

# State of New Jersey

**Sponsor:**

**Co-Sponsor:**

**AN ACT concerning lead levels that may potentially detriment the health and welfare of young adolescents and students within New Jersey**

**Be it enacted** by the Youth Model Legislature of the state of New Jersey that child care facilities and public schools require and demonstrate an annual lead-level testing in all drinking water outlets.

## **Section I:**

1. As used in this act:
  - a. 'Lead' is defined as a chemical element that can be dissolved in water and, following consumption, has the potential to damage organ systems and cause lasting problems with growth and development.
  - b. 'Water outlets' are defined as the areas in which students or children are given accessibility to tap water throughout the school.
  - c. 'PPB' (or parts per billion) is defined as the number of units of mass of a contaminant per 1000 million units of total mass; used to measure the concentration of contaminants.
  - d. 'Child care facilities' are defined as facilities such as schools or nursery homes operating in New Jersey that utilizes tap water.
  - e. 'Officials' are defined as selected trained professionals that reliably determine the presence or absence of lead in water drinking outlets during lead testing.

## **Section II:**

1. Officials will be scheduled to be sent to all child care facilities and public schools on a more frequent basis, instead of the original requirement of testing with 6-year intervals. Water samples will be tested immediately after the state officials visit the facility, and reports/findings will be presented to the school administration or district.

**Section III:**

1. A certified water system trained sampler must perform repeated samplings of the water system, from sources or outlets within the school. Schools are to collect 250 mL first-draw samples from all water fountains and outlets. Observations will be recorded after receiving samplings of the water.

**Section IV:**

1. Educational and child care facilities will be subject to detailed reports on their water quality and will receive measures that must be followed to eliminate the issues concerning lead poisoning, if applicable.
  - a. If more than 10 percent of the samples at residences exceed of 15 PPB (Environmental Protection Agency's action level), system-wide corrosion control treatment is mandated.
  - b. If the lead level exceeds 20 PPB, outlets are to be taken out of service.

**Section V:**

1. In the situation in which a school is affirmed to have a hazardous water system, students/victims receive permission for a free lead test to check for hazards to their health

**Section VI:**

1. If certain schools or school districts do not take measures to check their water systems, with the exception of those who send in a waiver or exemption, or do not replace/fix issues after exceeding 15 PPB according to official reports, the schools are mandated to halt the functioning of all water sources.

**Effective Date:**

This bill shall come into effect on September 1st, 2020.

**Statement of Intent:**

The purpose of this bill is to ensure the safety of children enrolled in public schools in New Jersey that could result in life-threatening diseases or illnesses. Hundreds of thousands of children may be exposed to lead present in drinking water and may not be notified of these levels with exception to the testing, which takes place once every six years. There are approximately 98,000 public schools and 500,000 child care facilities not regulated under the Safe Drinking Water Act. Unless a school is a public water system, testing for lead is voluntary. Therefore, many schools served by public water systems that are owned by cities, towns, or other entities may have never been tested for lead. The exposure to lead children may be unknowingly accessing is a pressing concern. The growing bodies of children and infants absorb more lead

than the average adult. A greater frequency will allow the state to examine and repair faulty lines to ensure lead levels under the federal regulation of 15 PPB.

**Authors's Note:**

The measures taken to change/filter the water system in these facilities must be applied/mandated if the maximum of 15 PPB is exceeded. Regardless, funds for filtering may be established if an agreement is made that they are deemed fit for the situation. Additionally, a district board of education may apply to the Department for an exemption from the initial testing if the district board of education can demonstrate that it complied with or exceeded testing requirements.

**Fund Summary:**

Funds necessary for the implementation of this bill will be covered by the New Jersey Department of Environmental Protection. The implementation of this bill will fall under the jurisdiction of the New Jersey Department of Environmental Protection.