



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara-Lupardo legislation to require lead testing in school drinking water systems signed into law ~ Lawmakers praise broad coalition of public health, environment and healthy schools advocates for helping secure enactment of first-in-the-nation law

THOMAS F. O'MARA September 6, 2016

| ISSUE: **LEAD TESTING**

| COMMITTEE: **ENVIRONMENTAL CONSERVATION**



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Elmira, N.Y., September 6—Legislation sponsored by State Senator Tom O’Mara (R,C,I-Big Flats) and Assemblywoman Donna Lupardo (D-Endwell) to require school districts to test for lead in their drinking water systems has been signed into law by Governor Andrew Cuomo.

O’Mara and Lupardo authored the bill, which is the first of its kind in the nation, after concerns over lead in drinking sources at schools were raised in their respective legislative districts and across the state. Earlier this year, school districts in Ithaca and Binghamton had to shut down drinking water supplies as a result of tests which revealed elevated levels of lead above state and EPA standards for contamination.

O’Mara, Chairman of the Senate Environmental Conservation Committee, said, “It’s a landmark achievement and we’re hopeful that this action in New York will lead to action in other states to protect children. Assemblywoman Lupardo and I have valued the opportunity to work closely with the New York League of Conservation Voters and a broad coalition of public health, environment, and healthy schools advocacy groups to secure the law’s enactment. We believe it represents the most critical foundation on which to build future actions. There’s not a more important place to start this overall and ongoing effort to better address lead contamination than within our schools to protect our children. The increasing incidents of lead contamination in school drinking water systems demand that we take short- and long-term actions to strengthen testing, reporting, and remediation requirements. In other words, this is going to be an evolving, ongoing and long-standing commitment.”

Lupardo, Chair of the Assembly Children and Families Committee, said, “New York is leading by example by becoming the first state in the nation to pass this important legislation requiring schools to test their drinking water for lead. Senator O’Mara and I worked closely with all of the stakeholders to ensure that no child will have unsafe levels of lead in their school drinking water and that school districts will not face an undue financial burden. As a

result of this legislation, the test results will be made public and every parent and teacher will know what is in their children's drinking water."

Under the legislation (**S8158/A10740, Chapter 296 of the Laws of 2016**), the State Education Department (SED), in consultation with the Department of Health (DOH), will establish regulations for the testing of drinking sources at schools to check for lead. Schools that draw their water from a municipal source and were built prior to 1986 would require testing. After that year the federal government banned the use of lead pipes, solder, and flux from being used in drinking water plumbing. Schools that draw water directly from a well are already required to test for contamination every three years.

Test samples will be analyzed by state-approved laboratories and school districts would be required to make a copy of the test results available to the public as well as notify relevant stakeholders including parents, teachers and employee organizations that the results are available. Districts will also be eligible for reimbursement for testing and repairs according to existing formulas.

See today's full announcement, "**Governor Cuomo Signs Landmark Legislation to Test Drinking Water in New York Schools for Lead Contamination**"