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Vermont Legislative Joint Fiscal Office

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FISCAL NOTE

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S.40 An act relating to testing and remediation of lead in the drinking water of schools and child care facilities – As Introduced

<https://legislature.vermont.gov/Documents/2020/Docs/BILLS/S-0040/S-0040%20As%20Introduced.pdf>

Initial Testing Cost Estimate

\$800,000 - \$850,000

Initial testing requires two tests following a proscribed protocol for every potable water tap in each school building. Including independent schools there are current 425 school buildings in use in Vermont. A pilot program by the health department last year tested for lead in the water of 17 school buildings and it estimated the up to 10 schools have independently sought testing on their own. The cost estimate is based on the pilot program it is finding that on average there are 50 potable water taps per school building that will require testing. The health department reports that the cost per test is \$20. This estimate may be refined further when the results of a survey issued by the Secretary of Education requesting information on estimated potable water taps is completed in the next week or so.

Not included are any remediation expenses that would follow from tests the indicate lead levels over the limit. In the pilot program 17% to tested taps were over the limit. Initial remediation, i.e. replacing/updating the plumbing at the tap are usually modest in cost up to \$500 per tap. Additional rounds of testing are required to ensure that change addressed the lead issue. If not resolved in initial remediation further likely more costly solutions would follow.

Note: Child care programs have an existing requirement for testing and are not included in this cost estimate. Since 2016, Center Based Child Care and Preschool Programs and Family Child Care Home Programs are all required to have their water tested as part of licensing. All programs are required to do a first draw test for lead that meets Vermont Standards. If they do not meet the Vermont Standard they must retest every year and must use bottled water. They are required to do this first draw test for lead at faucets or drinking fountains that would supply water to the children in that building. For example, if it was a school and the children drink from a sink in the classroom that is the faucet that must be tested. It is possible for one faucet to be negative for lead while another faucet to be positive. Also if the program is not required to have a drinking water permit related to the Vermont Water Supply Rule, and is not on a city/town system then they must perform a bacterial and chemical screening that meets the Vermont standard to become licensed. They also must redo the chemical tests once every 6 years.

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Administrative Costs – The administration one-time expenditure proposal includes \$400,000 for two technical positions one each in the Departments of Health and Environmental Conservation for a limited duration through FY20 and for data management resources. This request has not yet been fully analyzed by the JFO so revision to amount may be include in the next draft of this fiscal note.