

Vermont Legislative Joint Fiscal Office

One Baldwin Street • Montpelier, VT 05633-5701 • (802) 828-2295 • Fax: (802) 828-2483

FISCAL NOTE

Date: April 3, 2019

Prepared by: Stephanie Barrett

S.40 An act relating to testing and remediation of lead in the drinking water of schools and child care facilities – [House Education Committee - Strike All Amendment Proposal](#)

The total estimate is \$2,969,000 which is based on:

- **Administration:** This includes data management, startup costs and two positions in place for two years, FY20 and FY21. Testing completed by Dec. 31, 2020.
- **Testing:** Estimated 1383 school and childcare buildings, with 26,882 water fixtures requiring testing and 2 specified tests per fixture at \$20 per test, at total of 53,764 initial tests.
- **Action Level:** This bill sets the limit at 5 parts per billion. Based on the experience of the Health Dept.'s sixteen school lead testing pilot project and ANR's school specific information relating to community water system testing, it is estimated that 8.1% of the fixtures will exceed the 5ppb level and require remediation/replacement and retesting unless the failing fixture can easily be removed or taken offline.
- **Limited State Payment per fixture:** A total cost for limited payments per remediated fixture is based on 70% of an estimate for three separate fixtures types in schools and one type at childcare facilities. The per fixture estimate includes parts and labor. Estimated total fixtures remediated is 2,164.
- **Retesting:** Cost based on estimated fixtures remediated or replaced at 5 ppb level.
- No estimate is made for remediation actions beyond fixture remediation/replacement.

The following charts provide summaries of the cost components.

Total costs by component and compared to the Senate estimate

House Education - 5 ppb with Testing Complete December 2020				Sen passed	Hs to Sen Difference
	House Total	FY20	FY21	S.40	
VDH Startup & data sys		\$150,000	\$0		
VDH new position		\$125,000	\$125,000		
ANR new position		\$125,000	\$125,000		
	\$650,000	\$400,000	\$250,000	\$400,000	\$250,000
Testing Cost		70%	30%		
School Testing Cost		\$595,000	\$255,000		
Childcare testing Cost		\$157,696	\$67,584		
	\$1,075,280	\$752,696	\$322,584	\$1,075,280	\$0
Retesting cost		20%	80%		
School Testing Cost	\$68,425	\$13,685	\$54,740		
Childcare testing Cost	\$18,135	\$3,627	\$14,508		
	\$86,560	\$17,312	\$69,248	\$189,720	(\$103,160)
Fixture rep @ 5ppb @ 100% state		40%	60%		
Schools	\$951,286	\$380,514	\$570,772		
Childcare facilities	\$205,651	\$82,261	\$123,391		
	\$1,156,937	\$462,775	\$694,162	\$860,000	\$296,937
Total Cost	\$2,968,778	\$1,632,783	\$1,335,994	\$2,525,000	\$443,778

The chart below provides a breakdown of this total \$444,000 cost difference by each policy component.

Components of difference	at 70%
Total amount more than Senate	\$444,000
position extension - timing chg	\$250,000
change from 3ppb to 5 ppb	(\$565,000)
chg in fixture cost est w/ labor, 3 types	\$428,000
chg in payment/fixture from 50% to 70%	\$331,000
Total	\$444,000

The charts below provide summary of the various cost estimates

Initial Test Cost Est	Building Count	Fixture Total to be Tested	Est. Total Samples to be tested	Initial test @ \$20/test 2 tests/tap
Schools	425	21,250	42,500	\$850,000
Licensed CC Centers	394	3,940	7,880	\$157,600
Licensed CC Home	564	1,692	3,384	\$67,680
Initial Testing Cost	1383	26,882	53,764	\$1,075,280

Restesting @ 5ppb 8.1% failure rate	Total Retests	Restest Costs
Schools	3,443	68,850
Licensed CC Centers	638	12,766
Licensed CC Home	274	5,482
Total Retest Cost	4,355	87,098

Fixture remed/replace cost estimate		% of total	cost per	labor &	Total	\$ pay/fix	@5 ppb level	
Bdg	Fixture type	fixtures	fixture	conting	cost /fix	@ 70%	total cost	
School	Type 1 - faucet equivalent	80.8%	\$300	\$156	\$456	\$319	\$441,330	
School	Type 2 - upgrade to bottle filling	14.8%	\$1,000	\$1,640	\$2,640	\$1,848	\$468,723	
School	Type 3 - kitchen fixtures	4.3%	\$500	\$292	\$792	\$554	\$41,234	
School	subtotal all schools						\$951,286	
Childcare	Type 1 - faucet equivalent	100%	\$300	\$348	\$648	\$454	\$205,651	
Total school and childcare facilities fixture remediation estimate 100%								\$1,156,937

Over limit rate Data Available	Addison Central	VDH Pilot	Schls '15-'18 1.8k (ANR)	Failure Rate Range	
				Low	High
tested >1ppb	65%	24.9%	29.2%	27.1%	68.0%
tested >5ppb	24%	9.7%	6.4%	8.1%	25.0%
tested ≥15ppb	7%	3.0%	1.9%	2.5%	8.3%