**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**
**Dows lane School**
**Main Street School**

**RegCom Project Number: IRV.1080.20.IH**


Dates of Survey:
December 16, 2020

Field Work performed by:
Nicholas Coon, BS

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

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.

The following information is provided in sections 3-11 are taken from 10 NYCRR Subpart 67-4 and the NYSDOH slide presentation "Lead Testing in School Drinking Water 2020 Compliance Requirements," from November 2020.

## 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
- 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 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").

- Food washing sinks: Food washing faucets must be sampled as they are used for cooking (including food preparation) and potentially for drinking.

- Ice machines: The ice made in an ice machine should be sampled for lead.

- Combination bottle fill station and drinking fountain: A sample should be collected from both outlets. The Department recommends sampling the outlet that is most frequently used first.

- Hand washing outlets: 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.

- Traditional outlet with hot and cold-water handle: 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.

Dishwashing sinks: 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
Bus garage: Outlets in bus garage buildings do not require sampling for lead unless the building is occupied by students (e.g., BOCES classes).

Point of entry: 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.

Science/Art sinks: 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.

Tempered Outlets: 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. Tempered outlets do not require sampling.

## 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

**December 16, 2020**
The following water fixtures were tested: water fountains (bubbler/bottle fillers), plumbed water coolers, kitchen sink used for cooking/food preparation, family and consumer science room sinks, ice machines, athletic field outlets and any other water fixtures known to be or potentially used for consumption (e.g., coffeemaker or cups are nearby). All other water fixtures were restricted or labeled according with NYSDOH guidance and were not tested.

Sampling was conducted at the Middle School, High School, Dows Lane School, and Main Street School. A total of forty-two (42) samples (including the blanks) were collected and analyzed for lead contaminates. All water fixtures were in compliance with the NYS Action Level of 0.015 mg/L. The sample results for all water fixtures tested are located in Appendix A.

| Building | Non-Compliant Fixtures |
|---|---|
| High School | 0 |
| Middle School | 0 |
| Main Street School | 0 |
| Dows lane school | 0 |

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").

**When the water fountains are made operable or new water fixtures are installed, they must be tested prior to use and incorporated into the Water Management Plan.**

6-1
OBSERVATIONS:

- Custodians escorted the sampling technicians and identified the sampling locations.
- Water fixtures that were identified as not to be sampled were labeled, prohibiting consummation, but several labels/signs were missing.
- Water fountain bubblers were disabled to prohibit consumption.
- Student/staff bathroom sinks were not tested and were labeled as non-potable water/no drinking allowed or something similar, but some labels/signs were missing or defaced.

## 6.0 RESPONSE AND CORRECTIVE ACTIONS

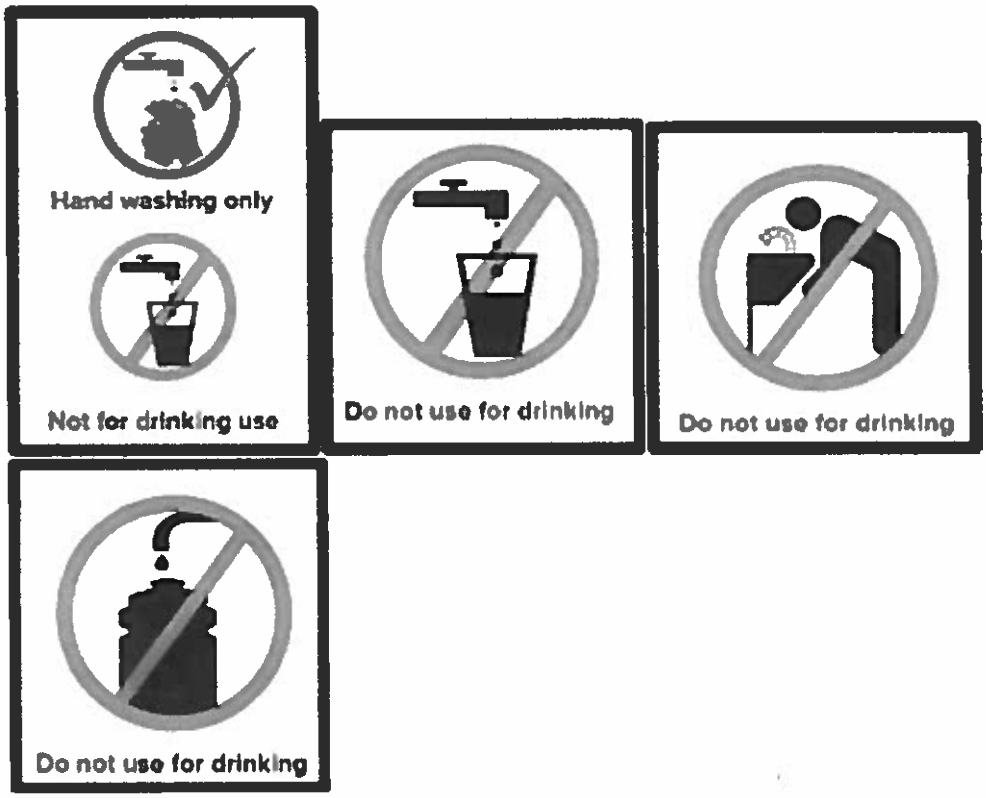
Steps following an Action Level Exceedance Immediate Response

- 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:
  - 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 15 ppb) to the local health department
- Within 10 business days of receipt of laboratory reports:
  - Report all exceedances to all staff, parents, and guardians in writing.

- 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:
  - 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:
  - 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)

## 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 School
6 Dows Lane
Irvington, NY 10533

Irvington High School
40 N Broadway
Irvington, NY 10533

Irvington Middle School
40 N Broadway
Irvington, NY 10533

Main Street School
101 Main Street
Irvington, NY 10533

**Name of the Firm & Person Conducting the Survey:**
Regulatory Compliance
Nicholas Coon
Ernest Coon
245 Albany Avenue
Thornwood, New York 10594

**Date Survey Was Conducted:**
December 16, 2020

## Tabulated Results

| Irvington UFSD - High School<br>Lead in Drinking Water | | | | | |
|---|---|---|---|---|---|
| **Sample ID #** | **Sample Location** | **Date Sampled** | **Results (mg/L)** | **Compliant (Y/N)** | **Remedial Action** |
| 1 | Water Fountain by Office - Bottle Filler | 12.16.20 | BDL <0.001 | Y | NA |
| 2 | Water Fountain by Office - Bubbler | 12.16.20 | 0.001 | Y | NA |
| 3 | Nurses Office - Bathroom Sink | 12.16.20 | BDL <0.001 | Y | NA |
| 4 | Nurses Waiting Room - Sink | 12.16.20 | BDL <0.001 | Y | NA |
| 5 | Staff Lounge - Sink | 12.16.20 | 0.002 | Y | NA |
| 6 | Room H020 - Sink | 12.16.20 | 0.001 | Y | NA |
| 7 | Blank | 12.16.20 | BDL <0.001 | Y | NA |

NA = Not Applicable
BDL = Below Detectable Limits
NYS Lead Action Level 0.015 mg/L
Sinks are counted from Left to Right

| Irvington UFSD - Middle School<br>Lead in Drinking Water | | | | | |
|---|---|---|---|---|---|
| **Sample ID #** | **Sample Location** | **Date Sampled** | **Results (mg/L)** | **Compliant (Y/N)** | **Remedial Action** |
| 1 | Nurses Office - Sink | 12.16.20 | BDL <0.001 | Y | NA |
| 2 | Nurses Office - Bathroom Sink | 12.16.20 | BDL <0.001 | Y | NA |
| 3 | Water Fountain by Room B 104 - Bubbler | 12.16.20 | BDL <0.001 | Y | NA |
| 4 | Water Fountain by Room B 104 - Bottle Filler | 12.16.20 | BDL <0.001 | Y | NA |
| 5 | Water Fountain by Room C 204 - Bottle Filler | 12.16.20 | BDL <0.001 | Y | NA |
| 6 | Water Fountain by Room C 204 - Bubbler | 12.16.20 | BDL <0.001 | Y | NA |
| 7 | Staff Lounge - Sink | 12.16.20 | BDL <0.001 | Y | NA |
| 8 | Blank | 12.16.20 | BDL <0.001 | Y | NA |

NA = Not Applicable
BDL = Below Detectable Limits
NYS Lead Action Level 0.015 mg/L
Sinks are counted from Left to Right

| Irvington UFSD - CMS Building | | | | | |
|---|---|---|---|---|---|
| Lead in Drinking Water | | | | | |
| **Sample ID #** | **Sample Location** | **Date Sampled** | **Results (mg/L)** | **Compliant (Y/N)** | **Remedial Action** |
| 1 | Cafeteria Water Fountain - Bottle Filler | 12.16.20 | 0.001 | Y | NA |
| 2 | Cafeteria Water Fountain - Bubbler | 12.16.20 | BDL < 0.001 | Y | NA |
| 3 | Kitchen - Sink #1 | 12.16.20 | 0.001 | Y | NA |
| 4 | Kitchen - Sink #2 | 12.16.20 | 0.004 | Y | NA |
| 5 | Kitchen - Sink #3 | 12.16.20 | 0.001 | Y | NA |
| 6 | Kitchen - Sink #4 | 12.16.20 | 0.001 | Y | NA |
| 7 | Kitchen - Sink #5 | 12.16.20 | 0.001 | Y | NA |
| 8 | Kitchen Ice Machine | 12.16.20 | BDL < 0.001 | Y | NA |
| 9 | Room S101 - Sink #2 | 12.16.20 | 0.001 | Y | NA |
| 10 | Room S101 - Sink #3 | 12.16.20 | 0.001 | Y | NA |
| 11 | Room S101 - Sink #4 | 12.16.20 | 0.004 | Y | NA |
| 12 | Room S101 - Sink #5 | 12.16.20 | BDL < 0.001 | Y | NA |
| 13 | Room S101 - Prep Room Sink | 12.16.20 | 0.003 | Y | NA |
| 14 | Blank | 12.16.20 | BDL < 0.001 | Y | NA |

NA = Not Applicable
BDL = Below Detectable Limits
NYS Lead Action Level 0.015 mg/L
Sinks are counted from Left to Right

| Irvington UFSD - LGA & TG Building | | | | | |
|---|---|---|---|---|---|
| Lead in Drinking Water | | | | | |
| **Sample ID #** | **Sample Location** | **Date Sampled** | **Results (mg/L)** | **Compliant (Y/N)** | **Remedial Action** |
| 1 | Water Fountain Outside library - Bottle Filler | 12.16.20 | BDL < 0.001 | Y | NA |
| 2 | Library Office - Sink | 12.16.20 | 0.001 | Y | NA |
| 3 | Storage Room - Ice Machine | 12.16.20 | BDL < 0.001 | Y | NA |
| 4 | Water Fountain Lobby Area - Bubbler | 12.16.20 | BDL < 0.001 | Y | NA |
| 5 | Water Fountain Lobby Area - Bottle Filler | 12.16.20 | BDL < 0.001 | Y | NA |
| 6 | Blank | 12.16.20 | BDL < 0.001 | Y | NA |

NA = Not Applicable
BDL = Below Detectable Limits
NYS Lead Action Level 0.015 mg/L
Sinks are counted from Left to Right

| Irvington UFSD - Dows Lane School | | | | | |
|---|---|---|---|---|---|
| Lead in Drinking Water | | | | | |
| **Sample ID #** | **Sample Location** | **Date Sampled** | **Results (mg/L)** | **Compliant (Y/N)** | **Remedial Action** |
| 1 | Kitchen - Sink #2 | 12.16.20 | 0.001 | Y | NA |
| 2 | Nurses Office - Sink | 12.16.20 | 0.002 | Y | NA |
| 3 | Staff Lounge - Sink | 12.16.20 | 0.001 | Y | NA |
| 4 | Water Fountain by Room 218 - Bottle Filler | 12.16.20 | BDL < 0.001 | Y | NA |
| 5 | Water Fountain by Gymnasium - Bottle Fille | 12.16.20 | BDL < 0.001 | Y | NA |
| 6 | Blank | 12.16.20 | BDL < 0.001 | Y | NA |

NA = Not Applicable
BDL = Below Detectable Limits
NYS Lead Action Level 0.015 mg/L
Sinks are counted from Left to Right

| Irvington UFSD - Main Street School<br>Lead in Drinking Water | | | | | |
|---|---|---|---|---|---|
| **Sample ID #** | **Sample Location** | **Date Sampled** | **Results (mg/L)** | **Compliant (Y/N)** | **Remedial Action** |
| 1 | Teachers lounge - Sink | 12.16.20 | 0.001 | Y | NA |
| 2 | Teachers lounge - Ice Machine | 12.16.20 | BDL <0.001 | Y | NA |
| 3 | Water Fountain by Teachers lounge - Bottle Filler | 12.16.20 | BDL <0.001 | Y | NA |
| 4 | Water Fountain by Teachers lounge - Bubbler | 12.16.20 | BDL <0.001 | Y | NA |
| 5 | Nurses office - Sink #1 | 12.16.20 | 0.001 | Y | NA |
| 6 | Nurses office - Sink #2 | 12.16.20 | 0.001 | Y | NA |
| 7 | Kitchen - Sink #1 | 12.16.20 | 0.001 | Y | NA |
| 8 | Kitchen - Sink #2 | 12.16.20 | 0.002 | Y | NA |
| 9 | Blank | 12.16.20 | BDL <0.001 | Y | NA |

NA = Not Applicable

BDL = Below Detectable Limits

NYS Lead Action Level 0.015 mg/L

Sinks are counted from Left to Right

## Laboratory Data Sheets

# Eastern Analytical Services, Inc.



**Water Sample Report**

RE: Irvington High School

Date Collected: 12/16/2020
Collected By: Nicholas Coon
Date Received: 12/16/2020
Date Analyzed: 12/22/2020
Analyzed By: Ernest Sanchez
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 |
|---|---|---|---|
| H1<br>2730079 | Outside Office Water Fountain - Bottle Filler | Water | BDL < 0.001 mg/L |
| H2<br>2730080 | Outside Office Water Fountain - Bubbler | Water | 0.001 mg/L |
| 2730081 | Nurses Office - Bathroom Sink | Water | BDL < 0.001 mg/L |
| H4<br>2730082 | Nurses Waiting Room - Sink | Water | BDL < 0.001 mg/L |
| H5<br>2730083 | Staff Lounge - Sink | Water | 0.002 mg/L |
| H6<br>2730084 | Room H020 - Sink | Water | 0.001 mg/L |
| Blank<br>2730085 | Not Applicable | Blank | BDL < 0.001 mg/L |

BDL = Below Detectable Limits
Liability Limited to Cost of Analysis
Results Applicable to Those Items Tested
Rhode Island DOH No. LAO00107 Massachusetts DOL No. A A 000072 Connecticut DOH No. PH-0622 Maine DEP No. LA-024 Vermont DOH No. AL-709936

# Eastern Analytical Services, Inc.



**Water Sample Report**

RE: Irvington Middle School

Date Collected: 12/16/2020
Collected By: Nicholas Coon
Date Received: 12/16/2020
Date Analyzed: 12/22/2020
Analyzed By: Ernest Sanchez
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 |
|---|---|---|---|
| MS1<br>2730086 | Nurses Office - Sink | Water | BDL < 0.001 mg/L |
| MS2<br>2730087 | Nurses Office - Bathroom Sink | Water | BDL < 0.001 mg/L |
| [illegible]3<br>2730088 | Water Fountain by Room B-104 - Bubbler | Water | BDL < 0.001 mg/L |
| MS4<br>2730089 | Water Fountain by Room B-104 - Bottle Filler | Water | BDL < 0.001 mg/L |
| MS5<br>2730090 | Water Fountain by Room C-204 - Bottle Filler | Water | BDL < 0.001 mg/L |
| MS6<br>2730091 | Water Fountain by Room C-204 - Bubbler | Water | BDL < 0.001 mg/L |
| MS7<br>2730092 | Staff Lounge - Sink | Water | BDL < 0.001 mg/L |
| Blank<br>2730093 | Not Applicable | Blank | BDL < 0.001 mg/L |

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

# Eastern Analytical Services, Inc.



**Water Sample Report**

RE: Irvington CMS Building

Date Collected: 12/16/2020
Collected By: Nicholas Coon
Date Received: 12/16/2020
Date Analyzed: 12/22/2020
Analyzed By: Ernest Sanchez
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 |
|---|---|---|---|
| C1<br>2730109 | Cafeteria Water Fountain - Bottle Filler | Water | 0.001 mg/L |
| C2<br>2730110 | Cafeteria Water Fountain - Bubbler | Water | BDL < 0.001 mg/L |
| 2730111 | Kitchen - Sink #1 | Water | 0.001 mg/L |
| C4<br>2730112 | Kitchen - Sink #2 | Water | 0.004 mg/L |
| C5<br>2730113 | Kitchen - Sink #3 | Water | 0.001 mg/L |
| C6<br>2730114 | Kitchen - Sink #4 | Water | 0.001 mg/L |
| C7<br>2730115 | Kitchen - Sink #5 | Water | 0.001 mg/L |
| C8A&B<br>2730116 | Kitchen - Ice Machine | Water | BDL < 0.001 mg/L |
| C9<br>2730117 | Room S101 - Sink #2 | Water | 0.001 mg/L |

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

# Eastern Analytical Services, Inc.



**Water Sample Report**

RE: Irvington CMS Building

Date Collected: 12/16/2020
Collected By: Nicholas Coon
Date Received: 12/16/2020
Date Analyzed: 12/22/2020
Analyzed By: Ernest Sanchez
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 |
|---|---|---|---|
| C10<br>2730118 | Room S101 - Sink #3 | Water | 0.001 mg/L |
| C11<br>2730119 | Room S101 - Sink #4 | Water | 0.004 mg/L |
| 2<br>2730120 | Room S101 - Sink #5 | Water | BDL < 0.001 mg/L |
| C13<br>2730121 | Room S101 Prep Room - Sink | Water | 0.003 mg/L |
| Blank<br>2730122 | Not Applicable | Blank | BDL < 0.001 mg/L |

BDL = Below Detectable Limits
Liability Limited to Cost of Analysis
Results Applicable to Those Items Tested
Rhode Island DOH No. LAO00107 Massachusetts DOL No. A A 000072 Connecticut DOH No. PH-0622 Maine DEP No. LA-024 Vermont DOH No. AL-709936

# Eastern Analytical Services, Inc.

**Water Sample Report**

RE: Irvington LGA & TG Building



Date Collected: 12/16/2020
Collected By: Nicholas Coon
Date Received: 12/16/2020
Date Analyzed: 12/22/2020
Analyzed By: Ernest Sanchez
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 |
|---|---|---|---|
| L1<br>2730123 | Outside Library Water Fountain - Bottle Filler | Water | BDL < 0.001 mg/L |
| L2<br>2730124 | Library Office - Sink | Water | 0.001 mg/L |
| [illegible]1A/TG1B<br>2730125 | Storage Room - Ice Machine | Water | BDL < 0.001 mg/L |
| TG2<br>2730126 | Lobby Area Water Fountain - Bubbler | Water | BDL < 0.001 mg/L |
| TG3<br>2730127 | Lobby Area Water Fountain - Bottle Filler | Water | BDL < 0.001 mg/L |
| Blank<br>2730128 | Not Applicable | Blank | BDL < 0.001 mg/L |

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

# Eastern Analytical Services, Inc.

**Water Sample Report**



RE: Irvington School - Dows Lane School

Date Collected: 12/16/2020
Collected By: Nicholas Coon
Date Received: 12/16/2020
Date Analyzed: 12/22/2020
Analyzed By: Ernest Sanchez
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 |
|---|---|---|---|
| D1<br>2730094 | Kitchen - Sink #2 | Water | 0.001 mg/L |
| D2<br>2730095 | Nurses Office - Sink | Water | 0.002 mg/L |
| 2730096 | Staff Lounge - Sink | Water | 0.001 mg/L |
| D4<br>2730097 | Water Fountain by Room 218 - Bottle Filler | Water | BDL < 0.001 mg/L |
| D5<br>2730098 | Water Fountain by Gym - Bottle Filler | Water | BDL < 0.001 mg/L |
| D6<br>2730099 | Not Applicable | Blank | BDL < 0.001 mg/L |

BDL = Below Detectable Limits
Liability Limited to Cost of Analysis
Results Applicable to Those Items Tested
Rhode Island DOH No. LAO00107 Massachusetts DOL No. A A 000072 Connecticut DOH No. PH-0622 Maine DEP No. LA-024 Vermont DOH No. AL-709936

# Eastern Analytical Services, Inc.



**Water Sample Report**

RE: Irvington - Main Street School

Date Collected: 12/16/2020
Collected By: Nicholas Coon
Date Received: 12/16/2020
Date Analyzed: 12/22/2020
Analyzed By: Ernest Sanchez
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 |
|---|---|---|---|
| M1<br>2730100 | Teachers Lounge - Sink | Water | 0.001 mg/L |
| M2A/M2B<br>2730101 | Teachers Lounge - Ice Machine | Water | BDL < 0.001 mg/L |
| 2730102 | Water Fountain byTeachers Lounge - Bottle Filler | Water | BDL < 0.001 mg/L |
| M4<br>2730103 | Water Fountain byTeachers Lounge - Bubbler | Water | BDL < 0.001 mg/L |
| M5<br>2730104 | Nurses Office - Sink #1 | Water | 0.001 mg/L |
| M6<br>2730105 | Nurses Office - Sink #2 | Water | 0.001 mg/L |
| M7<br>2730106 | Kitchen - Sink #1 | Water | 0.001 mg/L |
| M8<br>2730107 | Kitchen - Sink #2 | Water | 0.002 mg/L |
| M9<br>2730108 | Not Applicable | Blank | BDL < 0.001 mg/L |

BDL = Below Detectable Limits
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**Implementation Guidance for Subpart 67-4 Lead Testing in School Drinking Water (FAQs)**

# 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