

TESTIMONY

Against

**LD 206, Resolve, Regarding Legislative Review of Portions of Chapter 234:
Lead Testing in School Drinking Water Rule, a Major Substantive Rule of the
Department of Health and Human Services, Maine Center for Disease Control and Prevention**

**Dan Allen, Professional Development Director, Maine Education Association
Before the Joint Standing Committee on Health and Human Services**

February 9, 2021

Senator Claxton, Representative Meyer and other esteemed members of the Committee on Health and Human Services:

My name is Daniel Allen and I am the Instruction and Professional Development director for the Maine Education Association (MEA) which represents 24,000 teachers, education support professionals, and retired educators across Maine.

I am here to testify against the LD 206, Resolve, Regarding Legislative Review of Portions of Chapter 234: Lead Testing in School Drinking Water Rule, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention.

The MEA is concerned that the proposed rule as submitted is not strong enough given the well-known effects of lead exposure on children. We believe the proposed rule offered in response to LD 206 would create an undue risk for Maine students and school staff and that more stringent requirements could be met at minimal cost. MEA makes no claim to expertise in the design and implementation of safe water systems. However, it seems plain that the proposed testing schedule and protocol and lead level limits can be tightened up to improve the safety of those who might be exposed to lead in school drinking or cooking water.

The United States Department of Environmental Protection has “[set the maximum contaminant level goal for lead in drinking water at zero...](#)” Essentially, there is no safe level of lead in drinking water. The proposed standard of 15 parts per billion is far higher than the 1 part per billion called for by the [American Academy of Pediatrics](#) in a June 6, 2016 article on their website. In that article Dr. Jennifer Lowry, chair of the AAP Council on Environmental Health said that, “Most existing lead standards fail to protect children. They provide only an illusion of safety.” They call for a standard of no more than 1 ppb.

The proposed rule suggests testing schools just once unless a problem is identified in that single test. We do not believe this is adequate. Pipes and solder joints break down over time and if they contain lead, can contribute to exposure in those who drink water from these sources.

MEA cannot support the rule as currently proposed as we believe it would potentially place students and school personnel in danger of exposure to lead.

For these reasons, the MEA encourages you to vote “ought not to pass” on LD 206, but we suggest it should be amended to ensure that a higher standard is set to keep students and staff safe.