

LEAD AND COPPER RULE IMPROVEMENTS

A Community Water System's Guide for Compiling a List of Schools and Child Care Facilities

The U.S. Environmental Protection Agency (EPA) is committed to ensuring that all Americans can rely on clean and safe water, including by reducing exposure to lead in drinking water. In 2021 and 2024, EPA revised the Lead and Copper Rule (LCR). One component of these revisions established the first ever requirements for sampling drinking water in schools and licensed child care facilities.¹

Under the LCR, a community water system must take drinking water samples and provide outreach materials to the schools and child care facilities that they serve,² unless the school or facility meets certain criteria based on plumbing age and service line material.³

The first step to implementing this requirement is to compile and submit a list of schools and licensed child care facilities that are eligible for sampling to the state⁴ by **November 1, 2027**.⁵ EPA developed this guide with informational resources to support community water systems as they develop these lists.

The actions recommended in this guide are organized into two steps:

Step 1. Identify all schools and licensed child care facilities that the water system serves.

Step 2. Determine which facilities are eligible for sampling based on plumbing age and service line material.

Exposure to lead in drinking water is a public health concern, especially for vulnerable populations such as children. Lead enters drinking water mainly from the corrosion of older service lines containing lead. For more information about lead, visit [EPA's Lead in Drinking Water webpage](#).

¹ 40 CFR 141.92

² 40 CFR 141.2 "Elementary school", "Secondary school", "Child care facility". Note, these definitions are provided under Step 1 below.

³ 40 CFR 141.92(a)(1)(i)-(ii).

⁴ State means the agency of the state, territory, or Tribal government which has authority over public water systems. During any period when a state, territorial, or Tribal government does not have primary enforcement responsibility per section 1413 of the Act, the term "state" means the Regional Administrator, U.S. Environmental Protection Agency.

⁵ 40 CFR 141.92(b)

Step 1: Identify all schools and licensed child care facilities served by the water system.

As a first step, community water systems should identify all the eligible schools and child care facilities that they serve and that meet the regulatory definition of a covered facility. The federal definitions are copied below for convenience⁶, and EPA recommends checking with state, Tribal, and local government practices and classifications as well. EPA recommends tracking child care facilities, elementary schools, and secondary schools separately because they have different requirements for sampling and associated outreach.

- **Child care facility:** a location that houses a provider of child care, day care, or early learning services to children (including Head Start program facilities), as licensed by the state, local, or Tribal licensing agency.
- **Elementary school:** a school classified as elementary by state and local practice and composed of any span of grades (including pre-school) not above grade 8.
- **Secondary school:** a school comprising any span of grades beginning with the next grade following an elementary school (usually 7, 8, or 9) and ending with grade 12. Secondary schools include both junior high schools and senior high schools and typically span grades 7 through 12.

Under the LCR, community water systems are only required to include facilities that they serve.⁷ They are not required to include schools or child care facilities that rely solely on private wells and/or those that are regulated as their own public water system (PWS), even if they are located within the water system's service area.⁸

The following table provides a summary of the types of schools and child care facilities community water systems are required to include⁸ in addition to ones that they are not required to include.

Table 1: Identifying Schools and Child Care Facilities

Required to Include	Not Required (Optional) to Include
• Elementary schools (both public and private) • Secondary schools (both public and private) • Schools that include both elementary and secondary school grades (both public and private) • Licensed child care facilities	• Post-secondary schools (e.g., trade schools, universities) • Schools or child care facilities that are PWSs. • Schools or child care facilities that are solely supplied by private wells. • Unlicensed child care facilities

⁶ 40 CFR 141.2.

⁷ 40 CFR 141.9240 CFR 141.92.

⁸ See 40 CFR 141.2 and 40 CFR 141.92(a).

RESOURCES FOR IDENTIFYING SCHOOLS AND CHILD CARE FACILITIES⁹

-  Use service line inventories, billing records, and community knowledge to identify the eligible schools.
-  Review public inventories managed by states, territories, and Tribes. These include Department of Education public school directories, licensed child care facility directories, and Voluntary Lead Testing and Reduction grant websites.⁹ EPA has compiled links to these directories for each state at <https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#schools>.
-  Search for private schools through private school accrediting agencies in the state.
-  National resources for identifying schools:
 - The National Center for Educational Statistics (NCES)'s website for private schools (<https://nces.ed.gov/surveys/pss/privateschoolsearch/>)
 - The Private School Review (<https://www.privateschoolreview.com/find-schools>)
 - The National Association of Independent Schools (<https://www.nais.org/school-directory>)
 - The National Database of Child Care Licensing Regulations (<https://licensingregulations.acf.hhs.gov/>)
 - The Bureau of Indian Education (BIE) Directory. Note, the BIE Directory includes 187 Tribal schools that are funded and/or operated by BIE, but it is not a comprehensive list of Tribal schools (<https://catalog.data.gov/dataset/bie-school-directory>)
-  National resources for identifying child care facilities:
 - Child care facilities by state and zip code search (<https://childcare.gov>)
 - Map of state resources and information (<https://www.childcareaware.org/resources/state-by-state-resource-map/>)
 - The Head Start Center Locator, which also identifies American Indian and Alaska Native Head Start programs (<https://headstart.gov/center-locator>)
-  For identifying Tribal schools and child care facilities, community water systems may contact the Tribal government(s) in the area. The [Bureau of Indian Affairs' Tribal Leaders Directory](#) includes federally recognized Tribes, along with contact information for Tribal Leaders.

⁹ Grant sites are subject to change by state agency. For up to date website links visit State Grant Program Contacts at: <https://www.epa.gov/dwcapacity/voluntary-school-and-child-care-lead-testing-and-reduction-state-grant-program-contacts>.

Step 2: Determine which schools and child care facilities are eligible for sampling based on plumbing age and service line material.

Community water systems should analyze eligible schools and child care facilities and exclude those that meet the following criteria:

- Constructed or had a full plumbing replacement on or after the State adopted “lead free” standards (see [State adoption of “lead free” standards](#) below for more information), **AND**
- Not served by a service line that is lead, Galvanized Requiring Replacement, or an unknown material.¹⁰

Schools and child care facilities that meet these criteria can be excluded from the sampling list because they are not likely to contain significant lead sources¹¹.

STATE ADOPTION OF “LEAD FREE” STANDARDS

The date of eligibility for lead-free plumbing is either the effective date of the Reduction of Lead in Drinking Water Act, January 1, 2014, or a state’s adoption date, whichever is older. States that have adopted lead-free standards include California and Vermont (adopted 1/1/2010); Maryland (adopted 1/1/2012); and Louisiana (adopted 1/1/2013). If the community water system is not in one of these states, they should use January 1, 2014.

TIPS FOR DETERMINING ELIGIBILITY



Use the service line inventory as a resource to determine if schools and child care facilities are served by a lead, Galvanized Requiring Replacement, or unknown service line.



For schools and child care facilities that have had full plumbing replacement or were constructed after the adoption of lead-free standards, check the service line inventory to make sure they are not served by a service line that is lead, Galvanized Requiring Replacement, or unknown.



School or school district websites may have historical information on how long they have been operating or when they made physical building improvements. The community water system can also reach out to the school or child care facility directly by phone or email. States may also have or know where to access this information.

Note on waivers: EPA is aware that some states and local programs already have requirements for sampling drinking water in schools and child care facilities for lead. In recognition of these existing requirements and programs, the Lead and Copper Rule includes a provision that allows states to waive redundant federal drinking water sampling requirements in all or a subset of eligible schools and child care facilities served by community water systems (40 CFR 141.92(h)). However, the list provided by these systems must include all eligible schools and child care facilities regardless of waiver status (40 CFR 141.92(b)(1)).

¹⁰See 40 CFR 141.2 for service line definitions.

¹¹Federal Register. 89 FR 86539. October 30, 2024.

Maintaining the Eligibility List

The list of schools and child care facilities that the community water system serves may change based on a number of circumstances, including when a home becomes a licensed child care facility, a school replaces all their internal plumbing and/or replaces a service line, or a child care facility closes. Water systems must provide updates or certify there are no updates to its list of schools and child care facilities according to the rule requirements below:

- Every year by January 30th (starting in 2029), water systems must certify in an annual report¹² to the state that they made a “good faith effort” to identify eligible facilities for the previous year.¹³ A “good faith effort” may include, for example:
 - Contacting the State’s Department of Education and child care licensing agency to request information on facilities that opened or closed during the previous year.
 - Reviewing billing records for new customers that could be schools or child care facilities.
- Within five years following the compliance date, by November 1, 2032, and at least once every five-year period after that, water systems must submit a revised list of schools and child care facilities to their state or certify in writing that there have been no changes.¹⁴

ⁱ This document provides links to websites outside of the EPA website for the convenience of the user. Inclusion of information about a website, an organization, a product, or a service does not represent endorsement or approval by EPA or its employees, nor does it represent EPA opinion, policy, or guidance unless specifically indicated. EPA does not exercise any editorial control over the information that may be found at any non-EPA website.

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¹² This is in reference to the annual report on public education and sampling in schools and child care facilities required by 40 CFR 141.90(i).

¹³ 40 CFR 141.92(b) and 141.90(i)(3). The “previous year’s activity” for the first annual report in 2029 is from the compliance date, November 1, 2027, through the date the report is due to the State before or by January 30, 2029 (40 CFR 141.90(i)(3)).

¹⁴ 40 CFR 141.92(b)(2) and 40 CFR 141.90(i)(3)(i)