

# WAC 170-300-0235: Safe Water Sources Tip Sheet

**Why is lead exposure of concern to Early Learning Programs?** Lead is a heavy metal. When ingested or inhaled, it is harmful to human health. According to the World Health Organization (WHO), no known level of lead exposure is safe. Infants and young children are particularly vulnerable. Even at very low levels of exposure to lead, children may experience neurological and developmental effects including lower IQ levels, hearing loss, reduced attention span, learning disabilities, hyperactivity, poor classroom performance, or other harmful physical and behavioral effects.

**What is the Governor's Directive on Lead?** Governor Jay Inslee's May 2016 Directive (16-06) responds to growing concerns about lead detected in drinking water at schools and homes across the state. However, the governor also recognized that water isn't the primary source of lead exposure for children. In addition to asking for recommendations to reduce exposure to lead in drinking water, he asked the Washington State Department of Health (DOH) to recommend ways to reduce exposure to lead and other environmental hazards where children live, learn, and play. For additional information on the Directive, visit <http://www.doh.wa.gov/Portals/1/Documents/Pubs/300-018.pdf>

**What does this Directive require the Department of Early Learning (DEL) to do?** It required DEL to collaborate with DOH and the state Office of Financial Management to determine the need for policies that require childcare providers to evaluate their programs for lead exposure. DOH recommended that DEL develop new rules to reduce children's exposure to lead. DEL established rules that require providers to test water sources for lead contamination (WAC 170-300-0235, WAC 170-300-0400, and WAC 170-300-0410). These rules went into effect May 27, 2017. Providers must use labs certified by the Washington State Department of Ecology (Ecology) for this testing (WAC 170-300-0235(2)).

## Water Testing Requirements

**Which early learning programs must test water for lead and copper?** All licensed childcare and early learning providers must have the water fixtures they use for drinking, cooking, or preparing food or infant formula tested for lead and copper. Only Ecology-certified labs may do this testing (WAC 170-300-0235(2)). In addition, the rules require this testing as a precondition for licensing of all new childcare and early learning providers.

**What fixtures do providers need to test? When? How often?** They must test all fixtures used to obtain water for drinking, cooking, or preparing food or infant formula. Licensed providers must complete testing by November 27, 2017. DEL requires licensing applicants to complete this testing before they can be licensed. From then on, providers must retest their water fixtures for lead and copper at least once every six years. ***If test results are at or above the EPA action level for lead or copper, providers must take immediate action and notify DEL*** (WAC 170-300-0235(2)).

**What is the current EPA action level for lead and copper?** There are no federal regulations for lead and copper in childcare facilities. However, EPA developed guidance for lead sampling in childcare facilities, and set the recommended **action level for lead at 20 parts per billion (0.020 mg/L)**. The **action level for copper at childcare facilities is 1,300 ppb (1.3 mg/L)**, which matches EPA's recommended action level for public water systems (WAC 170-300-0235(2)).

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# WAC 170-300-0235: Safe Water Sources Tip Sheet

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**How do childcare providers collect water samples?** DEL developed detailed sampling guidance to help them get ready to sample, collect samples, understand the results and the actions they must take if lead or copper levels exceed the action level at their facility.

**Is there a list of certified drinking water labs?** Yes. Ecology maintains a list of labs certified to test drinking water at [https://fortress.wa.gov/ecy/laboratorysearch/appfiles/DWLABs\\_WABYCounty.pdf](https://fortress.wa.gov/ecy/laboratorysearch/appfiles/DWLABs_WABYCounty.pdf).

**Where do providers keep the water test results?** Although providers aren't required to post their water testing results, they must keep a copy of the test results on the licensed premises.

**What must providers do if test results meet or exceed EPA's action level?** Immediately stop serving the water and switch to an alternative source of water (like bottled water) for drinking, cooking, and preparing food or infant formula. Immediately notify their DEL licensor or local DEL field office about the results and consult with them on ways to protect the children at the facility. DEL and DOH will work with each provider on follow-up actions. Water from these fixtures can still be used for household uses (washing dishes, clothes, housekeeping etc.). Actions required after exceeding a lead or copper action level are in WAC 170-300-0235(2)(a) through (e).

## Private Drinking Water Wells

**What are the private well requirements?** In addition to lead and copper, early learning providers that receive water from a private well must test their water for coliform and nitrate (WAC 170-300-0235(3)). Private wells must also meet the minimum standards for construction and maintenance of wells in WAC 170-160 <http://leg.wa.gov/CodeReviser/WACArchive/Documents/2013/WAC-173-160-CHAPTER.pdf>

**How often should providers test private well water?** Licensed providers must collect initial samples for coliform bacteria, nitrate, and lead and copper from their private wells by November 27, 2017. After that, they must sample for coliform and nitrate at least annually and for lead and copper every six years. Only a Department of Ecology-certified lab may conduct this testing. Ecology maintains a list of accredited drinking water labs at [https://fortress.wa.gov/ecy/laboratorysearch/appfiles/DWLABs\\_WABYCounty.pdf](https://fortress.wa.gov/ecy/laboratorysearch/appfiles/DWLABs_WABYCounty.pdf).

**What is a satisfactory coliform or nitrate test?** A "satisfactory" **coliform bacteria** test shows no presence of coliform bacteria (or negative coliform bacteria). A satisfactory **nitrate** test must be less than 10 parts per million (ppm). Labs often report nitrate levels in milligrams per liter (mg/L). Note that 1 mg/L equals 1 ppm. If nitrate results are less than 10 ppm but greater than 5 ppm, the water must be retested within six months.

**What must providers do if coliform or nitrate results are unsatisfactory?** If well water tests positive for coliform bacteria and/or greater than 10 ppm for nitrate, providers must immediately stop using the water for drinking, cooking, or preparing food or infant formula and inform the local health jurisdiction and DEL of the results. DEL will work with the local health jurisdiction and DOH to determine the steps

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## WAC 170-300-0235: Safe Water Sources Tip Sheet

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providers must take and advise them when they can use the water. Actions required after exceeding a coliform or nitrate level are in WAC 170-300-0235(3)(b) through (d), and 0235(4).

### **Additional Resources**

The Department of Early Learning Local Field Office contact information is at <https://www.del.wa.gov/about-us/contact-us>

The Department of Health provides resources on lead at <http://www.doh.wa.gov/YouandYourFamily/InfantsandChildren/ProtectKidsfromToxicChemicals/PreventLeadPoisoning>.

EPA's 3T's for Reducing Lead in Drinking Water in Child Care Facilities is at <https://www.epa.gov/dwreginfo/3ts-reducing-lead-drinking-water-schools-and-child-care-facilities>

The Department of Health's publication "Private Well Water: Coliform Bacteria and Nitrate Information for Private Well Users" is at <http://www.doh.wa.gov/portals/1/documents/pubs/333-171.pdf>

The Department of Early Learning  
<https://del.wa.gov/>