

# **New York State Department of Health Lead Testing in School Drinking Water Program Guidance Manual**



**February 2021**

This guidance manual provides information and templates to assist New York State schools to develop and implement plans to test for lead in school drinking water in accordance with Title 10 of New York Codes, Rules, and Regulations Subpart 67-4 to fulfill the 2020 compliance requirements. This guidance manual also provides examples of best management practices that a school may choose to implement to minimize the potential for exposure to lead in school drinking water.

## Contents

|  |                  |
|--|------------------|
| <b><i>Background/Introduction.....</i></b>   | <b><i>3</i></b>  |
| <b><i>Planning your Sampling Program.....</i></b>                                      | <b><i>4</i></b>  |
| <b><i>Developing a Sampling Plan .....</i></b>   | <b><i>5</i></b>  |
| <b><i>Identifying Sampling Locations .....</i></b>                                     | <b><i>6</i></b>  |
| <b><i>Selecting a Laboratory.....</i></b>  | <b><i>7</i></b>  |
| <b><i>Sampling Protocol .....</i></b>  | <b><i>8</i></b>  |
| <b><i>Interpreting Laboratory Results .....</i></b>                                    | <b><i>10</i></b> |
| <b><i>Response to an Action Level Exceedance .....</i></b>                             | <b><i>10</i></b> |
| <b><i>Remedial Action Plan .....</i></b>   | <b><i>13</i></b> |
| <b><i>Reporting Requirements for All Test Results .....</i></b>                        | <b><i>13</i></b> |
| <b><i>Recordkeeping Guidance and Templates.....</i></b>                                | <b><i>14</i></b> |
| <b><i>Electronic Reporting Requirements.....</i></b>                                   | <b><i>14</i></b> |
| <b><i>Establishing Routine Practices .....</i></b>                                     | <b><i>15</i></b> |
| <b><i>Lead and Copper Rule for Public Water Systems.....</i></b>                       | <b><i>17</i></b> |
| <b><i>More Resources.....</i></b>  | <b><i>17</i></b> |
| <b><i>Appendix A – Template for Assigning Roles .....</i></b>                          | <b><i>18</i></b> |
| <b><i>Appendix B – Template for Documenting and Tracking Remedial Actions.....</i></b> | <b><i>21</i></b> |
| <b><i>Appendix C – Templates for Maintenance Recordkeeping.....</i></b>                | <b><i>24</i></b> |
| <b><i>Appendix D - Parent Letter Template.....</i></b>                                 | <b><i>26</i></b> |
| <b><i>Appendix E - Template for Posting Lead Results on School Website*.....</i></b>   | <b><i>29</i></b> |
| <b><i>Appendix F – HCS and HERDS Account Management &amp; Access .....</i></b>         | <b><i>31</i></b> |
| <b><i>Appendix G – HCS User ID and Password Guidance.....</i></b>                      | <b><i>34</i></b> |
| <b><i>Appendix H – For HCS Coordinators.....</i></b>                                   | <b><i>35</i></b> |
| <b><i>Appendix I – Accessing the 2020 HERDS Reporting Form .....</i></b>               | <b><i>36</i></b> |

## **Background/Introduction**

Lead is a common metal found in the environment which is toxic and harmful to human health. The greatest risk of harm from lead exposure is to infants, young children, and pregnant women. Children and adults can be exposed to lead from old lead paint, lead in products and toys, lead in drinking water from plumbing materials, and other sources.

Plumbing materials, including pipes, new brass faucets, fittings, and valves, including those advertised as *lead-free*, may contribute lead to drinking water<sup>1</sup>. 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 and/or lead solder and may 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.

On September 6, 2016, Governor Andrew M. Cuomo signed into law Chapter 296 of the Laws of 2016 requiring all public school districts and Boards of Cooperative Educational Services (BOCES) (referred to as “schools” herein) in New York State (NYS) to test drinking water for lead contamination, and to take remedial action if lead exceeded the actionable threshold. Only those public schools and BOCES buildings with internal plumbing that meets the definition of lead-free as defined by the federal Reduction of Lead in Drinking Water Act are exempt from testing.

The NYS Department of Health (NYS DOH) issued regulations, Subpart 67-4 of Title 10 of the Codes, Rules, and Regulations of the State of New York to conform with Chapter 296 of the Laws of 2016. The regulation (Subpart 67-4) can be found at:

<https://regs.health.ny.gov/volume-1a-title-10/1942050456/subpart-67-4-lead-testing-school-drinking-water>

***All outlets used, or could potentially be used for drinking or cooking must be tested for lead per Subpart 67-4.***

Per the regulation, the 2020 compliance period requires schools test all outlets used for drinking/cooking between January 1, 2020 and December 31, 2020, and remediation activities to continue after that time. However, due to the unprecedented circumstances confronting schools during the 2020 compliance period due to the COVID-19 pandemic, the NYS DOH extended the 2020 compliance period to June 30, 2021. Therefore, testing conducted between January 1, 2020 and June 30, 2021 will be considered as adhering to the 2020 compliance testing requirements. This extension provides schools additional time to complete proper testing in accordance with the requirements specified in Subpart 67-4. If a school opens after the 2020 compliance period, the school must perform testing prior to school occupancy.

Subpart 67-4 applies to *all* buildings owned or leased by a public school district or BOCES. Private, charter, Indian nation schools are not required to conduct lead testing under this regulation, however the NYS DOH encourages all schools and daycare facilities to voluntarily test outlets used for drinking or cooking and take appropriate action where necessary to reduce lead exposure.

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<sup>1</sup> 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 for wetted surfaces of plumbing products and retained a 0.20% lead limit for solder and flux (effective January 4, 2014). The Act also created exemptions from the lead-free requirements for plumbing products used exclusively for non-potable services as well as for other specified products.

## **Lead-free Plumbing in School Buildings**

Any school building, facility, addition, or wing with internal plumbing that meets the new definition of lead-free, as defined by Section 1417 of the federal Safe Drinking Water Act, is exempt from testing.

For the entire building or portion of a building to qualify as lead-free, all internal plumbing and service line connections must be lead-free. Lead-free determinations are not made on an individual outlet level.

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 must post their list of lead-free buildings on the school's website and report lead-free building information through the **Hospital Emergency Response Data System (HERDS)** reporting application accessed through the NYS Health Commerce System (HCS).

## ***Planning your Sampling Program***

### **Review Records**

Before a school develops a sampling plan, it may be helpful to review records from past sampling and remedial activities. If current staff are not familiar with past program activities, or records are incomplete or absent, consider contacting individuals who may have been involved in the sampling and remediation. This information may help inform future efforts.

### **Identifying Key Stakeholders**

Key stakeholders are critical to ensuring that your lead testing in school drinking water program (hereafter referred to as program) is successful. Key stakeholders may include, but are not limited to:

- **Superintendent/Principal:** These individuals provide oversight of the program
- **Custodial and facilities staff:** These individuals will have in-depth knowledge about plumbing and building history and may assist with implementing the program
- **School board:** These individuals are responsible for developing budgets and recommending district-wide initiatives
- **School nurse:** This individual may assist with or support reporting test results in the NYSDOH electronic reporting system.
- **Cafeteria staff:** These individuals are aware of water use for food preparation. They can identify the faucets that are regularly used in food or drink preparation, as well as any unused faucets
- **Athletics staff:** These individuals will know the sources of water used to fill water jugs or those used when teams are practicing or playing games
- **Students:** The students should be informed and educated on drinking water and know who to go to if they notice an issue (lack of access to water or removal of signage)
- **Teachers:** Teachers can assist with the program as they are aware of the faucets used for drinking and can assist with enforcing institutional controls as part of remediation including ensuring students are not drinking from faucets with "Do Not Drink" signs
- **Parents:** Parents should be made aware of the sampling, the test results, and remedial actions
- **Parent Teacher Associations (PTAs):** These individuals can be a conduit of information between the school and the parents/guardians. They can share parent/guardian concerns with the school representatives and provide information and education to respond to those concerns
- **Local plumbing and construction contractors, or environmental consultants**

## Assigning Roles

Identify specific roles and responsibilities that will be needed to implement your program and assign them to individuals who will be responsible and accountable for ensuring that sampling and follow-up actions are completed properly. When assigning roles, the following questions should be asked:

- Who will be the main contact for the program?
- Who will create the sampling plan?
- Who will collect the samples?
- Who will coordinate with the laboratory and manage the test results?
- Who will perform remediation?
- Who will communicate the results to the public?
- Who will report the data and information to the local health department and enter it into the NYS DOH reporting application (HERDS)?
- Who will be in charge of recordkeeping?

A template for assigning and documenting roles and responsibilities can be found in [Appendix A – Template for Assigning Roles](#). Assigning roles and responsibilities can ensure efforts are completed and not duplicated.

## Developing a Sampling Plan

To develop a sampling plan, schools must identify all outlets that are or may be used for drinking or cooking; these will be targeted for sampling. The school must then understand how water flows through the building to develop a stepwise outlet by outlet and floor by floor sampling plan.

- The comprehensive list below provides various infrastructure features and considerations that schools should explore when developing their sampling plan. As described above, review records from past sampling and remedial activities.
- Conduct a walkthrough of the building and create an inventory of outlets. Take note of all outlets (sinks, fountains, bubblers, filling stations, etc.) that are used, or may potentially be used for drinking or cooking. It may be helpful to take pictures when conducting the walkthrough. Also, take note of those outlets not used for drinking or cooking.
- Understand how water enters and flows through the building. Note the areas of the building that receive water first, and which areas receive water last.
- Determine if the building has a lead service line.
- Create a map or diagram of the school building and note the location of all outlets, and the direction/flow of water through the building. This could assist with understanding future analysis of lead sample results. Assign each outlet that will be sampled with a unique sample identifier and record the information on the map, diagram, or other record.
- Document whether faucets have mixing valves, aerators, filters, or other notable features.
- Identify any outlet/water fountain noted as having lead-lined storage tanks or lead parts listed in US Environmental Protection Agency's (EPA) 3Ts. These should be removed from service immediately. A list of lead water coolers banned in 1988 can be found in Module 4 of in the EPA 3Ts for Reducing Lead in Drinking Water Toolkit at: [epa.gov/safewater/3Ts](http://epa.gov/safewater/3Ts)
- Note the locations of any tanks, and any available information about the tank (e.g., manufacturer, date of installation, maintenance schedule, inspection history, etc.). Some older tanks may contain coatings that are high in lead content. Tanks may accumulate sediment that could be flushed back into the plumbing system under certain circumstances. Schools may wish to contact the supplier or manufacturer to obtain information about coatings. Schools may also wish to hire a plumber or tank service contractor to inspect the tanks for sediment accumulation and integrity of internal coatings, especially gravity storage tanks that are located outside of the building.
- Look for other potential sources of lead and note their locations including copper pipes;

high-lead solder and flux<sup>2</sup>; brass fittings, faucets, and valves; and plastic pipes (especially those manufactured abroad).

**Did you know?** Copper pipes are red-brown in color and corroded portions may show green deposits. Copper pipe joints were typically joined together with lead solders until the lead-free requirements of the 1986 Safe Drinking Water Act Amendments took effect in 1991.

**Did you know?** Brass fittings, faucets, and valves are golden yellow in color, similar to copper in appearance, or are plated with chrome. Most faucets contain brass, an alloy that contains varying percentages of copper, zinc, and lead.

## Identifying Sampling Locations

Samples must be collected at all outlets used or potentially used for drinking or cooking (i.e., outlets located in the school's kitchen, classroom, gymnasium, teachers' lounge, nurse's office, etc). Outlets may be located anywhere in or around the school building, including external outlets (hose bibs) if the outlet may be used for drinking. **Any outlets excluded from sampling should be documented in the Remedial Action Plan.**

Superintendents, or their designees, have the responsibility to identify which outlets meet the regulation requirements for testing ("applicable outlets"). If a Superintendent or their designee determines that a school has outlets that fall outside the scope of the regulation (outlets not used or potentially used for drinking or cooking ("nonapplicable outlets")), the school should develop a Remedial Action Plan that includes details on how those outlets will not be accessed and utilized for drinking or cooking purposes. (See section on Remedial Action Plan).

### Additional Guidance on Sampling Locations:

- **Combination bottle fill station and drinking fountain/combination sink and drinking fountains:** A sample should be collected from *both* fixtures if they are used or have the potential to be used for drinking or cooking. The outlet that is most frequently used should be sampled first.
- **Ice machines:** The ice made in an ice machine should be sampled for lead. For guidance on how to collect samples from ice machines, refer to the EPA 3Ts for Reducing Lead in Drinking Water Toolkit, Module 5, Detailed Fixture Evaluation available at: [epa.gov/safewater/3Ts](http://epa.gov/safewater/3Ts)
- **Dishwashing outlets:** 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. Any outlet excluded from sampling should be documented in the Remedial Action Plan (and consider additional controls such as signs and education). If the outlet may be used for drinking or cooking, the outlet must be sampled.
- **Food washing outlets:** Food washing faucets must be sampled as they are used for food preparation and potentially for drinking. Only the cold water should be turned on for sampling.
- **Hand washing outlets:** In general, all hand washing outlets in a lavatory should be sampled as lavatory outlets may be used to obtain water for drinking and/or food preparation. The NYS DOH recognizes there are many different types of outlets in school lavatories that may present challenges for sampling and provides the following:

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<sup>2</sup> The 1986 Safe Drinking Water Act Amendments banned plumbing components that contained high levels of lead. It is likely that high-lead solder and fluxes continued to be used until 1988 and even later. The local plumbing code authority or building inspector may be able to provide guidance regarding when high-lead solder was last used on a regular basis in the area. It is important to note that the Reduction of Lead in Drinking Water Act did not revise the lead-free definition for solder and flux.

- **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 NYS DOH (lead.in.school.drinking.water@health.ny.gov) for additional guidance. Further, if the multi-outlet gang sink provides tempered water, please see tempered water outlets guidance below.
- **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.
- **Tempered water outlets:** The EPA and NYS DOH recommend that hot or tempered water *not* be used for drinking or cooking as hot or warm water increase the leaching of lead into the water. As such, **tempered water outlets do not require sampling**. The National Plumbing Code defines tempered water as water having a temperature range between 85 degrees Fahrenheit and 110 degrees Fahrenheit, and hot water as water at a temperature greater than or equal to 110 degrees Fahrenheit. Cold water is considered water at the temperature at which it is delivered to the service connection. **For the purpose of this program, tempered outlets are any outlets that convey water that is heated for the purpose of providing water that is warmer than what is supplied at the service connection, but not hot water.** This is typically achieved through the use of mixing valves to blend water from both hot and cold-water supply lines, in accordance with applicable plumbing standards. However, tempered outlet configurations that allow for easy temperature adjustment at the point of use to provide water which is supplied *solely* from the cold-water line, are an exception and should be sampled. Tempered water outlets that are not subject to sampling should be clearly posted with signs (“Do Not Drink” or equivalent), education should be provided to the students and staff to ensure awareness that they should refrain from using the outlets for consumption, and the outlets should be documented in the Remedial Action Plan.
- **Science/Art room outlets:** If the outlet may be used for drinking or cooking, the outlet must be sampled. However, some schools have controls in place including restrictions on food or drink consumption in science classrooms and laboratories and teacher supervision. In such cases, outlets may be excluded from sampling and the outlets should be documented in the Remedial Action Plan (and consider additional controls such as signs and education).
- **Custodial closet outlets:** If the outlet is only used for custodial purposes and not for drinking, then the outlet does not need to be sampled. Any outlet excluded from sampling should be documented in the Remedial Action Plan (and consider additional controls such as locks, signs, and education).
- **Point of entry:** The location where water *enters* the building (point of entry) from the distribution system of a public water system does not require sampling under Subpart 67-4.
- **Bus garage:** Outlets in bus garage buildings do not require sampling unless the building is occupied by students (e.g., BOCES classes).

## Selecting a Laboratory

All water samples must be analyzed by an environmental laboratory certified by the NYS DOH Environmental Laboratory Approval Program (ELAP) to conduct lead testing in drinking water.

A list of ELAP approved laboratories can be found at:

<https://apps.health.ny.gov/pubdoh/applinks/wc/elappublicweb/>

### Search NY Accredited Environmental Laboratories

#### Main Search

**LAB NAME**

**STATE**  **COUNTRY**

**COUNTY**  **TYPE**

Must select a County in NY.

#### Advanced Search

**CATEGORY**

**ANALYTE**

**METHOD**

From the link above, follow these directions:

- Check the box: “I am not a robot”
- State: select “New York” from the drop down
- County: select the county of interest
- Type: select “Commercial”

In the “Advanced Search” box:

- Category: select “Potable Water”
- Analyte: select “Lead, Total”

Click on “View Results”

When choosing a laboratory, consider the following:

- **Do you want the laboratory to conduct the sampling in addition to the analyses?** If yes, let the laboratory know that samples will likely need to be collected between 5:30 a.m. and 7:30 a.m. Sampling services outside of business hours may influence the cost.
- **What is the cost of the laboratory’s services, and what is included in that cost?** Costs will vary between laboratories and depending upon the extent of the services needed. Some laboratories may offer bulk analysis rates for handling a large number of samples.
- **What is the laboratory’s turnaround time for providing sample results?**

Once a laboratory is selected, schools are advised to establish a written agreement or contract with the laboratory for the services to be provided.

## ***Sampling Protocol***

### **Sample Containers**

The required sample volume for analysis of lead in school drinking water is 250 milliliters (mL). NYS DOH recommends the use of wide mouth 250 mL plastic containers for this program. Samples collected using 1-liter sample containers (as used for the Lead and Copper Rule testing) do NOT meet the requirements of Subpart 67-4. Schools should contact their ELAP approved laboratory to obtain the appropriate 250 mL plastic bottles for sampling and the laboratory chain of custody forms.

### **Nitric Acid preservative**

The sampling containers may or may not contain nitric acid preservative. Nitric acid, a sample preservative, is added to sample containers by the laboratory prior to container shipment. Direct contact with nitric acid can burn skin and deteriorate clothing and contact with it should be avoided. As a safety precaution, schools may request their laboratory send sample containers without nitric acid and request that the laboratory add the nitric acid upon receipt of the samples. In such cases, laboratories must receive the samples promptly to add the nitric acid. Prior to container shipment, schools should contact their laboratory to discuss such options and costs.

## **Sample Requirements**

All samples collected for lead testing as part of Subpart 67-4 must be “first-draw” samples. A “first-draw” sample is a water sample collected from an outlet early in the morning 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, prior to first-draw sample collection.

### **Sampler Requirement**

Any individual who understands the Subpart 67-4 requirements and is familiar with first-draw sampling protocols may collect samples. This includes, but is not limited to, a school staff member, a laboratory representative, or a consultant. The individual collecting the samples must be able to maintain quality assurance and control over the sampling and assure the chain of custody of the water samples is maintained.

### **Sampling Instructions**

#### Recommended Sampling Instructions:

1. Ensure all items needed to collect the samples are available. This includes the appropriate number and size (250 mL) sample bottles, labels, waterproof pen for labeling the sample bottles, and the laboratory chain of custody form.
2. Do not open each sample container until you are ready to collect the sample. Do not touch the interior surfaces of the bottle or cap. Keep food and drink away from the sampling area.
3. First-draw samples should be collected early in the morning before any water has been used in the building. Prior to sampling, water should not be used (this includes water for janitorial sinks, toilets, outside hoses and irrigation systems (unless the irrigation system is served by its own service line)). To ensure water is not used, schools may secure outlets or hang “Do Not Use” signs. Water must be motionless between 8 and 18 hours prior to sampling.
  - a. Avoid collecting samples in the mornings after vacations, weekends, or holidays unless specifically directed to do so.
  - b. If a school has instituted a formal routine flushing program as part of their Remedial Action Plan to address lead levels in water, the school should contact the NYS DOH or their local health department for guidance on when to perform the sampling.
4. On the morning of the sampling, perform a quick walk-through of the facility to ensure no outlets were left running overnight.
5. Make sure no water has been drawn from the outlet before you collect the sample.
6. Follow the sampling plan. Begin sampling at the outlet closest to the Point of Entry (where the water enters the building) and continue to progress toward the outlet farthest from the point of entry. If there are multiple floors, it is typically recommended to sample from the bottom floor and continue up.
7. If a drinking water fountain is being sampled, angle the container’s mouth in a way that it will capture the entire flow of water from the bubbler.
8. If the outlet is a motion-sensor or metered faucet, collect the sample as you would under normal use conditions.
9. Do not remove aerators or screens prior to sampling. Potential sources of lead may be missed if aerators are removed, since debris trapped in the aerator screen could be contributing to the lead in drinking water.

10. Place the container under the outlet that is being sampled and turn on the cold water tap at the same rate that would be used under normal use for filling a glass of water, taking precautions to not allow any water to run down the drain.
11. Securely cap the container and follow the instructions provided by the certified laboratory.
12. Label the sample bottle with the same information (unique sample identifier, date, time, location, etc.) as on the Chain of Custody form.
13. Record any observations that may impact the samples' results (e.g. leaking outlets, discolored water, low water pressure, etc.) on the chain of custody form.
14. Prepare the container for shipping according to the certified laboratory's instructions.
15. Ship the sample according to the certified laboratory's instructions, and within the time frame recommended by the laboratory.

## ***Interpreting Laboratory Results***

### **Lead Action Level**

The action level for lead in school drinking water is 15 micrograms per liter (mcg/L) or parts per billion (ppb), which is also equivalent to 0.015 milligrams per liter (mg/L) or parts per million (ppm).

For the purposes of comparing laboratory test results to the lead action level under Subpart 67-4, the following applies:

- Lead results equal to, or less than, 15 mcg/L ( $\leq 15$  ppb) do *not* exceed the lead action level, and do not require further sampling or remediation.
- Lead results greater than 15 mcg/L (i.e. 15.1 ppb, or greater) *exceed* the lead action level and require the outlet to be taken out of service and a Remedial Action Plan be implemented.

## ***Response to an Action Level Exceedance***

### **Immediate Response**

If the lead test result for an outlet exceeds the action level (15 mcg/L, or ppb), the school must do the following:

1. Prohibit the use of the outlet (take out of service or turn off) until:
  - a. A Remedial Action Plan is implemented to mitigate the lead level at the outlet, and
  - b. Post-remediation test results indicate that the lead levels are at or below the action level;
2. Provide building occupants with an adequate supply of water for drinking and cooking until remediation is performed;
3. 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;
4. 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;

5. Refer to the **Reporting Requirements of All Test Results** section for additional reporting details and more information concerning reporting deadlines.

### Corrective Actions / Remediation

The school may choose to obtain professional services or utilize internal staff to support and perform remediation activities.

Schools should consider the following remedial options for addressing outlets that exceed the action level:

- **Permanent outlet removal.** If the outlet is seldom used, it may be disconnected or removed from the water supply line. Prior to removing an outlet, verify that the outlet is not required for compliance with local building code or NYS Education Department requirements for access to potable water within the building. To ensure that an outlet is permanently taken out of service, the NYS DOH recommends removing the outlet (fixture) and capping the supply line with plumbing materials that are lead-free.
- **Outlet and/or Pipe replacement** with lead-free plumbing materials. If the existing outlet and/or plumbing is suspected to be the source of the contamination, replace it with a new product that meets the Safe Drinking Water Act Section 1417 (a)(4) definition of lead-free (effective January 4, 2014).<sup>3</sup>
  - For increased level of confidence, consider purchasing products which have received National Sanitation Foundation Standard (NSF)/American National Standards Institute (ANSI) 61 (for leaching of contaminants) and ANSI 372 (for weighted average of lead on wetted surfaces) certification from an ANSI accredited third-party certification body. As such, consider including a copy of the NSF/ANSI 61, 372 certificate as a requirement on the purchase orders. The distributor or manufacturer can provide a list of certified products.
  - See EPA's 2015 guidance, *How to Identify Lead-Free Certification Marks for Drinking Water System & Plumbing Products* for additional information.
- **Flushing.** Schools may consider developing a systematic flushing program to implement routinely (at a specified frequency). Flushing is generally used as a short-term measure and paired with permanent remediation like replacement or removal of an outlet. See the EPA's *3Ts Flushing Best Practices* factsheet for additional information.
- **Point of Use (POU) Filters.** POU filters are filters installed at individual outlets. They are commercially available and can be effective in removing lead. Schools may choose to use certified lead-reducing filters as a long-term or permanent control measure with proper maintenance. To select a lead-reducing POU filter, check with the manufacturer or a third-party website (such as nsf.org or wqa.org) to verify the product was tested and certified against NSF/ANSI Standard 53 (for lead removal). For additional protection for particulate lead, look for a POU filter that is also certified against NSF/ANSI Standard 42 (for class I particulate reduction, 0.5 µm to <1 µm). Filters require routine maintenance (e.g., cartridge filter units need to be replaced

**Schools must ensure that students have adequate access to drinking water.** If a school is contemplating permanent outlet removal, signage, and/or engineering controls, the school must evaluate whether alternate options to attain drinking water are readily accessible. If alternate options are not readily available, a school should consider other remedial options to ensure access to drinking water. Further, NYS codes, regulations, and standards prescribe minimum requirements for drinking fountains and outlets based on the date of building construction, number of occupants, number of floors, and other attributes that must be complied with.

<sup>3</sup> Safe Drinking Water Act Section 1417 (a) (4) defines lead-free as not containing more than 0.2 percent lead when used with respect to solder and flux and not more than a weighted average of 0.25 percent lead when used with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures.

periodically) to remain effective. Be sure to follow the filter manufacturer's instructions for maintenance and replacement. If POU filters are being considered, be sure to factor in the cost of the filters and long-term maintenance/replacement costs.

- **“Do Not Drink” Signage.** In general, posting “Do Not Drink” or equivalent signs at outlets are considered a temporary measure. However, some outlets, for example, science laboratories outlets, may have signs posted long-term if the school has also instituted other controls including supervision and education to ensure the outlets are not used for consumption.
  - Example signage can be found on NYS DOH's website at: [https://www.health.ny.gov/environmental/water/drinking/lead/docs/donotdrinksigns\\_lead.pdf](https://www.health.ny.gov/environmental/water/drinking/lead/docs/donotdrinksigns_lead.pdf)
  - Schools may develop their own signs and consideration should be given to the age of the children, as pictures may be more appropriate for younger children.
  - Signs must be clearly visible and in close proximity to the affected outlets. Placing a sign at a room entrance (i.e., lavatory entrance) is not acceptable.
- **Supervision of Outlet Use as a Control Measure:** In areas where supervision is present and there are policies to prevent the use of water for consumption purposes (i.e., no drinking or eating in science laboratory classrooms), supervision may be used as a remedial action. Supervision should be used in combination with other controls.
- **Engineering controls.** Engineering controls may be implemented to prevent consumption of water from specific outlets. Engineering controls include locked doors to janitor's closets, special keys to operate an outside hose bib, and other controls. Engineering controls should be combined with continued education reminding staff (and students) not to consume water from these outlets and with signs as needed.
- **Education.** Educate the school community (students/parents, teachers, staff) to reinforce understanding and compliance with engineering controls, supervision controls and signage.

All remedial measures employed should be described in the Remedial Action Plan. For additional details, see the **Remedial Action Plan** section below and Appendix B - Template for Documenting and Tracking Remedial Actions and Appendix C - Template for Maintenance Recordkeeping.

### **Post-remediation Testing**

Only those outlets that exceeded the action level need to be resampled following remediation including outlet or pipe replacement, filter installation, implementation of a flushing program or other measures. Post-remediation samples must be collected, and the test results must be at or below the lead action level before an outlet may be returned to service. The following should be adhered to when preparing for or performing post-remediation sampling:

- All remediated outlets should be flushed following remediation and in advance of sampling. Remediation can introduce lead particulates into the drinking water that should be removed through flushing. The duration of the flushing varies depending on the type and extent of remediation performed. Large scale pipe replacement should be flushed for a longer duration than single outlet replacement. Schools should follow manufacturer/industry recommendations or may consult with a professional (i.e., plumber, engineer, etc.) for additional guidance as needed.
- Following flushing, water shall remain motionless in the pipes for a minimum of 8 hours, but not more than 18 hours, prior to sample collection. Post-remediation samples must be “first-draw” samples. It is important to note that “first-draw” sampling is designed to provide information on the contribution of lead from an outlet. Schools may choose to perform *additional* sampling (i.e., 30-second flush samples) to determine the contribution of lead from plumbing that provides water to an outlet to guide remediation decisions. In addition, several **rounds** of post-remediation sampling may be necessary prior to obtaining results that meet the action level requirements. Additional flushing may be performed between sampling rounds. School that have performed repeated efforts to remediate an outlet(s) and cannot achieve the lead action level, are encouraged to contact the NYS DOH or their local health department.

## Remedial Action Plan

A Remedial Action Plan is a detailed summary of the actions implemented to mitigate sources of lead that exceeded the action level and to minimize exposure to lead in drinking water. The Remedial Action Plan should be updated anytime conditions change – including when new test results become available, additional remediation is planned or completed, engineering controls are modified, or when other related actions occur.

The Remedial Action Plan should include the following:

1. A summary of all outlets that exceeded the lead action level and the remedial actions that were/are implemented.
  - a. See [Appendix B – Template for Documenting and Tracking Remedial Actions](#) for a template that may be used to document this information.
2. A summary of any outlet that is not used for drinking or cooking (i.e., locked custodial closet outlet) determined to be outside the scope of the regulation. This summary should include describe the controls in place to ensure the outlet is not used for drinking or cooking.
  - a. See [Appendix B - Template for Documenting and Tracking Remedial Actions](#) for a template that may be used to document this information.
3. Maintenance and Monitoring schedule and documentation (see **Maintenance and Monitoring** section for more information)
  - a. See [Appendix C – Template for Maintenance Recordkeeping](#) for a template that may be used to document this information.

The Remedial Action Plan should be retained in a central repository at the school.

### Maintenance and Monitoring Schedule and Documentation

For outlets exceeding the lead action level that are not permanently removed from service or replaced with an outlet that achieved the lead action level, the Remedial Action Plan should describe the maintenance efforts to be performed to ensure the remedial actions are effective for each outlet. This may be captured in a Maintenance and Monitoring section of the Remedial Action Plan. Outlets may be grouped if the controls instituted are the same.

*For example:*

- *If signs and supervision are instituted as a control, the Maintenance and Monitoring section should describe the controls, their location, the frequency of inspection, and the individual(s) responsible for inspection.*
- *If filters are installed, the Maintenance and Monitoring section should describe the minimum requirements prescribed by the manufacture, the inspection schedule, and the individual(s) responsible.*
- *If a flushing program is instituted, the Maintenance and Monitoring section should describe the flushing plan including the flushing frequency (day/time), duration, and the individual(s) responsible.*

Templates for tracking and recordkeeping of various maintenance and monitoring activities can be found in [Appendix C - Template for Maintenance Recordkeeping](#).

## Reporting Requirements for All Test Results

Schools must report the following information per Subpart 67-4:

- **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 any and all exceedances (lead result greater than 15 ppb) to all staff, parents, and guardians in writing. Physical written notification should be distributed to *all* staff and persons in parental relation to the child. A sample letter template for communicating the test results to parents/guardians is available in [Appendix D - Parent Letter Template](#) and on the Lead Testing in School Drinking Water website: [https://www.health.ny.gov/environmental/water/drinking/lead/docs/doh\\_sample\\_school\\_letter.doc](https://www.health.ny.gov/environmental/water/drinking/lead/docs/doh_sample_school_letter.doc). Posting the information on the school website or through social media does not constitute written notification.
- Report *current* test results (including post-remediation results) and other required information in the NYS DOH's electronic reporting application, HERDS.
- **Within 6 weeks of receipt of laboratory reports:** Post numeric test results of *all* lead testing, information about remedial actions taken, and a list of any lead-free buildings on the school's website. Schools should provide a narrative describing the test results to help parents and guardians understand the results. A template for presenting/posting the lead test results can be found in [Appendix E – Template for Posting Lead Results on School Website](#). The posting should be readily visible on the school's website and must remain posted for the duration of the compliance period. For example, test results for the 2016 compliance period should remain on the school's website until the 2020 compliance results are available at which time the 2016 results may be removed.

## ***Recordkeeping Guidance and Templates***

The school must retain all records of lead test results, remediation actions, and determinations that a building is lead-free (if applicable) for ten years following the creation of such documentation, in accordance with Subpart 67-4. Copies of such documentation shall be available to provide immediately to the NYS DOH, NYS Education Department, and applicable local health department, upon request.

It is recommended that all such records be kept on-site in a centrally accessible repository, for each school. The following records and associated templates are provided and may be used to guide your recordkeeping:

- Names and contact information for all the program partners.
  - See [Appendix A](#) for a template for "Assigning Roles and Responsibilities."
- Map or diagram of building identifying all outlets
- Sampling plan
- Copies of laboratory reports
- Copies of all communication records with staff, parents, and guardians
- Remedial Action Plan
  - See [Appendix B](#) for a template for documenting and tracking outlets exceeding the lead action level and remedial actions
- Maintenance and Monitoring
  - See [Appendix C](#) for a template for documenting and tracking maintenance activities
- List of vendors and material used during remediation

## ***Electronic Reporting Requirements***

Schools must report the required information using the NYS DOH's statewide electronic reporting application called HERDS accessed through the [NYS Health Commerce System](#) (HCS), a secure online communications system. In HERDS, there is one form to complete for the 2020 compliance period. The form asks about general information, such as the school's lead-free status, sampling information, lead results, and remediation. The information provided is made available to the public

on Health Data NY (<https://health.data.ny.gov/>). The data displayed on Health Data NY is updated daily.

See appendices for information on account management, how to access HCS and HERDS, and information on reporting your lead data.

### **HCS/HERDS Overview**

Individuals responsible for reporting school lead in drinking water information into HCS/HERDS must:

1. Have an HCS Account
  - a. If a school representative responsible for reporting does not have an account, they need to:
    - i. **Register for an HCS Account** (See [Appendix F – HCS and HERDS Account Management & Access](#) for more information)
    - ii. Have an **HCS Coordinator** at the school finalize the new user's account, and
    - iii. The new user must then successfully sign into HCS to verify the account is fully registered
2. Be assigned the **School Lead in Drinking Water Reporter** role by an **HCS Coordinators** from the school district.
  - a. HCS users can be assigned the role for more than one school in a district
    - i. For **HCS Coordinators**: the role only exists at the school level
  - b. **HCS Coordinators** can assign this role to multiple people for each school, if desired.
3. Enter information into the HERDS reporting application under the appropriate school/facility and within the required timeframe.
  - a. If the school representative entering the school lead in drinking water information has access to more than one school, they should verify that they selected the appropriate school at the top of the HERDS form. It is important that data be submitted under the intended school.
  - b. **Enter data within 10 days of receiving laboratory report(s)**

There are four appendices designed to assist with electronic reporting:

- See [Appendix F – HCS and HERDS Account Management & Access](#) for step by step instructions on HCS and HERDS Account Management & Access for individual(s) that will be reporting school lead in drinking water information.
- HCS Password and User ID guidance is available in [Appendix G – HCS User ID and Password Guidance](#).
- See [Appendix H – For HCS Coordinators](#) for instructions for **HCS Coordinators** on how to assign the **School Lead in Drinking Water Reporter** role
- Screenshots and tips for navigating HERDS and entering data for your school are in [Appendix I – Accessing the 2020 HERDS Reporting Form](#).

### ***Establishing Routine Practices***

Schools can promote compliance and take steps to further reduce the potential for exposures to lead and other environmental hazards such as bacteria in drinking water by implementing various routine practices. Adopting one or more of the practices below allows schools to go above and beyond the requirements in Subpart 67-4 and may be followed as part of the school's overall water management program. Please note, these practices should not be conducted *immediately* prior to collecting water samples as part of Subpart 67-4. If a school has questions about when to perform water sampling in relation to performing one or more of the practices below, they may contact the NYS DOH or their local health department for guidance.

## Clean Drinking Water Fountains

- Clean drinking water fountains regularly, including the aerator (faucet screen) and water fountain strainer.
- Create a cleaning schedule for drinking water fountains and establish a record to document when the fountains are cleaned.
- Consider posting the cleaning record by the drinking water fountains to allow the cleaning dates/times to be recorded.

**Did you know?** The aerator also known as the faucet screen can act as a filter, catching small particles of dirt and other debris, which may contain lead that can leach into the drinking water.

## Aerator Cleaning

- Clean outlet aerators regularly. If debris buildup is observed, more frequent cleaning may be helpful.

**Did you know?** Hot water will dissolve lead more quickly than cold water and may contain higher lead levels.

## Temperature Control

- Use only cold water for food and beverage preparation.
- Consider replacing tempered outlets with non-tempered outlets.

## Routine Flushing Practices

- Regularly flush all water outlets used for drinking or food preparation, particularly after weekends and long vacations when water may have been stagnant for a long period of time.
- To flush open valves and faucets and let the water run to remove standing water in the interior pipes and/or the outlets. Flushing time varies depending on plumbing and type of outlet.
- Be careful not to flush too many outlets at once. This could dislodge sediments that might create further lead problems, or it could reduce pressure. If the flow from outlets is reduced noticeably during flushing, too many outlets have likely been turned on at once.
- For additional information about EPA's Best Flush Practices (Module 6), go to: [epa.gov/safewater/3Ts](http://epa.gov/safewater/3Ts)

## Education

Educate the students and staff about ways they can reduce their exposure to lead in drinking water both at school and at home, including:

- ***Use only cold water for drinking and food preparation.*** If hot water is needed, it should be taken from the cold water faucet and heated on a stove or in a microwave. Consider creating notices that can be posted near outlets used for drinking water or in food preparation areas to advise students and staff to use cold water for consumption.
- ***Let it run before use.*** Running water at a tap, prior to using it for drinking or food preparation, will typically help reduce lead in the water. This works by removing the water that has been in the longest contact with the plumbing materials. Let the water run for 30-60 seconds or until the water feels cold before using it for drinking or cooking.

## Other Routine Maintenance

- Use only NSF/ANSI 61 certified lead-free materials when performing plumbing work.
- Follow the manufacturer's recommendations for water softener settings to ensure an appropriate level of hardness. The hardness of the incoming water may have to be determined by asking your public water supplier or having a sample analyzed.

## ***Lead and Copper Rule for Public Water Systems***

Under the federal Lead and Copper Rule (LCR), the EPA established an action level of 15 mcg/L (or 15 ppb) for lead in drinking water for public water supplies. The EPA's action level for the LCR, is the same as the NYS DOH's action level under Subpart 67-4.

Schools who serve as a public water system (schools with a private well serving 25 or more students and staff) are also required to comply with the requirements of the LCR as well as with Subpart 67-4. The LCR and Subpart 67-4 are two distinct regulatory programs with different sampling requirements. Results for compliance with the LCR should be reported to the NYS DOH per the local health department's reporting requirements, while results for Subpart 67-4 must be reported through the NYS DOH's electronic reporting application, HERDS.

### ***More Resources***

- **NYS DOH Lead Testing in School Drinking Water website:**  
[https://www.health.ny.gov/environmental/water/drinking/lead/lead\\_testing\\_of\\_school\\_drinking\\_water.htm](https://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm)
- **EPA's 2018 3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities, Revised Manual:**  
[epa.gov/safewater/3Ts](https://www.epa.gov/safewater/3Ts)
- **Reduction of Lead in Drinking Water Act**  
<https://www.epa.gov/dwstandardsregulations/use-lead-free-pipes-fittings-fixtures-solder-and-flux-drinking-water>
- **How to Identify Lead-Free Certification Marks for Drinking Water System & Plumbing Products.** Latham, M., M. Schock, AND E. Nauman. US EPA Office of Research and Development, Washington, DC, EPA/600/F-13/153c, 2015. This publication provides information to identify lead-free certified products.
- **3Ts Flushing Best Practices.** US EPA Office of Water, EPA 815-F-18-027, 2018.
- **The Lead Contamination and Control Act (LCCA)**  
Public Law 100-572 was passed in 1988 and applies to all schools. The intent of the LCCA is to identify and reduce lead in drinking water at schools and relies on voluntary compliance by individual schools and school districts. It focuses on certain models of water coolers, while also addressing lead risk reduction generally. Although compliance with the LCCA is voluntary, schools are encouraged to review its recommendations and consider implementation where appropriate. <https://www.epa.gov/sites/production/files/2015-09/documents/epalccapamphlet1989.pdf>
- **For a list of water coolers banned in 1988, water coolers with lead components, and lead lined tanks,** go to EPA's 3Ts for Reducing Lead in Drinking Water Toolkit, Module 4, at: [epa.gov/safewater/3Ts](https://www.epa.gov/safewater/3Ts)
- **Consumer Tool for Identifying Point of Use (POU) Drinking Water Filters Certified to Reduce Lead:** [https://www.epa.gov/sites/production/files/2018-12/documents/consumer\\_tool\\_for\\_identifying\\_drinking\\_water\\_filters\\_certified\\_to\\_reduce\\_lead.pdf](https://www.epa.gov/sites/production/files/2018-12/documents/consumer_tool_for_identifying_drinking_water_filters_certified_to_reduce_lead.pdf)

## ***Appendix A – Template for Assigning Roles***

This template is provided for your reference and use and can be modified to accommodate the specific elements of your lead testing in school drinking water program.

| <b>Role</b>   | <b>Responsibilities</b>  | <b>Name / Contact Info<br/>(phone/email)</b> | <b>Back-up</b> |
|---|--|--|----------------|
| <b>Lead Testing in School Drinking Water Program Lead</b> | Person(s) will act as the main point of contact for the lead testing in school drinking water program team. This person will communicate with the school and external partners (NYS DOH, local health department, consultants, etc.).    |  |                |
| <b>Sampling Plan Contact</b>                              | Person(s) will lead the effort to develop a sampling plan for the school. They will engage with other program points of contact including external partners as appropriate.  |  |                |
| <b>Sample Collector(s)</b>                                | Person(s) will ensure proper sample collection per the requirements set forth in Subpart 67-4 and delivery of samples to the Environmental Laboratory Approval Program (ELAP) approved laboratory.                                       |  |                |
| <b>Environmental Laboratory Liaison Contact</b>           | Person(s) will manage communication and coordination of the lead testing in school drinking water program activities with an ELAP-approved laboratory.   |  |                |
| <b>Sample Results Coordinator</b>                         | Person(s) will review all sample results and will coordinate with program points of contact on the remedial response, reporting, and communication of sample results. This role will often be performed in conjunction with other roles. |  |                |

| Role  | Responsibilities  | Name / contact info<br>(phone/email) | Back-up |
|---|---|--------------------------------------|---------|
| <b>Remediation Activities Contact</b>           | Person(s) will lead (may include oversight and/or implementation of) the remediation efforts and will engage with other internal and external partners to ensure successful completion of remediation activities.   |                                      |         |
| <b>Health Commerce System (HCS) Coordinator</b> | Person(s) manages new and existing Health Commerce System (HCS) accounts for a school.  |                                      |         |
| <b>School Lead in Drinking Water Reporter</b>   | Person(s) is responsible for reporting data for the lead testing in school drinking water program in the HCS/HERDS application and must be assigned the <b>School Lead in Drinking Water Reporter</b> role by an <b>HCS Coordinator</b> .   |                                      |         |
| <b>Public Communications Contact</b>            | Person(s) responsible for communicating plans, results, and remediation efforts to the staff, students, parents/guardians, and public, (which may include media, civic groups, or other). This person is also responsible for overseeing the program related information on the school's website. |                                      |         |
| <b>Recordkeeping Contact</b>                    | Person(s) responsible for compiling and maintaining all lead testing in school drinking water program documents in a central repository. This person will ensure the information retained is up to date.  |                                      |         |

## ***Appendix B – Template for Documenting and Tracking Remedial Actions***

This template is provided for your reference and use and can be modified to accommodate the specific elements of your lead testing in school drinking water program.

Template for Recordkeeping of Outlets Tested (Applicable Outlets) that Exceeded the Lead Action Level *and* the Remedial Actions that were/are implemented.

Outlets that Exceeded the Lead Action Level and the Remedial Actions that were/are implemented.

| Outlets Exceeding the Lead Action Level (15 micrograms per liter) |                                |                          |                |                  |  |                                |                                 |                          |                          |                          |                          |                                   |                |
|---|--------------------------------|--------------------------|----------------|------------------|--|--------------------------------|---------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-----------------------------------|----------------|
| Laboratory ID   | Outlet Location (or Sample ID) | Outlet Type <sup>1</sup> | Sample Results |                  | Remedial Actions (Please check all that apply) |                                |                                 |                          |                          |                          |                          |                                   | Notes/Comments |
|   |                                |                          | Initial (ppb)  | Post Remediation | Outlet or Plumbing Replacement <sup>2</sup>    | Permanent Removal <sup>3</sup> | Filter Installed and Maintained | Signage                  | Supervision              | Continuing Education     | Flushing                 | Engineering Controls <sup>4</sup> |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |
|   |                                |                          |                |                  | <input type="checkbox"/>                       | <input type="checkbox"/>       | <input type="checkbox"/>        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>          |                |

<sup>1</sup> Outlet type may include drinking fountain/bubbler, kitchen outlets, handwashing outlets, or other.

<sup>2</sup> Outlet or Plumbing Replacement: Would include replacing existing fixtures or plumbing components with options that meet the 2014 Safe Drinking Water Act 1417 (a) (4) definition of lead-free (not containing more than 0.2 percent lead when used with respect to solder and flux; and not more than a weighted average of 0.25 percent lead when used with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures)

<sup>3</sup> Removing the fixture and/or capping the supply line before the fixture

<sup>4</sup> Engineering controls may include locked doors, keys to operate an outside hose bib, or other.



## ***Appendix C – Templates for Maintenance Recordkeeping***

This template is provided for your reference and use and can be modified to accommodate the specific elements of your Remedial Action Plan including, but not limited to, maintenance schedules for:

- Point of Use (POU) Filter Check and/or Replacement
- Signage Inspections
- Flushing Program
- Aerator Cleaning
- Drinking Water Cleaning



## ***Appendix D - Parent Letter Template***

The following sample letter is provided for use when communicating information about the lead testing program in your school drinking water. This letter is not required to be used but serves as a guide for completing the public notification required under 10 NYCRR Subpart 67-4.

This template can also be found on the NYS DOH website: Lead Testing in School Drinking Water, under “Public Notification Template Letter”:

[https://www.health.ny.gov/environmental/water/drinking/lead/lead\\_testing\\_of\\_school\\_drinking\\_water.htm](https://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm)

# A NOTICE TO PARENTS, GUARDIANS, and STAFF

*[Insert school name]*

## Lead Testing of School Drinking Water

*[date]*

Safe and healthy school environments can foster healthy and successful children. To protect public health, the Public Health Law and New York State Health Department (NYS DOH) regulations require that all public schools and boards of cooperative educational services (BOCES) test lead levels in water from every outlet that is being used, or could potentially be used, for drinking or cooking. If lead is found at any water outlet at levels above 15 parts per billion (ppb), which is equal to 15 micrograms per liter ( $\mu\text{g/L}$ ), the NYS DOH requires that the school take action to reduce the exposure to lead.

### What is first draw testing of school drinking water for lead?

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, as a result, could contain higher levels of lead. This is why schools are required to collect a sample after the water has been sitting in the plumbing system for a certain period of time. This “first draw” sample is likely to show higher levels of lead for that outlet than what you would see if you sampled after using the water continuously. However, even if the first draw sample does not reflect what you would see with continuous usage, it is still important because it can identify outlets that have elevated lead levels.

### What are the results of the first draw testing?

*Provide information/status of what has been done to date, including, but not exclusive of Sampling locations (e.g., building names, room numbers) and dates, and laboratory results.*

*Example:*

| Samples Collected on 02/05/2020 |                  |          |                     |                |
|---------------------------------|------------------|----------|---------------------|----------------|
| Floor                           | Function / Space | Room     | Fixture Type        | Sample Results |
| 01                              | Hallway          | Near 107 | Drinking Fountain   | 16 ppb         |
| 01                              | Classroom        | 107      | Cold Water Faucet 1 | 25 ppb         |
| 02                              | Girls Lavatory   | 207      | Cold Water Faucet 3 | 18 ppb         |

### What is being done in response to the results?

*Insert information on remedial actions completed/planned, and retesting and future testing plans (e.g., next event in 2020).*

*If appropriate, add the following language:*

Outlets that tested with lead levels above the action level (15 ppb) were removed from service, unless an outlet is a sink faucet needed for handwashing. In that case, a sign was posted at the outlet indicating that the sink is not to be used for drinking. Outlets that tested below the action level remain in service with no restrictions.

### What are the health effects of 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 and developmental delays in infants. There are many sources of lead exposure in the environment, and it is important to reduce all lead exposures as much

as possible. Water testing helps identify and correct possible sources of lead that contribute to exposure from drinking water.

### **What are the other sources of lead exposure?**

Lead is a metal that has been used for centuries for many purposes, resulting in widespread distribution in the environment. Major sources of lead exposure include lead-based paint in older housing, and lead that built up over decades in soil and dust due to historical use of lead in gasoline, paint, and manufacturing. Lead can also be found in a number of consumer products, including certain types of pottery, pewter, brass fixtures, foods, plumbing materials, and cosmetics. Lead seldom occurs naturally in water supplies but drinking water could become a possible source of lead exposure if the building's plumbing contains lead. The primary source of lead exposure for most children with elevated blood-lead levels is lead-based paint.

### **Should your child be tested for lead?**

The risk to an individual child from past exposure to elevated lead in drinking water depends on many factors, including but not limited to, a child's age, weight, amount of water consumed, and the amount of lead in the water. Children may also be exposed to other significant sources of lead including paint, soil and dust. Since blood lead testing is the only way to determine a child's blood lead level, parents should discuss their child's health history with their child's physician to determine if blood lead testing is appropriate. Pregnant women or women of childbearing age should also consider discussing this matter with their physician.

### **Additional Resources**

**For more information regarding the testing program or sampling results,** contact [ \_\_\_\_\_ at ( ) \_\_\_\_ - \_\_\_\_ ], or go to our school website: *[insert link to school website]*

**For information about lead in school drinking water, go to:**

[http://www.health.ny.gov/environmental/water/drinking/lead/lead\\_testing\\_of\\_school\\_drinking\\_water.htm](http://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm)

<http://www.p12.nysed.gov/facplan/LeadTestinginSchoolDrinkingWater.html>

**For information about NYS DOH Lead Poisoning Prevention Program, go to:**

<http://www.health.ny.gov/environmental/lead/>

**For more information on blood lead testing and ways to reduce your child's risk of exposure to lead, see "What Your Child's Blood Lead Test Means":**

<http://www.health.ny.gov/publications/2526/> (available in ten languages).

## ***Appendix E - Template for Posting Lead Results on School Website\****

This template is provided for your reference and use and can be modified to accommodate the specific elements of your lead testing in school drinking water program.

\*Note: Schools should post numeric test results of *all* lead testing, information about remedial actions taken, and a list of any lead-free buildings on the school's website. Schools should provide a narrative describing the test results to help parents and guardians understand the results.



# Appendix F – HCS and HERDS Account Management & Access

## Getting Started

There are two systems involved for electronic reporting of Lead Testing in School Drinking Water results and information:

- **Health Commerce System (HCS)**  
The HCS is a secure online communications system operated by the NYS Department of Health. It supports the exchange of routine and emergency statewide health information by local health departments and health facilities, providers and practitioners. The electronic reporting of lead results and information to the NYS DOH is done in a reporting application called HERDS housed on the HCS.
- **HERDS (Hospital Emergency Response Data System)**  
HERDS is a reporting application used by many NYS DOH programs to collect information, including the Lead Testing in School Drinking Water program.

The following steps are required to access HERDS on HCS for reporting. More details related to each step is described below.

1. Have an HCS account
2. Have an **HCS Coordinator** assign you the role, ‘School Lead in Drinking Water Reporter’ for each school that you are to report for
3. Add the HERDS application to your list of ‘MY Applications’ in HCS
4. Access the 2020 School Lead in Drinking Water Reporting Form in HERDS

### Steps to Access HERDS on HCS for Reporting:

#### 1. Have an HCS account

The person who is responsible for entering lead test data into the HERDS reporting application must have an HCS account. Depending on your role at the school, you may already have an HCS account.

- a. If you already have an HCS account (a working HCS User ID and password), proceed to [Step 2 below](#).
- b. If you are not sure if you have an HCS account, follow the ‘HCS Forgot User ID’ steps in the [HCS User ID and Password Guidance](#) section to see if you have an HCS User ID.
- c. If you are unsure of your HCS User ID or password or are experiencing issues signing in, [click here](#) to be redirected to HCS User ID and Password Guidance Help.
- d. If you do not currently have an HCS account, you will need to **Create an HCS Account**.
  - i. First, you must access the HCS Log-in screen at: [https://commerce.health.state.ny.us/public/hcs\\_login.html](https://commerce.health.state.ny.us/public/hcs_login.html)
  - ii. Follow the [instructions to obtain an HCS account](#)
  - iii. After you register for an HCS account, you will receive an email.
  - iv. Your **HCS Coordinator** must finalize your HCS account in order for you to successfully sign into HCS
    1. To find out who your **HCS Coordinator** is without signing into HCS, you can pursue one of the following options:
      - ask a colleague with HCS access
      - call Commerce Accounts Management Unit ((CAMU) 1-866-529-1890 option 1,
      - call your local health department, or
      - email the NYS DOH to request a list of your school’s **HCS Coordinators**.

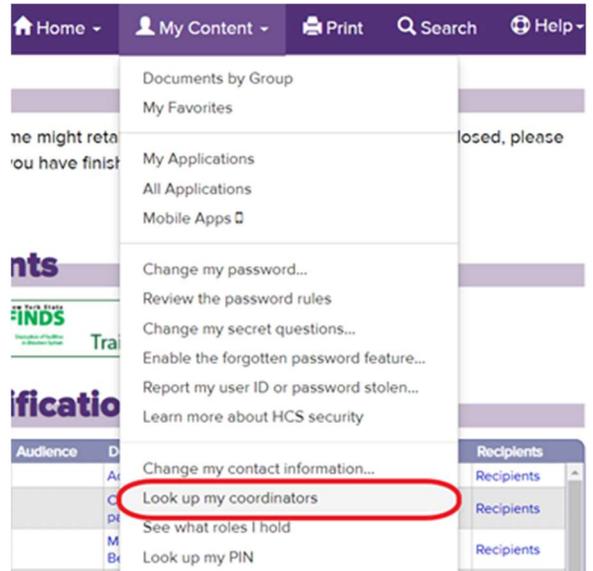
**To quickly find the HCS log-in screen** try searching for ‘NYS HCS’ in your internet search browser.

**2. Be assigned the School Lead in Drinking Water Reporter role.**

a. Once you have an HCS account (HCS username and password), you need to be assigned the **“School Lead in Drinking Water Reporter”** role by an **HCS Coordinator** for each school building (*not district*) that you will be reporting lead results and information for. Only those individuals who have been assigned this role (by the school's **HCS Coordinator**) will be able to report/edit data in the HERDS reporting application. Only the **HCS Coordinator** can assign roles in HCS.

i. If you have an HCS account already and **do not know who your HCS Coordinator is**, follow these steps:

1. Sign into [HCS](#)
2. Click on “My Content”
3. In the drop-down menu, click on “Look up my coordinators” (see screenshot)
4. A list of **HCS Coordinators** from your organization will appear along with their contact information.



ii. See Step 1 if you do not have an HCS account.

b. Contact your **HCS Coordinator** and request that you be assigned the “School Lead in Drinking Water Reporter” role for each school building that you will be reporting lead results and information in the HERDS reporting application.

c. You may provide your **HCS Coordinator** with [Appendix G](#), which details how to assign the School Lead in Drinking Water Reporter role.

d. After your **HCS Coordinator** assigns you the School Lead in Drinking Water Reporter role for each school you are to report for, you can confirm what roles you hold in HCS by:

- i. Clicking ‘My Content’
  - ii. Clicking ‘See what roles I hold’
- Look up my coordinators
- See what roles I hold**
- Look up my PIN

iii. Viewing the list of roles by organization

| Name   | Amanda St. Louis     |
|--|----------------------|
| Role Description                                       | Organization Name    |
| <a href="#">HERDS System Administrator</a>             | NYSDOH CEH           |
| <a href="#">School Data Reporter</a>                   | Z TEST PUBLIC SCHOOL |
| <a href="#">School Lead in Drinking Water Reporter</a> | DOH TEST SCHOOL 1    |
| <a href="#">School Lead in Drinking Water Reporter</a> | Z TEST PUBLIC SCHOOL |
| <a href="#">School Lead in Drinking Water Reporter</a> | DOH TEST SCHOOL 5    |

**3. Add the HERDS application to your list of ‘MY Applications’ in HCS**

a. Sign into [HCS](#)

b. Select  **My Content**, then All applications from the Main Menu Bar at the top of the screen

- i. Browse by ‘S’
- ii. Find ‘School Survey (HERDS)’ from the applications listed
  1. Click the green plus sign in the far-right column 

- c. Click the HCS logo in the top left corner of the screen to navigate to the home page and see HERDS under your 'My Applications' list →



#### 4. Access the 2020 School Lead in Drinking Water Reporting Activity/Form in HERDS

- a. Sign into [HCS](#)
- b. Select HERDS from 'My Applications'
  - i. Select **facility** as the "User Access Level", if given an option
    1. Do not be alarmed if there is no option to select; proceed to the step below
  - ii. Click on "Data Entry"
  - iii. Verify that '2020 School Lead in Drinking Water Reporting' activity appears in the dropdown menu
- c. See [Appendix H](#) for a step by step guide to completing the '2020 School Lead in Drinking Water Reporting' activity/form for your school.

#### You must have the following to electronically report data:

- Active HCS Account
  - o You have a user ID and working password and can successfully sign into HCS
  - o Account issues? Navigate [here](#) for tips.
- School Lead in Drinking Water Reporter** role is assigned to you under each school you are to report for
  - o [Click here](#) for steps to check which roles you hold
- HERDS added to your 'My Applications' list in HCS
  - o Refer to Step 3, above, for instructions
- You can access the 2020 School Lead in Drinking Water Reporting form in HERDS

#### Common Questions from the 2016 Compliance Period

##### What if I don't see any activities in HERDS?

You likely do not have the **School Lead in Drinking Water Reporter** role assigned to you. Refer to Step 2, above, for instructions.

##### What if I have the **School Lead in Drinking Water Reporter** role assigned to me, but do not see activities in HERDS?

Select 'facility' at the Level Selector step as shown below.

The screenshot shows a web interface with a navigation bar containing 'Level Selector', 'Home', 'Data Entry', and 'Reports'. Below the navigation bar is a 'Level Selector' form. The form has a title 'Level Selector' and a label 'User Access Level: \*'. There are two radio button options: 'State' and 'Facility'. The 'Facility' radio button is selected and is circled in red. A 'Submit' button is located at the bottom right of the form.

The 2020 School Lead in Drinking Water form must be completed for each individual school (facility). If these instructions do not correct the problem, then there may be an error in how the role was assigned. In such cases, email the NYS DOH at [lead.in.school.drinking.water@health.ny.gov](mailto:lead.in.school.drinking.water@health.ny.gov) for assistance and provide a brief description of the problem in your email.

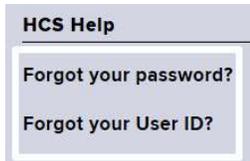
##### What if a recently renovated or new school building is not in HERDS?

Email the NYS DOH at [lead.in.school.drinking.water@health.ny.gov](mailto:lead.in.school.drinking.water@health.ny.gov) with the school name, BEDS code (12-digit identifier), and whether the building occupies students. For new buildings, please also include the physical address (street, city, ZIP code), a phone number, a fax number, and the district name. The NYS DOH will assist with adding the building to HERDS and potentially HCS for reporting purposes.

## Appendix G – HCS User ID and Password Guidance

### Forgot your HCS User ID?

- Navigate to HCS log in screen  
<https://commerce.health.state.ny.us/>
- On bottom left, click **'Forgot your User ID?'**
  - Enter your first and last name, and your email address
  - Click the 'I'm not a robot' checkbox
  - Click the 'Email me my user ID' button
- Still having trouble? Email the NYS DOH at [lead.in.school.drinking.water@health.ny.gov](mailto:lead.in.school.drinking.water@health.ny.gov) for assistance identifying your User ID.



### Forgot your HCS Password?

- Navigate to HCS log in screen  
<https://commerce.health.state.ny.us/>
- On bottom left, click **'Forgot your password?'**
  - Choose either 'Reset my password using my NYS Driver License or NYS Non-Driver Photo ID', or 'Reset my password using my secret question answers'
  - Follow the prompts to create a new password
- If you need further assistance, call the **Commerce Accounts Management Unit (CAMU) at 1-866-529-1890 option 1**. Please have your HCS PIN or NYS driver's license available for identification verification.

### HCS Password Expiration Information

- Passwords expire every 6 months (180 days).
- You have up to 24 months to change your expired password. After that, the account is disabled.
- If your account is disabled (after 24 months of inactivity) you must contact the Commerce Accounts Management Unit (CAMU) at 1-866-529-1890 option 1, to reactivate it.
- Have your HCS PIN or NYS Driver's license available for identification verification.

### Instructions on How to Change Your Password

To change your password manually before the expiration date:

1. Sign into HCS at <https://commerce.health.state.ny.us/>
2. Click on 'My Content' in the top right menu
3. Click on 'Change My Password'
4. Follow the prompts to change your password

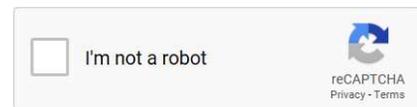
### Forgot User ID

Enter all the fields below, check the **I'm not a robot checkbox**, and click the **Email me the User ID** button. First name, Last Name and email must match what we have on file.

First Name

Last Name

Email



Email me my User ID

[Return to the Health Commerce System](#)

**HCS account passwords expire every 6 months (180 days).** Consider setting a reminder on your calendar to sign into HCS at least every 180 days to avoid having to reset your password.

## Appendix H – For HCS Coordinators

The **HCS Coordinator** is the person who has the responsibility and authority to request and **manage** HCS user accounts and manage roles in the Communications Directory. It is important that HCS Coordinators update and maintain a current directory of commerce accounts for their school district so that HCS tasks can be completed efficiently and there is no unauthorized access to confidential information.

The following provides instructions for **HCS Coordinator** on how to assign the **School Lead in Drinking Water Reporter** role to individuals responsible for reporting lead results and information.

### Steps to Assign a Role in the HCS Communications Directory:

1. Click **Coordinator's Update Tool** from 'My Applications'
  - a. If this isn't an option under 'My Applications':
    - i. Select  from the top of the screen, then click **All Applications**
    - ii. Select **C**, then **Coordinator's Update Tool**
      1. For quick future access, click the plus sign to the right of 'Coordinator's Update Tool' to add it to your list under 'My Applications'



2. Select the appropriate organization (Note, this must be at the **individual school level**. The role will **not** appear if you select the school district)
3. Click **Manage Role Assignments** (blue tab)
4. Click the **Modify** link located to right of the role name (**School Lead in Drinking Water Reporter**)
5. Under section 2 (if no one is currently in the role) or section 3 (if someone is in the role), select the name of the person with an HCS User ID you wish to add to the role and click **Add Role Assignments**. Avoid adding a person to the role if you see an "na" after their name, especially if you know the user has an existing HCS account.
  - a. If you cannot locate the person in the list, then proceed to the last option, enter the person's last name in the Search for Person(s) by name, and click **Submit**
  - b. Select the person in the list with a valid HCS user ID
6. Click **Add Role Assignments**.

If someone **no longer works at your school**, including retirees, the **HCS Coordinator** is responsible for deleting the former employee's HCS user account.

Sign into HCS, then [click here](#) for instructions on how to delete a user account.

### Questions?

For additional assistance, please call Commerce Accounts Management Unit (CAMU) at 1-866-529-1890, Option 2.

### Common Question from the 2016 Compliance Period

What if I am an **HCS Coordinator** and I don't see the **School Lead in Drinking Water** role to assign?

The **School Lead in Drinking Water Reporter** role only exists at the **Facility/School level**. You may be trying to add it under the District level. Try adding the role for each individual school at the Facility/School level.

## Appendix I – Accessing the 2020 HERDS Reporting Form

Access HERDS (from the Health Commerce System (HCS)) to complete the 2020 School Lead in Drinking Water Reporting form. To access the form, you must:

1. Sign into [HCS](#)
2. Select HERDS from 'My Applications'
  - a. Select **facility** as the "User Access Level", if given an option
    - i. Do not be alarmed if there is no option to select; proceed to the step below
  - b. Click on "Data Entry"
    - i. You should see the 2020 School Lead in Drinking Water Reporting activity appear

The screenshot shows a navigation bar with tabs: Level Selector, Home, Data Entry (selected), and Reports. Below the navigation bar is a dropdown menu titled "Data Entry". The "Activity:" field is open, showing a list of activities. The activity "2020 School Lead in Drinking Water Reporting" is highlighted in blue.

- ii. Note: **If no activities appear**, then the following may have occurred:
        - o The School Lead in Drinking Water Reporter role has not yet been assigned to the user. In such case, see [Appendix F](#).
        - o There may be a lag in activation of the assigned role. In this case, the user should try to sign in again in an hour.
        - o If the first two steps do not resolve the issue, there may have been an error in assigning the role. Please email the NYS DOH at [lead.in.school.drinking.water@health.ny.gov](mailto:lead.in.school.drinking.water@health.ny.gov) for assistance.

c. After selecting the appropriate 'Activity', choose the organization (school) you will be reporting for.

- i. If reporting for more than one school, be cautious to select the intended school

The screenshot shows the "Activity:" field set to "2020 School Lead in Drinking Water Reporting". The "Organization:" field is open, showing a list of organizations. The organization "DOH TEST SCHOOL 1 (010001991111)" is highlighted in blue.

d. The form will automatically be selected since there is **only one form** for 2020 compliance year data entry screen.

e. Confirm the school you planned to report under is listed in the Organization field in the Data Entry section

The screenshot shows the "Data Entry" section of the form. The "Activity:" field is set to "2020 School Lead in Drinking Water Reporting". The "Organization:" field is set to "DOH TEST SCHOOL 1 (010001991111)". The "Form:" field is set to "2020 School Lead in Drinking Water Reporting". The "Data Entity Type:" field is set to "Schools - Public". The "Data Entity Name:" field is set to "DOH TEST SCHOOL 1 (010001991111)". A purple speech bubble points to the "Organization:" field with the text "Only 1 Form for 2020 Data Entry". A purple arrow points to the "Data Entity Name:" field with the text "School Name".

- a. Answer the questions to the best of your ability.
          - g. **The form can be updated multiple times, as more information is made available.**

- h. See the [Electronic Reporting Requirements](#) section for additional guidance related to the questions themselves, particularly the information in the information bubbles 
- i. After entering information, hit “Save All”, then “Review & Submit”. If changes need to be made, you can select “Enter or Modify Data” from the review screen. In order to complete the form, you must select “Submit Data” to send it to NYS DOH.

**The HERDS form requires 3 clicks to submit “Save All”, “Review & Submit”, and “Submit Data”.**