



To: Chairman Pignatelli, Chairwoman Gobi and members of the Joint Committee on the Environment, Natural Resources and Agriculture
Fr: Deirdre Cummings, Legislative Director, MASSPIRG
10.30.17

In support of Getting the Lead out of Drinking Water in Schools and Daycare Centers

My name is Deirdre Cummings and I am the Legislative Director for Massachusetts Public Interest Research Group (MASSPIRG). MASSPIRG is a member-supported, statewide, non-partisan and non-profit public interest advocacy organization fighting for consumers for 45 years. I am here today to strongly support of SB 456/HB 2915, *An Act ensuring safe drinking water at schools and early childhood programs* filed by Senator Lovely, Representative Ehrlich and a bipartisan group of 76 legislative cosponsors to get the lead out of our schools and daycare centers.

Lead is a potent neurotoxin that affects how our children develop, learn, and behave. Yet almost half (49%) of the [67,000 taps tested at our public schools](#) as of August 4th, 2017 found some level of lead in the water. The vast majority of those lead levels were in concentrations greater than 1 part per billion.

SB 456/HB 2915 protects children's health by getting the lead out of the water at all schools and child care centers requiring; the removal of lead service lines, the largest single source of lead in water; the installation of NSF-certified filters on faucets or fountains; and the testing of drinking/cooking water at schools regularly. The bill requires the immediate shut-off of outlets with elevated levels of lead.

Last week was National Lead Poisoning Prevention Week.

While the medical science is more advanced now, the toxicity of lead has been known for decades. Lead has been woven into the fabric of our economy. Manufacturers put lead into our paint, our plumbing, our gasoline, and many other products.

A potent neurotoxin, lead affects how our children learn, grow, and behave. According to the EPA, "[i]n children, low levels of [lead] exposure have been linked to damage to the central and peripheral nervous system, learning disabilities, shorter stature, impaired hearing, and impaired formation and function of blood cells."

For the past few decades, public health advocates and officials have been working to undo the damage. Banning lead in gasoline immediately removed a major source of toxic air pollution. Barring lead in paint stopped a major threat to children's health from becoming even worse, but we are still cleaning up the damage from millions of homes with lead paint, as well as related lead in dust and soil. We are also now dealing with lead in children's toys.

Yet until recently, few Americans paid as much attention to another pervasive pathway for this potent toxin: the delivery system that brings drinking water right to our faucets. In the wake of Flint, we now know that thousands of communities across the country have lead in their drinking water. While water pipes made entirely of lead pose the greatest threat, most homes and buildings have enough lead in their plumbing and fixtures to create a risk of water contamination.

In February, along with Environment Massachusetts Research and Policy Center and Toxics Action Center we released a report showing that lead in drinking water is pervasive across the country, and most importantly a significant problem here in Massachusetts. The report also included an [analysis](#) of 16 state laws, where Massachusetts received a grade of a "D", inadequate to prevent children's drinking water from becoming laced with lead at school.

The good news is also the bad news. For the last 2 years, the Department of Environmental Protection has offered a transparent, voluntary lead testing program for schools and child care programs. The bad news is that it confirms we have a significant public health threat in our schools and child care centers.

Specifically, almost half (49%) of the [67,000 taps tested at our public schools](#) as of August 4th, 2017 found some level of lead in the water. The vast majority of those lead levels were in concentrations greater than 1 part per billion. The standard endorsed by the American Academy of Pediatrics.

The Problem

- **Lead is a potent Neurotoxin**, and exposure to lead has been shown to cause a variety of health problems, namely, intellectual and behavioral disabilities, stunted growth, hearing loss, and anemia.
- **Children are especially at risk** to lead poisoning and health problems related to lead exposure, as physical and behavioral effects have been shown to occur at lower exposure levels in younger people.
- **There is no safe level of lead exposure** according to the **Center for Disease Control (CDC)** and the **Environmental Protection Agency (EPA)**. This is particularly true for



children, as lead has been shown to bio-accumulate in the body over time with repeated exposure.

- **No effective treatment exists** to ameliorate the permanent developmental effects of lead toxicity, according to the **American Academy of Pediatrics**. Prevention is the most efficient and most cost-effective means of treating lead poisoning.
- **In Massachusetts**, recent tests have shown that almost half (49%) of the 67,000 taps tested within our public schools found some levels of lead in the drinking water. The vast majority of those lead levels were in concentrations greater than 1 part per billion (PPB), with almost a quarter of those testing at levels higher than 15PPB.

The Solution: An Act Ensuring Safe Drinking Water at School and Early Childhood Programs (HB2915& SB456)

- **Replace Lead Service Lines:** Requires water utilities to provide information to schools and daycare centers if and where they have a lead service lines. The authority must remove and replace any lead service line connected to schools and day-care centers within 3 years.
- **Shut off outlets:** Any drinking water tap or faucet testing above 1PPB of lead must be shut off.
- **Filters:** Requires schools and day care centers to install and maintain NSF-certified filters on all faucets and fountains.
- **Remove Lead Plumbing:** Schools and day care centers must identify the source of lead contamination and ultimately remove or replace lead-bearing fixtures and plumbing that uses lead where feasible and cost-effective.
- **Transparent Testing:** Mandates annual lead testing of water outlets used for drinking or cooking within each school district, charter school, private school, and day care center in the state. Test results must be easily accessible to the public. If elevated lead levels are found, the school or day-care center is required to notify parents, teachers, and other school staff of the results, remediation measures, and general information about lead in drinking water.
- **Hardship.** This bill authorizes the Commissioner of the DEP to grant a “hardship waiver” to a school if that school is unable to comply with any or all of the provisions required by the bill, provided the school district or daycare hold a public meeting about the plan to apply for the waiver.

The good news is that we know how to get the lead out of drinking water. Passing this bill will ensure our kids, their teachers, and the school community will be protected from lead poisoning. We cannot afford inaction.