

RYAN JONES - CAPITAL PROJECTS MANAGER
5501 W. METALINE AVE. ▪ KENNEWICK, WA 99336
P: (509) 222-6810 ▪ F: (509) 222-5057
RYAN.JONES@KSD.ORG ▪ WWW.KSD.ORG

**TO: Traci Pierce, Superintendent, Kennewick School District
Board of Directors, Kennewick School District**

FROM: Ryan Jones, Capital Projects Manager, Kennewick School District

RE: Lead in Drinking Water Action Plan

DATE: March 9, 2022

Background:

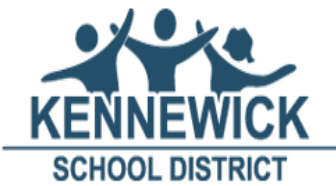
RCW 28A.210.410, Lead contamination at drinking water outlets, was enacted in 2021. The law applies to schools with buildings built, or with all plumbing replaced, before 2016. The law requires that each drinking water outlet in schools be tested for lead. If lead tests reveal that a lead concentration exceeds 15 parts per billion at a drinking water outlet, until a lead contamination mitigation measure is implemented, the school must shut off the water outlet. If lead tests reveal an “elevated lead level” that exceeds five parts per billion, the school’s governing body shall adopt a school action plan. The law specifies certain testing timelines and communication requirements. Testing must be completed by June 30, 2026, and every five years thereafter. For lead test results received between July 1, 2014, and July 25, 2021, for which a school did not take remedial action or for which post-remediation retesting has not confirmed that the elevated lead level has been reduced to five or fewer parts per billion, the school shall provide notice of elevated lead levels in the communication required under subsection (3) of this section and the school's governing body shall adopt an action plan by March 31, 2022. For lead test results received after July 25, 2021, the school's governing body shall adopt an action plan within six months of receipt.

Current KSD Status:

It is estimated that there are more than 1,500 outlets “used for cooking or drinking water use” present in the Kennewick School District (KSD). These fixtures include drinking water fountains, sinks in classrooms, building kitchen faucets, work rooms, lounges, etc.

In 2017, KSD contracted with Fulcrum Environmental Consulting to conduct targeted testing for lead and copper throughout District facilities; the percentage of fixtures tested per facility was based on the age of a facility and anticipated results. Upon receipt of results, KSD targeted fixtures measuring above 15 parts per billion (ppb), the maximum threshold outlined in federal regulation at the time (1991 Lead and Copper Rule, EPA), for replacement.

Given that the KSD has already conducted partial initial sampling in 2017, it falls somewhere in-between the two categories the majority of Districts find themselves in. Due to this, the District has formulated a two-part action plan that will allow it to move forward pending further guidance from the DOH



Kennewick School District

Lead in Drinking Water Action Plan

KSD Action Plan: Scenario 1

This plan assumes that the Department of Health (DOH) will accept previous testing done by the Kennewick School District (KSD); this testing has been called in to question due to its methodology as it compares to the new regulations. In this scenario, the KSD would execute the following:

1. No later than December 31, 2022, contract with a consultant agency and conduct testing on all untested fixtures in buildings that were built before, or underwent major plumbing renovations prior to, 2016.
 - a. sampling and testing procedures will meet the technical guidance guidelines included in RCW 28A.210.410
2. Analyze previous test results (2017) to identify any fixtures that are above the new threshold of 5 parts per billion; these fixtures will systematically be replaced. The schedule of remediation activities may be based on the availability of state or federal funding for remediation activities. DOH has indicated that there may be funding available for remediation through OSPI.

KSD Action Plan 2: Scenario 2

This plan is based on the possibility that DOH invalidates previous testing results due to testing methodology; they have not made this determination to date. If DOH chooses to invalidate our previous testing, it is our understanding that this would extend our testing deadline to 2026 along with districts who have not conducted any testing to date. This would provide an opportunity to take advantage of “no cost” testing conducted by DOH. In this scenario, the KSD would execute the following:

1. Contract with a consultant/DOH to perform testing of all drinking water fixtures (sinks, water fountains, etc.) in facilities that were built before or underwent major plumbing renovations prior to 2016.
 - a. sampling and testing procedures will meet the technical guidance guidelines included in RCW 28A.210.410
2. Analyze new test results to identify any fixtures that are above the new threshold of 5 parts per billion and create a schedule of remediation activities. Should any outlet tests above 15 parts per billion, that outlet will be turned off until remediation measures can be taken. The schedule may be based on the availability of state or federal funding for remediation activities. DOH has indicated that there may be funding available for remediation through OSPI.

Important Dates:

March 9, 2022: Present action plan to the Board for initial review and begin the public comment period. Advertise Public Notice. Concurrently, we will be in communication with the Department of Health and the Benton Franklin Health District regarding the different action plan scenarios and compliance with RCW 28A.210.410.

March 23, 2022: Present final action plan to the Board for approval/adoption (deadline is March 31).

April 1, 2022 - December 31, 2022: Secure consulting services to carryout testing of any untested fixtures within school facilities, as defined by RCW 28A.210.410 and/or DOH guidelines.

June 30, 2026: Deadline for completion of testing.