MEMORANDUM

March 15, 2019

TO:

County Council

FROM:

Robert H. Drummer, Senior Legislative Attorney

SUBJECT:

Bill 2-19, Health - Lead in Drinking Water - Schools

Resolution to adopt Bill 2-19, Health – Lead in Drinking Water-Schools as a

Board of Health Regulation

PURPOSE:

Public Hearing – no Council votes required

Bill 2-19, Health – Lead in Drinking Water - Schools, sponsored by Lead Sponsor Councilmember Hucker and Co-Sponsors Councilmember Riemer, Council Vice President Katz, Councilmembers Albornoz, Council President Navarro and Councilmembers Jawando, Rice, Friedson, and Glass, was introduced on February 5, 2019. A joint Health and Human Services/ Education and Culture Committee worksession is tentatively scheduled for April 2.¹

Bill 2-19 would:

- establish a County lead limit for a drinking water outlet in a public school in the County; and
- require remediation of a drinking water outlet in an occupied public school building with a lead concentration greater than the County lead limit.

Background

MD Code, Environment, §§ 6-1501 and 6-1502 require all public and private schools in Maryland to test for lead in each drinking water outlet on or before July 1, 2018. See ©5-10. This State law also requires each school to remediate or close each drinking water outlet found to have an elevated level of lead. Under State law, an elevated level of lead is greater than 20 parts per billion (ppb).

Pursuant to this State law, Montgomery County Public Schools (MCPS) tested its drinking water outlets and completed remediation of 97 percent of the outlets with an elevated level. MCPS estimates that it spent approximately \$540,000 for systemwide testing and \$150,000 for remediation.

¹ Key search terms: #SafeWater4Students

Other search terms: lead, water, water fountains, schools and health.

Bill 2-19 would establish a 5 ppb standard for lead in a drinking water outlet in a public school in the County. The bill would piggy-back on the recent State law and implementing regulations that require each public and nonpublic school in the State to regularly test and remediate drinking water outlets with an elevated level of lead. The State uses the EPA 20 ppb standard. Bill 2-19 would rely on the existing State requirements but establish a lower County lead limit requiring action for public schools in the County.

County Code §2-65, as amended, provides that the County Council is, and may act as, the County Board of Health, and in that capacity may adopt any regulation which a local Board of Health is authorized to adopt under state law. Maryland Code Health-General Article §3-202 authorizes the County Board of Health to adopt rules and regulations regarding any nuisance or cause of disease in the County. The proposed resolution would adopt Bill 2-19 as a health regulation effective throughout the County. As required by Code §2-65(c), notice of this public hearing on a proposed health regulation was sent to each municipality in the County on March 8, 2019.

Fiscal Impact

OMB estimated that it would cost \$2.5 million to remediate 1,350 outlets if the Bill is enacted. See ©13-16. However, this estimate appears to be based on the cost to replace all water drinking outlets. We received a letter from MCPS Chief Operating Officer Andrew Zuckerman dated March 13 updating the Council on its efforts to remediate drinking water outlets. See ©17-19. MCPS tested all drinking water outlets last year and only 283 drinking water outlets tested with a lead level between 5 ppb and 20 ppb. MCPS is already working toward remediating or taking these 283 outlets out of service.

This packet contains:	Circle #
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Bill No. Concerning: Health - Lead in Drinking Water - Schools Revised: February 5, 2019 Draft No. 4 February 5, 2019 Introduced: Expires: August 5, 2020 Enacted: [date] Executive: [date signed] Effective: [date takes effect] Sunset Date: None Ch. [#] , Laws of Mont. Co. [year]

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Hucker

Co-Sponsors: Councilmember Riemer, Council Vice President Katz, Councilmember Albornoz, Council President Navarro and Councilmembers Jawando, Rice, Friedson, and Glass

AN ACT to:

- (1) establish a County lead limit for a drinking water outlet in a public school in the County;
- (2) require remediation of a drinking water outlet in an occupied public school building with a lead concentration greater than the County lead limit; and
- (3) generally amending the law governing the action level for lead in drinking water outlets.

By adding

Montgomery County Code Chapter 24. Health and Sanitation Section 24-8D

Boldface Heading or defined term.

<u>Underlining</u>
[Single boldface brackets]
Added to existing law by original bill.

Deleted from existing law by original bill.

<u>Double underlining</u>

Added by amendment.

[[Double boldface brackets]] Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1	Sec	. 1. Se	ction 2	4-8D is ac	lded as	follows:			
2	<u>24-8D.</u> <u>Le</u>	ead <u>in</u>	drin <u>ki</u> r	ig <u>water.</u>					
3	<u>(a)</u>	<u>Fina</u>	lings.						
4		<u>(1)</u>	<u>The</u>	<u>United</u>	States	Environmental	Protection	Agency	has
5				mined tha					,
6			<u>(A)</u>	lead is a	toxic m	netal that is harm	<u>ful to human</u>	health;	
7			<u>(B)</u>	<u>children</u>	are at a	greater risk from	lead exposu	re than ad	ults;
8				<u>and</u>			-		
9			<u>(C)</u>	there is r	<u>10 safe l</u>	evel of lead for o	children.		
10		<u>(2)</u>	MD (Code, Env	ironmer	nt, §§ 6-1501 and	6-1502 requ	ire public	and
11				ublic scho					
12			<u>(A)</u>	regularly	test fo	<u>r lead in drinkin</u>	g water outl	ets locate	d in
13						chool building;			
14			<u>(B)</u>	within 24	4 <u>hours,</u>	prevent all physi	ical access to	water fro	<u>m a</u>
15				drinking	water o	utlet with an elev	ated level of	lead until	the
16				problem	is mitig	ated; and			
17	•		<u>(C)</u>	report th	<u>ne resul</u>	ts of all lead	testing to ti	he <u>Maryl</u>	and
18				Departme	ent of th	<u>e Environment.</u>			
19		<u>(3)</u>	A lea	<u>d level in</u>	a drink	cing water outlet	greater tha	n 5 parts	<u>per</u>
20			billion	<u>is a dang</u>	er to ch	<u>ildren in public s</u>	chools.		
21	<u>(b)</u>	<u>Defin</u>	itions.	In this Se	ction, th	e following wor	ds <u>have</u> the f	ollowing	
22		mean	ings:	·					
23		<u>Action</u>	<u>ı level</u> 1	means a le	evel of le	<u>ead in water, whi</u>	ch if exceed	ed, require	<u>es a</u>
24	,	schoo	l to tak	e remedia	l action,	notification, and	l follow-up-s	ampling.	
25		<u>Direc</u>	tor me	ans the	<u>Director</u>	r of the Depart	tment of E	nvironmer	<u>ıtal</u>
26				the Direc				- 	-

27		Drinking water outlet means a potable water fixture that is used for
28		drinking or food preparation. A drinking water outlet includes:
29		(1) a water fountain, faucet, or tap that is used or potentially used for
30		drinking or food preparation;
31		(2) an ice-making machine;
32		(3) <u>a hot drink machine; and</u>
33		(4) any sink that is known to be used for human consumption.
34		County lead limit means a lead concentration in drinking water of 5 parts
35		per billion in a 250 milliliter first-draw.
36		Public school means a school operated by the Montgomery County Board
37		of Education or a public charter school established by the Montgomery
38		County Board of Education.
39		State regulations means the Code of Maryland Regulations, Title 26,
40		Department of the Environment, Subtitle 16, Lead, Chapter 07, Lead in
41		<u>Drinking Water - Public and Nonpublic Schools, as amended.</u>
42	<u>(c)</u>	Action level. A public school must:
43		(1) complete all testing and reporting required by the State regulations;
44		(2) submit a copy of all test results and reports required by the State
45		regulations to the Director; and
46		(3) take the remedial action, notification, and follow-up sampling
47		required for an elevated level of lead under the State regulations
48		for any drinking water outlet with a lead concentration that is
49		greater than the County lead limit.
50	Approved:	
51		
V 1	Nancy Navarr	o, President, County Council Date
		o, President, County Council Date

LEGISLATIVE REQUEST REPORT

Bill 2-19

Health - Lead in Drinking Water - Schools

DESCRIPTION:

Bill 2-19 would establish a County lead limit for a drinking water outlet in a public school in the County and require remediation of a drinking water outlet in an occupied public school building with a lead concentration greater than

the County lead limit.

PROBLEM:

The State requires public schools to test and remediate drinking water outlets for lead elevation greater than the EPA limit of 20 ppb. However.

there is no safe level of lead for children.

GOALS AND

Decrease the potential lead poisoning from an elevated lead level from a

drinking water outlet in a public school.

OBJECTIVES:

COORDINATION: MCPS, Health Department, County Attorney

FISCAL IMPACT: To be provided

ECONOMIC

To be provided

IMPACT:

EVALUATION:

To be provided

EXPERIENCE

The District of Columbia uses a 5 ppb standard for lead levels in public

school drinking water outlets.

ELSEWHERE:

SOURCE OF

Robert H. Drummer, Senior Legislative Attorney

INFORMATION:

APPLICATION

To be researched.

WITHIN

MUNICIPALITIES:

PENALTIES:

N/A

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West's Annotated Code of Maryland

Environment

Title 6. Toxic, Carcinogenic, and Flammable Substances (Refs & Annos)

Subtitle 15. Lead in Drinking Water (Refs & Annos)

MD Code, Environment, § 6-1501

§ 6-1501. Definitions

Effective: June 1, 2017

Currentness

In general

(a) In this subtitle the following words have the meanings indicated.

Drinking water outlet

- (b)(1) "Drinking water outlet" means a potable water fixture that is used for drinking or food preparation.
 - (2) "Drinking water outlet" includes:
 - (i) A water fountain, faucet, or tap that is used or potentially used for drinking or food preparation; and
 - (ii) Ice-making and hot drink machines.

Elevated level of lead

(c) "Elevated level of lead" means a lead concentration in drinking water that exceeds the standard recommended by the U.S. Environmental Protection Agency in technical guidance.

Public water system

(d) "Public water system" has the meaning stated in § 9-401 of this article.

Technical guidance

- (e)(1) "Technical guidance" means the most recent technical guidance issued by the U.S. Environmental Protection Agency for reducing lead in drinking water in schools.
 - (2) "Technical guidance" includes:
 - (i) 3Ts for Reducing Lead in Drinking Water in Schools (2006); and
 - (ii) Any subsequent technical guidance issued by the U.S. Environmental Protection Agency for reducing lead in drinking water in schools.

Credits

Added by Acts 2017, c. 386, § 1, eff. June 1, 2017.

MD Code, Environment, § 6-1501, MD ENVIR § 6-1501 Current through legislation effective July 1, 2018, from the 2018 Regular Session of the General Assembly

End of Document

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West's Annotated Code of Maryland

Environment

Title 6. Toxic, Carcinogenic, and Flammable Substances (Refs & Annos)

Subtitle 15. Lead in Drinking Water (Refs & Annos)

MD Code, Environment, § 6-1502

§ 6-1502. Testing for presence of lead in drinking water outlets in school buildings

Effective: June 1, 2017

Currentness

Scope of section

(a) This section does not apply to a public or nonpublic school that is classified as a public water system.

Adoption of regulations

- (b)(1) Subject to paragraph (2) of this subsection, the Department, in consultation with the State Department of Education, the Department of General Services, and Maryland Occupational Safety and Health, shall adopt regulations to require periodic testing for the presence of lead in each drinking water outlet located in an occupied public or nonpublic school building.
 - (2) Before adopting the regulations required under this section, the Department shall gather information about the testing processes, protocols, and efforts being undertaken by each county school system and private school to establish a safe and lead-free environment, including whether the school system or school has a plan for testing and, if appropriate, remedial measures.

Requirements

- (c) Regulations adopted under this section shall:
 - (1) Require initial testing to be conducted on or before July 1, 2018;
 - (2) Phase in the implementation of the required testing beginning with:

(i) School buildings constructed before 1988; and (ii) School buildings serving students in a prekindergarten program or any grade from kindergarten through grade 5; (3) Establish a sampling method for the required testing that is consistent with technical guidance; (4) Establish the frequency for the required testing; (5) Address best practices and cost-effective testing; (6) Require test samples from drinking water outlets to be analyzed by an entity approved by the Department; and (7) If an analysis of a test sample indicates an elevated level of lead in a drinking water outlet, require that: (i) The results of the analysis be reported to the Department, the State Department of Education, the Maryland Department of Health, and the appropriate local health department; (ii) Access to the drinking water outlet be closed; (iii) An adequate supply of safe drinking water be provided to school occupants; (iv) The school take appropriate remedial measures, including: 1. Permanently shutting or closing off access to the drinking water outlet; 2. Manual or automatic flushing of the drinking water outlet; 3. Installing and maintaining a filter at the drinking water outlet; or

4. Repairing or replacing the drinking water outlet, plumbing, or service line contributing to the elevated level of lead;
(v) The school conduct follow-up testing; and
(vi) Notice of the elevated level of lead be:
1. Provided to the parent or legal guardian of each student attending the school; and
2. Posted on the Web site of the school.
Waiver from testing
(d) The Department, in consultation with the State Department of Education, may grant a waiver from the testing required under this section if:
(1)(i) The drinking water outlets in the school building have been tested for the presence of lead in a manner that substantially complies with regulations issued under this section; and
(ii) The test results indicate no elevated levels of lead in any of the drinking water outlets in the school building;
(2)(i) Students in the school building do not have access to any drinking water outlet; and
(ii) Bottled water is the only source of water for drinking or food preparation in the school building;
(3) A plan is in place for testing the drinking water outlets and addressing any elevated level of lead in a drinking water outlet in the school building in a manner that substantially complies with the regulations required under this section; or
(4) The local school system has:
(i) Completed comprehensive lead testing of the drinking water from plumbing fixtures; and

(ii) A comprehensive monitoring program to ensure safe drinking water in its schools.

Report

- (e) On or before December 1, 2018, and on or before December 1 each year thereafter, the Department and the State Department of Education jointly shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the findings of the testing required under this section, including:
 - (1) The name and address of each school found to have elevated levels of lead in its drinking water; and
 - (2) The type, location in the building, and use of each drinking water outlet with an elevated level of lead.

Credits

Added by Acts 2017, c. 386, § 1, eff. June 1, 2017. Amended by Acts 2017, c. 62, § 6.

MD Code, Environment, § 6-1502, MD ENVIR § 6-1502

Current through legislation effective July 1, 2018, from the 2018 Regular Session of the General Assembly

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Resolution No.:	_
Introduced:	February 26, 2019
Adopted:	

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND SITTING AS THE MONTGOMERY COUNTY BOARD OF HEALTH

Lead Sponsor: Councilmember Hucker

Co-Sponsors: Councilmember Riemer, Council Vice President Katz, Councilmember Albornoz, Council President Navarro and Councilmembers Jawando, Rice, Friedson, and Glass

SUBJECT: Resolution to adopt Bill 2-19, Health - Lead in Drinking Water - Schools

Background

- 1. County Code §2-65, as amended, provides that the County Council is, and may act as, the County Board of Health, and in that capacity may adopt any regulation which a local Board of Health is authorized to adopt under state law.
- 2. Maryland Code Health-General Article §3-202 authorizes the County Board of Health to adopt rules and regulations regarding any nuisance or cause of disease in the County.
- 3. On [Date], the County Council enacted Bill 2-19, Health Lead in Drinking Water Schools. Bill 2-19 established a County lead limit for a drinking water outlet in a public school in the County.
- 5. On [Date], the Council held a public hearing on this regulation. As required by law, each municipality in the County and the public were properly notified of this hearing.
- 6. The County Council, sitting as the Board of Health, finds after reviewing the evidence in the record that the County lead limit for a drinking water outlet in a public school required by this Regulation is necessary to protect the health of County residents.

Action

The County Council for Montgomery County, Maryland, sitting as the County Board of Health, approves the following resolution:

- 1. The provisions of Section 24-8D of the Montgomery County Code, entitled "Lead in drinking water.", as added by Bill 2-19, Health Lead in Drinking Water Schools, are adopted as a Board of Health regulation. A copy of Bill 2-19 is attached to this resolution.
- 2. This resolution takes effect on [100 days after adoption].

This is a correct copy of Council action.

Megan Davey Limarzi, Esq. Clerk of the Council

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MEMORANDUM

March 11, 2019

TO:

Nancy Navarro, President, County Council

FROM:

Richard S. Madalano, Jr., Director, Office of Management and Budget

Alexandre A. Espinosa, Director, Department of Finance

SUBJECT:

Economic and Fiscal Impact Statement for Bill 2-19, Health - Lead in

Drinking Water - Schools

Please find attached the Economic and Fiscal Impact Statement for Bill 2-19, Health - Lead in Drinking Water - Schools.

RSM:mc

cc: Andrew Kleine, Chief Administrative Officer Debbie Spielberg, Special Assistant to the County Executive Dale Tibbitts, Special Assistant to the County Executive Fariba Kassiri, Deputy Chief Administrative Officer Ohene Gyapong, Acting Director, Public Information Office David Platt, Department of Finance Dennis Hetman, Department of Finance Lisa Austin, Office of the County Executive Monika Coble, Office of Management and Budget Bruce Meier, Office of Management and Budget Chrissy Mireles, Office of Management and Budget

Fiscal Impact Statement Bill 2-19, Health – Lead in Drinking Water - Schools

1. Legislative Summary

Bill 2-19 would establish a County lead limit for a drinking water outlet in a public school in the County and require remediation in an occupied school building with a lead concentration greater than the County lead limit.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

Bill 2-19 will not have an impact on revenues. Montgomery County Public Schools estimates, based on testing done per the State regulations, is that to meet the 5ppb limit. An additional approximately 1,350 outlets would require remediation at a one-time cost of approximately \$2.5 million. These costs are not in the current or recommended budgets.

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

Bill 2-19 will not impact revenues over the next 6 years. In addition to the one-time remediation costs, expenditures could increase for annual estimated costs of \$300,000 for filter maintenance and another \$800,000 for future remediations.

4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.

Bill 2-19 does not affect retiree pensions or group insurance costs.

5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.

Bill 2-19 does not impact the County's IT or ERP systems.

6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

Bill 2-19 does not authorize future spending.

7. An estimate of the staff time needed to implement the bill.

No additional staff time would be needed, as State law and regulation already requires testing.

8. An explanation of how the addition of new staff responsibilities would affect other duties.

No impact.

9. An estimate of costs when an additional appropriation is needed.

The FY20 cost to implement the bill is estimated to be \$2.5 million.

10. A description of any variable that could affect revenue and cost estimates.

Bill 2-19 will not have an impact on revenue. Future costs would be dependent upon the results of future tests and the required remediations.

11. Ranges of revenue or expenditures that are uncertain or difficult to project.

Not applicable.

12. If a bill is likely to have no fiscal impact, why that is the case.

Not applicable.

13. Other fiscal impacts or comments.

Not applicable.

14. The following contributed to and concurred with this analysis:

James Song, Department of Facilities Management, Montgomery County Public Schools Bruce Meier, Office of Management and Budget

Richard S. Madaleno, Director

Office of Management and Budget

Economic Impact Statement Bill 2-19, Health – Lead in Drinking Water – Schools

Background:

Bill 2-19 would:

- establish a County lead limit for a drinking water outlet in a public school in the County; and
- require remediation of a drinking water outlet in an occupied public school building with a lead concentration greater than the County lead limit.
- 1. The sources of information, assumptions, and methodologies used.

There were no sources of information, assumptions, or needed methodologies in the formulation of this economic impact statement. Bill 2-19 would establish a 5 parts per billion (ppb) standard for lead in a drinking water outlet in a public school in the County. The Federal Environment Protection Agency has a 20 ppb standard. The bill would piggy-back recent State legislation and implement regulations that require each public and nonpublic school in the State to regularly test and remediate drinking water outlets with an elevated level of lead.

2. A description of any variable that could affect the economic impact estimates.

There are no variables that could affect economic impact estimates.

3. The Bill's positive or negative effect, if any on employment, spending, savings, investment, incomes, and property values in the County.

As noted in the fiscal impact statement for the bill, the cost to the County of remediation for outlets that tested between 5 and 20 ppb will exceed \$2.5 million and have additional ongoing costs annually. The legislation will not have an immediate impact on employment, spending, savings, investment, incomes, and property values in the County but could have future social and economic benefits.

4. If a Bill is likely to have no economic impact, why is that the case?

See number 3.

5. The following contributed to or concurred with this analysis:

David Platt, Dennis Hetman, and Rob Hagedoorn, Finance.

Alexandre A. Espinosa, Director

Department of Finance

7 // / Date March 13, 2019



The Honorable Gabe Albornoz, Chair Health and Human Services Committee Montgomery County Council Stella B. Werner Council Office Building 100 Maryland Avenue Rockville, Maryland 20850

Dear Councilmember Albornoz and Members of the Health and Human Services Committee:

We appreciate the opportunity to engage with the County Council around our shared efforts to ensure safe, high quality drinking water in Montgomery County Public Schools (MCPS). MCPS is fully committed to implementing best practices and safety standards in all of our schools and facilities. We have learned a great deal in our work on this issue in the last year, and MCPS is well positioned to meet the intent of Bill 2-19, Health—Lead in Drinking Water—Schools, to address our drinking outlets on an action level of 5 parts per billion (ppb). As you approach your scheduled March 25, 2019, Health and Human Services Committee work session to review this proposed legislation, I would like to provide a brief status report of our efforts to date and share with you our thinking for how to move forward.

Last year, MCPS proactively tested every water outlet in our schools, completing this effort in June 2018. We approached this initial baseline effort from the perspective of meeting the current state standard action level of 20 ppb. In total—

- MCPS tested 13,570 outlets;
- a total of 249 had elevated results, which is 1.8 percent of all outlets; and
- of these, 159 elevated outlets previously were accessible to students.

We immediately took out of service any outlet that exceeded the 20 ppb action level and have been working through remediation and retesting protocols. All test results are posted on the MCPS <u>Drinking Water Test Reports web page</u>.

At the same time, we also engaged with advocates, experts, and agency colleagues through a Water Safety Work Group around best practices for water safety and quality and to review the current research and thinking in the scientific and public health communities on action levels for lead in drinking water. The meeting agendas, minutes, and presentations have been shared with the County Council staff. This information will be available on the MCPS website soon.

Office of the Chief Operating Officer

As part of our ongoing examination of the 2018 test results, the Water Safety Work Group began earlier this winter by focusing its attention on the outlets that are primary drinking water outlets for students and staff. These are the "water coolers," which are the large water fountains typically found in hallways, and the "bubblers," which are the smaller drinking fixtures in elementary classrooms. Given that the fixtures in these categories that tested above 20 ppb already have been remediated, the Work Group has further analyzed outlets with test results above 5 ppb.

- Out of 2,292 hallway water coolers, a total of 22 tested between 5-20 ppb.
- Out of 3,532 classroom bubblers, a total of 261 tested between 5–20 ppb.
- Out of 93 icemakers, a total of 1 tested between 5-20 ppb.

We are pleased that the large majority of our drinking outlets already are testing below the proposed lower action level of 5 ppb. In light of the current energy and thinking around this action level, we immediately will move to take the following steps:

- Immediately take out of service these 283 identified drinking outlets that are above 5 ppb.
- Replace the 22 hallway water coolers as soon as feasible. These are important to have available for student and staff use. We will allocate an estimated \$50,000 needed to accomplish this from existing resources.
- Immediately replace the one icemaker at an estimated cost of \$4,000.
- Phase in remediation of the 261 classroom bubblers. While these fixtures are a convenience
 for elementary teachers and students, hallway fixtures also are a resource for drinking
 water. We will develop an implementation and funding plan to address these fixtures over
 time, prioritizing kindergarten, prekindergarten, and special education classrooms where it
 is more difficult for students to leave the classroom.
- Place signage near water outlets that are not intended as drinking sources. This best practice
 has been identified in our Work Group as one strategy to encourage drinking from
 appropriate outlets where the water quality can be more closely monitored and verified.
- Continue and formalize flushing protocols. This is an important best practice and will remain a key strategy in our comprehensive approach to water quality going forward.
- Continue monitoring and testing practices, including periodic testing on a 3-year cycle as required by Maryland Department of the Environment regulations.

Our kitchen water outlets also are included in our analysis. We will work with our staff in the Division of Food and Nutrition Services and our family and consumer sciences and culinary arts instructional programs to ensure that only kitchen water outlets testing below 5 ppb are used for cooking or drinking.

These measures immediately will allow us to meet the proposed lower standard of 5 ppb for drinking outlets and will even further ensure that all MCPS schools meet the highest standards of safety and quality for drinking water. We encourage the County Council to broaden this important

discussion to other public facilities where children and families access drinking water, such as child-care centers, recreation centers, and libraries.

We look forward to continued collaboration with you and our other county partner agencies on maintaining safe, high quality drinking water in schools and throughout Montgomery County. Please let me know if you have any questions on this issue.

Sincerely,

Andrew M. Luckerman, Ed.D.

Chief Operating Officer

AMZ:em

Copy to:

Members of the Montgomery County Council

Members of the Board of Education

Dr. Smith

Mr. Turner

Mr. Song

Mr. Drummer

Mr. Howard

Ms. Webb