

§ 1244. RESPONSE TO ACTIONABLE LEVEL; NOTICE; REPORTING

If a sample of drinking water under section 1243 of this title indicates an exceedance of the action level at an outlet, the school district, supervisory union, independent school, or child care provider that owns, controls, or operates the building or facility in which the outlet is located shall conduct remediation to eliminate or reduce lead levels in the drinking water from the outlet and at a minimum, shall:

(1) prohibit use of an outlet that exceeds the action level until a lead remediation plan or other remediation measures published by the Commissioner or consistent with the U.S. Environmental Protection Agency's 3Ts for Reducing Lead in Drinking Water in Schools is implemented and:

(A) sampling indicates that lead levels from the outlet are below the action level; or

(B2) **prohibit use of an outlet that exceeds the action level until** the outlet is permanently removed, or disabled, or otherwise cannot be accessed by any person for the purposes of consumption;

~~(2) after a lead remediation plan or other approved remediation is implemented, retest the outlet until results indicate that the lead levels are at or below the action level;~~

(3) provide occupants of the building or child care facility an adequate supply of alternative water for drinking and cooking until remediation is performed;

(4) notify all staff and all parents or guardians of students directly of the test results and the proposed or taken remedial action, in writing or by electronic means, within 10 school days after receipt of the laboratory report; and

(5) submit lead remediation plans to the Department as they are completed;

(6) notify all staff and all parents or guardians of students in writing or by electronic means of completed remedial actions; and

(7) submit notice to the Department that remediation plans have been completed.

Sincerely,

Elizabeth Novotny  
General Counsel  
Mosaic Learning Center