

New York City schools fail lead-in-water tests

By Steve Light
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The New York City Department of Education (DOE) sent a letters on December 19 notifying parents that it will retest all 1,520 occupied public school buildings for lead in the drinking water. The testing period was delineated as running from the winter until June 16.

New York public school water outlets underwent testing from last March through June as part of a national wave of concern after the exposure of criminal violations of standards for lead in the drinking water of Flint, Michigan. The decision to retest in New York was a result of criticism of the protocols used in the first round of testing.

The deputy chancellor of the school system, Elizabeth Rose, wrote that the retesting will be done “out of an abundance of caution. ... New York City water is safe and families and staff should rest assured that our drinking water is of the highest quality in the world.” However, the very need to retest the entire school system a half year after it underwent testing indicates a potential health crisis that is unresolved in a school system with over 1 million students and 135,000 employees.

In fact, despite the publicity over the deception that occurred in Flint, the New York City school water event has been handled with a similar disregard for health and safety by officials. The city had not tested school water for 10 years. Then, the testing they finally conducted drew criticism from Marc Edwards, the civil engineering professor from Virginia Tech University who helped uncover the dangerously high levels of lead-in-water in Flint.

Edwards was cited in the *New York Times* last August: “The results should be thrown into the garbage and the city should start over.” In the same article, Dr. Yanna Lambrindidou, an expert on the federal Lead and Copper Rule (LCR) who works with Dr. Edwards, declared that New York City’s schools “may have just broken the national record for flawed testing.”

Following the crisis in Flint, testing in Newark, New Jersey, early last March showed half the schools had sampled lead levels in their water that was above the legal

“action level” of 15 parts per billion set in the LCR by the US Environmental Protection Agency (EPA). Water fountains in those 30 schools were shut off, bottled water distributed and plans announced to test half of Newark’s 35,000 students for lead. Then, the Newark school district reported that even higher elevated lead samplings had been found from 2012 to 2015 without any action having been taken.

Milwaukee, Pittsburgh and Philadelphia were among other cities that experienced crises over high lead levels in drinking water. Also in March, a review of EPA data from 2012 to 2015 showed that nearly 2000 water systems across all 50 states had elevated lead levels, according to the *USA Today Network*. This was about 20 percent of the water systems in the US that test their water. Of those systems, 350 supplied water to schools and day-care centers. Four million US residents live in communities where authorities failed to conduct mandated lead testing or did the testing improperly.

New York City then joined school systems across the country in testing their water. The city’s Education Department changed policy to re-test schools’ water every five years while schools with elevated lead levels will have more frequent sampling. Then in June, with nearly 100 schools in New York State reporting positive testing for lead in water samples, the state legislature voted to require all schools in the state to test for lead. However, schools will not be completely covered for the cost and future testing is required only every five years.

With all 1,520 occupied school buildings tested between March and June, the city claimed in mid-August that by opening day, removal of lead from water outlets in the 510 schools found to have lead above the EPA action level would be finished. Maintenance staff in those buildings, however, were instructed to flush all the outlets in the building briefly every Monday morning for two hours before contractors came to test the water. Their justification for this “pre-stagnation flushing” method was that water sitting in pipes over weekends or vacations when schools might not be in use would not give normal

results for lead.

When the scientists criticized the city's testing method as grossly flawed and hiding lead in the water, city officials, who initially defended their methods, said they would re-test every building that exceeded the action level. On September 2, a spokesperson for Mayor Bill de Blasio stated that by October retesting would begin for every school building that originally had showed excessive lead levels, but no date was given for when those buildings would be tested that had not had samples exceeding that threshold.

Now, the latest promise from the city's Department of Education, as of December 19, is that testing is expected to be concluded by June 16, another half year after the process was originally supposed to have been accomplished. In contrast, after the Washington, D.C., public school system was criticized in the spring of 2016 for failing to inform the public as to past annual lead testing results, a second "blitz" testing at all DC schools took less than two months.

In the majority of New York schools built more than a half-century ago, the pipes are made of lead that can leach into the city's relatively clean water, especially after it stands over the weekend. The state health commissioner, Howard Zucker, has noted, "There are hundreds of thousands of pipes in buildings and schools across New York State, which cannot cheaply or easily be replaced." He added, "That's why maintenance, flushing, and testing are so important." The cities in New York State require schools to flush their outlets Monday mornings, and New York City claims this protects the children.

However, "there's a regulatory black hole when it comes to schools and day-care centers," Dr. Lambrinidou explained in *USA Today*. There is a problem with the way excess levels of lead are calculated to mandate corrective action because 10 percent of samples can be above the action-level of 15 ppb of lead, which "allows for 10 percent of (locations tested) to dispense any concentration of lead whatsoever."

New York City Schools Chancellor Carmen Farina argues that the water supply is safe and is annually tested 500,000 times a year. Notwithstanding, high lead levels were found in schools due to water running through lead pipes in the largely older buildings. Furthermore, two-thirds of city schools had not been tested in the 10 years since 2006.

Physiological consequences can be dire from water higher than the EPA action level. However, experts say there is no safe level of exposure to lead for children.

Although lead plumbing was banned nationally in 1987, many school buildings, as well as residential and commercial buildings, still contain lead pipes and service lines.

While the toxicity of lead piping was known since ancient Rome, official foot-dragging plus a lack of resources for investigations and restorations, including by the EPA, have compounded the national health emergency. Last June, the National Resources Defense Council reported that 18 million Americans in 5,300 communities are endangered from water systems in violation of the LCR.

The average age of school buildings in the US is 44 years old, with many more than twice that age. A recent study calls for \$145 billion per year to bring America's K-12 public school facilities up to code, a sum that is not even remotely being considered. Elementary and high schools have, in fact, cut capital spending by 37 percent between 2008 and 2013, with a total of 38 states cutting spending. Moreover, the federal government does not provide support for school building or maintenance, causing an increased burden from local property taxes, which disadvantages lower-income communities.

This situation has developed under both Democrat and Republican administrations. Donald Trump's appointments to his cabinet of billionaire Betsy DeVos as secretary of education, who desires public school funding be moved to private schools, and Scott Pruitt to head the EPA, in order to dismantle it, point to the drastic escalation of class conflict in the offing.

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