



An Act ensuring safe drinking water at schools *Sen. Joan Lovely (S 580) & Rep. Lori Ehrlich (H 906)*

Lead is a potent neurotoxin that impairs how our children develop, learn, and behave. Yet, according to the lead testing data from the [Department of Environmental Protection](#), more than half of the 43,000 taps tested from 980 schools across Massachusetts since 2016 tested positive for lead. The vast majority of those lead levels were in concentrations greater than the 1 part per billion (ppb) limit for lead recommended by the American Academy of Pediatrics.

This bill protects children's health by getting the lead out of the water at all schools and child care centers by requiring; the removal of lead service lines, the largest single source of lead in water; the installation of lead certified filters or water filling stations; and the regular and transparent testing of water at schools. The bill establishes a health-based lead level standard for schools and child care centers of 1 ppb and requires the immediate shut-off of outlets with elevated levels of lead.

The Problem

- **Lead is a potent Neurotoxin**, and exposure to lead has been linked to a variety of health problems, including intellectual and behavioral disabilities, lowered IQ, stunted growth, hearing loss, and anemia.^{1,2}
- **Children are especially at risk** of 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.³
- **There is no safe level of lead exposure** according to the **Center for Disease Control (CDC)**⁴ and the **Environmental Protection Agency (EPA)**.⁵ This is particularly true for children, as lead has been shown to bio-accumulate in the body over time with repeated exposure.⁶
- **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.⁷



- **In Massachusetts**, tests have shown that more than half (59%) of the 43,000 taps tested from 980 schools across Massachusetts tested positive for lead.⁸ The vast majority of those lead levels were in concentrations greater than 1 ppb limit recommended by the American Academy of Pediatrics.⁹

The Solution: An Act Ensuring Safe Drinking Water at School (H 906 & S 580)

- **Replace Lead Service Lines:** Requires water utilities to provide information to schools and child care centers if and where they have a lead service lines. Any lead service line connected to a school or child-care center must be replaced within three years.
- **Shut off outlets:** Any drinking water tap or faucet testing above 1 ppb of lead must be shut off.
- **Filters:** Requires schools and child care centers to install and maintain filters certified to remove lead on all faucets used for drinking or cooking, and/or to install filtered water bottle filling stations throughout the building if at least one drinking water tap is found to have lead in excess of 1 ppb.
- **Remove Lead Plumbing:** Schools and child-care centers must identify the source of lead contamination and ultimately remove or replace lead-bearing fixtures and plumbing where feasible and cost-effective.
- **Transparent Testing:** Mandates annual lead testing of water outlets used for drinking or cooking at schools and child-care centers. Test results must be easily accessible to the public. If elevated lead levels are found, the school or child care center is required to notify parents, teachers, and other school staff of: the results of the tests; the remediation measures being taken; and general information about lead in drinking water.
- **Fund:** Establishes the Lead in School Drinking Water Trust Fund, which may allocate money to schools and child care centers for purposes of lead remediation. The fund shall be credited with appropriations or money authorized by the general court, or gifts, grants and donations to further school districts to remove lead from school drinking water. Pending appropriations of such funds, schools and child care centers may apply for grants to cover the costs of remediation.
- **Hardship.** This bill authorizes the Commissioner of the DEP to grant a “hardship waiver” to a school or child care center if that school or center is unable to comply with any or all of the provisions required by the bill, provided the school district or child care center hold a public meeting about the plan to apply for the waiver.

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Sources:

¹ AAP Council of Environmental Health. Prevention of Childhood Lead Toxicity. *Pediatrics*. 2016;138(1):e20161493

² Bellinger, David C. “A Strategy for Comparing the Contributions of Environmental Chemicals and Other Risk Factors to Neurodevelopment of Children.” *Environmental Health Perspectives*, vol. 120, no. 4, 2012, pp. 501–507., doi:10.1289/ehp.1104170.

³ “Lead Poisoning and Health.” *World Health Organization*, World Health Organization, 23 Aug. 2018, www.who.int/news-room/fact-sheets/detail/lead-poisoning-and-health.

⁴ “What Do Parents Need to Know to Protect Their Children?” *Centers for Disease Control and Prevention*, Centers for Disease Control and Prevention, 17 May 2017, www.cdc.gov/nceh/lead/acclpp/blood_lead_levels.htm.

⁵ “Basic Information about Lead in Drinking Water.” *EPA*, Environmental Protection Agency, 7 Feb. 2019, www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water#health.

⁶ "Basic Information about Lead in Drinking Water." *EPA*, Environmental Protection Agency, 7 Feb. 2019, www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water#health.

⁷ AAP Council of Environmental Health. Prevention of Childhood Lead Toxicity. *Pediatrics*. 2016;138(1):e20161493

⁸ Data from Massachusetts Department of Environmental Protection, "Lead and Copper in School Drinking Water Sampling Results," accessed on January 10, 2017, accessible at <http://www.mass.gov/eea/agencies/massdep/water/drinking/lead-and-copper-in-school-drinking-water-sampling-results.html>. Gutermon, Damon, Massachusetts Department of Environmental Protection, Drinking water Program. Personal communication via Email. December 5th, 2018.

⁹ American Academy of Pediatrics, Prevention of Childhood Lead Toxicity, (policy statement), July 26, page 11, available at <http://pediatrics.aappublications.org/content/pediatrics/early/2016/06/16/peds.2016-1493.full.pdf>.