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

10 NYCRR Subpart 67-4
Testing and Water Management Plan
For
Lead In Drinking Water

For

Irvington UFSD 6 Dows Lane Irvington, NY 10533

at

High School
Middle School
Main Street School
Dows lane Elementary School

Project Number: IRV.1015.23.IH

Dates of Survey: March 10, 2023 March 16, 2023

Field Work performed by: Nicholas Coon, BS

Report Written by: Ernest Coon, MS, RPIH, HEM

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TABLE OF CONTENTS

1.	SCOPE OF WORK	3
2.	INTRODUCTION	3
3.	RECOMMENDED/REQUIRED SAMPLING LOCATIONS	3
4.	SAMPLING METHODOLOGY	5
5.	SAMPLING LOCATIONS, OBSERVATIONS AND DISCUSSION	6
6.	RESPONSE AND CORRECTIVE ACTIONS	7
7.	POST-REMEDIATION TESTING	8
8.	PUBLIC NOTIFICATION REQUIREMENTS	8
9.	ELECTRONIC REPORTING IN HCS/HERDS	9
10.	RECORDKEEPING REQUIREMENTS	9
11.	BEST MANAGEMENT PRACTICES TO REDUCE LEAD IN DRINKING WATER	10
12.	LEAD IN DRINKING WATER SURVEY FACT SHEET	11

Appendix

Appendix A Tabulated Results
Appendix B Laboratory Data Sheets

1.0 SCOPE OF WORK

Irvington UFSD retained Regulatory Compliance to test water fixtures in select areas identified by the district for lead content. The overall objective is to determine the lead content in drinking water in the district's buildings.

2.0 INTRODUCTION

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. A revised 67-4 went into effect on December 22, 2022.

The following information provided in sections 3-11 are taken from 10 NYCRR Subpart 67-4 and the NYSDOH slide presentation "Lead Testing in School Drinking Water - Program Review and Updates Environmental Health Conference," from October 25, 2022.

3.0 RECOMMENDED/REQUIRED SAMPLING LOCATIONS

Outlets that should be sampled may be located anywhere on school property including external outlets (hose bibs) if the outlet may be used for drinking or cooking (including food preparation).

Samples must be collected at all outlets used or potentially used for drinking or cooking, including but not limited to:

- bubblers/drinking fountains
- classroom sinks
- classroom combination sinks and drinking fountains
- kitchen sinks
- kitchen kettle filler outlets
- bathroom sinks
- family and consumer sciences room sinks
- teachers' lounge sinks
- nurse's office sinks

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• athletic field outlets and any other sink known to be or potentially used for consumption (e.g., coffeemaker or cups are nearby)

Applicable VS. Non-Applicable Outlets

Superintendents or their designees have the responsibility to identify which outlets on a school property meet the regulation requirements for sampling ("applicable outlets").

If a Superintendent or their designee determines that they have outlets that fall outside of the

If a Superintendent or their designee determines that they have outlets that fall outside of the scope of the regulation (outlets not used or potentially used for drinking or cooking), the school must have a remedial action plan that includes details on how those outlets will not be accessed and/or utilized for drinking or cooking purposes ("non-applicable outlets").

- <u>Food washing sinks:</u> Food washing faucets must be sampled as they are used for cooking (including food preparation) and potentially for drinking.
- <u>Ice machines:</u> The ice made in an ice machine should be sampled for lead.
- <u>Combination bottle fill station and drinking fountain:</u> A sample should be collected from both outlets. The Department recommends sampling the outlet that is most frequently used first.
- <u>Hand washing outlets:</u> In general, all hand washing outlets in a bathroom should be sampled as bathroom outlets may be used to obtain water for drinking and/or food preparation.
- Foot level operated multi-outlet gang sink: In general, samples should be collected from each outlet of a gang sink, however, if the gang sink design does not allow sample collection from each outlet, the schools should contact the local health department or the Department to discuss.
- <u>Traditional outlet with hot and cold-water handle:</u> Samples must be collected from each outlet but only the cold water should be turned on for sampling

Non-Applicable Outlets

In general, any outlet in a room or office within a school that is not used by students (pre-kindergarten through grade 12) and does not provide water for drinking or cooking does not require sampling.

- <u>Dishwashing sinks</u>: If an outlet is designated for dish washing only and involves no opportunity for drinking or cooking (including food preparation), the outlet does not require sampling
- <u>Point of entry:</u> Samples from the point of entry are not required under Subpart 67-4. Point of entry is the location where water enters the building from the distribution system of a public water system.

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- <u>Science/Art room outlets:</u> Typically, classrooms in these settings prohibit eating and/or drinking. The school Superintendent has the authority to determine whether these outlets may be used for drinking or cooking and whether they require sampling.
- <u>Tempered outlets:</u> The Department and the US EPA recommend that hot or tempered water not be used for drinking or cooking as warm or hot water increase the leaching of lead into the water.
- <u>Bus garage</u>: Outlets in bus garage buildings do not require sampling unless the building is occupied by students (e.g., BOCES classes).
- <u>Custodial closet outlets:</u> If the outlet is only used for custodial purposes and not for drinking, then the outlet does not need to be sampled.
- Any outlet excluded from sampling should be documented in the Remedial Action Plan (and consider additional controls such locks, signs, and education).

4.0 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.

Sampling Collection Guidance:

- Pre-stagnation flushing: The Department does not allow for pre-stagnation flushing prior to sampling unless a school is directed to do so by the Department or local health department.
- Aerators: Aerators should not be removed prior to sampling

5.0 SAMPLING LOCATIONS, OBSERVATIONS AND DISCUSSION

Sampling Dates: March 10, 2023 / March 16, 2023

The following water fixtures were tested: water fountains (bubblers/bottle fillers) and sinks from the Main Street and Dows Lane School.

A total of Seventy-four (74) samples (including 2 blanks) were collected and analyzed for lead contaminates. All of the samples collected were within NYSDOH action level and compliant, with the exception of the water fixtures noted below. The sample results for all water fixtures tested are located in Appendix A.

Building	Location	Fixture	Results (mg/L)	Action Limit (mg/L)	Compliant (Y/N)	Remediation
Main St.						
School	Room 304	Sink	0.041	0.005	N	Required
Dows						
Lane	Room 112	Bubbler	0.007	0.005	N	Required
Dows						
Lane	Room 115	Sink	0.024	0.005	N	Required
Dows						
Lane	Room 204	Bubbler	0.006	0.005	N	Required
Dows						
Lane	Room 202	Sink	0.012	0.005	N	Required

In accordance with *Lead Testing in School Drinking Water* – 10 NYCRR Subpart 67-4, outlets that exceed the NYS Action Level are obligated to take corrective action. The required actions, notifications, reporting and recordkeeping requirements are listed in the appropriate sections of this report.

For all outlets not used or potentially used for drinking or cooking, the school must have a remedial action plan that includes details on how those outlets will not be accessed and/or utilized for drinking or cooking purposes ("non-applicable outlets").

If any inoperable water fixtures during the time of the survey are made operable in the future or new water fixtures are installed, they must be tested prior to use and incorporated into the Water Management Plan.

6.0 RESPONSE AND CORRECTIVE ACTIONS

Steps following an Action Level Exceedance Immediate Response

- Prohibit the use of the outlet immediately (take outlet out of service or turn off) until:
 - (1) A lead remedial action plan is implemented to mitigate the lead level at the outlet, and
 - (2) Post-remediation test results indicate that the lead levels are at or below the action level;
- Provide building occupants with an adequate supply of 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;
- 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.

Corrective Actions / Remediation Options

- Permanent removal of an outlet
- Outlet replacement with "lead-free" plumbing materials
- Pipe replacement with "lead-free" plumbing materials
- Remove other sources of lead (lead pipe, lead solder joints, and brass plumbing components with "lead-free" materials)
- Flushing (systematic flushing program)
- Point of Use (POU) Filters
- Supervision
- Engineering controls
- Education
- Signage

Signage Options:



7.0 Post-Remediation Testing

- Follow-up samples collected after an outlet has been remediated must also be "first-draw" samples. Schools may choose to perform additional sampling (i.e., 30-second flush, etc.) to determine the contribution of lead from plumbing to guide remediation decisions.
- Only those outlets that exceed the action level need to be resampled (following remediation).
- All remediated outlets will likely require flushing prior to being placed back into service.
- Post-remediation tests results need to be reported:
 - o in the Department's HERDS application on HCS, and
 - on the school's website within the same reporting timeframes/requirements as specified for the initial sampling (addressed in next section).

8.0 Public Notification Requirements

- Within 1 business day of receipt of laboratory reports:
 - Report any and all exceedances (lead result greater than 5 ppb) to the local health department
- Within 10 business days of receipt of laboratory reports:

- o Report all exceedances to all staff, parents, and guardians in writing school. A physical written notification is required.
- Report test results (including post-remediation results) in the Department's electronic reporting system, HERDS accessed through HCS. This information is posted on the Department's website for the public
- Within 6 weeks of receipt of laboratory reports:
 - O Post numeric test results of all lead testing and information about remediation actions taken to address outlets where lead exceeded the action level on the school's website. This should remain posted on the school's website for the duration of the compliance period (i.e. 2020-2024)
- Report any lead-free buildings on the school's website
- Within 6 weeks of receipt of laboratory reports:
 - O Post numeric test results of all lead testing and information about remediation actions taken to address outlets where lead exceeded the action level on the school's website. Laboratory reports must be included. This should remain posted on the school's website for the duration of the compliance period (i.e. 2023-2025)

9.0 Electronic Reporting in HCS/HERDS

- Within 10 business days of receipt of laboratory reports: Summary data must be reported
 in the Department's electronic reporting system, HERDS accessed through HCS.
 Summary data includes:
 - General information (lead-free status, website address)
 - Sampling information
 - Lead analysis results
 - Response and remediation
- Do not submit laboratory reports directly to the Department or local health department unless otherwise directed.

10.0 Recordkeeping Requirements

- Schools must retain all records of:
 - Test results
 - Remedial action plans
 - Determinations that a building is lead-free; and
 - Waiver requests (only applicable to compliance year 2016)
- Per Subpart 67-4, schools must retain records for 10 years following document creation (Note: other agencies may have additional records retention requirements, i.e., NYS Department of Labor)
- Copies of documents must be provided to the Department, the NY State Education Department, or the local health department upon request
- Department recommends that all records be kept in a centrally located and accessible repository for each school building

11.0 Best Management Practices to Reduce Lead in Drinking Water

- Aerator cleaning
- Routine flushing practices (after vacations and long weekends)
- Use only certified lead-free materials when performing plumbing work
- Follow the manufacturer's recommendations for water softener settings to ensure an appropriate level of hardness
- Temperature control
- Educating staff and students of the benefits of running water at a tap briefly prior to using it for drinking or food preparation. Letting the water run for 30-60 seconds or until the water feels cold can reduce the potential levels of lead in the drinking water

12.0 Lead in Drinking Water Survey Fact Sheet

Name and Address of Building/Structure Owner:

Irvington UFSD 6 Dows Lane Irvington, NY 10533

Name and Address of Buildings/Structures Surveyed:

Dows Lane Elementary 6 Dows Lane Irvington, NY 10533

Main Street School 101 Main Street Irvington, NY 10533

High/Middle School (In Progress) 40 North Broadway Irvington, NY 10533

Name of the Firm & Person Conducting the Survey:

Regulatory Compliance Nicholas Coon PO Box 132 Thornwood, New York 10594

Dates Survey Was Conducted:

March 10, 2023 March 16, 2023 **Tabulated Results**

	Main Street School						
Sample ID#	Sample Location	Type of Fixture	Date Sampled	Results (mg/L)	Action Level (mg/L)	Compliant (Y/N)	Remediation
	Nurses Office Bathroom	Sink #1	3.10.23	BDL <0.001	0.005	~	NA
2	Nurses Office Bathroom	Sink #2	3.10.23	BDL <0.001	0.005	4	AN
ω	Teachers Lounge	Sink	3.10.23	BDL <0.001	0.005	~	NA
4	Teachers Lounge	ice Maker	3.10.23	BDL <0.001	0.005	Υ	NA
5	Hallway Near Room 205	Water Fountain Bubbler	3.10.23	BDL <0.001	0.005	~	NA
6	Hallway Near Room 205	Water Fountain Bottle Filler	3.10.23	BDL <0.001	0.005	~	NA
7	Room 304	Sink	3.10.23	0.041	0.005	Z	Required
8	Room 406	Sink	3.10.23	0.003	0.005	Υ	AN
9	Hallway By Room 105	Water Fountain Bottle Filler	3.10.23	BDL <0.001	0.005	~	NA
10	Hallway By Room 105	Water Fountain Bubbler	3.10.23	BDL <0.001	0.005	Υ	NA
11	Kitchen	Prep Sink	3.10.23	0.003	0.005	Y	NA
12	Gymnasium	Water Fountain Bottle Filler	3.10.23	BDL <0.001	0.005	Υ	NA
13	Gymnasium	Water Fountain Bubbler	3.10.23	BDL <0.001	0.005	~	NA
14	BLANK	BLANK	3.10.23	BDL <0.001	0.005	~	NA

^{*}Sinks are counted from Left to Right; NA = Not Applicable

	Dows Lane Schoo						
Sample ID#	Sample Location	Type of Fixture	Date Sampled	Results (mg/L)	Action Level Compliant (mg/L)	Compliant (Y/N)	Remediation
_	Gymnasium	Bottle Filler	3.16.27	BDL <0.001	0.005	>	NA
2	Gymnasium	Bubbler	3.16.27	BDL <0.001	0.005		
3	Room 101	Sink	3.16.27	0.001	0.005	λ	NA
4	Room 101	Bubbler	3.16.27	0.001	0.005	λ	NA
5	Room 103	Sink	3.16.27	BDL <0.001	0.005	λ	NA
9	Room 103	Bubbler	3.16.27	BDL <0.001	0.005	λ	NA
7	Room 102	Sink	3.16.27	BDL <0.001	0.005	λ	NA
8	Room 102	Bubbler	3.16.27	0.004	0.005	Å	NA
6	Room 105	Sink	3.16.27	BDL <0.001	0.005	λ	NA
10	Room 105	Bubbler	3.16.27	0.005	0.005	λ	NA
11	Room 104	Sink	3.16.27	BDL <0.001	0.005	λ	NA
12	Room 104	Bubbler	3.16.27	0.001	0.005	γ	NA
13	Room 107	Sink	3.16.27	BDL <0.001	0.005	λ	NA
14	Room 107	Bubbler	3.16.27	0.001	0.005	λ	NA
15	Room 106	Sink	3.16.27	BDL <0.001	0.005	λ	NA
16	Room 106	Bubbler	3.16.27	0.004	0.005	У	NA
17	Room 109	Sink	3.16.27	BDL <0.001	0.005	γ	NA
18	Room 109	Bubbler	3.16.27	0.001	0.005	λ	NA
19	Room 111	Sink	3.16.27	BDL <0.001	0.005	λ	NA
20	Room 111	Bubbler	3.16.27	0.003	0.005	λ	NA
21	Nurses Office	Sink	3.16.27	0.001	0.005	Ь	NA
22	Room 110 -Staff Lounge	Sink	3.16.27	0.001	0.005	Υ	NA
23	Room 112	Sink	3.16.27	BDL <0.001	0.005	λ	NA
24	Room 112	Bubbler	3.16.27	0.007	0.005	z	Required
25	Room 115	Sink	3.16.27	0.024	0.005	z	Required

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BDL <0.001 BDL <0.001 BDL <0.001
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BDL <0.001
0.001
0.001
BDL <0.001
0.001
BDL <0.001
0.001
0.002
0.006
BDL <0.001
0.001
0.012

	Room 202	Bubbler	3.16.27	0.001	0.005	>	NA	
ш_	Room 203	Sink	3.16.27	0.003	0.005	٨	NA	
	Water Fountain By Room		3.16.27			>	AN	
, ,	203	Bubbler		BDL <0.001	0.005			
	Room 201	Sink	3.16.27	3.16.27 BDL <0.001	0.005	λ	NA	
	Kitchen	Pedal Sink	3.16.27	BDL <0.001		γ	NA	
	Blank	Blank	3.16.27	BDL <0.001	0.005	γ	NA	

NA = Not Applicable NYS Lead Action Level 0.005 mg/L *Sinks are counted from Left to Right **Laboratory Data Sheets**

Water Sample Report

RE: CPN IRV.1015.23.IH - Dows Lane School

Date Collected: 03/16/2023

Collected By: Nicholas Coon Date Received: 03/16/2023 Date Analyzed: 03/23/2023 Analyzed By: Ernest Sanchez Event Smaly

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

Signature:

Client: RegCom

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
1 2902244	Gym	Bottle Filler	BDL < 0.001 mg/L
2 2902245	Gym	Bubbler	BDL < 0.001 mg/L
3 2902246	Room 101	Sink	0.001 mg/L
4 2902247	Room 101	Bubbler	0.001 mg/L
5 2902248	Room 103	Sink	BDL < 0.001 mg/L
6 2902249	Room 103	Bubbler	BDL < 0.001 mg/L
7 2902250	Room 102	Sink	BDL < 0.001 mg/L
8 2902251	Room 102	Bubbler	0.004 mg/L
9 2902252	Room 105	Sink	BDL < 0.001 mg/L

Water Sample Report

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Event Smaly

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

Signature:

Client: RegCom

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
10 2902253	Room 105	Bubbler	0.005 mg/L
11 2902254	Room 104	Sink	BDL < 0.001 mg/L
12 2902255	Room 104	Bubbler	0.001 mg/L
13 2902256	Room 107	Sink	BDL < 0.001 mg/L
14 2902257	Room 107	Bubbler	0.001 mg/L
15 2902258	Room 106	Sink	BDL < 0.001 mg/L
16 2902259	Room 106	Bubbler	0.004 mg/L
17 2902260	Room 109	Sink	BDL < 0.001 mg/L
18 2902261	Room 109	Bubbler	0.001 mg/L

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

Signature:

Client: RegCom

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
19 2902262	Room 111	Sink	BDL < 0.001 mg/L
20 2902263	Room 111	Bubbler	0.003 mg/L
21 2902264	Nurses	Sink	0.001 mg/L
22 2902265	Room 110 Staff Lounge	Sink	0.001 mg/L
23 2902266	Room 112	Sink	BDL < 0.001 mg/L
24 2902267	Room 112	Bubbler	0.007 mg/L
25 2902268	Room 115	Sink	0.024 mg/L
26 2902269	Room 115	Bubbler	0.001 mg/L
27 2902270	Library	Sink #1	0.002 mg/L

Eastern Analytical Services, Inc.

Water Sample Report

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

Signature:

Client: RegCom

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
28 2902271	Library	Sink #2	BDL < 0.001 mg/L
29 2902272	Room 126	Sink	BDL < 0.001 mg/L
30 2902273	Room 127	Sink #1	BDL < 0.001 mg/L
31 2902274	Room 127	Sink #2	BDL < 0.001 mg/L
32 2902275	Room 128	Sink #1	BDL < 0.001 mg/L
33 2902276	Room 128	Sink #2	BDL < 0.001 mg/L
34 2902277	Room 129	Sink #1	BDL < 0.001 mg/L
35 2902278	Room 129	Sink #2	BDL < 0.001 mg/L
36 2902279	Room 129	Bubbler	BDL < 0.001 mg/L

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Event Smaly

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

Signature:

Client: RegCom

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
37 2902280	Room 130	Sink #1	BDL < 0.001 mg/L
38 2902281	Room 130	Sink #2	BDL < 0.001 mg/L
39 2902282	MPR	Bubbler	BDL < 0.001 mg/L
40 2902283	2nd Floor Lobby	Bottle Filler	BDL < 0.001 mg/L
41 2902284	2nd Floor Lobby	Bubbler	BDL < 0.001 mg/L
42 2902285	Room 210	Sink	BDL < 0.001 mg/L
43 2902286	Room 211	Sink #1	BDL < 0.001 mg/L
44 2902287	Room 211	Sink #2	0.001 mg/L
45 2902288	Room 208	Sink	0.001 mg/L

Water Sample Report

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Event Smaly

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

Signature:

Client: RegCom

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
46 2902289	Room 209	Sink	BDL < 0.001 mg/L
47 2902290	Room 206	Sink	0.001 mg/L
48 2902291	Room 207	Sink	BDL < 0.001 mg/L
49 2902292	Room 207	Bubbler	0.001 mg/L
50 2902293	Room 204	Sink	0.002 mg/L
51 2902294	Room 204	Bubbler	0.006 mg/L
52 2902295	Room 205	Sink	BDL < 0.001 mg/L
53 2902296	Room 205	Bubbler	0.001 mg/L
54 2902297	Room 202	Sink	0.012 mg/L

Water Sample Report

RE: CPN IRV.1015.23.IH - Dows Lane School

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Collected By: Nicholas Coon Date Received: 03/16/2023 Date Analyzed: 03/23/2023 Analyzed By: Ernest Sanchez

Enest Shorty

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

Signature:

Client: RegCom

Sample ID# / Lab ID#	Sample Location	Sample Notes	Concentration
55 2902298	Room 202	Bubbler	0.001 mg/L
56 2902299	Room 203	Sink	0.003 mg/L
57 2902300	Hallway by 203	Water Fountain Bubbler	BDL < 0.001 mg/L
58 2902301	Room 201	Sink	BDL < 0.001 mg/L
59 2902302	Kitchen	Pedal Sink	BDL < 0.001 mg/L
60 2902303	Not Applicable	Blank	BDL < 0.001 mg/L