

ANALYSIS

Department of Education

Lead Remediation

Analyst: Wendy Gibson

Request: Approve the submission of a federal grant application to the U.S. Environmental Protection Agency in the amount of up to \$804,000, over a period of two years, to conduct lead testing and remediate water fixtures in schools and childcare facilities.

Analysis: The U.S. Environmental Protection Agency (EPA) is awarding non-competitive formula grants to states, territories, and tribes through the Voluntary School and Child Care Lead Testing and Reduction grant program, part of the Water Infrastructure Improvements for the Nation (WIIN) Act. The program aims to reduce lead contaminants in drinking water at schools and childcare facilities by providing grants for voluntary testing and remediation of lead contaminants.

The Oregon Department of Education (ODE), in partnership with the Department of Early Learning in Care (DELC), has applied and received a grant award from this program for the past couple years, including a \$1.2 million grant award received in the Fall of 2024. In August 2024, the EPA notified ODE of an \$804,000 apportionment in the FY 2024 grant cycle. The Department intends to apply for the funding to assist school districts and childcare facilities with the remediation of contaminated water fixtures. Under the grant proposal, ODE will receive \$562,800, and the Department of Early Learning and Care will receive \$241,200. The grant purpose aligns with current efforts in both departments. Currently, statute requires \$2 million from the State School Fund be deposited each biennium in the Healthy School Facilities Fund for testing high contaminants in schools, including lead. Additionally, the Department of Early Learning and Care requires all childcare licensees to test water fixtures for lead. The grant program allows both ODE and DELC to expand their current programs from contaminate testing to include lead remediation.

No new positions will be needed to administer the grant program; however, if awarded, the funding will continue support for a current limited duration position to administer the program. No state match or maintenance of effort is required for this grant and the application deadline is May 31, 2025.

Recommendation: The Legislative Fiscal Office recommends approval of the request.

Oregon Department of Education DeYoung

Request: Authorization to apply for a grant of \$804,000 from the U.S. Environmental Protection Agency (EPA) Water Infrastructure Improvement for the Nation (WIIN) Act grant program.

Recommendation: Approve the request.

Discussion: The Oregon Department of Education (ODE), in conjunction with the Oregon Department of Early Learning and Care (DELIC), requests permission to apply for a \$804,000 grant through EPA's WIIN Act grant program. EPA opened the application for funds in January 2025, and applications are due by May 31, 2025. The grant is a continuation of a federal fiscal year (FFY) 2022-23 award and will continue the grant for an additional two years from the grant award notification date, which is anticipated in the fall of 2025. The funding is non-competitive and does not have state matching requirements, and the amount is based on the FFY 2024 allocation. The purpose of the grant is to provide funding to schools and childcare facilities for lead testing, which aligns with Oregon's lead testing program.

ODE's Office of School Facilities and DELIC plan to use grant funds to reimburse districts and childcare facilities as they complete their scheduled lead in water testing and perform remediation for fixtures that show elevated levels of lead. While Oregon's lead testing program also provides funding to pay for water testing by Oregon's school districts, the WIIN Grant expands on these efforts and currently is the only funding source available that can be used to reimburse remediation and testing expenses. The grant will require ODE to prioritize disadvantaged school districts to ensure they are able to remediate their fixtures before other communities. To manage the grant, ODE will continue to fund one Program Analyst position, which has been filled with funds from the prior WIIN Grant. This position will be limited duration for the length of the grant program. There is no maintenance of effort requirements associated with this grant. If the funds are awarded, ODE may request additional Federal Funds expenditure limitation and position authority in the future.

Alyssa Chatterjee
Director of Department of Early Learning and Care

Dr. Charlene Williams
Director of the Department of Education

May 5, 2025

Senator Kate Lieber, Co-Chair
Representative Tawna Sanchez, Co-Chair
Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301

Dear Co-Chairs:

Nature of the Request

The Oregon Department of Education (ODE) on behalf of the Office of School Facilities (OSF) and along with the Department of Early Learning and Child Care (DELCC) are submitting this request for permission to apply for the federal Water Infrastructure Improvement for the Nation (WIIN) Act grant program per the notice in the *Federal Register*.

Federal Grant Information

The source of the grant opportunity is the Office of Water, Environmental Protection Agency. The amount of the request is \$804,000. The grant is a continuation of FFY 2022-2023 award and will continue the grant for an additional two years from the Grant Award Notification (GAN), anticipated to be awarded in early fall of this year. This grant will provide funds to school districts to not only test their water fixtures for elevated levels of lead, but also provide funds for remediation where they find elevated levels of lead. The grant will require OSF to prioritize disadvantaged school districts to ensure they are able to remediate their fixtures before other communities.

This grant will align with Oregon's lead testing program. ORS 327.008(16) provides \$2 million a biennium to pay for water testing by Oregon's school districts as required under ORS 332.337. This program is an ongoing program to ensure that schools are aware of and remediating fixtures with elevated levels of lead. The WIIN Grant funds will be used to pay for remediation costs. Together these two programs will be able to significantly reduce the number of fixtures that have elevated levels of lead in Oregon's schools.

While there is alignment with Oregon's lead testing program, the WIIN Grant does not have any state matching requirements. Additionally, there are no maintenance of effort requirements with this grant.

This grant should not impact ongoing state budgets and will not impact the current funds in the Healthy School Facilities Fund (ORS 327.008(16)).

If awarded, ODE will continue to fund one Program Analyst 1 hired with the FFY 2022-2023 WIIN Grant funds. This position will be limited duration for the length of the grant program.

The WIIN Grant will also align with DELC's requirement that childcare licensees test their fixtures for lead. Similarly to ODE, DELC will be able to use \$241,200 of the \$804,000 WIIN grant funds to pay for remediation at childcare facilities. DELC will also not have any matching or maintenance of effort requirements under this grant. The application deadline is May 31, 2025.

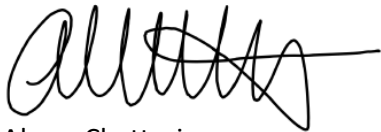
ODE is requesting permission to apply for this federal WIIN Grant.

Sincerely,

A handwritten signature in dark ink, appearing to read "C Williams", written in a cursive style.

Dr. Charlene Williams,

Director, Oregon Department of Education

A handwritten signature in dark ink, appearing to read "Alyssa Chatterjee", written in a cursive style.

Alyssa Chatterjee,

Director, Oregon Department of Early Learning and Care

Oregon Department of Education

255 Capitol St NE, Salem, OR 97310 | Voice: 503-947-5600 | Fax: 503-378-5156 | www.oregon.gov/ode