

STATE OF CALIFORNIA
AMENDMENT TO THE
DOMESTIC WATER SUPPLY PERMIT ISSUED TO

Name of Water System
(Public Water System No. xxxxxxxx)

By The
State Water Resources Control Board
Division of Drinking Water



PERMIT AMENDMENT NO. **2017PA-SCHOOLS** EFFECTIVE DATE: **January 17, 2017**

WHEREAS:

1. The State Water Resources Control Board (SWRCB) "may renew, reissue, revise, or amend any domestic water supply permit whenever the ... [SWRCB] deems it to be necessary for the protection of public health whether or not an application has been filed." (California Health and Safety Code (CHSC), Section 116525 (c))
2. "Every resident of California has the right to pure and safe drinking water." (CHSC, Section 116270 (a))
3. "It is the policy of the state to reduce to the lowest level feasible all concentrations of toxic chemicals that, when present in drinking water, may cause cancer, birth defects, and other chronic diseases." (CHSC, Section 116270 (d))
4. The Safe Drinking Water Act is "intended to ensure that the water delivered by public water systems of this state shall at all times be pure, wholesome, and potable." (CHSC, Section 116270 (e))
5. Protecting children from exposure to lead is important to lifelong good health. Children who are exposed to lead could experience long-term problems with physical and mental growth and development. Effects of lead exposure can be managed, but they cannot be remedied.

6. Recent events in the United States have shown that lead in drinking water remains an ongoing public health challenge and important concern for children's health. The SWRCB is encouraging schools that serve one or more of grades Kindergarten through 12th grade to test for lead in water from taps regularly used for drinking or cooking. The school can request assistance from their public water system.
7. Lead exposure in children typically results from a combination of environmental and man-made lead from sources such as paint, air, soil, industry, consumer products, food, and drinking water.

Normally, the exposure from drinking water would be a very low component of this exposure. Children consume drinking water at home, at school and at various other locations. High levels of lead in drinking water are a concern at any of these locations. Lead in drinking water is typically found at the highest levels on "first draw" samples after the water has stagnated in the water pipes for several hours (such as overnight). If the lead levels are found to be below the action level after stagnation, that is a strong indication that there is an insignificant exposure to lead at that particular sampling location. Individual plumbing fixtures can contribute to high levels in these "first draw" samples.

8. In California, the SWRCB oversees public water systems to ensure the water they provide is tested and safe per the requirements of the State and Federal Safe Drinking Water Acts, and regulations adopted pursuant to those Acts, which includes the Lead and Copper Rule (LCR), a regulation adopted by the United States Environmental Protection Agency (USEPA) and the SWRCB to control lead and copper in drinking water.

Under the LCR, public water systems are required to test water for lead at a set number of service connections (depending on the number of customers served by the system) that are at a higher risk for lead in the tap water due to their plumbing characteristics. Water suppliers are not required to test every customer's tap. Schools that are served by community water systems are generally not included in the LCR testing; only residential connections are included.

THEREFORE: The State Water Resources Control Board hereby determines that it is necessary for the protection of public health for this amendment to be issued, and hereby issues this permit amendment subject to the following provisions:

1. This permit amendment applies to each public water system that serves drinking water to at least one or more of grades Kindergarten through 12th grade school for which a request for lead sampling has been made prior to **November 1, 2019**, as provided for in Provision 3.
2. Each water system shall submit to the SWRCB's Division of Drinking Water (DDW) a comprehensive list of the names and addresses of all Kindergarten through 12th grade schools that are served water through a utility meter by **July 1, 2017**. The list shall be in the format and method posted on the DDW Lead Sampling in California Schools website.
3. If an authorized school representative, (the superintendent or designee of a school, governing board or designee of a charter school, or administrator or designee of a

private school) of a school served by the water system requests one-time assistance with lead sampling in writing, the water system shall:

- a. Respond in writing within 60 days of receiving the school's lead sampling request and schedule a meeting with school officials, including at least one staff member familiar with the school's water infrastructure, to develop a sampling plan. An example school lead sampling plan is located on the DDW Lead Sampling in California Schools website. The sampling plan may use the USEPAs "*3Ts for Reducing Lead in Drinking Water in Schools*" as general guidance. The 3T document can be found online at:

https://www.epa.gov/sites/production/files/2015-09/documents/toolkit_leadschools_guide_3ts_leadschools.pdf

- b. Finalize a sampling plan and complete the initial sampling within 90 days of receiving the lead sampling request, except that if the water system cannot complete the sampling plan and the lead sampling in that time period, the water system shall develop and comply with a time schedule to complete the sampling plan and initial lead sampling that has been approved by DDW.
- c. Collect from one to five samples at each school from regularly used drinking fountains, cafeteria/food preparation areas, or reusable bottle water filling stations selected according to the lead sampling plan described in Provision 3 (b) using the sampling guidance located in **Appendix A (Sampling Guidance)** which is attached. Sample sites may be either treated or untreated.
- d. Collect lead samples during the school year, on a Tuesday, Wednesday, Thursday or Friday during a day school is in session and has been in session for at least one school day prior to the date of sampling.
- e. Ensure that samples are collected by a water system representative that is adequately trained to collect lead and copper samples.
- f. Submit the samples to an ELAP certified laboratory for analysis of lead.
- g. Require the laboratory to submit the data electronically to DDW in accordance with the electronic submittal guidance which is located on the DDW Lead Sampling in California Schools website.
- h. Provide a copy of the results to the requesting authorized school representative.
- i. Within two school business days of receipt of a laboratory result that shows an exceedance of 15 parts per billion (ppb) at a sample site, notify the school of the sample result.
- j. If an initial lead sample result shows an exceedance of 15 parts per billion (ppb) at a sample site,
 - i. Collect an additional sample (resample) within 10 business days of receipt of the laboratory result above 15 ppb if the sample site remains in service.
 - ii. Collect a third sample within 10 business days after notification that a resample result described above is less than or equal to 15 ppb.

- iii. If the sample site is removed from service by the school, do not collect the repeat samples unless the school has completed corrective actions.
 - iv. Collect at least one more lead sample at a sample site where the school has completed some corrective action following an initial lead sample result over 15 ppb (examples of corrective action are replacing interior piping, replacing faucet, installing filters, etc.)
 - k. Ensure that it receives the results of the repeat lead samples required in Provision 3 (j) from the laboratory no more than 10 business days after the date of sample collection.
 - l. Not release the lead sampling data to the public for 60 days following the receipt of the initial lead sampling results unless the water system releases the data in compliance with a Public Records Act (PRA) request for the specific results.
 - m. Discuss the lead sample results with the school prior to releasing the sample results to the public. The water system shall discuss all lead sampling results with the school within 10 business days of receiving the results from the laboratory.
4. The water system may stop lead sampling at a school if:
- a. All initial samples are less than or equal to 15 ppb; or
 - b. Repeat sampling has been analyzed for each sample location with an initial lead sample greater than 15 ppb in accordance with Provision 3, and either:
 - i. If lead is confirmed over 15 ppb and the sample location has subsequently been physically removed from service, or
 - ii. If the sample location remains in service, and
 - a. If lead is confirmed over 15 ppb and the school has taken some corrective actions at the sample location and the water system has collected at least one additional lead sample after the corrective actions and the result is less than or equal to 15 ppb, or
 - b. If lead is less than or equal to 15 ppb in both the first repeat sample and second repeat sample described in Provision 3(j).
 - c. A written request from the water system to terminate lead sampling assistance has been approved by DDW.
 - d. If requested in writing by the school's authorized school representative.
5. The water system is responsible for the following costs:
- a. Laboratory fees for all lead samples and reporting of the results to DDW and the school, and all laboratory coordination and instruction.
 - b. All water system staff time dedicated to the tasks required by the provisions in this permit amendment.

6. The water system may not use any lead samples collected as part of these special school samples to satisfy federal or state Lead and Copper Rule requirements.
7. The water system shall communicate with the school after lead sampling and assist the school with the interpretation of laboratory results and provide information regarding potential corrective actions if a school has confirmed lead levels above 15 ppb. The water system is not responsible to pay for any maintenance or corrections needed at the school if elevated lead levels are found in the drinking water. The water system is not responsible for determining any corrective actions needed at the school.
8. The water system shall keep records of all written requests from a school for lead related assistance and provide the records to DDW, upon request. Records shall include, at a minimum, the following information:
 - a. The name of the school. If a school district makes a request, the school district's name shall be recorded along with each individual school served by the water system that is requesting sampling;
 - b. The date of the request;
 - c. The date of the initial meeting;
 - d. The date of the sampling plan along with a copy of each sampling plan; and
 - e. The date of initial lead sampling and all repeat samples.
9. The water system's annual Consumer Confidence Report shall include a statement summarizing the number of schools requesting lead sampling.

This permit amendment shall be appended to and shall be considered to be an integral part of the existing Domestic Water Supply Permit previously issued to the water system.

This permit amendment shall be effective as of the date shown below.

FOR THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

Dated: _____

District Engineer
District
SWRCB-DDW