

From: ANR - DWGWP Info
Sent: Friday, July 26, 2019 2:38 PM
To: Galford, Amy
Subject: Lead sampling/Act 66 information for NTNC public water systems

Dear AMY GALFORD,

This email is being sent to the contacts of schools and child care facilities in Vermont that operate Non-Transient Non-Community public drinking water systems. The purpose of this letter is to clarify two different regulatory programs related to lead in drinking water: the federal *Lead and Copper Rule* (LCR) and a new state lead testing requirement signed into law in 2019, *An Act Relating to the Testing and Remediation of Lead in Drinking Water of Schools and Child Care Facilities* (Act 66). The Drinking Water and Groundwater Protection Division (DWGWP) of the Department of Environmental Conservation (DEC), from whom you are receiving this message, implements the LCR in Vermont through the Water Supply Rule. The Agency of Education and the Vermont Department of Health (VDH) have already sent information about how to comply with Act 66. A general comparison of the basic differences between these two programs is below.

Requirements under the LCR have not changed as a result of Act 66. Monitoring and remediation requirements under Act 66 are separate from any those with which the water system must comply under the LCR. Your system(s) will need to meet the requirements of each program independently. Samples collected under one program will not meet the requirements of the other.

Water quality testing provides periodic information about lead and copper concentrations, but there are also good maintenance practices that a water system can use throughout the year. Your water system's Operations & Maintenance Manual should include a section on flushing procedures, as outlined in Appendix D of the Vermont Water Supply Rule. Flushing is especially important following weekends, holiday breaks, or after plumbing changes. Routine careful removal and cleaning of faucet aerators (screens) is recommended. Do not flush the system or clean aerators in the week before collecting LCR samples and do not remove aerators when to sampling under the LCR; these activities could change the results to be higher or lower and not be representative of normal operation. Collect samples during the school year to reflect periods of consumption and normal operation of the facility.

DWGWP will be offering trainings for water system operators throughout the state in partnership with Vermont Rural Water Association in late July and August. The focus of the training will be on the regulation pertaining to polyfluoroalkyl substances (PFAS) in Vermont, Act 21, but it will also include information on Act 66. Schedule, locations, and registration information on the trainings are available here: <http://vtruralwater.org/training/schedule.php>

Links to additional information including the US EPA and VDH websites are provided on the DWGWP Vermont Lead and Copper Rule Resources page:
<https://dec.vermont.gov/water/drinking-water/water-quality-monitoring/lead-copper-rule-resources>

For more information about Act 66, visit the Health Department's website:
<http://www.healthvermont.gov/response/environmental/lead-testing-drinking-water-schools-and-child-care-facilities-2019-20>

Do not reply to this email. If you have questions on sampling for lead (or copper), please visit the websites linked above or see "Contact Information for Questions" in the table below. If you have questions about this email, contact Ben Montross at ben.montross@vermont.gov.



Comparison of LCR and Act 66 Requirements:

	Lead and Copper Rule (LCR)	Act 66
Who Needs to Monitor	Regulated Community and Non-transient Non-community (NTNC) public water systems. This includes schools and child care providers with their own wells that serve 25 or more people (students and staff).	All school districts, supervisory unions, independent schools, and child care providers in Vermont.
Sampling Locations	Sampling plans must be approved by the Drinking Water and Groundwater Protection Division (DWGWPD). Sample locations are selected based on the plumbing material and age as specified in the LCR from sites that are or may be used for consumption.	<u>Every</u> water outlet currently or reasonably expected to be used for consumption or cooking purposes, including a faucet, drinking fountain, bottle filling station, or ice machine as determined by the school district, supervisory union, independent school, or child care provider.
Sample Volume	1 liter.	250 milliliters.
Sample Collection	Sample after at least 6 hours of stagnation (first-draw). Five or ten samples are often required per monitoring period, depending on the population size and prior results.	Initial sampling will include two samples for each outlet: 1) a first draw sample following 8 to 18 hours of stagnation and 2) a flushed sample. Follow-up samples may be required or recommended depending on results.
Approved Laboratories	Samples can be submitted to any laboratory certified by VDH for analysis of lead in drinking water.	Samples must be submitted to the VDH Laboratory.
Action Level and Compliance	If the 90 th percentile concentration for a monitoring period exceeds the 15 parts per billion (15 ppb) action level, then additional monitoring, public education, and possibly the installation of corrosion control treatment are required	If the lead concentration from an outlet is at or above the 4 ppb action level, the outlet is required to be immediately taken out of service while a long term remediation solution is implemented. This can include replacing the fixture, permanently removing the fixture from service, installation of centralized fountains, or other approved approaches.
Public Notice	Notice of results to staff, parents, and students is required within 30 days of receipt of lab results regardless of the detected concentration. Public education within 1 business day is required when the lead Action Level has been exceeded.	Initial notice is required at least 5 days prior to sampling. Templates with required language can be found on the VDH Website here for schools and here for daycares VDH sends results to the school and the data is posted on a state website. Facilities must provide results \geq 4 ppb and proposed or completed remediation to all staff and parents/guardians of students within 10 school days after receipt of the laboratory report.
Contact Information for Questions	Amy Galford, DWGWPD at 802-585-4891 or amy.galford@vermont.gov	For all questions please dial 2-1-1