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Why Water in Schools Is So Susceptible to Lead Poisoning

New York is set to become the first state to require schools to regularly test their water for lead. But it's far from the only place with the problem.

BY [DANIEL C. VOCK](#) | JULY 26, 2016



Water fountains are marked "Do Not Drink Until Further Notice" at a school in Flint, Mich. (AP/Carolyn Kaster)

The Flint water crisis is bringing more attention to the decades-old -- but still unsolved -- problem of lead in drinking water supplies. But despite the fact that lead poses a potential danger to children, neither states nor the federal government require schools to regularly test their water for the toxic metal.

That's about to change. New York is on the verge of becoming the first state to require lead tests for water in schools.

"Lead is such a lethal contaminant and threat to human health, especially to youngsters, that we must make every effort to ensure that the water our school children drink is lead free," said Assembly Speaker Carl Heastie, a Democrat who backed the measure.

Gov. Andrew Cuomo is expected to sign the legislation, which he proposed earlier this year. It cleared the state legislature with bipartisan support. Under the law, schools would get reimbursed for the testing and some of the costs of replacing lead plumbing. Schools would also have to make the results of their lead tests public.

About a tenth of the nation's schools operate their own water systems, which means they're already subject to regular testing. In the past three years, 278 school systems showed lead levels above the minimum set by the U.S. Environmental Protection Agency. (Health officials stress that there is no safe level of lead in water.)

Most schools, though, are connected to municipal or other water utilities. The water in those systems is tested, too, but that may not capture high lead levels in the school buildings themselves. That's because the problem with lead in drinking water isn't the quality of the water as it leaves a treatment plant, it's what happens once it leaves the water main under the street and flows toward a building and through its plumbing. And in schools, that plumbing could be several decades old.

It's called the service line -- the plumbing that connects a building to the water main -- and it's one of the biggest areas of concern. Congress banned lead in plumbing in 1986, but many schools still have lead pipes that were installed before that. In addition, schools could have especially long service lines because they're often set far back from the street. The longer lead pipes increase the chances of contamination because the water must travel further through them. Another problem: Old water coolers, which have lead parts, remain in service in many schools.

In 1988, Congress actually required states to come up with a plan for eliminating lead in schools and day-care centers. But a federal appeals court struck down that law in 1996, ruling that it violated the 10th Amendment because it didn't give states a choice in whether to enforce the federal law.

Despite the decision, the federal government and many states have still worked to try to reduce the lead levels in schools' drinking water. But none have required regular testing as New York plans to do.

When the water in schools has been tested, many big problems have come to light.

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In Oregon, Portland's longtime school superintendent stepped down last week after it was revealed that the district kept test results secret that showed two schools with high levels of lead for several months. According to an investigation, the school district neglected lead testing for years. The district shut off all of its water fountains this summer until they could be retested.

Newark, N.J., also recently shut down water fountains in 30 schools and ordered blood tests of 17,000 students after tests showed high levels of lead in more than half the district's schools. Officials later released information showing that the lead problems went back at least six years, but the district hadn't notified the public about the earlier results until this spring.

Several other New Jersey school districts reported high lead levels as well. In response to the crisis, New Jersey Gov. Chris Christie pushed through emergency regulations to require every school in the state to be tested for lead within the next year. The state has also set aside \$10 million to help cover the costs of those tests.

"I think we've come to a smart -- but aggressive -- way to address any concerns that any parent across the state might have about lead exposure in water," said Christie. "Parents [will] know when they send their children to school this fall that they're sending them to a

place where the water is safe for their children to drink and safe to be used for cooking as well."

In Detroit, the city used grants to fund water tests over spring break this year and found dangerously high lead levels in at least 19 schools, including one fountain that pumped water with 100 times the federal maximum amount of lead. The head of the city's health department recommended that all of Detroit's students be screened for lead poisoning.

The New York legislation came as schools in Ithaca and Binghamton had to shut off taps because of high lead levels. New York City retested many of its own schools in light of the scrutiny, and those tests also revealed several schools with lead levels that exceed the federal maximum. The city schools created a website that allows parents and the public to find basic information about lead testing in individual schools.

New York state Assemblywoman Catherine Nolan, who chairs the chamber's education committee, said that even though New York might be the first state in the nation with a testing law, it still came too late. "This testing requirement should have been in place years ago," she said.

But, she added, the legislation "sends the message throughout the state that our schools must have access to drinking water that meets the highest health and safety standards."



[Daniel C. Vock](#) | Staff Writer

dvock@governing.com | <https://twitter.com/danvock>

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