

POTABLE WATER LEAD TESTING REQUIREMENTS

Office of Child Care Health and Safety

May 7, 2024



OFFICE OF CHILD CARE HEALTH AND SAFETY

Introductions

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OFFICE OF DRINKING WATER

Introductions

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TODAY'S PURPOSE

This webinar is intended to provide technical assistance to programs required to comply with § 22.1-289.057: of the Code of Virginia: Child day programs and certain other programs; potable water; lead testing. This law helps prevent childhood exposure to lead, a toxic contaminant that can adversely affect child development.

2020 LEGISLATION: DRINKING WATER LEAD TESTING

- **What is the law?**
 - [§ 22.1-289.057](#). Child day programs and certain other programs; potable water; lead testing.
- **What does the law do?**
 - Requires licensed child day programs and certain license-exempt child day programs serving preschool age children to plan for and implement testing of their sources of drinking water for lead; to share the plan and test results with Virginia Department of Health's Office of Drinking Water and the Superintendent; and to remediate the level of lead in drinking water if necessary.
- **Which programs are affected?**
 - Licensed Child Day Centers
 - Licensed Family Day Homes
 - Religious Exempt Child Day Centers serving preschool age children
 - Certified Preschools serving preschool age children

2020 LEGISLATION: DRINKING WATER LEAD TESTING

Why is this law important?

This law protects young children from lead exposure in child care settings.

Children under six are most at-risk for developmental harm from lead exposure because their brains and bodies are developing so rapidly.

"Protecting children from exposure to lead is important to lifelong good health. No safe blood lead level in children has been identified. Even low levels of lead in blood have been shown to negatively affect a child's intelligence, ability to pay attention, and academic achievement." --Centers for Disease Control & Prevention

IMPORTANT DEFINITIONS FOR POTABLE WATER LEAD TESTING

What is “potable water?”

Potable water is also known as “drinking water,” and meets state and federal standards for human consumption.

What does “human consumption” mean?

Water for "human consumption" is defined in § 32.1-167 of the Code of Virginia as “drinking, food preparation, dishwashing, bathing, showering, hand washing, teeth brushing, and maintaining oral hygiene.”

ALTERNATIVE BOTTLED WATER OPTION

As an alternative option to **either** planning and testing **or** remediation, a program may use for human consumption, bottled water, water coolers, or other similar water source that meets the U.S. Food and Drug Administration standards for bottled water.

To comply with this option:

- Notify VDOE Licensing Inspector
- Notify VDH ODW
- Notify the parent of each child in the program
- Acquire water for human consumption

Note the definition of "human consumption:" Water for "human consumption" is defined in § 32.1-167 of the Code of Virginia as **“drinking, food preparation, dishwashing, bathing, showering, hand washing, teeth brushing, and maintaining oral hygiene.”**

DETERMINING COMPLIANCE--VDOE

Your facility's Licensing Inspector will begin determining compliance with this statute during inspections that take place after **January 1, 2025**.

What will my inspector want to see?

- Confirmation of plan submission from VDH ODW via portal or e-mail
- Any required communications to parents

What else should I keep on file?

- eTracker (if used) or other plan
- Copies of communications to and from VDH ODW
- Copies of communications to and from testing facilities to include analytical reports and findings

It is recommended that facilities maintain documentation at least until 2032.

VIRGINIA DEPARTMENT OF HEALTH LEAD TESTING AND REDUCTION PROGRAM

Objectives: Identify sources of lead in drinking water, reduce childhood lead exposure, and connect facilities to funding for remediation.

Today's Agenda:

- Funding Sources & Eligibility
- Application for Assistance
- Sample Collection
- Laboratory Results Review
- Remediation Guidance

VIRGINIA DEPARTMENT OF HEALTH

SOURCES OF FUNDING

The **Water Infrastructure Improvements for the Nation Act (WIIN Act)** addresses, supports, and improves America's drinking water infrastructure.

Included in the WIIN Act are three drinking water grants that promote public health and the protection of Virginia's most vulnerable populations.

[Section 2104: Assistance for Small and Disadvantaged Communities](#)

[Section 2105: Reducing Lead in Drinking Water](#)

[Section 2107: Lead Testing in School and Child Care Program Drinking Water](#)

VIRGINIA DEPARTMENT OF HEALTH

GRANT ELIGIBILITY

WIIN 2105 Eligibility Reducing Lead in Drinking Water

Grants awarded through a request for proposals (RFP) process to schools and childcare facilities. Priority shall be given to settings with:

- Higher levels of lead detected in water samples
- Evidence of lead service lines and premise plumbing materials
- Greater economic need (i.e. Disadvantaged communities)

WIIN 2107 Eligibility School & Childcare Lead Testing

Eligible applicants include:

- **Public** PreK-12 Schools
- **Licensed** Childcare Programs

Selection of facilities will be prioritized according to the following criteria:

- Age of building or plumbing materials
- Age group of children
- Percent qualifying for free and reduced-priced lunch
- Prior history of lead sampling

VIRGINIA DEPARTMENT OF HEALTH APPLICATION PROCESS

How do I apply?

The screenshot shows the Virginia Department of Health website. At the top, there is a navigation bar with the VDH logo and the text "VIRGINIA DEPARTMENT OF HEALTH". Below the logo is a search bar with the text "ENHANCED BY Google" and a search icon. The main navigation menu includes links for Home, About, How Do I, A-Z Index, Locations, Data, Clinicians, Newsroom, and Contact. The breadcrumb trail reads: "Virginia Department of Health > Drinking Water > School and Child Care - Lead Sampling Projects".

On the left side, there is a sidebar menu with the following items: "Drinking Water Home Page", "About Us", "Contact Us", "Laws & Regulations", "Capacity Development", "Drinking Water and Lead", "Emergency Preparedness and Security", "Drinking Water State Revolving Fund (DWSRF)", "Permit Program and Waterworks Design", "Source Water Programs", and "Drinking Water Data".

The main content area is titled "SCHOOL AND CHILD CARE - LEAD SAMPLING PROJECTS". It features a circular logo with a water drop and icons for a school and child care. Below the logo, the text reads: "The School and Child Care Lead Testing and Reduction Grant Program adheres to the Environmental Protection Agency's (EPA) 3T's guidance for lead testing in school and child care facilities. Upon enrolling, our partners at 120Water will provide everything needed for facilities to create their own lead sampling and remediation plan. Our program, made possible by the Water Infrastructure Improvements for the Nation Act (WIIN), provides free sampling kits and technical assistance for facilities to sample facility faucets and fountains for lead presence. Once samples are collected, facility managers can use pre-labeled return boxes to send samples to our state contracted labs for testing. The 120Water portal will help facilities compile the data and record work completed. We will all work together to educate stakeholders on the risks of lead in drinking water and determine the most appropriate solution for our most vulnerable population."

At the bottom of the main content area, there are three buttons: "Get Started - Enroll Now", "Facility Login - 120Water Portal", and "120Water Informational Webinar".

Scan Me!



<https://www.vdh.virginia.gov/drinking-water/school-and-child-care-lead-sampling-projects/>

Application For VDH's Lead Testing Program

Please complete and submit this form to enroll your school or childcare facility in the Virginia Department of Health (VDH) Office of Drinking Water (ODW) drinking water testing program.

If you have any questions, feel free to contact us at leadtestingprogram@vdh.virginia.gov.

PLEASE NOTE: DUE TO HIGH ENROLLMENT, OUR CURRENT TURNAROUND TIME TO RESPOND TO SUBMISSIONS IS 3-4 WEEKS.

Are You Registering a Single Facility or Multiple Facilities? *

Single Facility

Facility Name*

Address*

Address Line 1

Address Line 2

City

State

ZIP Code

County*

Enter the name of the County in Virginia that your facility is located in.

Facility Contact Phone*

Facility Contact Email*

Facility Type*

Facility Subtype*

Year Facility was Built*

Can be approximate age if year built is unknown

Enrollment*

Enter the total number of children enrolled in the tested facility at the time of testing.

Grade Level of School Population*

Do you have students under the age of 6?*

Enter the grade range of the school(e.g., Pre-K through 8), or the age range of child care facility.

What percent of students are on free or reduced lunch?*

Number of taps used for cooking, drinking, or handwashing (including water fountains and any other tap that is accessible by children)

Does the facility contain known lead pipes and/or fixtures or copper pipes with lead solder?

Have you tested for lead in this facility before?

Submit Application

VIRGINIA DEPARTMENT OF HEALTH

APPLICATION PROCESS

PLEASE NOTE: Due to high enrollment, our current turnaround time to respond to submissions is 3-4 weeks. New training sessions are scheduled out until August 2024.

If you are a provider that would like to be part of this effort – please enroll in our program by **May 21, 2024**.

REMINDER: Our partners at 120Water will host a monthly training webinar tomorrow, May 8, for enrolled facilities.

DEVELOPING YOUR PLAN WITH VDH



**Training
Session**



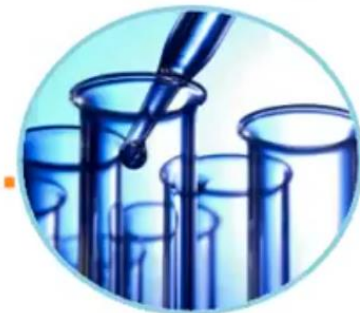
**Facility develops
sample plan**



**120 ships kits to
facility**



**Facility collects
samples & ships
to lab**



**Lab analyzes
samples**



**Results sent to platform
& facility notified**



**Remediation
guidance
provided**



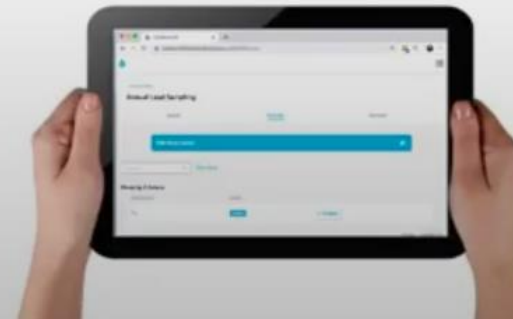
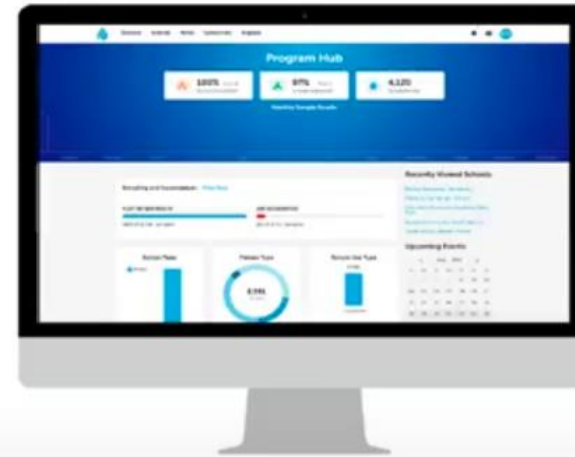
**Facility remediates &
shares results with the
public**



DEVELOPING YOUR PLAN WITH VDH

120Water Platform – Grant Funded

1. Sample planning
2. Sample collection
3. See and share results
4. Track remediation work
5. Export data to communicate results



DEVELOPING YOUR PLAN WITH VDH

VDH - eTracker



Sampling eTracker for Schools and Child Care Facilities



Who should use this Sampling eTracker?

The Sampling eTracker for Schools is a recordkeeping and reporting tool for schools and child care facilities participating in the VDH lead testing program. For recordkeeping, this tool serves to track testing results and follow-up, remediation, and replacement actions taken on drinking water outlets that are tested for lead. For reporting, this tool contains the data elements needed for reporting to the state if the facility is receiving a Water Infrastructure Improvements for the Nation (WIIN) Act grant. These are explained in more detail below. For more information on the WIIN Act see (<https://www.epa.gov/dwcapacity/wiin-grant-voluntary-school-and-child-care-lead-testing-and-reduction-grant-program>), and for more information on the 3Ts for Reducing Lead in Drinking Water, see (<https://www.epa.gov/ground-water-and-drinking-water/3ts-reducing-lead-drinking-water>).

This tool contains four (4) sheets:

- **[#1 - State Report - Facility Info]**
- **[#2 - Sample and Action Tracker]**
- **[#3 - State Report - Auto-Calculation]** Facilities do **not** enter data in sheet #3; it is auto-populated based on entries in sheets #1 and #2.
- **[#4 - Glossary]**, a helpful section for all facilities to reference.

INSTRUCTIONS on HOW to use the sheets in this eTracker tool

Note: For WIIN grant recipients, an asterisk (*) indicates that the data field is used to auto-populate cells in the [# 3 - State Report - Auto-Calculation] sheet.

Sheet Name	Intended for:	Description
#1 - State Report - Facility Info	Facility Representative	This sheet is intended to capture general information about the facility undergoing testing for lead in drinking water. Facilities should enter data directly into this sheet.
#2 - Sample and Action Tracker	Facility Representative	This sheet will help the facility organize its Testing and Taking Action data. Facilities should enter information about each sample collected and any follow-up, remediation, or replacement actions taken directly into this sheet.
		This sheet is used for a summary of reportable information to the state. Information from the [#1 - Facility Info] and [#2 - Sample and Action Tracker] sheets will automatically populate the fields in the [#3 - State Report - Auto-Calculation] sheet. Note: Do not enter data directly into this sheet but do check the auto-populated fields to ensure they are correct before submitting this eTracker to the Virginia Department of Health.

TESTING YOUR OUTLETS - VDH

More on Fixture Types

Fixture Type	Description
Bottle Filler	A bottle filling station
Bubbler	A water fountain with no cooling tank
Water Cooler	A water fountain or bottle filler with a cooling tank
Faucet	Can denote cold or hot side
Kitchen Kettle	Sample from faucet, can denote cold or hot side
Coffee Maker	Connected directly to water source
Ice machine	In fridge or standalone units
Spigot	Outdoor water source such as a field hydrant
Sprayer	Connected to kitchen faucet
Other	Unique fixtures (kitchen steamers, etc.)



Code Unless advised otherwise possible.

Type

- Faucet, Cold
- Faucet, Hot
- Ice Machine
- Kitchen Kettle, Cold
- Kitchen Kettle, Hot
- Service Line

Location Coaches Hallway, At

TESTING YOUR OUTLETS - VDH

- **Stagnation Period**: No water can be used in the building for 8-18 hours before sample collection
- **Communicate with staff and use tape or signs**
- **What we recommend to collect samples:**
 - Sample kit from certified laboratory
 - A way to keep track of sampling (120Water Portal, eTracker)
 - Pen or pencil
 - Building floorplan

TESTING YOUR OUTLETS - VDH

First Draw Sample: The first 250mL of water collected from a fixture. Represents the fixture and nearby plumbing materials

Flush Sample: A second 250mL sample of water collected from a fixture after water runs for **30 seconds**. Represents plumbing materials behind the wall or down stream.



UNDERSTANDING RESULTS - VDH

View Your Results

You will receive an email when your results are in the platform. Log in to view them in detail

The screenshot displays the 'Samples' tab for Adams Central High School. A 'Filter Data' dropdown menu is open, showing options: Sample Draw Type, Cancellation Reason, Collected By, Exceeds Action Level, and Fixture Type. Below the filter, a table shows 10 samples. The table columns are: Fixture Code, Draw Type, Fixture Type, Collected On, Building Name, Fixture Location, Status, and Result.

Fixture Code	Draw Type	Fixture Type	Collected On	Building Name	Fixture Location	Status	Result
102b	Flush 180	Faucet, Cold	01/23/2018 - 02:16am	--	Boys locker rm	Collected	1 ppb
102b	Flush 30	Faucet, Cold	01/23/2018 - 01:04am	--	Boys locker rm	Collected	1 ppb
106b	Flush 30	Water Cooler	01/23/2018 - 01:16am	--	Sophomore hall	Collected	1 ppb
106b	First Draw	Water Cooler	01/23/2018 - 01:17am	--	Sophomore hall	Collected	1 ppb
105a	Flush 30	Water Cooler	01/23/2018 - 01:16am	--	Sophomore hall	Collected	1 ppb
105a	First Draw	Water Cooler	01/23/2018 - 01:15am	--	Sophomore hall	Collected	1 ppb
104b	Flush 30	Faucet, Cold	01/23/2018 - 01:07am	--	Girls locker rm	Collected	1 ppb

The samples tab allows you to view results, sort by columns and filter by data fields such as fixture type



UNDERSTANDING RESULTS - VDH

What to Expect After Testing

It is common to find a small percentage of all water fixtures in each building test high for lead.

But you will likely find these problems in:

- **Infrequently used fixtures**
- **Classroom faucets**
- **Water fountains**
- **Outdoor spigots (only sample if used for consumption)**

When fixtures test above 15ppb you will:

- **Not panic!**
- **Turn off the impacted fixture to protect public health**
- **Contact the Virginia Department of Health**
- **Receive technical assistance through VDH on how to address the problem**

REMEDATION (IF NECESSARY) - VDH

Immediate

Steps facilities can take as soon as lab results arrive

Respond quickly, protect public health and preserve trust

- Turn off or bag fixtures
- Post signs

Interim

Protect children's health in the short term

Allow time to identify lead sources, select the most effective and efficient fix while continuing to keep the community safe

- Continue to keep fixtures offline
- Provide POU or pitcher filters
- Clean aerators
- Develop flushing procedures
- Provide bottled water in extreme cases

Permanent

Ways to reduce lead in drinking water long term

Confident in the source of your problem, execute the "right" strategy for your facility in the long term

- Permanently remove fixtures
- Replace fixtures, nearby materials & LSLs
- Install solenoid flushing devices
- Install & maintain filtration devices
- Re-test to ensure effectiveness



VIRGINIA DEPARTMENT OF HEALTH

GRANT ELIGIBILITY

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Selection of facilities will be prioritized according to the following criteria:

- Age of building or plumbing materials
- Age group of children
- Percent qualifying for free and reduced-priced lunch
- Prior history of lead sampling

WHY TEST FOR LEAD IN DRINKING WATER?

Young children, infants, and fetuses are particularly vulnerable to lead exposure:

- Nervous system damage
- Learning disabilities
- Behavioral problems
- At very high levels: seizures, comas, and death

Prolonged lead exposure in adults can lead to:

- Cardiovascular effects
- Kidney failure
- Reproductive problems

Frequently Asked Questions

FAQs

If we only serve school-aged children, do we need to have the water tested and a plan?

All licensed child day programs must comply with the law, regardless of the age(s) of the children served. All Religious Exempt Child Day Centers and Certified Preschools are required to comply with the law if they serve preschool-age children.

FAQs

Is there an annual testing requirement?

No. Programs required to comply with the law are required to test once, unless the test results indicate the need for remediation and re-testing.

FAQs

If I allow our preschool children to bring in their own water bottles from home next year, does that exempt us from the water testing noted?

No. Children may bring drinking water from home if the containers and storage meet all other regulations; however, in addition to drinking water for children, programs required to comply must plan for compliance for all outlets used for potable water/water for human consumption. "Human consumption" is defined in [§ 32.1-167](#) of the Code of Virginia as “drinking, food preparation, dishwashing, bathing, showering, hand washing, teeth brushing, and maintaining oral hygiene.”

FAQs

In cases where a water service is utilized, how should we address the need for water in bathroom faucets, particularly for children's handwashing?

A testing plan and test results must still be obtained from the potable water outlets. If remediation is necessary, outlets such as bathroom sinks for handwashing may be labeled with a sign “for handwashing only” as a mitigation effort. These are mitigation actions that should be noted in the program’s plan, and the Virginia Department of Health Office of Drinking Water will work with your program to discuss mitigation efforts.

Technical Assistance

VDOE RESOURCES FOR PROVIDERS

- Memos: June 20, 2023—Emailed to providers based on program type
- Webinar: June 22, 2023—Info. included in Readiness Connections
- Recording: Available on VDOE's Childcare VA What's New page
- FAQs: August 2023—Posted on VDOE's Childcare VA What's New page
- Memos: April 5, 2024—Emailed to providers based on program type
- Webinar: May 7, 2024—Info. included in Readiness Connections

- Memos and webinar recordings will be posted on the What's New page on the microsite:
 - <https://www.childcare.virginia.gov/providers/what-s-new>

VDH RESOURCES FOR PROVIDERS

- [The US Environmental Protection Agency \(EPA 3Ts for Reducing Lead in Drinking Water\)](#)
- [Website: The Virginia Department of Health, Office of Drinking Water](#)
- [120Water Informational Webinar Recording](#)
- [EPA's Potential Funding Sources for Reducing Lead in Drinking Water in Schools and Child Care Facilities](#)

QUESTIONS?

Questions about compliance and child care health and safety inspections:

Office of Child Care Health & Safety @ VDOE

Childcarelicensing@doe.virginia.gov

Questions about the technical aspects of lead testing, remediation, or grant funding:

Office of Drinking Water @ VDH

leadtestingprogram@vdh.virginia.gov

THANK YOU!

- We recognize the value and importance of the challenging work you do every day for the Commonwealth's young children and families.
- We understand how complex it can be to navigate the multiple laws and regulations that affect your programs.
- We hope that this webinar helps you understand and feel prepared for changes.
- We want you to leave with resources to help you navigate and successfully implement these changes to support the health, safety, and well-being of the children in care.