

PUBLIC TESTIMONY - Patrick Young

From: Patrick Young [mailto:young@nyhs.com]
Sent: Tuesday, September 02, 2008 3:12 PM
To: Bernard, Nancy (DOH)
Cc: rfox@nyhs.com
Subject: Proposed Changes to Chapter 246-366 WAC

Nancy,

My name is Patrick Young. I am the Business Manager for the Northwest Yeshiva High School in Mercer Island.

This is a response to the proposed changes to the environmental health and safety rules for primary and secondary schools, Chapter 246-366 WAC:

While the intent of instituting mandatory Water Quality Monitoring for both Lead and Copper is commendable, these proposed regulations regarding stringent water quality testing are onerous and potentially very expensive for independent private schools.

The proposed regulation states that school officials must ensure that:

"The Environmental Protection Agency's (EPA) "3Ts For Reducing Lead in Drinking Water in Schools" (EPA publication 816-B-05-008) 1, called "EPA 3Ts publication," is used to:

- (i) design a sampling plan,
 - (ii) sample the water,
 - (iii) interpret test results,
 - (iv) inform the public, and
 - (v) correct any lead problems.
- (b) A laboratory, accredited by a state agency to perform lead analysis according to EPA drinking water laboratory certification criteria, is used to analyze all samples.
- (c) Sample sites consist of every outlet that is regularly used for cooking or drinking.
- (d) A person is designated at each school facility that is responsible for collecting the water samples and ensuring the samples are properly tested. School officials shall ensure the designated person has sufficient training and knowledge to meet these responsibilities."

The Northwest Yeshiva High School is a small private high school with an enrollment of 95 students and a small administrative staff. Assuming that

there would be no lead or copper problems to correct, the demand on our manpower to design a plan, sample the water and interpret the results will be significant. Designating and training someone to be "responsible for collecting the water samples and ensuring the samples are properly tested" will cause additional undue strain to an already overworked administrative staff.

In addition to the demands on the staff's time, the costs of submitting samples to an "accredited" laboratory are not insignificant. For small schools like NYHS that frequently run at a deficit, any additional unbudgeted cost is a concern.

Finally, in addition to any expense we may incur in the testing process, we are also expected to pay fees to the Board of Health "to ensure that (our) school environmental health and safety program is adequately funded"?

So it appears that these proposed regulations are completely unfunded, with absolutely no expense incurred by the state. This seems poorly conceived, and truly meets the definition of an "unfunded mandate".

We urge the state to reconsider implementing these particular revisions.

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