

---

**REPORT TO THE GOVERNOR, TEMPORARY  
PRESIDENT OF THE SENATE AND SPEAKER OF  
THE ASSEMBLY**

**LEAD IN SCHOOL DRINKING WATER STATUS  
REPORT**

**Report prepared by New York State Department of Health with  
cooperation by New York State Education Department**

---



**July 2019**

## ***Executive Summary***

In 2016, New York State (NYS) was the first in the nation to enact a law requiring all public schools to test for lead in drinking water at all outlets used for consumption. Public school districts and Boards of Cooperative Educational Services (BOCES) throughout NYS conducted sampling for compliance year 2016. This included testing at nearly 4,700 public schools and BOCES to evaluate over 390,000 individual outlets for lead. Through 2017, public schools and BOCES performed a variety of measures to address outlets containing lead over the 15 part per billion (ppb) action level. Many of these outlets have been successfully remediated and returned to service.

Between 2017 and 2018, the NYS Department of Health (the “Department”) responded to and initiated well over a thousand phone calls and emails to help public schools and BOCES with remediation, and sampling and reporting of results. The Department will continue to make strides to improve compliance through the development and issuance of guidance, revisions to reporting tools to streamline and ease reporting, and will continue to provide technical assistance to public schools and BOCES. In 2018, the Department began efforts to prepare for the second required round of lead testing in school drinking water to commence in 2020.

## ***Background***

Lead pipes, or solder used on non-lead pipes, were common in construction until their use was banned in 1986. Since then, the federal government required that only “lead-free” materials be used in new plumbing and plumbing fixtures. The federal law, however, still allowed certain fixtures with up to eight percent lead to be labeled as “lead-free.” In 2011, the Reduction of Lead in Drinking Water Act, an amendment to the Federal Safe Drinking Water Act, re-defined “lead-free” to mean no more than a weighted average of 0.25 percent lead (effective January 4, 2014). Common sources of lead in school drinking water include water fixtures, drinking fountains, bubblers or lead solder used to connect pipes and fixtures.

On September 6, 2016, Governor Andrew M. Cuomo signed into law Chapter 296 of the Laws of 2016 requiring all public school districts and BOCES (referred to as “schools” herein) in NYS to test drinking water for lead contamination, and to take remedial action if lead exceeded the actionable threshold. Any school building with internal plumbing that meets the definition of “lead-free” as defined by the federal Reduction of Lead in 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 NYS Professional Engineer or Architect certifies the building to be lead-free. Schools were required to report their list of lead-free buildings on their schools’ websites by October 31, 2016 and to the Department by November 11, 2016. Implementing regulations can be found in Subpart 67-4 of Title 10 of the Codes, Rules, and Regulations of the State of New York (10 NYCRR Subpart 67-4).<sup>1</sup>

---

<sup>1</sup> The New York State Department of Health in consultation with the New York State Education Department, issued emergency regulations, titled Lead Testing in School Drinking Water - 10 NYCRR Subpart 67-4, effective September 6, 2016. Final regulations were issued on May 9, 2018 and apply to all public schools and BOCES, including those already classified as a public water system under 10 NYCRR Subpart 5-1.

There are nearly 4,700 schools in New York State, spread throughout nearly 700 school districts. Every school in the state was required to test every water fixture or outlet used for drinking or cooking by students in pre-kindergarten through grade 5 by September 30, 2016 and grades 6-12 by October 31, 2016.

Only schools deemed lead-free or that received a waiver from sampling, in accordance with the Department's regulations, were exempt from sampling in 2016. Waivers were only provided to two school districts, the Clarkstown Central School District and East Ramapo Central School District, that performed testing prior and recent to September 6, 2016 in a manner that substantially complied with Subpart 67-4.

Public Health Law (PHL) § 1110 and 10 NYCRR Subpart 67-4 require schools to take immediate action to eliminate the potential for exposure to any outlet in exceedance of 15 ppb for lead in drinking water. This action level of 15 ppb is equivalent to the U.S. Environmental Protection Agency's (EPA) lead action level for public water systems<sup>2</sup>. Any outlet that exceeds the lead action level must be immediately taken out of service until a remediation plan is implemented to mitigate the lead levels at the outlet. In addition, building occupants must be provided with an adequate supply of potable water for drinking and cooking until remediation is performed and testing shows lead levels are at or below the action level. The local health department, parents, and students must be notified of the exceedance. The outlet cannot be used for drinking and cooking until tests confirm that the level of lead in water is below the action level.

From 2016 through 2018, schools have taken a variety of actions to address outlets exceeding the lead action level. The actions taken were dependent on several factors including, but not limited to, the frequency and type of outlet use, plumbing configurations, and the availability of suitable lead-free replacements.

#### Actions to Restrict Use of Unacceptable Outlets:

- Shut off outlets that exceed the lead action level;
- Lock the room with the outlet or install a lock on the faucet; and/or
- Post signs indicating "do not drink."

#### Actions to Reduce Lead Levels in Water:

- Outlet or fixture (e.g., faucets, drinking fountains, bubblers, valves, etc.) replacement;
- Point of use treatment (i.e., filters);
- Flushing outlets;
- Lead pipe replacement;
- Plumbing reconfiguration; and/or
- Use of lead-free plumbing materials.

---

<sup>2</sup> To put the standard into context, 15 ppb means that out of one billion drops of water, 15 drops have some lead. Lead is a metal that can harm children and adults when it gets into their bodies. Lead is a known neurotoxin, particularly harmful to the developing brain and nervous system of children under 6 years old. Lead can harm a young child's growth, behavior, and ability to learn. Lead exposure during pregnancy may contribute to low birth weight, preterm delivery, and developmental delays in infants.

The Department learned of specific outlets including chemistry laboratory outlets and outside hose bibs that do not have suitable lead-free replacements that meet the federal Reduction of Lead in Drinking Water Act (containing no more than a weighted average of 0.25 percent lead). In these cases, schools are using a combination of measures including signs with supervision, outreach and education, locks, filters, and documentation to provide controls to maintain compliance.

Following implementation of remedial measures including outlet or fixture replacement, amendments to plumbing or other actions, schools were required to perform post remediation sampling prior to putting an outlet back in service to ensure the water is below the lead action level.

Moving forward, schools will test all potable water outlets again in 2020 and every five years thereafter or at an earlier time as determined by the Commissioner of Health.

Finally, pursuant to Education Law § 3602(6-h), the State continues to reimburse school districts for a significant portion of testing and remediation costs associated with compliance under this law.

### ***National Leaders***

NYS was the first in the nation to enact a law requiring *all public schools and BOCES* test for lead in drinking water at *all outlets* used for consumption. Since 2016, NYS continues to serve in a leadership role to eliminate lead in school drinking water.

In September 2017, the Department was invited by the EPA to present during a nationwide webinar on the NYS lead testing in school drinking water program. EPA highlighted NYS's program as a model and resource for other states who are considering similar programs.

In addition, the Department serves on the Council of State and Territorial Epidemiologists Children's Environmental Health at Schools Workgroup. This national workgroup seeks to develop school environmental health indicators, document existing children's environmental health surveillance programs, explore ways to identify children vulnerable to environmental hazards, and other activities to protect children from environmental health hazards in their school environment. The Department serves as the Chair of the Environmental Sampling subgroup, whose goal is to help states that are in various stages of developing or implementing a program for testing school drinking water for lead. To achieve this goal, the subgroup is charged with creating a document that summarizes lessons learned and best practices from states and municipalities that have already implemented such programs. As a leader in this area, New York is well-suited to lead this group.

In addition, the Department's Clean, Green, and Healthy Schools Program, developed to help schools improve the health and safety of their school environment, reinforces the regulatory requirements of 10 NYCRR Subpart 67-4 and incorporates best practices for schools to combat lead in drinking water.

## ***Reporting***

Schools are required to report to the Department, the local health department, and the NYS Education Department through an application, accessed through the secure NYS Health Commerce System (HCS) portal. The information reported includes lead-free building information, sampling details and sampling results.

The data are self-reported by schools. The Department and local health department review the data reported for accuracy. Since implementation of 10 NYCRR Subpart 67-4, the Department, in coordination with the local health departments, has worked with the schools to improve the quality and completeness of the data reported. These activities are described in the Activities Performed section.

The Department makes the reported data publicly available through the [Health Data New York \(HDNY\)](https://health.data.ny.gov) platform found at [health.data.ny.gov](https://health.data.ny.gov). Two datasets are displayed: one showing a list of [school buildings with lead-free plumbing](#) and one showing [sampling and results information](#). The data displayed are updated daily. HDNY provides interactive tools for parents, the public, and media to access the information for schools across the state.

In addition to these datasets, schools are required to post the sample results on the schools' website.

## ***Activities Performed***

Following initial sampling in 2016, schools employed a variety of measures to address outlets that exceeded the lead action level. Through 2017, many schools worked to implement remediation measures to remove and replace faucets and/or plumbing containing lead. Upon completion of remediation and in accordance with the regulation, schools were to sample all remediated outlets before placing them back into service. During this time, the Department provided guidance to the schools on an individual basis by phone and email. In April 2017, the Department engaged local health departments to assist with outreach to the schools to facilitate completion of remediation and reporting.

Through 2017 and early 2018, the Department integrated over 200 BOCES buildings into the HCS for lead reporting. This step was required to ensure data reporting consistency between BOCES and public schools. As part of this effort, the Department initiated hundreds of calls and email communications to provide individualized attention to assist members of BOCES administration to gain access rights to HCS to complete their reporting.

In May 2018, the Department approved an alternate sampling schedule for the second round of testing for schools in NYC due to the large number of school buildings. The alternate schedule allows for the New York City Department of Education to conduct sampling between 2018 through 2020 to fulfil the compliance year 2020 sampling requirements. Starting in 2021, approximately 20% of the school buildings in NYC will be sampled annually so that each building is sampled at minimum every five years to meet the requirements of compliance year 2025 and subsequent compliance years.

In July 2018, the Department issued guidance to schools providing detailed instructions on how to report post remediation sampling results and how to identify and correct common data reporting errors.

In September through October 2018, the Department provided guidance and tools to equip local health departments to assist schools with completing and correcting their data reporting, as needed. To support this effort, the Department hosted a webinar with local health departments and provided them lists of schools and BOCES buildings identified as having data reporting deficiencies and information on how to direct schools to correct them. Local health departments contacted school personnel to provide technical assistance with reporting.

In September 2018, the Department hosted a webinar with schools to review remediation expectations, post remediation sample results reporting, and strategies for correcting data reporting issues. The webinar also covered basic information on how to access HCS and complete reporting to address common questions/challenges reported by the schools. Hundreds of representatives from the schools participated on the webinar. In October 2018, the Department issued written answers to questions provided from participants of the webinar to school representatives.

Collectively between 2017 and 2018, the Department responded to and initiated well over a thousand phone calls and emails. From August to December of 2018, the number of schools and BOCES (excluding New York City) with complete reporting rose from 49% to 88% as a result of outreach efforts and technical assistance. While these efforts significantly improved the quality and quantity of data reported, additional work is needed.

Coordination with schools and local health departments will continue. The Department continues to provide guidance to schools by phone and email to assist school personnel with how to access HCS and correctly report data. As school staff changes occur, new school personnel must be assigned and learn HCS and the data reporting application, presenting challenges with reporting. In addition, school closures and re-openings for renovations, relocations, and other also impact reporting. As the Department prepares for compliance year 2020 sampling, the Department, in consultation with the NYS Office of Information Technology Services (NYS OITS), is working to refine and streamline reporting to make the reporting application even more user friendly.

### ***Results to Date (Reflecting results reported as of July 16, 2019)***

Through outreach activities, the Department confirmed that all 4,682 schools in NYS conducted sampling for compliance year 2016. A few schools (<10) that opened after 2016 continue to work on sampling and reporting. This includes schools that occupy new buildings as well as renovated buildings. Some schools, including those that sampled in 2016, have not completed their required reporting and therefore not *all* sampling or results information are captured at this time.

Of the 4,682 schools in NYS, 4,614 (or nearly ninety-nine percent of schools) have provided the Department with results. Over 396,391 individual outlets were tested. Of the 392,370 outlets for which data has been reported, over ninety-four percent of the outlets were under the lead action level. Some outlets have yet to be confirmed as remediated, addressed through engineering

controls, or removed from service. The Department continues to review the data reported and work with local health departments to identify and contact such schools to ensure appropriate actions were completed and to direct the schools to complete reporting. The remaining six percent of outlets reported as exceeding the lead action level represent a host of scenarios including:

1. Some outlets were verbally reported by school representatives to the Department as remediated and returned to service but the school has not successfully reported post remediation sampling results;
2. Some outlets remain out of service or have engineering controls to ensure they are not used for drinking or cooking; and
3. Some outlets have yet to be confirmed as remediated, addressed through engineering controls, or removed from service. The Department continues to review the data reported and work with local health departments to identify and contact such schools to ensure appropriate actions were completed and to direct the schools to complete reporting.

### ***Next Steps***

The Department and local health departments will continue to make strides to improve compliance. Although there is a high rate of compliance, the Department and local health departments will continue to explore enforcement, as necessary.

Concurrently, the Department is working to prepare for compliance year 2020 sampling through the following:

- Working with NYS OITS to develop more streamlined reporting;
- Refining the data reporting application to improve efficiency and make the reporting more user friendly. This includes amendments to the reporting form structure and questions to improve clarity;
- Developing reporting manuals and additional HCS user guides;
- Working to modify the [lead testing in school drinking water dataset](#) displayed on HDNY to accommodate the results for compliance year 2020 and future sampling rounds while maintaining the compliance year 2016 data;
- Developing additional tools and guidance for schools to assist with sampling, reporting, and remediation; and
- Engaging stakeholders to identify best practices, understand challenges, and develop and disseminate solutions moving forward.

## Regulation Requirements

10 NYCRR Subpart 67-4 requires schools to perform monitoring, response, public notification, reporting, and recordkeeping. Below is a brief summary of the regulatory requirements.

### Part A: Compliance Dates

The following table summarizes important compliance dates for the lead testing in school drinking water regulation.

<i>September 6, 2016</i>	Effective date of the Lead Testing in School Drinking Water regulation.
<i>September 30, 2016</i>	Schools must complete sampling in pre-Kindergarten through grade 5 buildings.
<i>October 18, 2016</i>	Schools conducting testing and remediation efforts prior to September 6, 2016 must post results and remediation plans and efforts on their school websites.
<i>October 31, 2016</i>	Schools must complete sampling in grade 6 through grade 12 buildings.
<i>October 31, 2016</i>	Schools must post on their websites the list of buildings whose plumbing materials are deemed "lead-free."
<i>November 11, 2016</i>	Schools must enter the completion (or status) of initial sampling in the Department's reporting application on the HCS, and list buildings in which plumbing materials are deemed "lead-free."
<i>Within 10 business days of receiving laboratory results</i>	Schools must, as results become available, enter and update the information into the Department's reporting application.
<i>2020</i>	The next round of sampling begins, or at an earlier time, as determined by the Commissioner of Health.
<i>Every five years</i>	Schools shall continue to collect first-draw samples at least every 5 years thereafter or at an earlier time as determined by the Commissioner of Health.



## Part B: Monitoring Requirements

Samples must be collected in accordance with the schedule above, following the requirements in Table 2. All samples must be analyzed by a laboratory that is certified by the Department's Environmental Laboratory Approval Program (ELAP).

<i>Sample type</i>	First draw samples
<i>Action Level</i>	15 ppb (consistent with the U.S. EPA's Lead & Copper Rule)
<i>Sample volume</i>	250 mL
<i>Bottle type</i>	Wide mouth, plastic bottle recommended.
<i>Sample collection</i>	Avoid collecting samples in the mornings after vacations, weekends, or holidays unless specifically directed to do so
<i>Water stagnation time in pipes</i>	8 to 18 hours

## Part C: Response

Schools are required to immediately respond when there has been an action level exceedance (>15 ppb) as outlined below.

<i>If the lead concentration of water at an outlet exceeds the action level, the school must:</i>	1. Prohibit use of the outlet (take out of service or turn off) until a lead remediation plan is implemented to mitigate the lead level of such outlet, and test results indicate that the lead levels are at or below the action level.
	2. Provide building occupants with an adequate supply of potable water for drinking and cooking until remediation is performed and testing shows lead levels at or below the action level.
	3. Report test results to the local health department (LHD) as soon as possible, but no more than one business day after receipt of lab report.
	4. Notify all staff and parents/guardians of the test results in writing as soon as possible, but not more than 10 business days after receipt of lab report.
	5. Report test results in the Department's reporting application within 10 business days after receipt of lab report.
	6. Perform remediation and resampling before an outlet is placed back in service.
	7. Report post remediation test results in the Department's reporting application within 10 business days after receipt of lab report.
	8. Provide post remediation test results on the school's website, as soon as practicable, but no more than 6 weeks after the school received the laboratory reports

## Part D: School Reporting and Record Keeping Requirements

Schools are required to report data relating to their lead testing to the Department through a reporting application accessed through HCS, to their local health department, and to their school community, as prescribed in the table below.

Reporting Requirements	Where/To Whom	When
Information on test results and remediation efforts conducted prior to September 6, 2016	School Community*	By September 20, 2016
Information on test results and remediation efforts conducted prior to September 6, 2016	School Website	By October 18, 2016
Reporting data related to lead sampling and buildings with lead free plumbing	To the Department via HCS	By November 11, 2016
Posting lead test results	School Website	As soon as practicable, but within 6 weeks of receipt of lab report
Reporting data related to lead test results	To the Department via HCS	As soon as practicable, but within 10 business days of receipt of lab report
Notification of a lead action level exceedance	Local health department (phone and/or email)	Within 1 business day of receipt of lab report
Notification of a lead action level exceedance	School Community*	Within 10 business days of receipt of lab report (Notification must be made in writing)

\*School Community means all teachers, staff and parents/guardians of the student body.

Schools are required to keep records as outlined below.

<i>Schools must retain all records for 10 years following document creation. Copies of documents must be provided to the Department/Local Health Department, or State Education Department upon request. Records may include, but are not limited to:</i>	Test Results
	Lead remediation plans
	Determinations of buildings with lead free plumbing
	Waiver requests/approvals

## Part E: Waivers

Those schools who performed sampling prior to September 6, 2016 that substantially complied with 10 NYCRR Subpart 67-4 were eligible to apply for a waiver from sampling. Schools worked through their local health department to apply for a waiver and the Department was responsible for approving or disapproving waiver requests. Consistent with the statutory requirements, the Department issued waivers for two school districts, the Clarkstown Central School District and East Ramapo Central School District. The opportunity to apply for a waiver only applied to compliance year 2016 sampling.

## Part F: Program Implementation

### Guidance and Resources

The Department has created numerous reference and guidance documents, as well as hosted numerous webinars and other outreach activities to assist schools with implementation of this regulation. The Department created a website dedicated to the [Lead Testing in School Drinking Water Regulation](#) which serves as a central repository for implementation tools and guidance for schools and local health departments. New information is posted to the website as it is developed. The website includes the following guidance and resources:

#### Letters and Memos to Schools

- [July 6, 2018 \(Letter to Superintendents: Lead Testing in School Drinking Water\)](#) (PDF)
- [September 15, 2016 \(Implementation Guidance for Subpart 67-4 Lead Testing in School Drinking Water\)](#) (PDF)
- [August 29, 2016 \(Required Testing, Reporting, and Remediating Lead in Drinking Water in Schools\)](#) (PDF)

#### Information for Schools

- [New York State Regulation for Lead Testing in School Drinking Water](#)
- [Frequently Asked Questions](#) (PDF)
- [Post Remediation Data Entry Guide](#) (PDF)
- [Sampling Instructions](#)
- [Video: "Sampling for Lead in Drinking Water in NYS Schools"](#)
- [Certified Laboratories for Conducting Lead Testing in School Drinking Water](#)
- [Public Notification Letter Template](#) (DOC)
- [Example Outlet Signage](#) (PDF)
- [Waiver Protocol](#) (PDF)
- [EPA Guidance: 3Ts for Reducing Lead in Drinking Water in Schools](#)

#### Reporting Guidance

- [Gaining Access to Health Commerce System \(HCS\)](#) (PDF)
- [Instructions: Entering Data in HERDS for Lead Testing in School Drinking Water](#) (PDF)

## Webinar Presentations

- [Presentation for School Reporters - Lead Testing in School Drinking Water](#) (9/24/2018)
- [Reporting Lead Testing in School Drinking Water](#) (11/7/2016)
- [NYS Department of Health Presentation](#) (9/23/2016)
- [Environmental Protection Agency \(EPA\) Presentation](#) (9/23/2016)
- [DOH/SED Webinars](#) (9/16/16 & 10/4/16)

The Department also developed and manages an email account for school representatives and the public to send inquiries and attain information, at [lead.in.school.drinking.water@health.ny.gov](mailto:lead.in.school.drinking.water@health.ny.gov)

## Part G: Roles and Responsibilities

The following table outlines the roles and responsibilities of the stakeholders responsible for implementation, compliance, and enforcement of 10 NYCRR Subpart 67-4.

<i>Schools</i>	Implement the requirements of 10 NYCRR Subpart 67-4. This includes: identifying, testing, and remediating all outlets (where applicable); reporting results to the school community on the school's website; and reporting data using the Department's electronic reporting system.
<i>Local Health Departments</i>	Assist schools with implementation of 10 NYCRR Subpart 67-4 by answering implementation and compliance questions, reviewing and evaluating waiver requests, conducting data quality checks and compliance reports and following up with schools as appropriate, and assisting with enforcement actions, when needed.
<i>Department of Health</i>	Develop tools and resources for implementation of the regulation, assist schools and local health departments by answering implementation and compliance questions, review and approve or disapprove waiver requests, and manage the electronic reporting system for schools to report their results.
<i>Education Department</i>	Review and approve applications for State Aid for expenses related to testing and remediation pursuant to Education Law § 3602(6-h) and for BOCES testing costs pursuant to Education Law § 1950(5)(b).

## Part H: State Aid for Testing and Remediation Costs

The state has helped and continues to reimburse school districts for the cost of testing and remediation pursuant to Education Law § 3602(6-h) (and for BOCES testing costs only, pursuant to Education Law § 1950(5)(b)). New York State was the first state in the nation to do so. School districts submit their claims for State Aid to the State Education Department and receive payment as part of General Aid pursuant to Education Law § 3609-a. To determine aid amounts, an aid ratio is applied to approved expenses such that school districts with less local fiscal capacity to support the expenses receive proportionately more State Aid.

### Testing

The costs associated with testing in all occupied buildings owned or leased by a school district or BOCES are eligible for aid. The costs associated with testing for lead in water outlets located on the site of a school district or BOCES building, such as outlets in a concession building, or an exterior drinking fountain, are also considered an approved expense for aid. Testing costs also include samples collected following remediation to confirm the lead levels are below the action level. Collectively, the cost of testing reimbursed through State Aid were \$15,541,090 for school year 2015-2016, \$22,749,267 for school year 2016-2017, and \$1,950,470 for school year 2017-2018.

### Remediation

The installation of filters and/or other effective remedial measures for immediate remediation is aidable in cases where a finding of lead contamination is made. The cost of filter installation and other effective remedial measures must be incurred prior to July 1<sup>st</sup>, 2019. Remedial measures that are aidable expenses must be permanently installed devices, as opposed to costs associated with controls of access.

Aidable measures of remediation include activities such as: replacing outlets including water faucets, drinking fountains and bubblers; replacing or reconfiguring piping; or installation of filters. Collectively, the cost of remediation activities varied depending on type; the costs associated with several types of remediation (but not all) are reflected in the table below. The total cost of remediation to State Aid for school year 2016-2017 was \$9,915,326 and \$15,094,692 for school year 2017-2018.

#### Select Remediation Costs Reported to NYS Education Department by Schools

School Year	Region	Total Cost of Filters purchased and installed (\$)	Total Cost of replacing taps (purchase and installation) (\$)	Total cost of replacing fountains (purchase and installation) (\$)	Total cost of replacement or reconfiguration of piping (\$)
2015-2016	Statewide	86,361	1,353,133	1,625,086	76,756
	NYC	-	962,550	1,024,800	-
	ROS	86,361	390,583	600,286	76,756

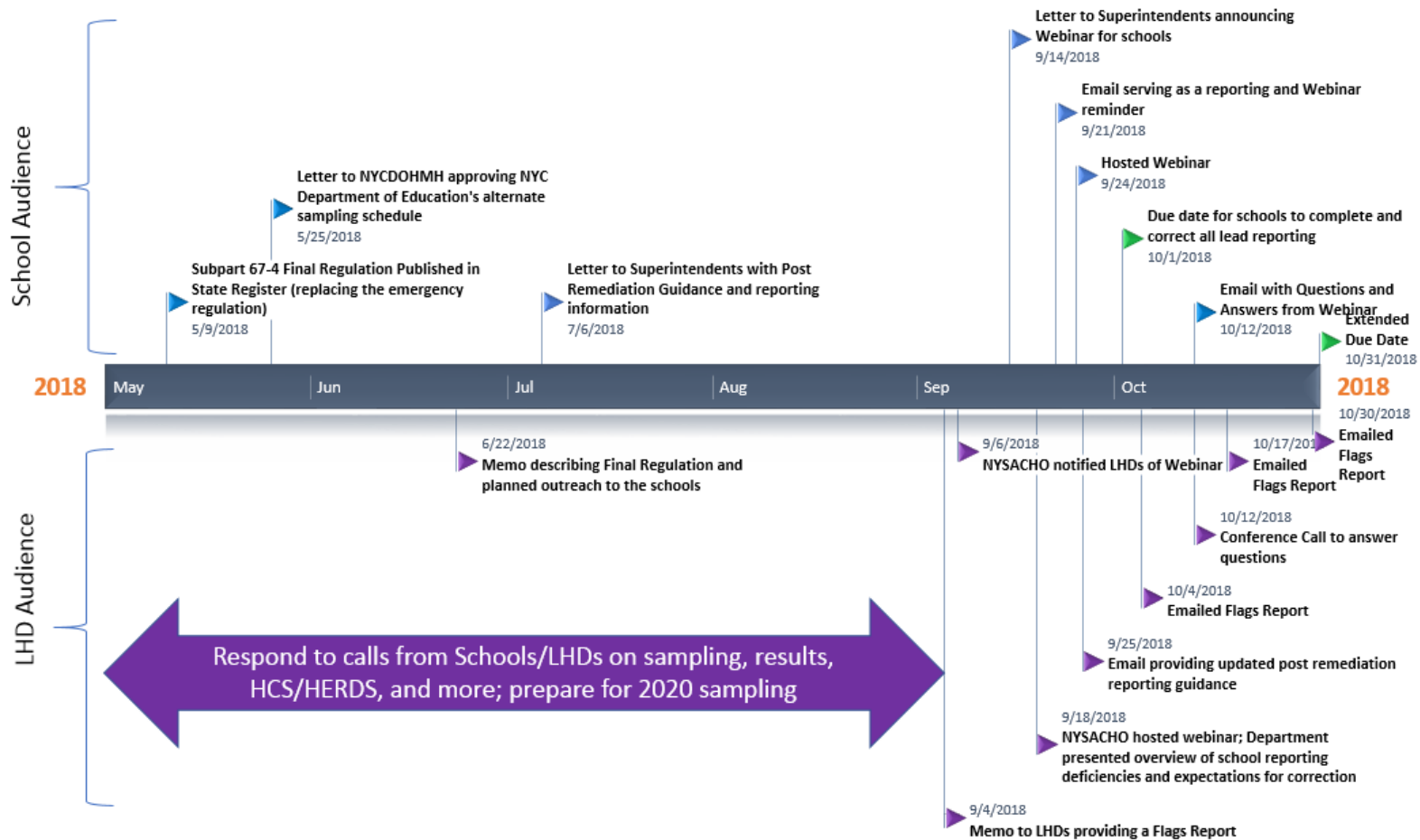
2016-2017	Statewide	336,587	6,111,131	3,713,726	178,445
	NYC	-	3,276,000	2,178,000	-
	ROS	336,587	2,835,131	1,535,726	178,445
2017-2018	Statewide	30,078	9,000,464	6,010,974	82,965
	NYC	-	8,653,106	5,827,602	-
	ROS	30,078	347,358	183,372	82,965

Notes: ROS = Rest of State excluding NYC  
State Aid covers a percentage of the total remediation costs.

The selection of remedial activities to mitigate exposures and reduce lead levels in the water depends on several factors which include use, plumbing configurations, and hydraulics. It is important that schools consult with a professional versed in remediation of lead in school drinking water to determine the appropriate short- and long-term remediation measures for the specific school and outlet. The EPA's 3Ts program provides recommendations for routine, short and long remediation or "control" measures which can be found at <https://www.epa.gov/ground-water-and-drinking-water/3ts-reducing-lead-drinking-water-toolkit>.

The cost of remedial measures that are eligible for regular Building Aid pursuant to Education Law § 3602(6), are not eligible for State Aid under Education Law § 3602(6-h). These would most likely be larger scale, long-term remediation projects that would qualify as capital construction projects, for which districts would apply for project approval through the State Education Department.

# Part I: Timeline and Department's Outreach Activities



Footnotes: Prior to the July 6, 2018 letter to the Superintendents, the Department was developing guidance documents for schools and LHDs.

LHD = Local health departments

Flags Report = A list of schools with data reporting deficiencies prepared by the Department for the LHDs and instructions on how to engage schools to correct reporting. As schools amended their reporting, new Flags Reports were generated to reflect the status of school reporting.

NYSACHO = NYS Association of County Health Officials. The Department coordinated with NYSACHO to host a webinar in September 2018 with the LHDs.