

Representative Lori A. Ehrlich

Chair, Joint Committee on
Export Development
State House, Room 167

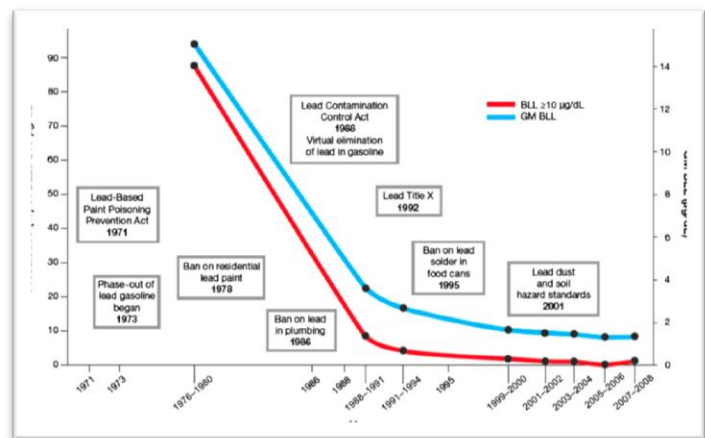
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Fact Sheet: HD3453

An Act ensuring safe drinking water at schools and early childhood programs

Issue Background

- **Lead is a potent neurotoxin**, and exposure can cause a variety of health problems, including intellectual and behavioral disabilities, stunted growth, hearing loss, and anemia.
- **Children are particularly at risk** to lead poisoning, as the physical and behavioral effects of lead occur at lower exposure levels for younger people.
- While the current Action Level for lead is 15 parts per billion (ppb), according to the Centers for Disease Control (CDC) and the Environmental Protection Agency (EPA), **there is no safe level of lead exposure**, and small doses cause disproportionate health effects. Lead is persistent, and can bioaccumulate in the body over time.
- **No effective treatment exists** to ameliorate the permanent developmental effects of lead toxicity, according to the American Academy of Pediatrics. Prevention the most efficacious and most cost-effective means of treating this public health issue.



- Prevention efforts have yielded great results since they were first implemented in the 1970's (see chart).
- However, despite the overall decline in lead levels, many places still have dangerous amounts of lead in their water systems. Flint, MI is experiencing an ongoing crisis, with some drinking water **classified as hazardous waste**, prompting a State of Emergency.
- In Massachusetts, **nearly half of the tests (49.7 percent)** conducted so far have found some level of lead in the water. Dozens of other schools have not been tested for lead in years due to the voluntary nature of the testing regime.

For more information contact the Office of Representative Ehrlich
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Bill Summary

- Compels public water systems to replace all lead service lines that connect to schools and early childhood programs within 3 years, paid for by the public water system itself.
- Mandates yearly testing of water outlets used for drinking or cooking for lead at each district school, charter school, private school, and center-based early education program in the state.
- If lead levels over 1ppb are found in a facility, that school must purchase and maintain filters for each drinking or cooking outlet that render the water safe, and replace lead-bearing fixtures and plumbing with lead soldering, where feasible and cost-effective, within two years .
- Requires the test results to be transparently published, and if elevated lead levels are found the school must notify parents, teachers and other school staff of the results, remediation measures, and general information about lead in drinking water.
- Authorizes the Commissioner of the DEP to grant a “hardship waiver” to a school if that school is unable to comply with some or all of the provisions of the bill.

Policy History

- Massachusetts first passed a “lead law” in 1978, and current law mandates the removal or covering of lead paint hazards in homes built before 1978 where any children under six live, with the property owner strictly liable for complying.
- New York passed similar legislation in 2016, obligating testing, remediation and transparency. New Jersey has an executive order requiring testing, and pending legislation that would require remediation and disclosure.
- In April 2016, the state earmarked \$2 Million from the Massachusetts Clean Water Trust to test for lead in drinking water at public schools
- In January 1017 the EPA announced the availability of approximately \$1 billion in credit assistance for water infrastructure projects, including drinking water treatment and distribution.

Bill Supporters

- MASSPIRG, Environment MA, Toxics Action Center.
- 79 Legislative co-sponsors

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