

FAQs – Sampling at Schools and Child Care Facilities

NOTE: The provisions of [§ 22.1-135.1](#) and [§ 22.1-289.057](#) of the Code of Virginia do not apply to a school or child care facility that is already regulated as a Non-Transient Non-Community (NTNC) public water system. The provisions do apply to a school or child day program that is (1) classified as a Transient Non-community public water system or (2) served water by a public water system.

1. **What is the definition of a school?** School means any building(s) associated with public, private, or charter institutions that primarily provides teaching and learning for elementary or secondary students.
2. **What is the definition of an elementary school?** The Environmental Protection Agency states that an Elementary school means a school classified as elementary by state and local practice and composed of any span of grades (including pre-school) not above grade 8. The State Board of Education defines "Elementary school" in 8VAC20-131-5 as a public school with any grades from kindergarten through grade 5.
3. **What is the definition of a secondary school?** The Environmental Protection Agency states that a Secondary school means a school comprising any span of grades beginning with the next grade following an elementary or middle school (usually 7, 8, or 9) and ending with or below grade 12. Both junior high schools and senior high schools are included. The State Board of Education defines "Secondary school" in 8VAC20-131-5 as a public school with any grades 9 through 12.
4. **What is the definition of a child care facility?** Child care facility means a location that houses a licensed provider of child care, day care, or early learning services to children, as determined by the State, local, or tribal licensing agency. The child care facilities or "programs" required to comply with § 22.1-289.057 in Virginia are certain "child day programs."
5. **What if a facility provides both child care and teaching/learning services?** It is classified as a school if primary activities are teaching and learning.
6. **Which facilities must be sampled?** Elementary schools and certain child day programs.
7. **Which facilities would be considered an "elementary school" and require sampling?** See the examples below:

Description	Possible Local Name	EPA Classification	Sampling Mandatory
Preschool	Preschool	Elementary School	Yes
Kindergarten – 3 rd grade	Primary School	Elementary School	Yes
Kindergarten – 5 th grade	Elementary School	Elementary School	Yes
Kindergarten – 6 th grade	Elementary School	Elementary School	Yes
Kindergarten – 12 th grade	Combined School	Elementary School	Yes
4 th – 6 th grades	Elementary School	Elementary School	Yes
6 th – 8 th grades	Middle School	Elementary School	Yes
7 th – 8 th grades	Junior High School	Secondary School	Encouraged
9 th – 12 grades	High School	Secondary School	Encouraged

8. **Are there some exclusions?** Schools constructed or had full plumbing replacement on or after January 1, 2014. Certain child day programs are still subject to § 22.1-289.057 testing requirements regardless of facility construction date.
9. **Which facilities must be contacted about health risks?** Contact elementary schools, secondary schools and child day programs with information about health risks from lead in drinking water after any sampling event and at least annually.
10. **What information about health risks must be shared?** EPA has established specific language and content which must be shared. This includes, but is not limited to, health effects of lead, sources of lead, steps the consumer can take to reduce their exposure to lead in drinking water, and how to contact the water providers for more information. Further details can be found at 40 CFR 141.85(a)
11. **What is the sampling protocol?** Per EPA's 3Ts for Reducing Lead in Drinking Water Toolkit, collect a first draw initial sample, 250 mL in volume, from the cold water, immediately followed by a 30 second flush sample. Before sampling, the water must remain stationary in the plumbing system for at least 8 hours, but no more than 18 hours. Analyze for lead by a method approved for drinking water per 40 CFR 141.89. with the lab sample analysis conducted in accordance with [EPA test method 200.8](#).
12. **How do I get the sample containers?** Sample containers are provided by the laboratory contracted to analyze the drinking water samples. Keep in mind that samples must be 250 mL in volume and follow the EPA's 3Ts for Reducing Lead in Drinking Water protocol. Drinking water samples must be analyzed by the Virginia Division of Consolidated Laboratory Services (DCLS) or by a private laboratory that has been certified by DCLS. If you opt to use a private laboratory, make sure to check that the private laboratory is certified by DCLS and can analyze for lead by a method approved for drinking water per 40 CFR § 141.89. A list of certified private labs can be found here: <https://dgs.virginia.gov/division-of-consolidated-laboratory-services/certification-accreditation/find-a-lab/>.
13. **Who may collect the samples?** Water systems, school or child day program staff, or other appropriately trained individual may collect samples.
14. **Is funding available to support lead sampling at schools and child day programs?** The Office of Drinking Water facilitates a [grant program](#) aimed at providing funding, technical assistance, and guidance for schools and licensed child day programs seeking to test their drinking water for lead. Upon enrolling, our partners at 120Water will provide everything needed for facilities to sample. Currently, all public PreK-12 schools and licensed child day programs are encouraged to apply.
15. **What are the required sampling locations in schools and child care facilities?** Our office supports the complete evaluation of all potable outlets within a facility. We do recognize the burden that this may place on larger facilities, but the grant program can help offset the sampling costs. In general, a minimum of five samples per school and two samples per child day program at outlets typically used to provide water for human consumption must be collected. The outlets cannot have point-of-use (POU) devices. Sample at the following types and number of outlets:

School (5 samples)	Child Care facility (2 samples)
2 – drinking water fountains	1 – drinking water fountain
1 – kitchen faucet*	1 – kitchen faucet* or classroom**
1 – classroom faucet or other outlet**	
1 – nurse's office faucet	

*Used for drinking or cooking

**Used to provide water for human consumption

16. **Will there be training on this?** Members of the ODW School and Child Care Lead Testing and Reduction Grant Program provide a monthly informational webinar to all enrolled schools and child care facilities. These presentations provide a basic overview of the program, assist prospective stakeholders with necessary information that is required during the sampling process, introduce data collection technology, and educate enrollees on the risks of lead in drinking water. An example recording of the informational webinar can be found on the [program website](#).
17. **I have some schools that are waterworks on a well and some that are connected to a community system. Do I have to do lead sampling for all of them?** The provisions of § 22.1-135.1 and § 22.1-289.057 of the Code of Virginia do not apply to a school or child day program that manages their own water supply and is already regulated as a waterworks. The provisions do apply to a school or child day program that is served by a community waterworks.
18. **Is it the public waterworks' job to provide the sample kits and take samples at the school or child care facility (i.e. school served by a community waterworks)?** It is the school or child day program' responsibility to ensure the requirements of § 22.1-135.1 and § 22.1-289.057 of the Code of Virginia are completed. The VDH program provides free sampling kits and technical assistance for facilities to sample facility faucets and fountains for lead presence. Once samples are collected, facility managers can use prelabeled return boxes to send samples to our state contracted labs for testing.

Although public water systems are not regulated under this authority, assistance may be available through sharing in sampling and laboratory costs. Some public water systems may have independently sampled and can provide historical analytical results. We encourage collaborative approaches that involve community organizations, academic institutions, government agencies, and other stakeholders to ensure timely solutions.

19. **What happens if we find lead in the samples?** If lead is found in any water sample, the Office of Drinking Water recommends taking actions to avoid lead exposure. The higher the concentration of lead, the more strongly we recommend action. In general, when laboratory results (following the EPA's 3Ts protocol) indicate:
- Non-Detect – Practice “no cost” clean water habits (e.g., use cold water for consumption)
 - Less than 15 ppb – Implement risk mitigation (e.g., flushing program implementation)
 - Greater than or equal to 15 ppb – Stop use of water source, implement risk mitigation strategies, and employ remediation activities as needed (e.g., fixture and/or plumbing replacement)

We also recommend reaching out to us at leadtestingprogram@vdh.virginia.gov for further guidance about remediation.

20. **Is there funding available for remediation activities?** The Office of Drinking Water has made funding available and is soliciting applications for projects that include the removal and/or replacement of lead-containing drinking water fixtures, fountains, outlets, and plumbing materials. These funds are awarded on a competitive basis and provided as 100% principal forgiveness (grant). When schools determine they need plumbing improvements, they should also explore funding sources with their district and governing boards. More information on remediation and replacement activities can be found on our School and Child Care Lead Testing and Reduction Grant Program [website](#).
21. **How do I find our facility state ID number?**
You may find your facility ID# by searching for your facility on the Virginia Department of Social Services website located [here](#). Please note that your facility ID# is the same as the license #.
22. **How often do we need to test for lead?**
Your facility should be tested at least once, per guidance's [§ 22.1-289.057](#) and [§ 22.1-135.1](#).

23. How much does it cost to test without grant money?

Costs will vary by laboratory, depending upon the extent of the services to be provided (e.g., if only analyses are conducted or if other services such as sample collection are provided), and some laboratories may have bulk analysis rates for a large number of samples. A per outlet cost is difficult to determine without context. A list of lead certified labs located in Virginia can be found on the DCLS website. Our office does not endorse or recommend any particular laboratory as long as sample analysis is conducted in accordance with EPA Method 200.8.

24. How long do records need to be kept? Each water system shall retain records for no fewer than 12 years.

25. If we only use filter pitchers for drinking water, what do we sample? You will need to sample from the outlet that provides water to the pitcher, so that we know what the water is like going into the pitcher.

26. Our child care facility has only children over the age of 5, do requirements apply?

All licensed child day programs must comply with the law, regardless of the age(s) of the children served. All Religious Exempt Child Day Centers and Certified Preschools are required to comply with the law if they serve preschool-aged children.

27. Is a specific kind of test required? Can we use test strips?

Testing of samples must be done by a lab accredited through the Virginia Division of Consolidated Lab Services (DCLS), which may then submit the results of lead testing to us at VDH. Lead test strips are not suitable as they're not as sensitive or accurate for testing requirements. We need quantitative results, in order for samples to count towards compliance in accordance with to [§ 22.1-135.1](#) and [§ 22.1-289.057](#) of the Code of Virginia. If you are looking for direction on how to sample please refer to the [EPA 3T's](#) process.

28. We already have our water checked monthly/yearly. Can we submit the results of that testing?

You may submit results for testing already done to satisfy the requirements if the contaminants sampled for include lead, and if the samples were tested by a DCLS approved laboratory, and if the sampling was done after 2021.

29. Do we need to test at public schools where we run after school and summer camp programs?

Public schools are required already to sample for lead in their facilities. Coordinate with your school to ensure that the relevant fixtures and outlets have been or will be sampled and that you will have access to the results.

30. Do buildings built after 2010 need to test?

Yes, you will still have to test. Lead pipes, solder, and fittings were required to be "lead-free" after 1986. At the time, "lead-free" was defined as containing less than 8 percent lead. It was only in 2014 that allowable lead levels in plumbing and fixtures dropped to 0.25 percent. In 2018 Virginia limited water pipes and fittings to no more than 0.15% lead. Follow up with your VDOE licensing contact for specific requirements.

31. If I have 3 buildings, will all buildings be required to test?

If all 3 buildings serve water to children from fixtures designated for consumption in the licensed facility, then yes it is recommended to sample at all buildings in accordance with [§ 22.1-135.1](#) and [§ 22.1-289.057](#) of the Code of Virginia.

32. They only use portable sink for washing hands. Does it still need to be sampled?

Yes, handwashing is included in DOE's definition of consumption.

33. We share a space with a church, do we need to sample their fixtures too?

The facility should test at areas designated for consumption in the licensed facility. If children go to other sections of the building and use fixtures in accordance to [§ 22.1-289.057](#), then those should be tested as well.

34. What if they only use the dishwasher?

You should test the sink associated with the dishwasher.

35. We use a portable sink, where do we test the water?

You should test at the water source that was used to fill the portable sink.

36. Does the center have to collect their own samples, or do they have to find a lead testing company?

You are not required to collect the samples yourself. We only ask that you develop and implement a plan to test potable water. If you do use outside sources for testing, remember to follow the EPA's 3T's guidance found [here](#). You must also use a State accredited lab for sampling results. That list can be found [here](#). Management of lead in drinking water supplied in Virginia schools and child care facilities is mandated by Virginia regulations [§ 22.1-135.1](#) and [§ 22.1-289.057](#).

37. The Early Childhood programs throughout the Diocese of Richmond are part of the private school sector and are either Religious Exempt or Licensed programs. Since we are a part of the private sector, do we have a different set of logistics for testing and reporting?

All Religious Exempt Child Day Centers and Certified Preschools are required to comply with the law if they serve preschool-aged children. There is not a required test method, but we do suggest to follow the EPA 3T's method ([found here](#)) for testing, and make sure to use a state accredited lab ([found here](#)).

38. Is this required for ALL child care centers? Or just existing centers?

All licensed child day programs, religious exempt child day centers that serve preschool-age children, and certified preschools shall develop and implement a plan to test potable water from sources identified by the U.S. Environmental Protection Agency must comply with the law.

39. Do we need to test every sink that is used for potable water or can we just test a sampling of them?

For schools, a minimum of five (5) sampling locations must be tested. For child day programs to be compliant with § 22.1-289.057, a minimum of two (2) samples must be collected from each child day program. Our office recommends that you sample at all potable outlets within your facility as this ensures you know the water quality at each outlet. Water leaving a sink in a classroom will be different from water in the kitchen sink. We do recognize that burden this may place, but the grant program can help offset sampling costs at eligible facilities.

40. For a school or child care facility, how long do we publicly share/post sample results?

We recommend following the EPA public notification rule format: the facility posts the results for a minimum of seven days, but the results must remain in place as long as any remediation trigger exceedance persists. Similarly, we recommend that facilities hold onto their records until 2032 to aid in LCRI compliance.

41. Do we test for both Lead and Copper?

This testing is for lead only.

42. Which testing threshold do we follow 10 ppb or 15 ppb?

The state statute § 22.1-135.1 requires a threshold of 10ppb for schools implementing their own testing plans. If you are part of our grant funded program or are a child care sampling for the VDOE requirement (sampling pursuant to state statute § 22.1-289.057) we are required to follow the Federal guidance of 15ppb.

43. I have concerns regarding the liability of the sampling results.

The current statute as enacted by the Virginia General Assembly ([§ 22.1-289.057 of the Code of Virginia](#)) does not include any specific language that would address your concerns related to schools who may unknowingly have elevated lead levels in the water. The Department of Education or the Department of Health cannot provide legal advice. If you are concerned with the impact of the statute you may want to seek the advice of legal counsel. You may also

reach out to your legislative representatives if you feel the statute needs amendment to address your concerns.

44. Can the grant program provide funding for religiously exempt child care facilities?

The Virginia Department of Health's [Grant Program](#) is made possible by the [Water Infrastructure Improvements for the Nation \(WIIN\) Act](#). The funding is received from the Environmental Protection Agency and, like all assistance agreements, comes with terms and conditions. The assistance we offer requires us to administer funding to licensed child care providers as defined by the State. It is our understanding that Religiously Exempt Child Day Centers fall within the category of "Unlicensed but Regulated". We cannot offer funding because of this definition.

45. When testing a drinking fountain that has both a spout and a bottle filler, do we test both spots?

If it's a combo water fountain/bottle filler station then yes, we recommend sampling both points water exits the fixture. Please add the water fountain and bottle filler as separate fixtures, each with their own fixture codes.

46. If a facility already submits samples in accordance with the 90th percentile LCR testing method, do they need to retest in order to meet compliance standards from DOE?

No, if testing for LCR/90th percentile requirements, the facility already complies with state mandates for testing their facilities.

This FAQ document does not replace or supersede the requirements of § 22.1-135.1 and § 22.1-289.057 of the Code of Virginia.