
Health Care Committee

HB 1123

Brief Description: Requiring safe drinking water in schools.

Sponsors: Representatives Kenney, Dickerson, McIntire, Morrell, Santos, Cody, Upthegrove, Hasegawa, Moeller, Kagi, Ormsby, Chase, Williams, O'Brien, Green, P. Sullivan, Schual-Berke, Sells, Wallace, B. Sullivan and McDermott.

Brief Summary of Bill

- Requires that the Washington State Board of Health adopt drinking water quality standards for certain contaminants.
- Requires that school districts test their drinking water and report the results to the Department of Health and the public.

Hearing Date: 2/11/05

Staff: Chris Blake (786-7392).

Background:

The Safe Drinking Water Act (SDWA) applies to public water systems with fifteen or more connections, or systems regularly serving twenty-five or more people daily. The SDWA is a federal law that is administered at the state level by the Department of Health. Approximately 4,200 public water systems in Washington are subject to the SDWA. The SDWA includes water quality standards, sampling, treatment, and public notification requirements.

Public schools that do not have their own water source are not identified as public water systems and thus are not subject to SDWA requirements. Even though water delivered from a public water system must meet federal and state standards for lead and other contaminants, a school building may still have unacceptable drinking water contamination levels due to the school's pipes, plumbing, and water use patterns.

Summary of Bill:

The Washington State Board of Health (Board) shall adopt rules to establish standards for drinking water quality in both public and private schools related to lead, copper, cadmium, and corrosion. The Board may establish standards for other contaminants where the presence of the contaminant is not due to the public water system and regulating the levels of the contaminant is necessary for protecting public health and safety.

In addition to establishing contaminant standards, the rules must include:

1. testing and inspection protocols;
2. requirements and deadlines for completing testing and submitting results to the Department of Health (Department);
3. requirements and deadlines for notifying students, parents, and staff of test results in excess of the contamination standards;
4. protocols for guiding school districts in responding to test results that exceed contamination levels; and
5. requirements for monitoring and reporting corrective action implementation.

The Board's interim rules regarding maximum contaminant levels and testing protocols must be adopted by April 1, 2006. The Board must adopt final rules by April 1, 2007. By December 1, 2006, the Board must report to the Legislature on the interim contaminant levels and the extent of drinking water contamination and other contaminants in schools.

The intent of the bill is stated to be that the schools remain responsible for selecting the appropriate corrective action, but that the schools test their drinking water and make the results public. Neither the Board nor the Department are given any authority to impose corrective actions.

The Department and school districts must post the results of testing, corrective actions taken, and monitoring reports on their web sites. The Department must report biennially on compliance with the adopted water quality standards.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.