

February 18, 2019

Committee of Health and Human Services  
Cross Building Room 209  
100 State House Station  
Augusta, ME 04333

Subject: LD 153 An Act To Strengthen Testing for Lead in School Drinking Water

Dear Senator Gratwick, Representative Hymanson, and Members of the Committee of Health and Human Service;

I am writing to you today in opposition to LD 153 - An Act To Strengthen Testing for Lead in School Drinking Water. I am currently the General Manager of the Kennebec Water District in Waterville. However, up until February 2018, I was employee for 18 years at the Maine CDC Drinking Water Program, including 10 years as the Program Manager. I live in Winslow, Maine.

Although I agree that lead in drinking water in schools is a health risk that needs to be evaluated and mitigated where needed, I believe this bill creates an unnecessary level of State bureaucracy, oversight and responsibility.

This bill requires the Department of Health and Human Services (DHHS) to develop rules to for the testing and mitigation of lead in drinking water hazards. However, in October 2018, the US Environmental Protection Agency (USEPA) updated the national guidance for schools and childcare facilities regarding lead in drinking water. Consequently, there is little value in legislation requiring the DHHS to go through the process of developing rule that will presumably mirror the federal guidance.

The Department of Education (DOE) already has a relationship with all schools in Maine. Therefore, DOE is in a better position to ensure schools are acting to reduce the risk of children being exposed to lead in drinking water. A simpler approach would be to modify a DOE statute mandating that all schools use the USEPA guidance to assess the exposure risks of lead in drinking water to students and mitigate as prescribed by the guidance. The legislation could include a requirement that all schools must submit a certification to the DOE that they have followed the USEPA guidance and mitigated the risk to students. Additionally, the schools could be required to provide the results of their efforts to the public.

This approach avoids the creation of a new level of regulatory requirements within DHHS and ensures that schools have the authority and flexibility to develop an appropriate solution based upon local circumstances.

Please feel free to contact me at [rcrouse@kennebecwater.org](mailto:rcrouse@kennebecwater.org) or at (207)872-2763 if you have any questions.

Yours for safe drinking water,

Roger Crouse