**1139-S2 AMH POLL H1210.1 - NOT FOR FLOOR USE**

**2SHB 1139** - H AMD **342**

By Representative Pollet

**ADOPTED 03/04/2021**

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

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

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

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

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

(4)"

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

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

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

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

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

On page 4, line 4, after "(c)" insert "The school action plan may 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.

(d)"

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

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

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

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

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

On page 4, line 14, after "contamination" insert "; and (iii) may defer its remediation activities under (b) of this subsection 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"

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

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

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

"(6) A school's governing body must post on a public website the most recent results of testing for lead contamination at drinking water outlets, no later than the time that the proposed school action 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.