



MEMORANDUM OF UNDERSTANDING ON REDUCING LEAD LEVELS IN DRINKING WATER IN SCHOOLS AND CHILD CARE FACILITIES

between

**U.S. ENVIRONMENTAL PROTECTION AGENCY,
DEPARTMENT OF EDUCATION,**

and the

CENTERS for DISEASE CONTROL and PREVENTION

and

**AMERICAN WATER WORKS ASSOCIATION,
ASSOCIATION OF METROPOLITAN WATER AGENCIES,
ASSOCIATION OF STATE DRINKING WATER ADMINISTRATORS,
NATIONAL ASSOCIATION OF WATER COMPANIES,**

and

NATIONAL RURAL WATER ASSOCIATION

I. Purpose

The purpose of this Memorandum of Understanding (MOU) between the Environmental Protection Agency (EPA), the Department of Education (DoEd), the Centers for Disease Control and Prevention (CDC), the American Water Works Association (AWWA), the Association of Metropolitan Water Agencies (AMWA), the Association of State Drinking Water Administrators (ASDWA), the National Association of Water Companies (NAWC), and the National Rural Water Association (NRWA) is to facilitate actions that reduce children's exposure to lead from drinking water at schools and child care facilities. The signatories agree to encourage schools and child care facilities to take such steps, including testing drinking water for lead; disseminating results to parents, students, staff and other interested stakeholders; and taking appropriate and necessary actions to correct problems. The signatories also agree to encourage the drinking water community to assist schools and child care facilities in their efforts to understand and reduce lead exposure from drinking water.

II. Background

Exposure to lead is a significant health concern, particularly for young children and infants. Adverse health effects from lead in children can include impaired mental development. While we have made significant progress in reducing lead in the environment from all sources, including the nation's drinking water, our work is not finished. All parties to this agreement believe that we should "get the lead out" of drinking water to the extent possible. Since children spend a significant part of the day in school and child care facilities, understanding and reducing lead exposures in those facilities is particularly important.

In general, lead levels for water leaving the drinking water treatment plant are very low. However, lead leaches from plumbing materials and fixtures as water moves through the distribution system and through the customer's plumbing. Because lead concentrations can change as water moves through the distribution system, the best way to know if a school or child care facility might have high levels of lead in its drinking water is by testing the water in that school or child care facility. Testing facilitates an evaluation of the plumbing and helps target remediation. It is a key first step in understanding the problem, if there is one, and designing an appropriate response.

A collaborative effort by the EPA, drinking water associations, state primacy agency associations, the Centers for Disease Control and Prevention, and the Department of Education will provide a valuable impetus to building awareness of this issue at the community level. Such collaboration affords this effort important synergies. State health and environmental agencies can raise the issue of lead in drinking water in schools and child care facilities in the context of a broader effort. The drinking water community can provide valuable expertise to schools and child care facilities. The Department of Education can provide information and guidance to schools about lead in drinking water. EPA can work jointly with all parties to ensure that schools and childcare facilities are providing safe drinking water.

III. Agreement

a. Environmental Protection Agency

- i. **EPA** intends to update the 1994 guidance "Lead in Drinking Water in Schools and Non-Residential Buildings."
- ii. **EPA** intends to update the 1994 guidance "Sampling for Lead in Drinking Water in Nursery Schools and Day Care Facilities."
- iii. **EPA** intends to create guidance for the Implementation of the Lead and Copper Rule for schools and child care facilities that are regulated as public water systems under the Safe Drinking Water Act.

- iv. **EPA** is planning to raise awareness and to provide tools and guidance on the issue of lead in drinking water in schools and child care facilities.
- v. **EPA** will seek to integrate water issues into a holistic healthy schools program that provides an overall context for each aspect of providing a safe learning environment for children.
- vi. **EPA** is planning to develop training tools for system owners and operators at schools and child care facilities that are regulated as a public water system.

b. Department of Education

- i. **DoEd** will identify the appropriate school associations and organizations to work with to craft appropriate messages and to facilitate dissemination of materials and tools to schools.
- ii. **DoEd** will work with EPA to disseminate materials and tools to schools.
- iii. **DoEd**, in collaboration with AMWA, ASDWA, AWWA, NAWC, NRWA and CDC will cooperate with EPA in the development of materials and tools to assist schools and child care centers in reducing lead in drinking water.

c. Centers for Disease Control and Prevention

- i. **CDC** will identify the appropriate public health organizations to work with to craft appropriate messages and to facilitate dissemination of materials and tools to child care centers.
- ii. **CDC** will work with EPA to disseminate materials and tools to state health departments.
- iii. **CDC**, in collaboration with DoED, AMWA, ASDWA, AWWA, NAWC, and NRWA will cooperate with EPA in the development of materials and tools to assist schools and child care centers in reducing lead in drinking water.

d. American Water Works Association

- i. **AWWA** will encourage its member utilities to educate schools and child care facilities they serve with respect to 1) testing for lead in drinking water and 2) developing strategies to communicate results.
- ii. **AWWA** will provide information to assist utilities to interact effectively with schools and child care facilities.
- iii. **AWWA** will encourage member utilities to coordinate with schools and child care facilities and provide available information on lead (including sources of lead) in drinking water in the community.
- iv. **AWWA**, in collaboration with AMWA, ASDWA, NRWA, NAWC, CDC and DoEd, will work together with EPA in the development of materials

and tools to assist schools and child care centers in reducing lead in drinking water.

e. Association of Metropolitan Water Agencies

- i. **AMWA** will encourage its member utilities to work together with the schools and child care facilities they serve with testing for lead in drinking water and developing strategies to communicate results.
- ii. **AMWA** will encourage member utilities to offer technical support to schools and child care facilities they serve, to the extent they are able.
- iii. **AMWA**, in collaboration with ASDWA, AWWA, NRWA, NAWC, CDC and DoEd, will work together with EPA in the development of materials and tools to assist schools and child care centers in reducing lead in drinking water.

f. Association of State Drinking Water Administrators

- i. **ASDWA** will work with state primacy agencies in their efforts to provide appropriate levels of compliance assistance to schools and child care facilities that are public water systems to help ensure effective implementation of the Lead and Copper Rule (LCR).
- ii. **ASDWA**, working through state drinking program administrators, will assist in the dissemination of materials and tools to schools and child care facilities that are regulated as a public water system in order to improve implementation of the Lead and Copper Rule (LCR).
- iii. **ASDWA** will cooperate with EPA in the development of materials and tools to assist schools and child care centers in reducing lead in drinking water and will help coordinate state input and review of these materials and tools.

g. National Association of Water Companies

- i. **NAWC** will encourage its member utilities to educate schools and child care facilities they serve with respect to 1) testing for lead in drinking water and 2) developing strategies to communicate results.
- ii. **NAWC** will encourage member utilities to offer advice to schools and child care facilities they serve, consistent with the limits of the utility's expertise and resources.
- iii. **NAWC**, in collaboration with AMWA, ASDWA, AWWA, NRWA, CDC and DoEd, will work together with EPA in the development of materials and tools to assist schools and child care centers in reducing lead in drinking water.

h. National Rural Water Association

- i. **NRWA** will make available its field expertise and on-site assistance as requested by utilities and as is practical to assist in the education, identification and remediation of lead in schools and child care centers.
- ii. **NRWA** will disseminate available educational material to its state affiliates for use in training and on-site assistance to public water supplies.
- iii. **NRWA** will publicize the EPA efforts to raise awareness of lead in drinking water in schools and child care facilities through its web sites and publications.

i. Joint Activities

- i. All parties will work to ensure that children in schools and child care facilities are provided with safe drinking water.
- ii. **EPA and AWWA** will jointly provide web cast or other appropriate training for drinking water utilities on the types of assistance utilities can provide to schools and child care facilities that wish to implement programs or policies to address lead in their drinking water.

IV. Limitations

- a. All commitments made in this agreement are subject to the availability of appropriated funds and each agency's budget priorities. Nothing in this MOU shall, in and of itself, obligate EPA, AWWA, AMWA, ASDWA, NACW, NRWA, the Department of Education, or the Centers for Disease Control and Prevention to expend appropriations or to enter into any contract, assistance agreement, interagency agreement or other financial obligations.
- b. This MOU does not impose requirements on schools, child care facilities, or water utilities beyond those contained in existing laws and regulation.
- c. Any endeavor involving the transfer of funds between the parties to the MOU will be executed in separate agreements between or among the participating parties. The signatories agree that they will not submit a claim for compensation to EPA for any actions taken in furtherance of this MOU.
- d. This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the parties to this MOU will be handled in accordance with applicable laws, regulations and procedures, and will be subject to separate subsidiary agreements that shall be effected in writing by representatives of both parties.
- e. This MOU in no way restricts the signatories from participating in similar activities or arrangements with other entities or federal agencies.

- f. None of the Federal signatories may endorse the purchase or sale of products and services provided by private organizations that become partners in this effort.
- g. This MOU does not create any right or benefit, substantive or procedural, enforceable by law or equity against the signatories of the MOU, their officers or employees, or any other person. This MOU does not direct or apply to any person outside the signatories to the document.

V. Effective date

This MOU will become effective upon signature by the Assistant Administrator for Water of the U.S. Environmental Protection Agency, the Assistant Deputy Secretary for the Office of Safe and Drug Free Schools of the U.S. Department of Education, the Acting Director of the National Center for Environmental Health/Agency for Toxic Substances and Disease Registry of the Centers for Disease Control and Prevention, the Executive Director of the American Water Works Association, the Executive Director of the Association of Metropolitan Water Agencies, the Executive Director of the Association of State Drinking Water Administrators, the Executive Director of the National Association of Water Companies, and the Executive Director of the National Rural Water Association, and shall remain in effect until termination by any Party. Any Party may withdraw from the agreement by giving notice to the other parties in writing. Its provisions will be reviewed annually and amended or supplemented as may be mutually agreed upon in writing. This MOU becomes effective on the date of the final signature.

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Signed on behalf of:

U. S. Environmental Protection Agency



Date 6/6/05

Benjamin H. Grumbles
Assistant Administrator
Office of Water

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Signed on behalf of:

U.S. Department of Education



Date JUN 15 2005

Deborah Price
Assistant Deputy Secretary
Office of Safe and Drug Free Schools

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Signed on behalf of:

Centers for Disease Control and Prevention

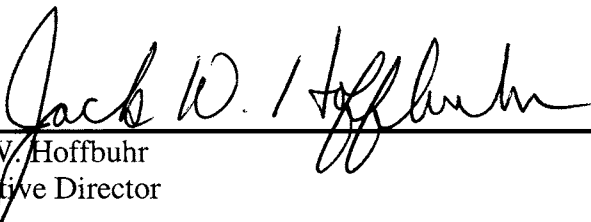
 C. Sinks for Date 8/16/2005

Thomas Sinks, Ph.D.
Acting Director
National Center for Environmental Health/
Agency for Toxic Substances and Disease Registry

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Signed on behalf of:

American Water Works Association


 Date June 6, 2001

Jack W. Hoffbuhr
Executive Director

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Signed on behalf of:

Association of Metropolitan Water Agencies



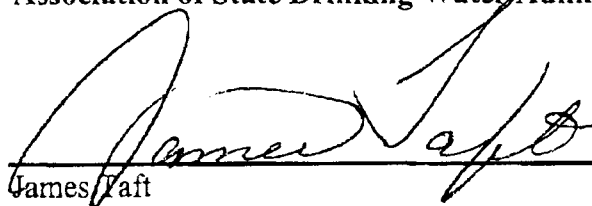
Diane VanDe Hei
Executive Director

Date 6/7/05

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Signed on behalf of:

Association of State Drinking Water Administrators

A handwritten signature in black ink, appearing to read "James Taft", is written over a horizontal line.

Date

6/6/05

James Taft
Executive Director

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Signed on behalf of:

National Association of Water Companies



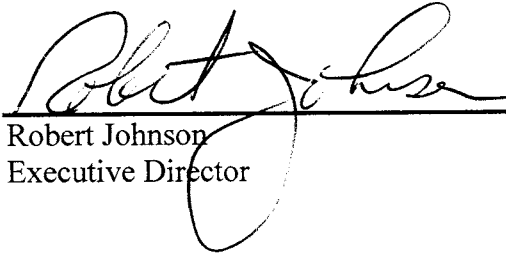
Peter L. Cook
Executive Director

Date June 8, 2005

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Signed on behalf of:

National Rural Water Association



Robert Johnson
Executive Director

Date 6/6/2005