



Pine Plains Central School District

Lead Testing and Reporting

S9-25-18 | July 2025

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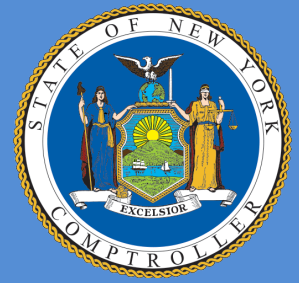
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Audit Results



Pine Plains Central School District

Audit Objective

Audit Period

Did Pine Plains Central School District (District) officials identify, report and implement needed remediation to reduce lead exposure in potable water outlets?

July 1, 2019 – September 30, 2024

Understanding the Program

Lead is a metal that was commonly used in plumbing and has since been identified as toxic to people, especially young children. Lead poisoning can cause neurological issues such as slowing children's growth, causing learning and behavioral issues or causing hearing and speech problems which can lead to greater difficulty performing well in school and beyond.¹ To aid in combating lead poisoning, New York State (NYS) requires all public school districts and Boards of Cooperative Educational Services (BOCES) to test potable (i.e., consumable) water for lead, report the results and implement necessary remediation. Testing and reporting for lead contamination began in 2016, and subsequent testing cycles have followed:

- Cycle One: September 6, 2016 to October 31, 2016.
- Cycle Two: January 1, 2020 to December 31, 2020 (extended to June 30, 2021 due to the COVID-19 pandemic).
- Cycle Three: January 1, 2023 to December 31, 2025.²

Audit Summary

District officials did not properly identify, report or implement needed remediation to reduce lead exposure in all potable water outlets as required by NYS Public Health Law and Department of Health (DOH) regulations.³ We determined 12 of the 333 water outlets we identified at select areas, that students, staff and the public may have access to and could consume water from, were not sampled or properly exempted by District officials for Cycle Two. This occurred because District officials did not have a sampling plan to identify all water outlets for sampling or exemption.

1 Lead Exposure Symptoms and Complications – <https://www.cdc.gov/lead-prevention/symptoms-complications/index.html>

2 As of December 22, 2022, schools are now required to test for lead in the water every three years beginning January 1, 2023 for Cycle Three.

3 Public Health Law section 1110; 10 NYCRR subpart 67-4 – Lead Testing in School Drinking Water

Of the 259 water outlets the District sampled for Cycle Two testing, 50 water outlets exceeded the lead action level (19 percent). We reviewed 15 of the water outlets with actionable lead levels and determined that all of these water outlets were remediated.

Although the Director of Facilities (Director) remediated the water outlets that exceeded the lead action level, he did not have a remedial action plan that documented which water outlets exceeded the lead action level and the remedial actions taken, or which water outlets he exempted from sampling and how they would be secured against use. Because there is no information on the lead levels of the 12 water outlets not sampled for testing, we were unable to determine whether officials identified and remediated all water outlets that would have required it.

District officials did not always report results and lead action exceedances within the required time periods. Although District officials reported Cycle Two test results through DOH's Health Electronic Response Data System (HERDS) within the required time period, District officials did not notify the local health department for the test results that exceeded the lead action level within one business day as required. Further, officials did not retain documentation to support that the Cycle Two results were posted on the District website.

Additionally, our review of Cycle Three testing and reporting indicates continued reporting deficiencies including late reporting of testing results and exceedances and posting results on the District's website.

This final report includes seven recommendations to that effect. District officials generally agreed with our findings and their response is included in Appendix C.

The Board of Education (Board) has the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report must be prepared and provided to our office within 90 days, pursuant to Section 35 of the New York State General Municipal Law, Section 2116-a (3)(c) of the New York State Education Law and Section 170.12 of the Regulations of the Commissioner of Education. To the extent practicable, implementation of the CAP must begin by the end of the next fiscal year. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. The CAP should be posted on the District's website for public review.

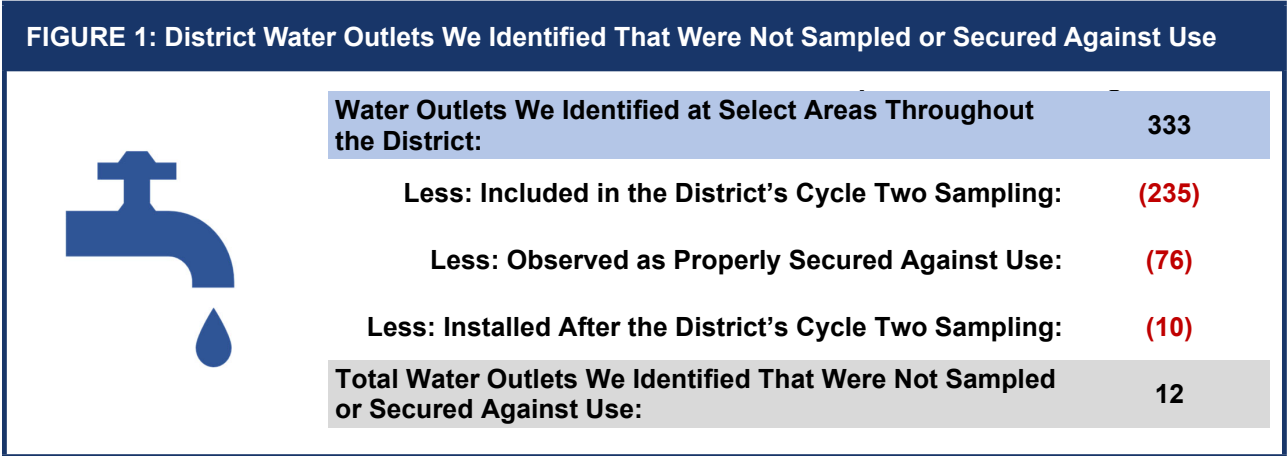
Lead Testing and Reporting: Findings and Recommendations

In accordance with NYS Public Health Law section 1110 and 10 NYCRR subpart 67-4 (regulations), all public school districts and BOCES (together “schools”), must test potable water outlets for lead contamination and take remedial action if the contamination exceeds the lead action level.⁴ The regulations also established requirements for how and when schools must report their test results to local health departments, school staff, students’ parents and/or guardians, DOH and NYS Education Department (NYSED), as well as the public. More details on the water outlet sampling, testing and reporting criteria used in this report, including testing cycles and DOH guidance, are included in Appendix A.

Finding 1 – District officials did not ensure all required potable water outlets were sampled and tested for lead contamination for Cycle Two.

The District conducted initial water sampling on April 17 and 24, and May 1, 2021 for Cycle Two testing, collecting samples from 259 of the District’s water outlets, which were then tested at a laboratory certified through the NYS Environmental Laboratory Approval Program (ELAP). However, the District did not have a sampling plan that identified all water outlets for sampling. The District also did not have a remedial action plan that detailed which water outlets they exempted from sampling, how these would be secured against use, and what remedial actions were planned or enacted.

We identified 333 water outlets at select areas throughout the District to determine whether the District conducted required sampling of all water outlets for Cycle Two.⁵ Of the 333 water outlets we identified, 235 water outlets were included in the 259 water outlets sampled by the District for Cycle Two, 76 water outlets we observed as properly secured against use, and another 10 water outlets were installed and tested⁶ after the Cycle Two testing period. Therefore, we determined that 12 of the 333 water outlets we identified were not exempted by the District and should have been sampled for testing (Figure 1).



4 We examined the Cycle Two testing period ending June 30, 2021, which had a lead action level of 15 parts per billion (ppb). Starting in Cycle Three the lead action level was lowered to five ppb. Schools should be aware that water outlets that were acceptable under the previous regulations could exceed the new lead action level and require remediation. Schools should account for this change in their sampling process and remediation efforts by prioritizing sampling water outlets that exceeded five ppb during the previous testing period.

5 See Appendix B for a complete list of water outlets we identified and their locations. See Appendix D for detailed information on our selection criteria for the water outlets selected.

6 These 10 water outlets were installed in August, 2023 and included in the District’s Cycle Three testing.

The Superintendent of Schools (Superintendent) told us the Director is responsible for overseeing the lead testing program. The Director told us he did not have a documented sampling plan because he is familiar with all the water outlets in District buildings from his building inspections. However, without a sampling plan the Director did not identify all water outlets required to be sampled for testing or those he exempted.

The District properly secured 76 water outlets against use by shutting off the outlets' water supply, as well as signage (e.g., "Do Not Drink") in combination with other physical or supervisory controls. However, because District officials did not identify all outlets to be sampled for testing, we were unable to determine whether the 12 unsampled or unsecured water outlets we identified were below the lead action level of 15 ppb. Additionally, the District did not have a documented remedial action plan to clearly identify any additional controls in place to secure and prevent the 12 water outlets from being used for cooking/drinking, other than signage.

For example, the concession stand sink at the High School was not sampled and tested for lead contamination, even though the sink is in a food preparation area. During our fieldwork, we observed a metal baking tray near the sink indicating that this water outlet could potentially be used for cooking (Figure 2).

While signage was in place, according to DOH guidance, samples must be collected at all outlets used or potentially used for cooking or drinking.

The other 11 water outlets were showers located in student locker rooms. The Director told us he thought the showers were not working. We observed these showers were operational and without any signs instructing students not to consume water from these outlets.

Although signs can be used as a short-term control, the DOH guidance is explicit that to be considered an effective long-term control, signs need to be combined with other controls, such as continual education reinforcing to students and employees that the water outlet is not to be used or establishing and enforcing rules to prevent the water outlet's use.

Finally, we reviewed the test results for all water outlets the District sampled to determine whether District officials took appropriate remedial actions for water outlets that exceeded the lead action level. Of the 259 water outlets that the District sampled and tested, 50 water outlets (19 percent) were above the lead action level of 15 ppb. We reviewed 15 of these water outlets and determined whether the District took appropriate remedial action. We

FIGURE 2: Concession Stand Sink Not Sampled and Tested For Lead Contamination^a



a) Photo taken by OSC auditors in March 2025 with permission from District officials.

determined the Director took appropriate remedial action for the 15 water outlets. Specifically, the Director:

- Removed, replaced or locked nine of the water outlets.
- Remediated the two sinks located in an elementary classroom and a nurse's office with a combination of signs informing students and staff they should not drink from these water outlets (i.e., a "Not for Drinking" sign) and supervision by District staff.
- Retested the remaining four outlets after realizing the initial samples were not taken correctly. The results of the retest showed water outlets were no longer over the lead action level.

Because the Director did not create and maintain sampling and remedial action plans, not all water outlets were sampled or properly exempted from sampling. Had the Director created these plans, District officials could have quickly determined whether all water outlets were sampled or exempt from sampling.

Recommendations

District officials should:

1. Develop sampling plans for all District water outlets that could be used for drinking and cooking.
2. Develop a remedial action plan detailing the water outlets exempt from sampling and how they are secured against use, which should be updated any time conditions change, including when water outlets and controls are added or removed.
3. Sample all water outlets that could be used for drinking and cooking and properly secure any water outlets designated as exempt from sampling.
4. Review all work related to the lead testing program for accuracy and completeness.

Finding 2 – District officials did not report the results of the lead testing properly or in the required time periods.

District officials did not always report laboratory test results, including the initial sampling results showing 50 water outlets were above the lead action level, to all required parties or within the required time periods. This occurred because written procedures were not in place to identify officials' roles and responsibilities. Specifically:

-
- District officials did not notify the local health department directly for the test results that exceeded the lead action level within one business day as required. The District Clerk reported the exceedances four days late for the Cycle Two results.
 - District officials could not provide us with documentation that the Cycle Two results were posted on the District's website.

Further, our review of Cycle Three testing and reporting indicates continued reporting deficiencies. District officials reported the testing results and exceedances late and posted them on the District's website after the required time period.

Because the Director and Superintendent did not monitor the reporting requirements, results were not reported properly to all necessary parties. Developing and documenting clear procedures identifying all officials involved and their roles and responsibilities may lower the risk that the District will miss reporting deadlines during future testing cycles.

Recommendations

District officials should:

5. Develop procedures for all individuals involved in lead testing and reporting and their roles and responsibilities.
6. Notify all required parties in the required time periods after lead testing results are received.
7. Keep accurate records of all notification efforts performed.

Appendix A: Profile, Criteria and Resources

Profile

The District serves the Towns of Clinton, Milan, Northeast, Pine Plains, and Stanford in Dutchess County and the Towns of Ancram, Clermont, Gallatin, and Livingston in Columbia County. The three school buildings are located on campuses in the Town of Pine Plains (One Elementary School and the Middle School/High School/District Office) and in the Town of Stanfordville (Elementary School).

The District is governed by the elected seven-member Board. The Board is responsible for managing and controlling the District's financial and educational affairs. The Superintendent is responsible, along with other administrative staff, for managing the District's day-to-day operations under the Board's direction.

The Superintendent designated the Director as the person responsible for coordinating and reporting all lead testing. The Director tasked the District Clerk with reporting the results to all required parties and posting the results to the District website.

Criteria – Lead Testing and Reporting

To comply with DOH regulations, school officials should develop a sampling plan that properly addresses potable water outlet sampling, testing and reporting for lead contamination. Pursuant to Chapter 296 of the Laws of 2016, the first cycle of testing and reporting for lead contamination began in 2016, and subsequent testing cycles have followed:

- Cycle One: September 6, 2016 to October 31, 2016.
- Cycle Two: January 1, 2020 to December 31, 2020 (extended to June 30, 2021 due to the COVID-19 pandemic).
- Cycle Three: January 1, 2023 to December 31, 2025.

Sampling and Testing – Officials should identify all water outlets to be sampled, their location, and the order in which to collect samples. Water outlets may be located anywhere on school property including external water outlets. According to DOH guidance, the school's superintendent or their designee have the responsibility to identify which water outlets meet the regulation requirements for sampling. For any water outlets determined to fall outside the scope of the regulation, the school must have a remedial action plan that includes details on how those water outlets will not be accessed and/or used for drinking or cooking purposes and should be updated anytime conditions change. All samples must be sent to a laboratory certified by ELAP. When results from sampling of any fixture exceed the lead action level, the water outlet must be immediately taken out of service until remediation is performed to reduce the lead levels to below the action level.

Reporting – School officials must report their testing and remedial action through DOH’s HERDS reporting program, which reports the results of all potable water testing for lead contamination to local county health departments, DOH and NYSED. Importantly, if the school receives test results that show lead contamination exceeds the lead action level, school officials must report the exceedances directly to the local health department within one business day, and notify all school staff, parents, and guardians in writing within 10 days. School officials should coordinate with local health department officials ahead of the sampling and testing to confirm the health department’s preferred method of reporting (e.g., email, an email and phone call, etc.) for test results that show lead contamination exceeds the lead action level. Finally, schools must post the results of all testing, including information about remedial actions taken, on their website.

To assist schools in their compliance with the regulations, the DOH developed the *Lead Testing in School Drinking Water Guidance Manual*.⁷ The manual describes in detail how schools should develop and implement their lead testing program, including templates on assigning roles, staff, parent and/or guardian letters, posting results on school websites, as well as documenting and tracking remedial actions.

To ensure a school’s lead testing program is successful, the school should identify and document which individuals will be responsible for the following:

- Who will be the main contact for the program?
- Who will create the sampling plan?
- Who will collect the samples?
- Who will coordinate with the laboratory and manage the test results?
- Who will perform remediation?
- Who will communicate the results to the public?
- Who will report the data and information to the local health department and enter it into the NYS DOH reporting application (HERDS)?
- Who will keep records?

All potable water outlets at a school that could be used for cooking or drinking should be tested for lead. Examples include:

- Combination bottle fill stations and drinking fountains (both the fountain and bottle fill nozzles should be tested),
- Classroom sinks,
- Food washing sinks,

⁷ <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf>

-
- Kitchen kettle filler outlets,
 - Ice machines,
 - Hand washing outlets, including those in bathrooms, and
 - Athletic field outlets and any other sink known to be or potentially used for consumption.

Water outlets that are not going to be tested need to be listed on the remedial action plan and actions must be taken to properly secure them to prevent them from being used for cooking or drinking. Actions such as turning the water off at the outlet not only prevent access but also prevent the water outlet from being used at all. If a water outlet still needs to be used, the following are examples of controls that should be combined with each other to prevent use:

- Using physical controls such as locks or requiring special tools that prevent physical access to the water outlet,
- Regularly informing students and staff which water outlets are not to be used,
- Placing signs that say “Do not Drink, Non-Potable Water” or similar.⁸ Signs must be clearly visible and in close proximity to the affected outlets. Placing a sign at a room entrance (i.e., lavatory entrance) is not acceptable.
- Establishing, and consistently enforcing, rules such as “No Eating or Drinking in the Science Lab.”

These controls are only considered effective if they are used together. For example, signs can be removed due to vandalism or accidents, but if students and staff are regularly told that bathrooms are not to be used for drinking it would reduce the risk that someone may use a bathroom sink. The remedial action plan should be updated whenever there is a change, including when new water outlets are designated, or old ones are removed, new test results become available, additional remediation is planned or completed, or controls are added or removed. Additionally, a maintenance and monitoring schedule should help ensure remediation efforts are still operating effectively.

Schools must report the results of their lead testing to NYS agencies, their local county health department, staff, parents and/or guardians, as well as posting their results and remediation actions on their website. Timing always starts once the school receives the results and there are different notification and timing requirements if any results exceed the lead action level. The reporting requirements are as follows:

Results Exceed the Lead Action Level – The school must notify their local health department within one business day, and staff, parents and guardians in writing within 10 business days. Importantly, posting this information on the school’s website or through social media does not qualify as notification in this case.⁹

8 For examples of signage, see page 12 of the DOH’s Guidance Manual: <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf#page=14>

9 See page 14 of DOH’s Guidance Manual: <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf#page=16>

After Any Testing is Done (Regardless of Whether Results Exceed the Lead Action Level) – The school must notify the DOH, NYSED, and their local county health department. Reporting is done through the HERDS system and must be done within 10 business days after results are received. District officials must post on their website the results of all their testing, including any remediation efforts performed or planned, within six weeks of receiving results.

Schools should keep all records related to their lead testing program for at least 10 years after document creation, and it is recommended that all such records be kept on-site in a centrally accessible repository.

Additional DOH resources, guidance and publications on lead in drinking water can be found at:

<https://health.ny.gov/environmental/water/drinking/lead/>

In addition, our website can be used to search for other Lead Testing and Reporting audits:

<https://www.osc.ny.gov/local-government/audits>

Appendix B: District Water Outlets

Figure 3: District Water Outlets We Identified That Were Not Sampled or Secured Against Use for Cycle Two by Location

Location	Water Outlets We Identified at Select Areas Throughout the District	Less: Included in the District's Cycle Two Sampling	Less: Observed as Properly Secured Against Use	Less: Installed After the District's Cycle Two Sampling	Total Water Outlets We Identified That Were Not Sampled or Secured Against Use
Hallways or Common Spaces	35	(23)	(11)	(1)	0
Bathroom	69	(68)	(1)	0	0
Elementary Classroom	31	(29)	(1)	(1)	0
Cafe/Kitchen/Food	50	(38)	(4)	(8)	0
Science or Art Room	66	(61)	(5)	0	0
Outside/Sports Areas	82	(16)	(54)	0	12
Totals	333	(235)	(76)	(10)	12

Appendix C: Response From District Officials

PINE PLAINS CENTRAL SCHOOL DISTRICT
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July 9, 2025

Statewide Audits
Dina M.L. Thompson, Chief of Municipal Audits
State Office Building, Suite 1702
44 Hawley Street
Binghamton, NY 13901-4417

Re: PPCSD Lead Testing and Reporting Draft Audit Findings

Dear Ms. Thompson:

Pine Plains Central School District is in receipt of the Draft Audit Findings of the Lead Testing and Reporting for the audit that was recently conducted in our district.

I have reviewed the findings with our Board of Education President, as well as the Business Official and Director of Facilities.

The district is not requesting an exit meeting to review the findings, as we fully comprehend, and are in agreement with the audit findings.

Pine Plains CSD is utilizing the recommendations provided in the Draft Audit Findings to prepare a detailed corrective action plan compliant with Section 35 of the NYS General Municipal Law, Section 2116-a (3)(c) of the NYSED Law and Section 170.12 of the Regulations of the Commissioner of Education.

Sincerely,

Brian Timm, Ed.D.
Superintendent of Schools

BT/pa

TOWNS OF: PINE PLAINS, MILAN, STANFORD, NORTHEAST, CLINTON, DUTCHESS COUNTY:
GALLATIN, ANCRAM, LIVINGSTON, CLERMONT, COLUMBIA COUNTY

Appendix D: Audit Methodology and Standards

We conducted this audit pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law. We obtained an understanding of internal controls that we deemed significant within the context of the audit objective and assessed those controls. Information related to the scope of our work on internal controls, as well as the work performed in our audit procedures to achieve the audit objective and obtain valid audit evidence, included the following:

- We interviewed District officials and reviewed various records and reports to gain an understanding of the roles and responsibilities of the individuals involved in the process, and how individuals performed their duties for the Cycle Two period that closed June 30, 2021, and for Cycle Three which is still ongoing until December 31, 2025.
- We reviewed all available documentation that the District had for sampling and testing for Cycle Two that closed June 30, 2021, including District maps, laboratory chain of custody and result reports, and ELAP certifications. We supplemented this with our own observations of the District's current water outlets at the District building and the surrounding sport and event fields. We identified the following as high-risk areas/outlets based on the DOH guidance:
 - Hallway drinking fountains and bottle-filling stations, outside and sporting event areas, kitchens, cafeterias, and cooking classrooms, as they could affect large numbers of individuals at the District, including visitors.
 - Elementary classrooms, as they could affect young students who are particularly vulnerable to lead exposure.
 - Bathrooms, or other areas where individuals would be unsupervised and able to access water from faucets.
 - Art and Science classrooms, as they were specifically mentioned in DOH's guidance.

Using this information, we selected 333 water outlets, including all water outlets located in areas that we determined could have a high risk of affecting individuals at the District based on the DOH guidance.¹⁰ We observed the controls present at each water outlet and whether they had been sampled for lead testing.

- For the 259 District-tested water outlets in Cycle Two, we identified 50 samples with results that exceeded the lead action level. We selected 15 samples with results that exceeded the lead action level and were in locations considered high risk within the District located in each District school building and determined whether District officials took appropriate remedial actions or had a test result after the initial exceedance that was below the lead action level.
- We reviewed all available documentation that the District had for reporting the laboratory results including the Director's email receipts that he received the lab results, HERDS reporting, and uploads to the District's website.

¹⁰ <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf>

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

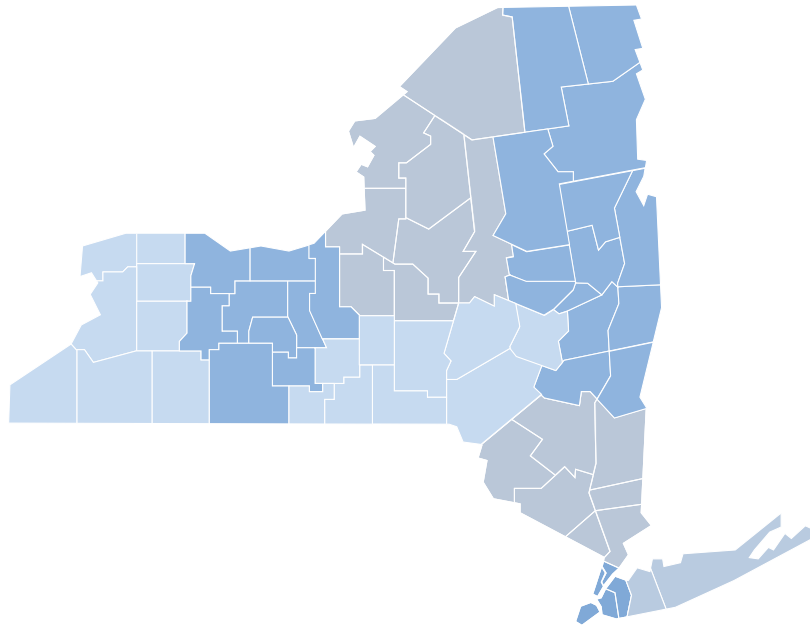
Unless otherwise indicated in this report, samples for testing were selected based on professional judgment, as it was not the intent to project the results onto the entire population. Where applicable, information is presented concerning the value and/or size of the relevant population and the sample selected for examination.

Contact

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