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SENATE BILL NO. 1622

Offered January 9, 2019

Prefiled January 9, 2019

A *BILL to amend the Code of Virginia by adding a section numbered 63.2-1705.1, relating to certain child day programs; potable water; lead testing.*

Patrons—McPike, Boysko, Kory and Mason; Delegate:

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 63.2-1705.1 as follows:

§ 63.2-1705.1. Child day and certain other programs; potable water; lead testing.

A. Each child day program that is licensed pursuant to this chapter and any program described in subdivision A 3, A 4, B 1, or B 5 of § 63.2-1715 and serves preschool-age children shall develop and implement a plan to test potable water from sources identified by the U.S. Environmental Protection Agency as high priority, including bubbler-style and cooler-style drinking fountains, kitchen taps, classroom combination sinks and drinking fountains, home economics room sinks, teacher's lounge sinks, nurse's office sinks, classroom sinks in special education classrooms, and sinks known to be or visibly used for consumption, as often as is required of the supplying public water system by the Virginia Department of Health's Office of Drinking Water pursuant to regulations established in accordance with the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.).

B. The plan established pursuant to subsection A and the results of each test conducted pursuant to such plan shall be submitted to the Commissioner and the Department of Health's Office of Drinking Water.

C. If the results of any test conducted in accordance with the plan established pursuant to subsection A indicate a level of lead in the potable water that is at or above 15 parts per billion, the program shall remediate the level of lead in the potable water to below 15 parts per billion and confirm such remediation by retesting the water at two consecutive six-month intervals, consistent with the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.). The results of the retests shall be submitted to the Commissioner and the Department of Health's Office of Drinking Water.

D. Notwithstanding the provisions of subsection A or C, a child day program that is licensed pursuant to this chapter and any program described in subdivision A 3, A 4, B 1, or B 5 of § 63.2-1715 may, in lieu of developing and implementing a plan to test potable water or of remediation, use for human consumption, as defined by § 32.1-167, bottled water, water coolers, or other similar water source that meets the U.S. Food and Drug Administration standard for lead of five parts per billion or less. Any program that chooses this option shall notify the Commissioner and the Department of Health's Office of Drinking Water and the parent of each child in the program of such choice.

INTRODUCED

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