

Indiana Law to make bottled water safer than tap water at Indiana schools – Governor Must Veto

March 3, 2020

On Tuesday March 2, Indiana lawmakers sent a bill, HR bill [1265](#), to Governor Holcomb's desk that could require lead testing at all Indiana schools. Yet, this legislation fails to protect our children. If signed into law, the Governor's signature will make it legally permissible to expose children to unsafe water at schools.

There are three fatal, but easily solvable, problems with HR bill [1265](#).

Governor Holcomb is the only person who can now intervene.

1. The bill designates 15 parts per billion (ppb) as an "acceptable" level for lead in drinking water. If lead is found slightly below this number, say 14 ppb, the proposed legislation deems this water safe to drink despite children's health experts who say otherwise.

There is no medical basis for the proposed limit of 15 ppb. None.

The American Academy of Pediatrics, who represent more than 67,000 physicians for children, have previously stated that a child shall be exposed to [no more than 1 ppb](#) of lead in drinking water. Indiana lawmakers have instead chosen a value 15 times greater than what pediatric doctors consider allowable.

There is no federal law that allows 15 ppb of lead in drinking water and deems that safe. If someone says so, they are grossly misinformed.

Consider this: The U.S. Food and Drug Administration, who regulates bottled water safety, prohibits bottled water from containing [more than 5 ppb](#) of lead. If this bill is passed into law, Governor Holcomb will affirm bottled water is safer for children than Indiana school tap water.

All parents will need to find an alternative, safer supply, and schools should bear responsibility for supplying bottled water to meet this need.

Indiana children deserve to be protected from harm, and 15 ppb of lead in drinking water is harmful. The U.S. EPA has even declared that there is [no safe blood lead level](#).

2. The second problem: The bill does not require testing of drinking water at daycare centers. [Lead is a neurotoxin](#) that accumulates in the body over time. It affects brain and central nervous system development. Young children are most vulnerable to lead poisoning, with long-term effects that include reduced IQ and reduced educational

Opinion (March 3, 2020), State of Indiana, Governor Eric J. Holcomb,
House Bill 1265 pertaining to drinking water testing in Indiana schools

attainment. Daycares, which house infants and toddlers, should be a top priority for lead testing, not ignored altogether. Daycare center drinking water testing must be required...or lawmakers cannot say that the water is safe.

By signing the bill into law Governor Holcomb will affirm the most vulnerable children are not protected or a priority.

All parents will need to find an alternative, safer supply, and daycare centers should bear responsibility for supplying bottled water to meet this need.

3. Finally, the bill does not require that schools test for copper in drinking water. Copper in excess of the EPA (health-based) action level of 1.3 mg/L can cause adverse health outcomes including gastrointestinal distress. Extended exposure causes liver and kidney damage. And like lead, plumbing is the major source of copper.

In 2018, a Purdue University plumbing safety research team found high concentrations of copper in the drinking water from Avon Middle School North in [Avon, Indiana](#). This 7-year-old green school had copper levels well above the federal health-based 1.3 mg/L drinking water limit – *throughout the school*. Copper leached from the school's plumbing.

This school had previously participated in the state sponsored Indiana Finance Authority lead testing program, but Indiana lawmakers did not require copper testing. Without the Purdue testing, at no cost to the school, administrators would never have known that children were being exposed to unsafe water.

The water and plumbing in Indiana is conducive to leaching; the water has high alkalinity and much of the plumbing is copper. It is likely copper contamination is much more prevalent across large buildings like schools. By not requiring copper drinking water testing at schools, Indiana's elected officials will tacitly condone the continued exposure of children to unsafe drinking water.

Copper and lead can be detected from the same water sample during the same laboratory test. It was a deliberate choice by lawmakers not to require testing for copper in the lead samples in the bill in front of Governor Holcomb.

As parents, and friends to many others, who have children in Indiana schools and daycares, we urge Governor Holcomb to veto this bill.

Next, the Governor should convene a rapid School Water Safety Task Force to develop and issue school and daycare testing recommendations within 1-2 months. Testing should begin shortly thereafter.

Legislators and Governor Holcomb can make a positive impact on children's health by protecting kids from harm in schools. The failure to develop legislation that protects children from harm could soon become immortalized by Governor Holcomb's signature.

A remarkable series of bad policy actions possibly coupled with bad advice is now about to culminate into Governor Holcomb legalizing unsafe water in Indiana schools.

The children of Indiana need an advocate. The only chance our kids have is a Governor's veto and the Governor's leadership to catalyze immediate action.

Biographies of the Opinion

Andrew J. Whelton, Ph.D., is a father of a toddler, kindergartener, and second grader, and professor of Civil, Environmental, and Ecological Engineering at Purdue University. He leads a multi-million-dollar US EPA backed plumbing safety initiative at Purdue University (www.PlumbingSafety.org) and has 20 years' experience with drinking water testing and analysis.

David M. Cwiertny, Ph.D., is a father of a first grader and fourth grader, and a professor of Civil and Environmental Engineering at the University of Iowa. He directs the Iowa-state funded Center for Health Effects of Environmental Contamination, which through its "Grants to Schools" program conducts testing and repairs to eliminate exposure to lead and copper in the drinking water of Iowa elementary schools.

Resources Cited

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3. US Food and Drug Administration statement about bottled water safety and lead
https://www.fda.gov/consumers/consumer-updates/bottled-water-everywhere-keeping-it-safe?utm_campaign=Google2&utm_source=fdaSearch&utm_medium=website&utm_term=bottled%20water&utm_content=1
4. US Centers for Disease Control and Prevention (CDC) lead in drinking water information
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