

2SHB 1139 - H AMD 342

By Representative Pollet

ADOPTED 03/04/2021

1 On page 3, beginning on line 5, after "(3)" strike all material
2 through "communicate" on line 11 and insert "(a) Except as provided
3 in (b) of this subsection, a school shall communicate annually"

4 Renumber the remaining subsections consecutively and correct any
5 internal references accordingly.

6 On page 3, line 15, after "exposure" strike "and that even small
7 amounts of lead can be harmful"

8 On page 3, beginning on line 16, after "the" strike all material
9 through "threshold," on line 19 and insert "most recent lead test
10 results; and information about the school's plan"

11 On page 3, at the beginning of line 22, strike "(5)" and insert
12 "(b) The annual communication described under (a) of this subsection
13 is not required if initial testing, or once postremediation testing,
14 does not detect an elevated lead level at any drinking water outlet.

15 (4)"

16 Renumber the remaining subsections consecutively and correct any
17 internal references accordingly.

18 On page 3, beginning on line 23, after "reveals" strike all
19 material through "section," on line 24 and insert "a lead
20 concentration that exceeds 15 parts per billion"

21 On page 3, line 25, after "measure" insert ", such as use of a
22 filter,"

23 On page 4, line 1, after "of" insert "state or federal"

24 On page 4, line 3, after "Include" strike "confirmatory
25 retesting" and insert "postremediation retesting to confirm that
26 remediation activities have reduced lead concentrations at drinking
27 water outlets to below the elevated lead level"

1 On page 4, line 4, after "(c)" insert "The school action plan may
2 include sampling and testing of the drinking water entering the
3 school when the results of testing for lead contamination at drinking
4 water outlets within the school indicate that the infrastructure of
5 the public water system is a significant contributor to the elevated
6 lead levels.

7 (d) "

8 Reletter the remaining subsections consecutively and correct any
9 internal references accordingly.

10 On page 4, beginning on line 7, after "that" strike all material
11 through "contamination" on line 8 and insert "a significant
12 contributor to lead contamination in school drinking water"

13 On page 4, line 9, after "body" strike "is" and insert ": (i) Is"

14 On page 4, beginning on line 11, after "infrastructure" strike ".
15 However, the school's governing body" and insert "; (ii)"

16 On page 4, line 13, after "regarding" strike all material through
17 "contamination" and insert "its significant contribution to lead
18 contamination in school drinking water"

19 On page 4, line 14, after "contamination" insert "; and (iii) may
20 defer its remediation activities under (b) of this subsection until
21 after the elevated lead level in the public water system's
22 infrastructure is remediated and postremediation retesting does not
23 detect an elevated lead level in the drinking water that passes
24 through that infrastructure"

25 On page 4, line 18, after "which" insert "postremediation"

26 On page 4, line 21, after "subsection" strike "(4)" and insert
27 "(3) "

28 On page 4, after line 25, insert the following:

29 "(6) A school's governing body must post on a public website the
30 most recent results of testing for lead contamination at drinking
31 water outlets, no later than the time that the proposed school action
32 plan is made publicly available, under (c) of this subsection."

EFFECT: Makes the following changes to the second substitute bill:

(1) Modifies provisions related to public posting of lead test results to require that test results be published no later than the time that the proposed school action plan is adopted, rather within 30 days after receipt.

(2) Revises the content of the annual communication so that it no longer includes the statement "that even small amounts of lead can be harmful" nor a comparison of lead test results with specified thresholds, and instead includes information about the school's plan for remedial action.

(3) Specifies that the annual communication is not required if initial testing, or once postremediation testing, does not detect an elevated lead level at any drinking water outlet.

(4) Provides that water shut off to a drinking water outlet is required as soon as practicable after receiving lead test results that reveals a lead concentration that exceeds 15 parts per billion (ppb), rather than 5 ppb.

(5) Adds that the funding that the schedule of remediation activities may be based on is state or federal funding.

(6) Permits the school action plan to include sampling and testing of the drinking water entering the school when the results of testing for lead contamination at drinking water outlets within the school indicate that the infrastructure of the public water system is a significant contributor to the elevated lead levels.

(7) Changes, with regard to the contribution of a public water system's infrastructure to elevated lead levels in school drinking water, "primary cause" to "significant contributor."

(8) Permits schools to defer their remediation activities until after the elevated lead level in the public water system's infrastructure is remediated and postremediation retesting does not detect an elevated lead level in the drinking water that passes through that infrastructure.

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