in Subpart 67-4?

No, point of entry samples are not required under Subpart 67-4.

NEW

10. What is the proper sampling protocol for collecting samples from ice machines? Which bottles should be used?

Refer to the USEPA 3T's sample collection procedures, exhibit 4.7, initial screening sample 1E. https://www.epa.gov/sites/production/files/2015-09/documents/toolkit_leadschools_guide_3ts_leadschools.pdf

The required sampling container size is a 250 ml bottle. Wide mouth bottles are recommended.

NEW

11. Should a foot lever operated multi-outlet gang sink in a school bathroom be sampled? Is one sample from one outlet representative of all outlets on the gang sink?

All fixtures that are currently or potentially used for cooking or drinking should be sampled. Representative sampling or composite sampling are not allowed. Note: The school is responsible for determining if an outlet is currently or potentially used for cooking or drinking.

NEW

12. What is the protocol for collecting samples from fixtures that are tempered?

All outlets that are currently or potentially used for cooking or drinking purposes should be evaluated/sampled pursuant to a normal operating conditions scenario. Please refer to The Department's Recommended Sampling Instructions for Lead Testing in School Drinking Water. http://www.health.ny.gov/environmental/water/drinking/lead/docs/sampling_instructions_10_04_16.pdf

NEW

13. The Department recently updated its guidance regarding tempered outlets to reflect the outlet being monitored under normal operations, and stated that hot water feeds should not be turned off. What should a school do if they have already collected a sample from a tempered fixture with the hot water feed turned off?

The Department does not recommend turning off hot water feeds. The school is not required to resample unless directed by the Department or local health department. All future monitoring must follow the most current sampling protocols.

NEW

14. Should drinking fountains with bottle fills be sampled from both the fill and from the fountain portion? If so does it matter which is collected first?

Both fixtures should be sampled if they are used or have the potential to be used for drinking or cooking purposes. The Department recommends sampling the outlet that is most frequently used first.

15. Who can collect the samples?

Any individual who is familiar with the regulation's "first-draw" sampling protocol may collect samples. This includes but is not limited to a school staff member, a laboratory representative, or a consultant. The individual collecting the sample must be able to maintain quality assurance and control over the sampling, and must ensure the chain of custody of the water samples is maintained. However, the school is ultimately responsible for ensuring that the samples are correctly taken.

16. What it is a "first-draw" sample?

A "first-draw" sample is a water sample that is collected from an outlet before any water is used from that outlet. The water shall be motionless in the pipes for a minimum of 8 hours, but not more than 18 hours, before sample collection. The required sample volume for analysis of lead in school drinking water sample is 250 milliliters (mL).

17. What does the "water must be motionless" mean?

The water in the school facility must remain motionless in the plumbing for a minimum of 8 hours but no more than 18 hours. During this time period, no water can be used in the facility. This includes non-drinking water outlets, janitorial sinks, toilets, outside hoses and irrigation systems (unless the irrigation system is served by its own service line). This amount of time was established to ensure that the collected samples are representative of water that typically a student or faculty member may consume. Sampling should be conducted to reflect normal school operating conditions.

NEW

18. Can sample collection be done in stages (i.e. on different days)?

Yes. Samples can be collected in stages as long as sampling is conducted in compliance with Subpart 67-4 and within the compliance dates.

NEW

19. Is pre-stagnation flushing allowed prior to sampling?

The Department does not recommend pre-stagnation flushing prior to sampling unless they are directed to do so by the State or Local Health Department

20. When does a school need to complete initial first-draw sampling?

By September 30, 2016, for any school serving children in any of the levels prekindergarten through grade five.

By October 31, 2016, for any school serving children in any of the levels grades six through twelve that are not also serving students in any of the levels prekindergarten through grade five.

Prior to occupancy for buildings put into service after September 6, 2016.

If your school performed sampling prior to September 6, 2016, please refer to FAQ #51.

NEW

21. My school sampled outlets before September 6, 2016, in accordance with United States Environmental Protection Agency's (USEPA) 3Ts program, but did not include outlets that were considered as not water consumptive, such as bathroom sinks.

All outlets used or potentially used for drinking or cooking purposes must be sampled as outlined in Subpart 67-4. Therefore, any samples that were omitted but required to be tested under Subpart 67-4 must **be sampled**.

For samples taken before September 6, 2016, the school should consult with their local health department to determine if the sampling conducted was in full or substantial compliance with Subpart 67-4. If the sampling was conducted in full compliance with the regulation, only the omitted outlets are required to be sampled. If some outlets were sampled in substantial compliance with the regulation, the school may apply for a waiver for those outlets, but must sample the omitted outlets.

22. Does Subpart 67-4 require schools to test for any other substances?

No. Only testing for lead is required of schools under this regulation.

23. After initial monitoring is complete, will there be periodic monitoring?

Yes. Schools must collect first-draw samples again in 2020, or at an earlier time as determined by the State Commissioner of Health. Sampling will be required at least every five years thereafter.

Laboratory Analysis

24. Who can analyze the samples?

All drinking water samples must be analyzed by an environmental laboratory certified by the Department's Environmental Laboratory Approval Program (ELAP) to conduct lead in drinking water analysis.

25. Where can we find a list of New York certified laboratories?

A listing of approved laboratories can be found at:
http://www.wadsworth.org/regulatory/elap/certified-labs
Once you click the above link, click on the following drop down boxes to narrow your search:
For lab type – select on commercial
For matrix – select potable water
For analyte – select lead, total

NEW

26. Is there a process for sample invalidation, if a school believes the test result is erroneous?

There is no process for sample invalidation. All lead results regardless of circumstances must be reported on the HERDS application on the Health Commerce System (HCS). The HCS link is: https://commerce.health.state.ny.us. A complete explanation of the circumstance should accompany the reporting of the initial and repeat sampling demonstrating the reduction in lead concentration at the outlet.

"Lead-free" plumbing in School Buildings

REVISED

27. Is sampling required for school buildings that are "lead-free"?

Any school building with internal plumbing that meets the new definition of "lead-free," as defined by 1417 of the Federal Safe Drinking Water Act, is exempt from sampling. A building can be deemed lead-free if: (1) it was built after January 4, 2014; or (2) a New York State Professional Engineer or Architect certifies the building to be lead-free.

Note that schools must report their list of lead-free buildings on the schools website by October 31, 2016.

By November 11, 2016, schools must report a list of lead-free building using the Department's designated statewide electronic reporting system (SERS).

NEW

28. Significant renovations were made within our schools. During the renovations most of the fountains and faucets were replaced. If the school can demonstrate that these outlets are "lead free" according to the federal regulations is the school exempt from testing those outlets?

Subpart 67-4.2 (b) exempts buildings with plumbing materials that are lead free as defined in section 1417 of the Federal Safe Drinking Water Act. To qualify for an exemption, all outlets must be lead-free. Exemptions cannot be granted for individual outlets.

Response

NEW

29. What is the "action level" for lead in school drinking water under Subpart 67-4?

The action level for lead in school drinking water is 15 micrograms per liter (mcg/L) or parts per billion (ppb). That is also equivalent to 0.015 milligrams per liter (mg/L) or parts per million (ppm). For the purposes of interpreting analytical laboratory results relative to what constitutes a lead action level exceedance under the Lead Testing in School Drinking Water regulation, the following guidance is provided:

- Lead results reported by the laboratory that are to be equal to, or less than, 15 micrograms per liter (≤ 15) does not constitute a lead action level exceedance, and therefore does not require further testing or remediation.
- Lead results reported by the laboratory that are greater than 15 micrograms per liter (i.e. 15.1 micrograms per liter, or greater) exceeds the lead action level and therefore requires the outlet to be taken out of service and a remediation plan to be implemented.

30. If the lead concentration of water at an outlet exceeds the action level under Subpart 67-4, what does the school need to do?

If the lead concentration of water at an outlet exceeds the action level, the school must:

- prohibit use of the outlet (take out of service or turn off) until:

  (1) A lead remediation plan is implemented to mitigate the lead level of such outlet;
  (2) Test results indicate that the lead levels are at or below the action level;
- provide building occupants with an adequate supply of potable water for drinking and cooking until remediation is performed;
- report the test results to the local health department as soon as practicable, but no more than 1 business day after the school received the laboratory report; and
- notify all staff and all persons in parental relation to students of the test results, in writing, as soon as practicable but no more than 10 business days after the school received the laboratory report; and, for results of tests performed prior to the effective date of this Subpart, within 10 business days of this regulation's effective date, unless such written notification has already occurred.

NEW

31. What is the required follow up testing protocol for samples above the action level? First-draw or flush-draw?

Initial and follow-up samples collected after an outlet has been remediated must be a first-draw sample, as required by Subpart 67-4 for compliance purposes. Additional sampling (i.e 30-second flush, etc.) may be conducted to determine the plumbing contribution to lead in drinking water test result.

NEW **32. Does the entire building need to be re-sampled for post-remediation testing, or only those outlets that exceeded the action level?**

Only those outlets that exceed the action level need to be resampled following remediation. In accordance with Subpart 67-4, if the lead concentration of water at an individual outlet exceeds the action level, the school must prohibit use of the outlet (take out of service or turn off) until:

(1) A lead remediation plan is implemented to mitigate the lead level of such outlet; and

(2) Test results indicate that the lead levels are at or below the action level.

33. If an outlet has tested above the action level, can the water still be used for cleaning and handwashing?

Yes. The water can be used for handwashing and cleaning. Lead is not absorbed through the skin. Signage should be placed at non-drinking water outlets stating that water should not be used for drinking; only handwashing and cleaning. Pictures should be used if there are small children using the water outlets, and staff should ensure they understand what the signs mean and monitor to ensure that they don't drink the water. Example signage can be found on the department's website at: http://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm

NEW

34. Can posting signs be used as a permanent measure for outlets that exceed an action level, rather than taking the outlet out of service?

Signage used at outlets are considered to be a temporary measure and cannot be used as a permanent measure.

NEW

35. Can an outlet be removed from service permanently if determined unnecessary?

Yes. The school is still required to meet SED's requirements for access to potable water. To ensure an outlet is permanently taken out of service the department recommends removing the fixture and/or capping the supply lines before the fixture

NEW

36. Will the Department be providing sample signage for schools to post, e.g., indicating that an outlet is not for drinking use, or is for hand washing only?

Example signage is posted on the Department website at: http://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm .

NEW

37. Is the school required to post signage on non-potable water outlets?

There is no requirement to post signage on non-potable outlets in Subpart 67-4. However, if the school deems that an outlet is non-potable it may be prudent to label those outlets as non-potable.

Public Notification to School Community

38. What are a school's public notification requirements?

Schools must list on their website:

- Any lead-free buildings by October 31, 2016.
- The results of all lead testing performed and lead remediation plans implemented as soon as practicable, but no more than 6 weeks after the school received the laboratory reports
- For schools that received lead testing results and implemented lead remediation plans in a manner consistent with the regulation, prior to September 6, 2016, the school shall

make available such information on the school's website, as soon as practicable, or before October 18, 2016.

NEW

39. What level of detail is required when posting lab results on the school's website?

Schools are encouraged to publish as much detail as possible but at a minimum, should include the sampling location (i.e. building, room, outlet, etc.) and the lead result(s). Public notification guidance can be found in the USEPA 3Ts under section III, "Telling" at: https://www.epa.gov/sites/production/files/2015-09/documents/toolkit_leadschools_guide_3ts_leadschools.pdf

NEW

40. If a district tests an outlet that was not defined within the regulation as requiring testing and the results are above the action level, is there still a required reporting process for this outlet?

Although the posting of information regarding outlets not defined in Subpart 67-4 is not required, schools are encouraged to provide as much information as possible regarding lead testing in their schools on their website.

NEW

41. Will the Department be providing any suggested or required language to be included with the public notification for a lead action level exceedance?

Language for public notification as well as an example that schools can use is available in subsection 6.7 of the USEPA 3T's Guidance document. See: https://www.epa.gov/sites/production/files/2015-09/documents/toolkit_leadschools_guide_3ts_leadschools.pdf
Additional resources will be posted on the Department's website when available.

NEW

42. Subpart 67-4 requires schools to notify staff and persons in parental relation to students, in writing, when an outlet exceeds the action level, no more than 10 days after the school receives the lab report. Does posting a notice on the school website or through social media count as written notification?

No. Posting on the school website or through social media does not count as written notification. Physical written notification must be distributed to all staff and persons in parental relation to the child, not just those that the school believes where exposed to a particular outlet.

NEW

43. How long do schools need to post testing results on their websites?

Schools should maintain the most recent lead testing results on their website.

Reporting Requirements to: the Department, Local Health Departments and the State Education Department

44. What are a school's general reporting requirements?

Schools must report using DOH's statewide electronic reporting system:

- As soon as practicable, but no later than November 11, 2016:
  - completion of all required first-draw sampling;

- a list of all buildings that are determined to have lead-free plumbing, as defined in section 1417 of the Federal Safe Drinking Water Act.
- for any outlets that were tested prior to September 6, 2016, and for which the school wishes to assert that such testing was in substantial compliance with Subpart 67-4, an attestation that:
  - the school conducted testing that substantially complied with the testing requirements, consistent with guidance issued by the DOH;
  - any needed remediation, including re-testing, has been performed;
  - the lead level in the potable water of the applicable building(s) is currently below the action level; and
  - the school has submitted a waiver request to the local health department, in accordance with the regulation; and

- As soon as practicable, but no more than 10 business days after the school received the laboratory reports, the school shall report data relating to test results to the Department, local health department, and State Education Department, through the Department's designated statewide electronic reporting system.

NEW

45. How does a school report their data in the Statewide Electronic Reporting System (SERS)?

Please view the Department and SED webinar/presentation on HERDS at: http://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm.

For more information on obtaining access to Health Commerce System (HCS) log-in, call 1-866-529-1890 or contact your local school HCS coordinator.

NEW

46. For HERDS data base related questions:

Questions regarding access to HCS log-in – Direct the caller to CAMU at 1-866-529-1890 or their local school HCS coordinator.

If CAMU or the school's HCS coordinator could not provide the needed assistance – please submit questions to lead.in.school.drinking.water@health.ny.gov

If it is a survey related question that cannot be answered by the Q&A, contact your local health department – https://www.health.ny.gov/prevention/prevention_agenda/contact_list.htm

47. What are a school's recordkeeping requirements?

The school shall retain all records of test results, lead remediation plans, determinations that a building's plumbing is lead-free, and any waiver requests for ten years following the creation of such documentation. Copies of such documentation shall be immediately provided to the Department, local health department, or State Education Department upon request.

Waivers

NEW

48. What are the criteria the local and State Health Departments will use to issue a waiver for "substantial" compliance?

Waivers may be considered for:

- Prior to sampling, the water in the facility was motionless between 6 hours and 72 hours (rather than between 8 and 18).
- Sample volume less than 250 ml.

Waivers will not be considered for:

- Failure to sample all "outlets," as defined in the regulation.
- Any sample size greater than 250mL.
- Lab testing was not performed by an ELAP-certified testing lab.
- Any test results exceeding 15 micrograms per liter.
- Water had been used within the building less than 6 hours prior to sampling.

The Department will consider other circumstances on a case-by-case basis.

NEW

49. Are waivers available for testing performed after September 6, 2016?

No. Waivers are not available for samples collected after September 6, 2016.

50. What is the process for applying for a waiver? Is there a standard format that schools should be using?

To apply for a waiver, schools should first contact their local health department (LHD) to determine whether the sampling performed fully complies with Subpart 67-4. If it does fully comply, no waiver is required. Contact information for the LHD can be found at: http://health.ny.gov/environmental/water/drinking/doh_pub_contacts_map.htm

If a waiver is needed, the LHD will review the waiver request and, if approval is recommended, provide a recommendation to the Department. The LHD will advise the school as to whether the waiver request was approved or denied and the next steps required.

See the policy/procedure for applying for a waiver at: http://www.health.ny.gov/environmental/water/drinking/lead/docs/waiver_protocols_9-27-16.pdf

51. My school tested outlets prior to September 6, 2016. Are those results acceptable?

First-draw sampling conducted consistent with the requirements in Subpart 67-4 that occurred after January 1, 2015 will satisfy the initial first-draw sampling requirement.

If the sampling was conducted prior to September 6, 2016 and was not consistent with Subpart 67-4, but was in substantial compliance with the regulation, the school can apply for a waiver from the testing requirements in Subpart 67-4. More information about the waiver process will be forthcoming.

NEW

52. Are waivers granted for individual outlets?

No. Waivers will be granted for specific buildings. Waivers will not be granted for individual outlets, or for an entire district.

Lead in Schools and Lead and Copper Rule (LCR) for Public Water Systems (PWS)

53. What is the lead action level under the LCR for PWSs?

Under the federal LCR, the EPA also established an action level 15 mcg/L (micrograms per liter), which may also be expressed as 15 parts per billion (ppb), for lead in drinking water for public water supplies. The EPA's action level for the LCR, which as the same as DOH's action level under Subpart 67-4, serves as an indicator of the effectiveness of corrosion control treatment throughout the drinking water distribution system.

54. If my school has its own PWS and performs monitoring as part of the LCR, does the school need to do additional monitoring under Subpart 67-4?

Yes. Schools with their own PWS are required to comply with the requirements of the LCR as well as with Subpart 67-4, Lead Testing in School Drinking Water regulations.

55. If a school has its own PWS and took responsive actions after an exceedance of the action level under the LCR, is it still obligated to comply with Subpart 67-4?

Yes. The LCR and the NYS Lead in School Drinking Water regulations are two distinct and separate regulatory programs. Schools that are also designated as a PWS must also comply with Subpart 67-4.

NEW

56. Our school is a PWS and conducts Lead testing under the LCR. Should the school report LCR testing results when it submits reports to the Department Statewide Electronic Reporting System pursuant to Subpart 67-4?

No. The LCR is a separate program, and LCR results should be reported in the usual manner.

Remediation

NEW

57. Where can I find guidance on remediation strategies?

Information on remediation strategies can be found in the USEPA 3T's Guidance document. https://www.epa.gov/sites/production/files/2015-09/documents/toolkit_leadschools_guide_3ts_leadschools.pdf

Note: The school is responsible for obtaining professional services to achieve remediation.

NEW

58. Schools have been informed by plumbing manufacturers that new outlets, even those that comply with the 2014 lead free fixture regulations, require flushing before use. Does the Department recommend flushing new outlets prior to use?

All remediated taps will require flushing prior to being placed back into service and only retesting will confirm the effectiveness of the flushing program. Since the actual installation event of replacement outlets can introduce lead particulates into the drinking water, as well as the fact that even new outlets meeting the new "lead-free" content requirements may still contain some lead, we recommend a period of flushing simulating normal use patterns prior to re-sampling. It is difficult to recommend a generic flushing regimen and time period for post-remediation re-testing for every school building and every scenario. How much flushing is required to achieve lead concentrations to be at or below the action level will need to be evaluated on a case by case basis due to various factors, including varying water chemistries and materials used in various

outlets. Please follow manufacturer/industry recommendations or consult with a professional (i.e. plumber, engineer, etc.). Flushing and re-testing may need to be repeated multiple times before the results meet the action level requirements. Re-testing should follow the Departments sampling protocol, including the 8 - 18 hour stagnation period prior to first-draw sampling.

NEW

59. Our plumbing outlet supplier told us that outdoor hose bibs are exempt from the 2014 lead free fixture regulation: Safe Drinking Water Act 1417 (a) (4). If these outlets are sampled and the results are above the action level and a lead free replacement does not exist, what does the Department recommend to rectify this issue?

If a lead free replacement fixture that meets the 2014 Safe Drinking Water Act 1417 (a) (4) definition of lead free is not available, the outlet should be secured (only opened with a special tool or key) and marked with signage as "non-potable."

Additional Information

60. Where can more information about lead be found?

More information about **lead** can be found on the Department's website at:
https://www.health.ny.gov/environmental/lead/education_materials/index.htm

Additional information regarding the "**Lead in School Drinking Water Program**" can be found on the Department's website at:
http://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm The Department will update this website as more information becomes available.

If you have any additional questions, please contact your local health department. Contact information is available at:
http://health.ny.gov/environmental/water/drinking/doh_pub_contacts_map.htm