

**MEMORANDUM**

**TO:** Dr. Tony Smith  
State Superintendent of Education

Jackie Rodgers  
Chief Communications and Partnerships Officer  
Illinois State Board of Education

**FROM:** Justin DeWitt, P.E., LEED AP  
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**DATE:** January 31, 2017

**SUBJECT:** Public Act 099-0922 Lead In Water Testing

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**I. INTRODUCTION**

This memorandum provides guidance for Illinois schools to comply with the requirements of P.A. 099-0922 (Act) (<http://www.ilga.gov/legislation/publicacts/99/099-0922.htm>). Per the Act, the “chief school administrator” of every school building where 10 or more students Pre-K through grade 5 may be occupying shall test for lead at each “source of potable water” and report the results. The Illinois Department of Public Health (IDPH) is mandated to administer these requirements and to provide guidance on risk management and mitigation of lead in water, and education about lead poisoning. Water services and all potable water piping, plumbing fixtures, and appurtenances are regulated under the Plumbing Licensing Law (225 ILCS 320) and the Illinois Plumbing Code (77 IL Admin Code 890), and compliance with those regulations is required commensurate with the Act.

**II. RISK MANAGEMENT**

Children’s exposure to lead in schools is preventable through public awareness, education, and risk management strategies implemented by chief school administrators. Children may be exposed to lead through inhalation of lead-containing paint and dust, and in some cases consumption of potable water containing lead. The focus of the Act is to reduce lead exposure by requiring schools to test for lead in water and to report results to IDPH and to the parents of students attending the schools. Communication of test results to parents and

guardians is mandatory and will provide an opportunity for schools to share information about lead poisoning risk and steps the school is taking to reduce those risks.

### **III. TESTING PROCEDURE**

The Act provides that IDPH will publish guidance for schools on its website within 90 days of enactment. However, administrators may wish to begin testing and reporting immediately. To that extent, the fundamental testing requirements are found in Section 25 of the Act, summarized below.

1. Collect in a sterile container designated for the collection of potable water samples a 250 milliliter (mL) sample of water from each “source of potable water” by allowing water to stagnate in the relevant plumbing system for at least eight hours but not more than 18 hours prior to drawing the sample.
2. After the collection of the “first draw sample” and after allowing the sample point to flush for 30 seconds, a second sample shall be collected in like fashion to the first. IDPH recommends that all sample locations be clearly defined and documented. Bottles and instructions for collecting the sample specimen should be obtained from an **Illinois EPA–accredited laboratory**.
3. **Testing should be conducted only at Illinois EPA-accredited laboratories.** A list of such laboratories can be found at <http://www.epa.illinois.gov/citizens/citizens-information/in-your-home/resources-on-lead/index>. Samples should be transmitted following the processing lab’s requirements for chain-of-custody and holding requirements. Additional data reporting recommendations will be forthcoming from IDPH.
4. Within seven business days of receipt, test results are to be submitted by email to IDPH at [dph.LeadH2O@illinois.gov](mailto:dph.LeadH2O@illinois.gov).
5. Notification of test results to parents and legal guardians must be made in accordance with the requirements of Section 25 of the Act.

Additional information regarding implementation of this Act as well as additional instructions for sample collection, data submission, and mitigation recommendations will be available on the IDPH website in the near future.

### **IV. ADDITIONAL RESOURCES**

Public Act 099-0922 - <http://www.ilga.gov/legislation/publicacts/99/099-0922.htm>

Plumbing Licensing Law - <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1343&ChapterID=24>

Plumbing Code - <http://www.ilga.gov/commission/jcar/admincode/077/07700890sections.html>

Environmental Protection Act - <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1585&ChapterID=36>

USEPA’s Guidance on Drinking Water in Schools - <https://www.epa.gov/dwreginfo/drinking-water-schools-and-childcare-facilities>

IEPA-accredited Laboratories - <http://www.epa.illinois.gov/citizens/citizens-information/in-your-home/resources-on-lead/index>