March 3, 2020

To: Members of the House Natural Resources Committee
From: Rebecca Lazarus, Trustee Ann Arbor Public Schools Board of Education
Re: Testimony in support of House Bill 5104 and 5105 (Filter First Drinking Water Protections)

Members of the House Natural Resources Committee:

I strongly support House Bills 5104 and 5105, which would implement a filter first approach to protecting drinking water in Michigan schools and child care centers. As a Trustee of the Ann Arbor Public Schools Board of Education I have been actively involved in my community's efforts to protect school children from lead exposure in drinking water by installing filtered water fountains throughout the district.

There is scientific consensus that there is no safe level of lead exposure. Lead is a potent toxin that can impact individuals at any age, but is particularly damaging for children whose brains are still developing. Low levels of lead exposure in young children have been linked with damage to the central nervous system and kidneys, as well as impaired neurobehavioral development, decreased stature and growth, and impaired hearing.[1]

Previously Ann Arbor schools pursued a "test and tell" approach to lead in school drinking water, meaning the school districts did widespread testing of drinking water outlets in schools and made those results publicly available. Unfortunately, the results confirmed what we knew to be the case before sampling—there was widespread lead contamination in school drinking water. All school buildings tested with the exception of one had some detectable level of lead in the drinking water. Seventy nine percent of the buildings had at least one drinking water outlet above 5 parts per billion (ppb). One faucet at Burns Park Elementary school read at 320 ppb, while a drinking water fountain at the same school showed lead at 15 ppb.[2]

In addition to confirming the widespread presence of lead, the testing conducted in the Ann Arbor schools confirmed another well-documented fact about lead exposure in drinking water—it is sporadic. Lead doesn't release from plumbing or fixtures into water in predictable ways, which leads to spikes in lead levels. These spikes undermine the veracity of testing results for unfiltered water outlets that come back non-detect. An outlet can read non-detect one month and then a sample several months later could show high levels of lead. For example, at Eberwhite Elementary, a high reading of 39 ppb from a drinking water source was later down to non-detect in another sample. At Forsythe Middle School, the high reading of 120 ppb was from a drinking fountain, later down to non-detect.

There is a clear risk with using a testing model whereby students are continuing to drink the water while it is being tested and where there isn't a solution in place when lead contamination is discovered in drinking water, which it ultimately will be given the age of our school buildings and the widespread presence of lead in plumbing and fixtures. Additionally, there are cost concerns with a test and tell

[1] American Academy of Pediatrics, https://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/Lead-Exposure-In-Children-Affects-Brain-And-Behavior-045.aspx October 2017.
[2] Ann Arbor Public Schools, Water Testing for Lead, https://www.a2schools.org/Page/12747.

approach. Under this model funding is directed towards testing rather than towards a solution, like filtered water fountains, that effectively reduces lead in drinking water.

Given the flaws with a test and tell approach and given the significant support from parents, teachers, and the community to implement solutions that reduce lead exposure, Ann Arbor has moved towards a filter first approach in its schools. We moved towards the filtered water fountains in all our AAPS schools and during summer 2019, we completed that installation process, achieving the recommended ratio of 1 hydration station per 100 individuals in all AAPS school locations. Additionally, we are continuing the flushing of all water systems following school breaks, such as summer, Thanksgiving, winter break, and spring break. We installed signage near unfiltered water outlets, such as custodial closets and science class rooms, to remind everyone that water in these locations is not for consumption. Finally, we will continue testing the filtered water outlets to ensure they are working properly and results will be communicated directly to all AAPS parents via email, on the a2schools.org website, and shared as an Annual Report to the Board of Education to ensure the Board and community directly receive this updated information each year.

I have advocated strongly for Ann Arbor to take a filter first approach to providing safe drinking water in schools. What I have seen from my experience in Ann Arbor is that there are two elements that lead schools to successfully implement filter first: 1) a framework around how to implement the program and technical guidance and assistance from water experts and state agencies and 2) financial resources for schools to purchase, install, and maintain filtered water fountains.

House Bills 5104 and 5105 would fulfill the first element by creating the necessary regulatory framework and directing the Department of Environment, Great Lakes, and Energy to assist schools in complying. However, I would also strongly urge committee members to support one-time appropriations to schools and childcare centers to cover the costs of purchasing and installing the necessary filtered water fountains. To address ongoing funding needs to maintain safe drinking water in schools, including filter replacements and future testing, school districts should be allowed to utilize Sinking Fund revenues. Making this change would protect General Fund revenues while also ensuring that filtered drinking fountains are properly maintained.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact me.

Sincerely,

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