

**H**ULBERT Engineering  
and Land Surveying, DPC

# Lead Remediation Plan



**JENNINGS  
ENVIRONMENTAL  
MANAGEMENT, INC.**



## **Johnson City Central School District District-Wide Lead Remediation Plan Johnson City, New York**

**Prepared for and Submitted to:**

**Mr. Eric Race**

**Asst. Superintendent for Administration**

**Johnson City Central School District**

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**Johnson City, New York 13790**

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**November 10, 2016**

**Project No. 16301.01**

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### **INTRODUCTION**

This “Lead Remediation Plan - 2016” is completed and submitted in response to a request from Mr. Eric R. Race, Assistant Superintendent for Administration, Johnson City Central School District, Johnson City, New York. This Lead Remediation Plan addresses drinking and cooking water at the K-8 Grade School, High School, Bus Garage, Baseball Concession Stand and Football Concession Stand.

**Hulbert Engineering & Land Surveying, DPC**, in association with **Jennings Environmental Management Inc.**, (**Jennings Environmental**) have been retained by Johnson City Central School District to perform professional environmental services to comply with new regulations.

This “Lead Remediation Plan” represents strict compliance with the New York State Department of Health as vested by the Commissioner of Health, Public Health Law sections 1370-a and 110, Subpart 67-4 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York. This Lead Remediation Plan complies with SUBPART 67-4: “*Lead Testing in School Drinking Water*”, which further requires compliance with the U.S. Environmental Protection Agency’s “**3Ts for Reducing Lead in Drinking Water in Schools**”, published October 2006. Prior to the New York State Lead-in-Drinking Water regulation, effective September 6, 2016, this U.S. Environmental Protection Agency document had been designated as the “Default” document for Lead-in-Drinking Water regulations in schools, according to Ms. Kimberly Evans, Public Health Specialist for the New York State Department of Health.

Pursuant to the U.S. Environmental Protection Agency and New York State Department of Health webinars of Friday, 16 September and of Friday, 23 September 2016, and the webinar with only the local health department and the New York State Department of Health on Friday, 30 September 2017, some provisions of the New York State regulation conflict or contradict with the U.S. Environmental Protection Agency document. Reportedly, resolutions and clarifications are forthcoming from the New York State Department of Health in the near future.

This Lead Remediation Plan meets or exceeds rules and regulations of both New York State Department of Health and U.S. Environmental Protection Agency, their interpretations and guidelines, current as of date of this document.

In accordance with New York State Department of Health, a brief summary of this Lead Remediation Plan document, titled “**Public Notification for Lead-in-Drinking & Cooking Water Testing**” shall be forwarded to the Broome County Health Department, via United States Postal Service, as directed by Broome County Health Department. The full, compliant Lead Remediation Plan shall be uploaded by the District’s Health Communication System Coordinator for the Health Emergency Response Data System to the State’s electronic website portal (<https://commerce.health.state.ny.us>). The Lead Remediation Plan shall be submitted to both the New York State Department of Health and the New York State Education Department, as soon as practical, but no later than November 11, 2016.

The Public Notification letter will also be posted on the District’s website.

### **1.0 PURPOSE**, per Section 67-4.1:

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- 1.1.** The purpose of this Lead Remediation Plan is to conduct sampling/testing of drinking and cooking water to determine the presence or absence of lead in the designated sources. Drinking and Cooking Sources were identified in September 2016 by Johnson City Central School District. This effort was conducted subsequent to consideration and general development of a plumbing profile for all buildings.

The District's official contact information:

Mr. Eric R. Race  
Assistant Superintendent for Administration  
Johnson City Central School District  
666 Reynolds Road  
Johnson City, New York  
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- 1.2.** Lead-In-Drinking Water sampling/testing was performed at the following schools and transportation Complex:

<u>ELEMENTARY SCHOOL:</u>	<u>HIGH SCHOOL:</u>	<u>OTHER BUILDINGS:</u>
K-8 Grade School	Johnson City High School	Transportation Complex Baseball Concession Stand Football Concession Stand

- 1.3.** New York State License for **Hulbert Engineering & Land Surveying, DPC** see below:

- Gene Hulbert, Jr., Professional Engineer # 073582.

- 1.4.** U.S. Environmental Protection Agency Lead Certification for the firm and personnel of **Jennings Environmental Management** Environment Field Technicians see below:

- Firm Certification, U.S. Environmental Protection Agency # NY-805-5;
- Gerald R. Meyer, U.S. Environmental Protection Agency Certified Risk Assessor, # NY-R-7843-4;
- Bret Jennings, Environmental Field Technician.

- 1.5.** Dates of Lead-In-Drinking Water Sampling/Testing:

- 20 September through 19 October 2016.

## **2.0 DEFINITIONS**, per Section 67-4.2:

- 2.1. Action Level:** 15 micrograms per liter (ug/L) of parts per billion (ppb). Exceedance of the action level requires a response.

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- 2.2. Building:** Sampling/testing of *potable water*, defined by 10 NYCRR, was conducted at all locations occupied by students and staff, as defined by section 1417 of the Federal Safe Drinking Water Act.

### **3.0 MONITORING**, per Section 67-4.3:

- 3.1. Jennings Environmental** and **Hulbert Engineering & Land Surveying, DPC** collected, logged, packaged and forwarded to laboratory (via overnight, private courier) the samples from all designated cold water sources.
- 3.2. Protocol of Lead Bulk Sampling** included the following:
- 3.2.1.** “Initial First Draw” sample collection of cold water from designated drinking and cooking sources in two hundred fifty (250) milliliters (mL) non-recycled plastic, wide-mouthed bottles, provided by an independent testing laboratory.
- 3.2.2.** “Initial First Draw” samples were typically collected eight (8) to twelve (12) hours after “normal” school hours (including “after school” activities”, when water was “motionless”. Sampling time then dictated most sampling was conducted during the hours of 2:00 A.M. and 7:00 A.M., unless not feasible. In no case were any samples collected prior to the eight (8) hours, nor collected past the eighteen (18) hour time limitation;
- 3.2.3.** Preparation of "Lead Sampling and Summary of Testing Log and "Chain of Custody" (Transmittal) documents.
- 3.2.4.** Samples were collected “as is” condition, i.e. no screens or aerators were cleaned or removed prior to sampling.
- 3.2.5.** Each sample was individually labeled (“unique numbering system” prior to packaging for shipment.
- 3.2.6.** Samples were securely packaged, i.e. bubble-wrapped, and were immediately couriered by private vendor directly to independent testing laboratory). Containers were tightly sealed and packed to eliminate the potential for contamination.
- 3.2.7.** Forwarding to independent testing laboratory by overnight courier.
- 3.3. Waiver:** Pursuant to Section 67-4.3(c)(3), “any first-draw sampling conducted consistent with this Subpart that occurred after January 1, 2015 shall satisfy the initial first-draw sampling requirement”. No Lead-in-Drinking Water sampling/testing or remediation was undertaken prior to the effective date of the new regulation, September 6, 2016 and, therefore, no waiver will be requested.
- 3.4. Johnson City Central School District** shall comply with Subpart 67-4(d) and schedule next round of Lead-in-Drinking and Cooking Water sampling/testing at designated water sources

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five (5) years, by 2020 or at time deemed earlier by the Commissioner or Johnson City Central School District.

- 3.5. New York State Department of Health ELAP Certification: **Hulbert Engineering & Land Surveying, DPC** and **Jennings Environmental** performed services in association with Eastern Analytical Services, Inc. (EAS), 4 Westchester Plaza, Elmsford, NY 10523-1601, which is applicably accredited by the New York State Department of Health Environmental Laboratory Accreditation Program (New York State Department of Health ELAP), # 10851 and the National Institute of Standards and Technology's National Voluntary Laboratory Accreditation Program (NIST NVLAP) #101646-0. EAS performed analysis of material samples.
- 3.6. **Hulbert Engineering & Land Surveying, DPC, Jennings Environmental** and EAS personnel performing services are licensed, certified, trained and accredited, as applicable.

### **4.0 RESPONSES**, per Section 67-4.4:

- 4.1. Samples drinking and cooking sources that tested above 15 ppb's, were taken out-of-service, water shut-off where feasible and until water fixture components replaced and re-sampled. No Water sources were reactivated only upon test result at or below the Action Level.
- 4.2. At no time were building occupants without an adequate supply of potable water for drinking and cooking.
- 4.3. Test results have been and will continue to be reported to the local health department, Broome County Health Department and upload same to the New York State Department of Health and New York State Education Department, via the electronic website portal, as soon as practical or directed by the Commissioner.
- 4.4. Johnson City Central School District shall notify all staff, and all persons in parental relation to students, of the test results, whether in writing or via District's website, or other means deemed suitable by the District, as soon as practical or as directed by the Commissioner.

### **5.0 PUBLIC NOTIFICATION**, per Section 67-4.5:

#### **5.1.** List of lead-free buildings:

**5.1.1.**No school buildings were constructed post January 4, 2014 and, therefore, no buildings meet the definition of "lead-free", as defined in section 1417 of the Federal Safe Drinking Water Act.

#### **5.2.** Public notification of testing results and Lead Remediation Plans:

**5.2.1.**Johnson City Central School District shall post on the District's website the results of all lead testing and the Lead Remediation Plan as soon as possible or as directed by the Commissioner.

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### **6.0 REPORTING**, per Section 67-4.6:

**6.1.** No later than November 11, 2016, Johnson City Central School District shall report the following to New York State Department of Health, Broome County Health Department and New York State Education Department, via the New York State Department of Health's designated statewide electronic reporting system:

**6.1.1.** Confirmation all required initial first draw samples have been conducted.

**6.1.2.** That no sources were tested prior to September 6, 2016.

**6.1.3.** That Johnson City Central School District conducted testing in complete compliance with testing requirements of this Subpart 67-4.6, per guidance issued by the New York State Department of Health.

**6.1.4.** Remediation, including short-term daily flushing, repairs and replacements, and/or retesting are all being evaluated on short or long-term basis.

**6.1.5.** Lead content in designated drinking and cooking water sources is at or below 15 ppb's or has been taken out of service.

**6.1.6.** No waiver is required from Johnson City Central School District since all sampling/testing was conducted in strict compliance with Section 67-4.8 of the regulation, post effective date of September 6, 2016.

**6.1.7.** Johnson City Central School District includes in the Lead Remediation Plan any buildings determined to be lead-free, as defined by Section 1417 of the Federal Safe Drinking Water Act.

**6.1.8.** As soon as practical or as directed by the Commissioner, Johnson City Central School District shall report sampling/testing data to the New York State Department of Health, Broome County Health Department and New York State Education Department, via New York State Department of Health's designated statewide reporting system.

### **7.0 RECORDKEEPING**, per Section 67-4.7:

**7.1.** Johnson City Central School District shall retain all test reports, the Lead Remediation Plan for a period of ten (10) years after the date of the preparation and submission of this Lead Remediation Plan. Copies of such documentation shall be immediately provided to the New York State Department of Health, Broome County Health Department and New York State Education Department, upon request.

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### **8.0 WAIVERS**, per Section 67-4.8:

- 8.1. Johnson City Central School District does not require any “waiver” since no sampling/testing was performed prior to September 6, 2016.

### **9.0 ENFORCEMENT**, per Section 67-4.9:

- 9.1. Upon reasonable notice to the District, an officer or employee of New York State Department of Health or the Broome County Health Department may enter any building for the purposes of determining compliance with this regulation.
- 9.2. If the District does not comply with the requirements of this Subpart, the New York State Department of Health may take any action authorized by law including, but not limited to, assessment of civil penalties as provided by law.

### **10.0 CONCLUSIONS AND RECOMMENDATIONS:**

- 10.1. Johnson City Central School District will forward, via United States Postal Service, as directed by Broome County Health Department, this compliant Lead Remediation Plan and proceed to request the District’s Health Communication System Coordinator for the Health Emergency Response Data System to upload by electronic website portal (<https://ealth.state.ny.us>) the same document to New York State Department of Health and New York State Education Department as soon as practical, but no later than November 11, 2016.
- 10.2. No waiver is needed nor requested for the Johnson City Central School District, since the Lead-In-Drinking and Cooking Water Sampling/Testing conforms, in whole, to the requirements of New York State Department of Health Subpart 64-7.
- 10.3. Designated water sources exceeding the Action Level were taken out of service until a Plan is developed for repairs, flushing, replacement or other means of remediation are determined.
- 10.4. The District recognizes that taking out of service of water sources exceeding the Action Level is a short-term solution, and the District is currently in the process of determining source of lead introduction into the drinking and cooling water systems and developing Capital Project plans to resolve the elevated lead levels in sources for the long-term.
- 10.5. Long-term resolutions may range from removing the outlet from use, installation of filters (NSF approved) at point of entry or at outlet, along with maintenance program, or new faucets, new fixtures, replacement of infrastructure mechanical piping systems or other means to eliminate source of lead.
- 10.6. Graphic signage shall be installed to designate which drinking and cooking sources are approved for drinking or cooking.

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- 10.7. Johnson City Central School District will submit updated Lead Remediation Plan in the Year 2020 or at time deemed earlier by the Commissioner or Johnson City Central School District.
- 10.8. **This Lead Remediation Plan contains proprietary and privileged information which is competition sensitive and not for use by anyone but the Johnson City Central School District, the environmental consultants, and their representatives, agents, consultants, regulatory agencies, legal entities or any other entity, as determined and approved by the District, [Hulbert Engineering & Land Surveying, DPC](#) and/or [Jennings Environmental](#). This Plan is specifically for distribution via website or other means deemed acceptable to District, Districts' Representatives, [Hulbert Engineering & Land Surveying, DPC](#) and/or [Jennings Environmental](#). Any other entity requires written authorization from District, [Hulbert Engineering & Land Surveying, DPC](#) and [Jennings Environmental](#).**

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