



Lead & Copper Rule Revisions Monitoring for lead in schools and childcare facilities

What is the Rule?

The LCRR requires that all community water systems conduct directed public education and lead monitoring at the schools and childcare facilities they serve if those schools or childcare facilities were constructed prior to January 1, 2014 or the date the State adopted standards that meet the definition of lead free in accordance with Section 1417 of the Safe Drinking Water Act.

Water systems must conduct lead sampling at elementary schools and childcare facilities they serve once and on request of the facility thereafter. Water systems shall also conduct lead sampling at secondary schools they serve on request. The provisions of this section do not apply to a school or childcare facility that is regulated as a public water system. This applies until a water system samples all the elementary schools and childcare facilities they serve once as specified in 40 CFR 141.92(c). Thereafter, water systems shall follow the provisions as specified in paragraph 40 CFR 141.92 (g).

Public education to schools and childcare facilities

What is required?

Each water system must compile a list of schools and childcare facilities served by the system. The water system must either confirm that there have been no changes to its list of schools and childcare facilities or submit a revised list at least once every five years.

Each water system must contact elementary schools and childcare facilities and:

- Information the facility about health risks from lead in drinking water on at least an annual basis
- Notify the facility that the water system is required to sample for lead at elementary schools and childcare facilities, including a proposed schedule for sampling at the facility;
- Provide information about sampling for lead in schools and childcare facilities;
- Instructions for identifying sampling locations and preparing for the sampling event at least 30 days prior to the sampling event.
- The water system must contact all secondary schools at least annually to provide information on health risks from lead in drinking water and how to request lead sampling.

What if the school or childcare facility does not want to participate in lead sampling or public education?

If the school or childcare facility does not want to participate, the water system must document if an elementary school or childcare facility is non-responsive or otherwise declines to participate in the monitoring or education requirements of this section. The water system must make at least two separate good faith attempts to contact the facility to schedule sampling with no response.

Lead sampling in schools and childcare facilities

What is required?

Five samples per school and two samples per childcare facility water taps typically used for consumption must be collected. Sample taps must not point-of-use (POU) filters or other treatment devices.

Where do water systems have to sample?

For Schools: Samples must be collected at two drinking water fountains, one kitchen faucet used for food or drink preparation, one classroom faucet or other outlet used for drinking, and one nurse's office faucet, if these locations are available.

For childcare facilities: Samples must be collected at one drinking water fountain and one kitchen faucet used for preparation of food or drink or one classroom faucet or other outlet used for drinking.

What if the school or childcare facility does not have all of the required sample taps?

If the school or childcare facility fewer than the required number of outlets, the water system must sample all outlets used for consumption. If school or childcare facility does not have any of the required faucet types, the water system must collect a sample from another faucet typically used for consumption.

How often are school and childcare facility samples required?

Water systems must collect samples from at least 20 percent of elementary schools served by the system and 20 percent of childcare facilities served by the system per year until all schools and childcare facilities have been sampled or have declined to participate. A water system may count a refusal or non-response from an elementary school or childcare facility as part of the minimum 20 percent per year.

After a water system has completed one required cycle of sampling in all elementary schools and childcare facilities, a water system must sample at the request of an elementary school or childcare facility.

A water system must also sample at the request of a secondary schools. If a water system receives requests from more than 20 percent of secondary schools in any of the five years following the compliance date, the water system may schedule the requests that exceed 20 percent for the following year and is not required to sample an individual secondary school more than once in the five-year period.

How are sample results provided school and childcare facility?

A water system must provide sampling results to the school or childcare facility as soon as practicable but no later than 30 days after receiving the sampling results.

For More information

The information provided in this fact sheet is a high-level summary of the Lead and Copper Rule Revisions School and childcare sampling requirements. For detailed information and specific guidelines regarding school and childcare sampling requirements, refer to the complete text of 40 CFR § 141.92. Public Water Systems directly impacted by this rule should refer to the official regulatory text and consult with the New Mexico Environment Departments Drinking Water Bureau at lcr.manager@env.nm.gov for additional guidance or assistance.