



Department
of Health

LEAD TESTING IN SCHOOL DRINKING WATER

10 NYCRR SUBPART 67-4

PROGRAM REVIEW AND REMEDIATION REIMBURSEMENT

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AESHP MEETING | SARATOGA | 2/13/26

AGENDA

- Program Updates Overview
- Sampling Requirements
- Reporting Requirements
- Remediation Requirements
- Remediation Reimbursement
- Health Commerce System/SMART Demo

2026-2028 PROGRAM UPDATES

Lead testing in school drinking water program updates went into effect January 1, 2026 and include:

Sampling

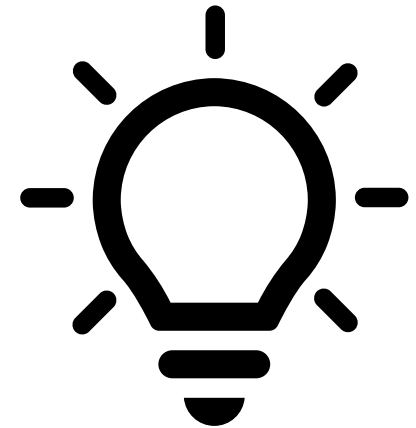
- Initial sampling must be complete by October 31, 2028
 - Previously December 21

Reporting

- Schools must now report to the Department's online reporting application Survey Management and Response Tool (SMART) located on the Health Commerce System
 - Previously reported on the Health Electronic Response Data System (HERDS) application



SCHOOL LEAD IN DRINKING WATER SAMPLING



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Compliance Period 2026-2028

Schools must complete *initial first-draw* sampling for the
2026-2028 Compliance Period between:

January 1, 2026 – October 31, 2028



You should conduct sampling no more than 3 years from when sampling was
completed during the 2023-2025 compliance period

SAMPLING LOCATIONS: APPLICABLE

"Applicable" outlets requiring sampling may be located anywhere on school property if the outlet may be used for drinking or cooking (including food preparation)



"Applicable" outlets may include:

- Bubblers/drinking fountains
- Classroom sinks*
- Kitchen sinks
- Kitchen kettle filler outlets
- Ice machines
- Hose bibs/outdoor outlets
- Family and consumer science sinks
- Teacher's lounge sink
- Nurse's office sink
- Athletic field outlets
- Any other sink known to be or potentially used for consumption

SAMPLING LOCATIONS: NON-APPLICABLE

"Non-applicable" outlets are outlets that the Superintendent or other designated school official have deemed will not be used for drinking and cooking. As such, these outlets must have prevention measures in place, such as a combination of signage, supervision, education, and/or engineering controls.

"Non-Applicable" outlets do not require sampling under Subpart 67-4.

Schools must document non-applicable outlets on their remedial action plan.

"Non-Applicable" outlets may include:

- Science lab sinks
- Locker room showers
- Janitor's closets
- Hot/tempered outlets
- Classroom sinks*
- Exterior hoses
- Dishwashing sinks/sprayers
- Art room sinks

SAMPLING PLAN

Prior to sampling, schools should create a detailed sampling plan identifying all applicable and non-applicable outlets within the building

To develop a sampling plan a school should:

- Review records from past compliance periods
- Conduct a walkthrough of the building and create an inventory of all outlets. Consider creating a map or diagram of the building and record all outlet locations
- Document whether outlets have mixed valves, filters, aerators, or other notable features
- Determine if each outlet is 'Applicable' or 'Non-Applicable' for testing
 - Any outlet that is deemed 'Non-Applicable' should be addressed immediately with prevention controls, such as signage/education/supervision, engineering controls, etc.
- Understand how water flows through the building. Note the areas of the building that receive water first and which areas receive water last
- Plan the order applicable outlets will be tested, with those that receive water first also being tested first.
- Determine if the building has a lead service line. Note the location of any water tanks and any information about them

Lead in Drinking Water Sampling Plan Example

School Building Name	New York State Department of Health Test School							
Date Last Updated	4/8/2025			Does the building have a lead service line?	No			
School Outlet ID (Should match Remedial Action Plan)	Outlet Location	Outlet Description	Outlet Notable Features (mixing valves, aerators, filters, etc.)	Is the outlet applicable for testing (is used, or may be used, for drinking, cooking, and/or food washing)? (If the outlet is 'non-applicable', ensure signage/engineering controls/education are in place, skip columns F - H, and report the outlet as such on the remedial action plan)	Sampling Order	Date and Time Last Operated Before Sampling	Date and Time of Sampling	Additional Notes
FT001	Outside of room 234	Water Fountain	Aerator	Yes	4	04/01/2025 6:02pm	04/02/2025 5:14am	
BFFT002	Outside of room 135	Bottle Filler	Filter	Yes	2	04/01/2025 5:48pm	04/02/2025 5:05am	
BFFT003	Outside of room 135	Water Fountain	Aerator	Yes	1	04/01/2025 5:49pm	04/02/2025 5:03am	
FT004	Gymnasium	Water Fountain	Aerator	Yes	5	04/01/2025 5:40pm	04/02/2025 5:22am	
FT005	Library	Water Fountain	Aerator	Yes	6	04/01/2025 6:20pm	04/02/2025 5:24am	
SK001	Staff Breakroom	Breakroom Sink	Aerator	Yes	3	04/01/2025 6:12pm	04/02/2025 5:10am	
SK002	Room 136	Classroom Sink		No	N/A	N/A	N/A	SEE REMEDIAL ACTION PLAN
BTH001	Between main entrance and room 101	Bathroom Sink		No	N/A	N/A	N/A	SEE REMEDIAL ACTION PLAN
DSHSK001	Kitchen, between walk in fridge door and wall	Dishwashing sink		No	N/A	N/A	N/A	SEE REMEDIAL ACTION PLAN



FIRST-DRAW SAMPLES

Any sample collected for compliance under Subpart 67-4 must be a “first-draw” sample

First-draw sample:

- A water sample collected from a cold water outlet before any water is used from that outlet
- Water must be motionless in pipes for a minimum of 8 - 18 hours before sample collection
 - This timeframe represents water that would be consumed during normal operating conditions on any school day



Recommended sampling times:

- While school is in session; not during or immediately after weekends, vacations, or flushing practices
- Following normal operation of school (e.g., Tuesday – Saturday mornings)

SCHOOL LEAD IN DRINKING WATER REPORTING



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LEAD ACTION LEVEL



The action level for lead in school drinking water is **5 micrograms per liter** ($\mu\text{g/L}$) or parts per billion (ppb)

- Lead test results ≤ 5 ppb do *not* exceed the lead action level, and therefore do not require further testing or remediation until the next compliance cycle
- Lead test results > 5 ppb (i.e., 5.1 ppb, or greater) *exceed* the lead action level, and will require the outlet to be taken out of service and a remedial action plan to be implemented

LEAD IN SCHOOL DRINKING WATER REPORTING

•Within 1 day

- ✓Report all exceedances over 5 parts per billion to the local health department
- ✓Take any outlet above 5ppb out of service, including posting signage

•Within 10 days

- ✓Report all exceedances to all staff, parents, and guardians in writing
- ✓Report test results on NYS Survey Management and Response Tool (SMART) survey on the Health Commerce System (HCS)

•Within 6 weeks

- ✓Post copies of [lab reports](#) of test results on the school's website. This should remain posted on the school's website for the duration of the compliance period
- ✓Post on the school website a [remedial action plan](#) to address outlets where lead exceeded the action level

HEALTH COMMERCE SYSTEM ACCESS

To access the Health Commerce System (HCS) website to report in the SMART survey you must have:

- Active HCS account
- **School Lead in Drinking Water Reporter** role assigned for each building that requires lead reporting

To create an account you will need to work with the district HCS Coordinator

- Typically, the Superintendent, Head nurse, Business official

The district HCS Coordinator is responsible for assigning the School Lead in Drinking Water Reporter role

RECORDKEEPING REQUIREMENTS

- Per Subpart 67-4, schools must retain records for 10 years following document creation.
 - Note: other agencies may have additional records retention requirements (i.e., NYSED, NYS Department of Labor)
- Copies of documents must be provided to the Department of Health, NYSED, or the Local Health Department upon request



DOCUMENT EXAMPLES

- Sampling and Remedial Action plans
- Remediation efforts
- Notification of exceedances to LHD's
- SMART submission confirmation
- Copy/proof of written notification
- Proof of education to students and staff
- Maintenance and monitoring of remedial actions
- Invoices/receipts for remediation related expenses
- Proof of website postings
- Maps/diagrams of outlet locations

SCHOOL LEAD IN DRINKING WATER REMEDATION



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REMEDIATION OPTIONS

- Permanent removal of an outlet
- Outlet replacement with “lead-free” plumbing materials
- Pipe replacement with “lead-free” plumbing materials
- Replace other sources of lead (lead solder joints, brass plumbing components, etc.) with ‘lead-free’ materials
- Point of Use (POU) Filters*
- Engineering controls
- Signage
- Supervision
- Education
- Flushing (systematic flushing program)

POST-REMEDICATION TESTING

- Follow-up samples collected after an outlet has been remediated must also be “first-draw” samples
 - Schools should follow the same sampling protocol as initial sampling
- Schools may choose to perform additional sampling (i.e., 30-second flush, etc.) to determine the contribution of lead from plumbing to guide remediation decisions
- Post-remediation test results need to be reported:
 - In the DOH’s SMART application on HCS
 - On the school’s website within the same reporting timeframes/requirements as specified for the initial sampling

REMEDIAL ACTION PLAN

- Per revisions to 67-4 schools must now post a remedial action plan on their school website within 6 weeks of receiving results
- Schools must update the remedial action plan as remediation occurs and as post-remediation results are received from the lab
- The remedial action plan must include all outlets above the action level and all non-applicable outlets, including their remediation and/or consumption prevention method (filters, plumbing replacement, signage/supervision/education, permanent removal, special locks, etc.)
- Schools must also create and document a maintenance schedule, if applicable
 - Checking signage, re-educating staff/students, maintaining filters, systematic flushing, etc

DOH Test School 1																Date Last Updated:	6/15/2024	
Lead in School Drinking Water Remedial Action Plan																		
School Outlet ID	Laboratory Sample ID	Outlet Location	Outlet Description	Was the outlet deemed 'Applicable' or 'Not Applicable' for sampling? <small>*if not applicable place criteria in Notes/Comments</small>	Sample Results (ppb or mcg/L) <small>*if not applicable mark "N/A"</small>		Remedial Actions (Please mark "x" for all that apply)										Date(s) Remedial Action Taken	Notes/Comments
					Initial	Post Remediation	Date Taken out of Service	Date Returned to Service	Outlet / Plumbing Replacement	Permanent Removal	Actions Requiring Maintenance Schedule [Link to Maintenance Schedule Here] [Link to Maintenance Documentation Here]							
											Filter Installed and Maintained	Signage	Supervision	Continuing Education	Systematic Flushing	Engineering Controls		
HW001	ABC123	Math Wing Hallway	Water Fountain	Applicable	5.8	N/A	5/10/2024			X							6/12/2024	Water fountain permanently removed and supply line was capped. Plan to replace after plumbing project Summer 2025
KIT123	ABC345	Kitchen Rear Corner	Pot Filler Sink	Applicable	6.3 ppb		5/10/2024					X	X	X				Plan for piping replacement during Summer 2025
TL001	ABC789	Teacher's Lounge	Sink	Applicable	5.2 ppb	0.2 ppb	5/10/2024	6/15/2024			X						6/12/2024	Filter installed, maintenance schedule planned, re-tested and confirmed below action level of 5 ppb
OS500	ABC500	Outdoor	Water Tree	Applicable	10.8 ppb	0.1 ppb	5/10/2024	6/15/2024	X								6/10/2024	Piping replaced with certified "lead free" plumbing material. Re-tested and confirmed below action level of 5 ppb
LR321	N/A	Locker Room	Shower	Not Applicable	N/A	N/A						X	X	X			5/1/2024	Locker room shower with clear "Do Not Drink" signage. Staff and students educated to not use for consumption
CR101	N/A	Room 101	Classroom Sink	Not Applicable	N/A	N/A						X	X	X			5/1/2024	Classroom sink with clear "Do Not Drink" signage. Staff and students educated to not use for consumption
OS100	N/A	Baseball Field	Outside Hose	Not Applicable	N/A	N/A										X	5/1/2024	Outdoor hose with a hose bib that is locked at all times with a key. Consumption is not possible.
BR300	N/A	2nd Floor Womens Bathroom	Bathroom Sink	Not Applicable	N/A	N/A						X	X	X			5/1/2024	Tempered bathroom sink with clear "Do Not Drink" signage. Staff and students educated to not use for consumption



SCHOOL LEAD IN DRINKING WATER REMEDICATION REIMBURSEMENT



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ELIGIBLE EXPENSES UNDER DOH REIMBURSEMENT PROCESS

1. Post remediation sampling
2. “Do Not Drink” or equivalent signage for outlets taken out of service
3. Permanent removal of an outlet
4. Installation of individual outlet water filtration systems
5. Installation of taps
6. Installation and replacement of fountains/bubblers
7. Outlets remediated using other methods
 - i. Replacing cold water piping, additional filtration systems, etc

NYSED REQUIRED PERMITS

Some projects that can be provided reimbursement through the DOH reimbursement process **must receive a permit** from NYSED's Office of Facilities Planning prior to the work being bid, completed, and submitted to DOH for reimbursement approval.

Projects requiring a permit include but are not limited to:

- Supply piping replacement projects other than described previously
- Any remediation work which impacts suspect or known hazardous materials

BUILDING AID AND REIMBURSEMENT

Projects that are funded under State Building Aid cannot also be reimbursed through the DOH remediation program

Projects that would be funded by State Building Aid include but are not limited to:

- Any building project over \$10,000
 - Large-scale remodeling, replumbing, etc.
- Any other remediation work, not previously listed, which impacts suspect or known hazardous materials

REIMBURSEMENT PROCESS: SCHOOLS

Complete all remediation and receive samples confirming successful remediation.

Ensure you have all invoices and receipts in front of you. Enter the SMART survey and mark remediation status as 'Complete'

Fill out and submit the remediation reimbursement section of the SMART survey. Ensure you are reporting exact costs rounded to the nearest dollar.

Email a copy of all invoices and receipts used to fill out the remediation reimbursement section to lead.in.school.drinking.water@health.ny.gov



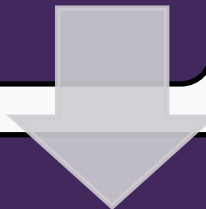
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REIMBURSEMENT PROCESS: DOH REVIEW

DOH will review all reimbursement requests and information submitted in SMART from each individual school building



DOH will contact school representatives of any buildings that do not have appropriate permits, exceed reasonable costs, and/or when clarification is needed

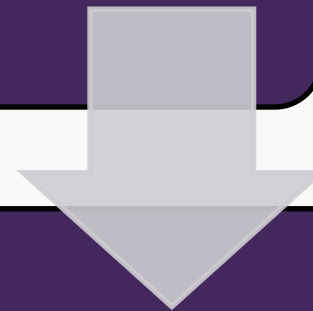


Reimbursement requests from each school district will be aggregated and sent to SED for review and payment



REIMBURSEMENT PROCESS: SED PAYMENT

School districts and BOCES reimbursement requests will be reviewed, to confirm the completion of Form FB for each district



Reimbursement will be distributed to the school districts or BOCES on an annual basis



LIVE DEMO

Live demonstration navigating the SMART survey on the Health Commerce System (HCS)



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THANK YOU

QUESTIONS?

CONTACT:

lead.in.school.drinking.water@health.ny.gov

Lead in School Drinking Water Website



https://www.health.ny.gov/environmental/water/drinking/lead/lead_testing_of_school_drinking_water.htm



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