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TOXIC SUBSTANCES

Information on Lead Hazards in Child Care Facilities and Schools Is Limited

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Mr. Chairman and Members of the Subcommittee:

We appreciate the opportunity to discuss with you today the results of our work on lead hazards in child care facilities and schools. As you know, "lead hazards" refers to lead in paint, soil, and/or drinking water at levels which may pose health risks. Our testimony focuses on our efforts to identify (1) federal, state, and local programs and activities to inspect for and address lead hazards in the nation's child care facilities and schools, and (2) existing information on the extent and treatment of lead hazards in these facilities and schools. Our report to you on this work is being released today by the Subcommittee.[1]

In summary, Mr. Chairman, we found the following:

-- Federal agencies--in particular, the Environmental Protection Agency (EPA), the Department of Housing and Urban Development (HUD), and the Centers for Disease Control (CDC)--conduct numerous activities to address lead hazards in general. Nonetheless, only a few of these programs specifically address lead hazards in child care facilities and schools, and the programs that do so are only available to a relatively small number of facilities or schools that qualify under the specific conditions established by each program.

-- Individual state and local agencies differ considerably in the extent to which they inspect for and remove lead hazards in child care facilities and schools. Some of the 16 states and 57 school districts we contacted had no programs or requirements that focus on lead hazards in child care and school facilities. Others have programs that actively address such hazards in these facilities and schools, but these programs vary widely. Nine of the 16 state child care agencies we contacted conduct limited inspections of child care facilities in their states for lead hazards in drinking water, paint, and soil. However, none of the 16 agencies routinely inspect all child care facilities for these hazards. Similarly, although 50 of the 57 school districts we contacted had inspected at least some schools for lead hazards in drinking water, these districts have devoted little effort to inspecting schools for lead hazards in paint and soil, which are considered by EPA to be the two primary sources of high levels of lead in children's blood.

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[1]Toxic Substances: The Extent of Lead Hazards in Child Care Facilities and Schools Is Unknown (GAO/RCED-93-197, Sept. 14, 1993.)

-- Sufficient information is not available for assessing the full extent of lead hazards in the nation's child care facilities and schools and for assessing how adequately these hazards are being addressed. Neither the federal agencies nor the state child care agencies we contacted in 16 states were able to provide data on the results of lead inspections and the subsequent remedial actions taken in child care facilities. None of the federal agencies and only two of the ten state educational agencies we contacted could provide such information on schools. However, 47 of the 57 school districts we contacted were able to provide at least some data on lead inspections and remediation efforts in their schools.

Before I discuss our findings in more detail, I would like to provide some background on the problems associated with lead hazards, particularly lead poisoning in young children.

BACKGROUND

Lead is a dangerous and pervasive poison that adversely affects virtually every system in the body. Because lead is harmful to the developing brain and nervous system, exposure to lead is especially dangerous for fetuses and young children. According to CDC, lead poisoning is the most common and most devastating environmental disease affecting young children.

Lead poisoning occurs through exposure to lead in air, dust, soil, water, food, and products such as paint. Paint, soil, and drinking water are the three primary media through which children are poisoned by lead. Of these three media, EPA considers paint and soil, respectively, to be the most important sources of lead poisoning in children. EPA has established recommended exposure limits for lead in drinking water. In addition, the amount of lead allowable in paint was restricted in 1977 to 0.06 percent by weight. However, standards that define specific conditions under which lead-based paint and lead-contaminated soil pose health hazards have not yet been established. EPA is currently developing these standards.

FEDERAL ACTIVITIES ARE LIMITED IN ADDRESSING LEAD HAZARDS IN CHILD CARE FACILITIES AND SCHOOLS

Although a number of federal programs address lead hazard issues, only a few of these programs focus directly on lead hazards in child care facilities and schools. Such programs, administered by EPA, CDC, and HUD, are limited in scope and apply only to a small number of child care facilities and schools.

EPA has prepared and made available to child care facilities and schools (1) a list of manufacturers and models of watercoolers that contain lead and (2) guidance for testing drinking water for

lead. In addition, EPA has provided state and local agencies with educational and training assistance to help them test drinking water for lead hazards at child care facilities and schools. However, states and local authorities are not required to test drinking water for lead, and funds have not been appropriated to assist with this testing.

EPA has tested drinking water in 25 schools in its Region 2 to measure lead levels, and the agency plans to conduct a survey concerning lead and other hazardous materials contained in paint in school buildings in that region. In addition, EPA's Regions 3 and 10 have provided funds to the states of Maryland and Washington to investigate lead hazards in schools. The purpose of these activities is to improve health screening techniques.

HUD is the principal federal agency responsible for addressing lead-based paint hazards in housing. HUD administers several programs that provide grant funds to state and local agencies for renovating public and Indian housing. Under some of HUD's programs, the grant funds may be used to inspect for and remove lead hazards in child care facilities within public or Indian housing projects. However, local housing authorities do not report in detail how the grant funds are used. In addition, HUD has not developed a system to track (1) how much of its funds are used for testing child care facilities for lead hazards or (2) the results of such tests when they are conducted.

Similarly, CDC administers a program that provides grants to state and local agencies for testing the levels of lead in the blood of children and for providing treatment for those children found to have elevated levels of lead in their blood. When a child tested under the program is found to have an elevated level of lead in the blood, CDC's grant funds may be used to test the child care facility attended by the child to determine if the facility is the source of the lead contamination. These funds, however, are not authorized to be used for the abatement of any lead hazards found. CDC does not know the extent to which its grant funds are being used to test child care facilities for lead--or the results of such tests--because grant recipients are not required to report such information.

STATE AND LOCAL ACTIVITIES AND REQUIREMENTS VARY FOR CHILD CARE FACILITIES AND SCHOOLS

The state child care and education agencies and school districts we contacted indicated that the extent to which states and local governments address lead hazards in child care facilities and schools varies widely.

We contacted child care licensing officials in 16 states[2] to discuss their requirements and activities to address lead hazards in child care facilities. Officials in 9 of the 16 states indicated that child care licensing agencies specifically require facilities regulated by the state to be free of lead hazards. While none of the state agencies routinely inspect all of their regulated child care facilities for lead hazards in paint, drinking water, and soil, agencies in 9 states inspect facilities under certain circumstances (for example, in response to a specific complaint or a reason to suspect that a hazard exists).

Enforcement actions vary among the states in our survey that inspect child care facilities for lead hazards. Although failure to remove any hazards that are found may ultimately result in a facility being closed, one state official told us that, because of budgetary constraints, the inspecting agency does not always follow up on lead hazard citations to verify that the problem has been corrected. In two other states we found that, in cases in which citations were pursued, the follow-up actions sometimes took up to a year or more to complete.

The 57 school districts we surveyed in 10 states[3] have a total enrollment of 3.4 million children in over 4,200 schools. These districts included the seven largest in the United States. Officials in 50 of the 57 school districts told us that, as of early 1993, their districts had inspected some of their schools for one or more types of lead hazards, even though, according to state education officials, none of the 10 states in which these districts are located has a requirement or inspection program to ensure that schools are free of lead hazards. Fifty of the 57 districts had inspected some schools for lead hazards in drinking water, but only nine districts had tested for lead-based paint, and only three had tested for lead hazards in soil around school facilities. Officials in two large districts told us that they discontinued testing for lead hazards in schools because of budget constraints.

Education agencies in 3 of the 50 school districts that had tested some schools for lead hazards were unable to provide data on the number of schools tested or on the results of such tests. Data obtained from the remaining 47 districts show that 2,272 schools, or about 81 percent of all the school facilities in those districts, had been tested for lead hazards, primarily in drinking

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[2]California, Florida, Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Texas, Virginia, and Wisconsin.

[3]The school districts we contacted included 9 districts in each of New Jersey, Ohio, and Pennsylvania; 10 districts in both Illinois and New York; and 2 districts in each of California, Florida, Michigan, North Carolina, and Texas.

water. Of those tested, 350 schools, or about 15 percent, were found to have drinking water containing levels of lead that are considered unacceptable by EPA. Testing and contamination rates varied widely among districts. For example, while one district we contacted inspected only 16 percent of its total schools for lead hazards in drinking water, 33 districts inspected all of their schools for such hazards. Similarly, although 29 school districts found no lead hazards in drinking water, two districts found such hazards in all of the schools inspected.

Although a number of schools were tested and found to contain lead-based paint, only one school was identified as containing a paint "hazard." A school district official told us that it is difficult to classify lead-based paint in a school as a hazard because EPA has not yet developed specific standards that define the conditions under which lead-based paint poses a health risk. Therefore, a determination as to whether lead-based paint poses a hazard in a particular school is a judgmental decision. Officials told us that when inspections revealed lead hazards in a school, actions such as the isolation or removal of the source of the hazard were taken in order to eliminate the risk of subsequent contamination.

Although a few school districts told us that they had tested some schools for lead-contaminated soil, they could not provide any information on the results of these tests.

INFORMATION ON LEAD HAZARDS IN CHILD CARE FACILITIES AND SCHOOLS IS LIMITED

None of the federal agencies we contacted--EPA, HUD, CDC, and the Departments of Health and Human Services and Education--collect or have compiled information on the extent to which (1) child care facilities and schools contain lead hazards or (2) states and local jurisdictions address such hazards. None of the child care agencies in the 16 states we contacted had compiled data on the results of lead inspections at child care facilities, such as the number of facilities tested, the number of facilities containing lead hazards, the type of lead hazards found, and the number of facilities where lead abatement activities were conducted.

State education agencies compiled such data on schools in only 2 of the 10 states we contacted. In contrast, 47 of the 57 districts we contacted were able to provide at least some data on lead inspections in schools, such as the number of facilities tested, the number of facilities containing lead hazards, and the type of lead hazards found. The available information indicates that most of the districts we contacted have inspected some of their schools for lead hazards in drinking water, but they have performed few inspections to identify lead hazards in paint and soil.

Because no information is available on lead hazards in child care facilities and only incomplete data is available on such hazards in schools, it is difficult to assess the extent of the hazards in these facilities and the actions that are needed to address them. To encourage the inspection of child care facilities and schools for lead hazards, a number of legislative options have been proposed. For example, during the last Congress, the Lead Exposure Reduction Act of 1992 (H.R. 5730) was introduced to require local authorities to test all regulated child care facilities and kindergartens for lead hazards and to report on their findings.

CONCLUSIONS

In conclusion, Mr. Chairman, our review indicates that the combined efforts of federal, state, and local activities that address lead hazards in child care facilities and schools are limited in scope and do not provide a comprehensive approach for defining and alleviating the problem. In addition, some state and local agencies are taking little or no action to identify certain lead hazards in these facilities and schools. Although most state agencies we contacted have not compiled data on lead testing in schools, local school districts were generally able to provide this information. These data indicate that school districts generally test drinking water for lead hazards. However, only a few of the districts we contacted test schools for lead hazards in paint and soil, which are considered by EPA to be the principal sources of lead poisoning in children. Furthermore, while some of the state agencies inspect some child care facilities for lead hazards, they have no information available on either the extent of their testing or the presence and severity of the lead hazards identified.

Because testing is limited for some types of lead hazards in child care facilities and schools in the states and school districts we contacted, and because reporting of the results is limited when testing is performed, little information is available to assess the extent of lead contamination in these facilities and whether it is being adequately addressed. Legislative proposals in the Congress have acknowledged the need for more information on the presence of lead hazards in child care facilities and schools by requiring that state or local agencies test for lead hazards in these facilities and schools and prepare reports on their findings. Such information would be useful in locating and eliminating existing lead hazards, and, given competing environmental concerns and limited resources, in determining the extent of the lead problem in child care facilities and schools and formulating appropriate federal, state, and local responses to the problem.

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Mr. Chairman, this concludes our testimony. We would be happy to answer any questions.

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