



Crosswalk for Lead Sampling in Schools and Child Care Centers

NOTE:
If your school is served by a Community Water System, please refer to New Jersey Department of Environmental Protection's (NJDEP) Lead Sampling in School Facilities Information page for additional regulatory guidance.
If your child care center is located within a public school, the school's results for the BOE Regulations may be sufficient to comply with the new DCF-OOL Regulations (please check with DCF-OOL).

Schools that are publicly funded and served by a Community Water System must comply with the State Board of Education Regulations [N.J.A.C. 6A:26-1.2 and 12.4]. **Schools** that are classified as a Non-Transient Non-Community (NTNC) public water system must comply with the Federal Lead and Copper Rule under the Safe Drinking Water Act [40 CFR 141.80 et. seq.] and the State Board of Education Regulations [N.J.A.C. 6A:26-1.2 and 12.4].

Child Care Centers must comply with the New Jersey Department of Children and Families, Office of Licensing (DCF-OOL) regulations at N.J.A.C. 3A:52. More specifically, **Child Care Centers served by a Community Water System** must comply with the new lead and copper testing requirement in accordance with N.J.A.C. 3A:52-5.3(i)5. **Child Care Centers** that are not served by a Community Water System must demonstrate compliance with required testing pursuant to N.J.A.C. 7:10-5 for public Non-Transient, Non-Community (NTNC) water systems, including the Lead and Copper Rule, regardless of meeting the definition of a NTNC system.

The New Jersey Division of Water Supply & Geoscience has developed this crosswalk to assist laboratories and environmental consultants with lead and copper sampling compliance for Schools and Child Care Centers as outlined above.

Crosswalk for Schools and Child Care Centers

	<u>BOE Regulations</u>	<u>Lead and Copper Rule</u>	<u>DCF Regulations</u>
Regulatory Applicability	All publicly funded Schools (regardless of water supply source)	Schools and Child Care Centers <u>not</u> served by a Community Water System	Child Care Centers served by a Community Water System
Sampling Procedures			
Contaminant(s) to be analyzed	Lead	Lead and Copper	Lead and Copper
Is an evaluation of the plumbing required?	Yes, the school shall complete a Plumbing Profile (Attachment B).	Yes, the school or child care center shall complete a Material Evaluation Survey for NTNC Water Systems (BWSE-17).	Yes, an onsite water outlet assessment should be completed for all sampled outlets as part of the QAPP.
Where to send completed lead sampling plan?	The school shall maintain the Lead Sampling Plan.	NJDEP, upon request.	The child care center shall maintain all sampling preparation documents.
Sample Frequency	Within 365 days of the effective date of the regulations ¹ , then every six years.	Standard (Bi-annual), Annual, or Triennial.	Every 3 years, upon DCF license renewal application.

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Reduced monitoring allowed	None	A sampling frequency reduction may be allowed based on compliance history (to a minimum frequency of once every 3 years).	None
Stagnation time required	8-48 hours	6 hours minimum (no maximum time; however, taps should have been used recently).	8-48 hours
Should pre-stagnation flushing be performed.	Only for facilities or outlets that are not currently accessible to students/staff.	No	Only for facilities or outlets that are not currently accessible to students/staff.
Sample Collection			
Who can sample?	Personnel from the School District, lab, or environmental consulting firm (if contracted).	Personnel from the School District or child care center, lab, or environmental consulting firm (if contracted).	Personnel from the child care center, laboratory, or environmental consulting firm (if contracted).
Locations required to be sampled	ALL drinking water and food preparation outlets.	Outlets typically used for human consumption. Number of outlets required is based on population served.	ALL outlets used for drinking or food preparation, and at least 50% of all indoor faucets used by the child care center.
Sample bottle size	250 mL	1 L	250 mL
Gloves required	Yes, powder free latex (preferably non-colored) or nitrile disposable gloves required.	No	Yes, powder free latex (preferably non-colored) or nitrile disposable gloves required.

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Sample Type Required	Initial First Draw Sample. If the initial first draw sample exceeds the lead action level, a follow-up flush sample is required.	First Draw Sample. If an individual tap result exceeds an action level, the school or child care center may elect to collect an additional sample(s). All first draw samples collected within the monitoring period must be submitted for compliance. Any flushed samples must be submitted on the Noncompliance Lead and Copper Tap Monitoring Form (BWSE 16).	First Draw Sample. If a first draw sample exceeds an action level, the child care center may elect to collect follow-up flush sample(s) to investigate the source.
Should aerators or screens be cleaned or removed prior to sampling?	No	No	No
Is a field reagent blank required?	Yes	No, depends on approved USEPA analytical method used by the NJ Certified Laboratory.	No, however it is strongly recommended and may be required depending on the approved USEPA analytical method used by the NJ Certified Laboratory.
Temperature of water to be sampled	Cold	Cold	Cold
Sample Analysis and Results			
Sample invalidation procedures	The school's Quality Assurance Project Plan with the lab should include data validation procedures.	Contact NJDEP Bureau of Safe Drinking Water ² . If the invalidation request is approved, a replacement sample must be obtained.	The child care center's Quality Assurance Project Plan with the laboratory should include data validation procedures.
Where to send samples for analysis?	NJ Certified Laboratory for lead in drinking water analysis.	NJ Certified Laboratory for lead and copper in drinking water analysis.	NJ Certified Laboratory for lead and copper in drinking water analysis.
Approved lead in drinking water lab analysis methods	Approved USEPA methods for lead analysis listed at 40 CFR 141.23(k)(1) and Subpart C Appendix. Reporting limit must be ≤ 2µg/L.	Approved USEPA methods for lead analysis listed at 40 CFR 141.23(k)(1) and Subpart C Appendix.	Approved USEPA methods for lead analysis listed at 40 CFR 141.23(k)(1) and Subpart C Appendix.

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Where should the laboratory submit sample results?	The laboratory shall provide results to the School District.	The laboratory shall submit results to New Jersey Department of Environmental Protection (NJDEP) using the E2 system.	The laboratory shall provide results to the child care center.
Additional reporting requirements	<p>The School District is required to submit annually a Statement of Assurance that lead testing was completed in accordance with the regulations.</p> <p>The school shall make sample results available on its website within 24 hours after the results are reviewed and verified. The school shall also maintain sample results and use for future testing.</p>	<p>For childcare licensing reviews, a copy of the fully executed chain of custody must be provided to NJDEP.</p> <p>If samples are collected from locations that deviate from the approved sampling plan, The following forms must be submitted, as applicable:</p> <ul style="list-style-type: none"> • Lead and Copper Sample Site Certification (Form # BSDW-15) • Lead and Copper Sample Site Change Form (Form # BSDW-56) • Non-compliance Lead and Copper Tap Monitoring Form (Form # BSDW-16) 	<p>The child care center shall provide documentation of testing to DCF-OOL. (This may include the use of DCF-approved templates to provide documentation.)</p> <p>If results exceed the lead and/or copper action level, the child care shall notify parents of children in attendance at the facility, staff, local health office, and DCF-OOL.</p> <p>It is recommended that the child care center also make sample results publicly available.</p>
Public Notification			
Public notification requirements	<p>The school must make all test results available at the school facility and on the School District's website within 24 hours of verifying sample results.</p> <p>If any result exceeds the lead action level, the school shall provide written notification to the parents/guardians of all students attending the facility, as well as the Department of Education.</p>	<p>The school or child care center must complete a Lead Customer Notice within 30 days of receiving the results.</p> <p>The school or child care center must complete Public Education within 60 days following the end of the monitoring period in which the lead action level was exceeded.</p>	<p>If results exceed the lead and/or copper action level, the child care center shall notify parents of children in attendance at the facility, staff, local health office, and DCF-OOL.</p>

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Remediation			
Remedial action(s) required in response to results greater than or equal to the action level.	<p>The school shall immediately end use of each drinking water outlet where water quality exceeds the lead action level and ensure that alternate drinking water has been made available, if necessary.</p> <p>After the replacement of any drinking water outlet or any other alteration to plumbing or service lines that may impact lead levels at the outlet, the school shall conduct lead sampling at the impacted drinking water outlet(s).</p> <p>For further remedial actions guidance, refer to the <i>Data Review/Remediation Flow Chart</i> and/or the <i>Guidance for Schools Selecting a Remedial Measure</i> at http://nj.gov/dep/watersupply/dwc-lead-schools.html.</p>	<p>If the 90th percentile result exceeds the action level, the school or child care center is required to conduct additional monitoring, evaluate and propose corrosion control treatment, and, if necessary, replace lead service lines.</p> <p>(refer to Federal Lead and Copper Rule [40 CFR 141.80 et. seq.] for detailed requirements).</p>	<p>The child care center shall immediately discontinue use of ALL drinking water outlets if any of the results exceed the lead and/or copper action level and provide bottle water for drinking and food preparation.</p> <p>The child care center may elect to remediate the lead and/or copper exceedance in order to use the water supply for drinking and food preparation in the future. Refer to the <i>Data Review/Remediation Flow Chart</i> and/or the <i>Guidance for Schools Selecting a Remedial Measure</i> at http://nj.gov/dep/watersupply/dwc-lead-schools.html.</p>

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Violations			
Monitoring/ Reporting Violation (Failure to conduct required testing and/or failure to provide documentation of results to the appropriate state agency)	Subject to enforcement by NJ Department of Education	A Monitoring & Reporting Violation will be issued by NJDEP. Penalties may be assessed by the administrative authority. Upon becoming aware of this violation, the facility is required to: <ol style="list-style-type: none"> 1. Notify the Bureau of Safe Drinking Water 2. Implement Tier 3 public notification 3. Ensure sample collection and reporting from the minimum number of required sites in subsequent monitoring periods 	A violation will be cited by DCF-OOL upon licensing inspection. Subject to DCF enforcement policy.
Treatment Technique Violation	None	A Treatment Technique Violation will be issued by NJDEP. Penalties may be assessed by the administrative authority. Upon becoming aware of this violation, the facility is required to: <ol style="list-style-type: none"> 1. Notify the Bureau of Safe Drinking Water 2. Implement Tier 2 public notification 3. Implement the required actions immediately 	None

¹The BOE Regulations, N.J.A.C. 6A:26-1.2 and 12.4, became effective on July 13, 2016.

²Under the Lead and Copper Rule, a sample may be invalidated by NJDEP if it meets any of the following conditions:

- The laboratory establishes that improper sample analysis caused erroneous results;
- The State determines that the samples were taken from a site that did not meet the site selection criteria;
- The sample container was damaged in transit; and
- There is substantial reason to believe that the sample was subject to tampering.