



CITY OF PHILADELPHIA

DEPARTMENT OF PUBLIC HEALTH

1101 Market Street, 13th Floor
Philadelphia, PA 19107
Tel: (215) 686-5200
Fax: (215) 686-5212

Thomas A. Farley, MD, MPH
Health Commissioner

January 2020

Dear Center Director:

Section A-703 of The Philadelphia Code requires that each day care facility in Philadelphia caring for 13 or more children test all potable water outlets for lead and submit results to the Department of Public Health. **These tests must be conducted at least once every five years.**

Philadelphia's high-quality tap water supply is tested regularly for safety. Your compliance with this law will help to ensure that pipes and fixtures connecting schools and day care centers to the City's water supply do not compromise children's health.

The attached Board of Health regulation describes your responsibility for testing your water outlets. Please promptly report the results of tests for each potable water outlet in your facility to the health department by email to [*WaterLeadTesting@phila.gov*](mailto:WaterLeadTesting@phila.gov).

Your submission should include the following information:

1. A cover letter that identifies the name, address, and contact information for your facility.
2. A laboratory report that shows the date of sampling, the name of the laboratory performing the lead test, and the lead result for a water sample from each potable (drinkable) water tap. Results must be from a laboratory accredited to perform lead contamination analysis by the Pennsylvania Department of Environmental Protection (DEP).
3. If any of the lead results equal or exceed the threshold of 10 parts per billion, you must discontinue use of the tap immediately (within 24 hours). Report your response action(s) to finding an elevated lead level in the cover letter to us. Any tap with an elevated lead level may be put back into service only after corrective action has been taken and a repeat lead test has shown the level to be less than 10 parts per billion.

4. A statement that you have made the results of water lead testing generally available to the public within 10 days of receiving results. This information should be placed in the cover letter.
5. Upon receipt of all required information, the Health Department will issue a certificate/letter of compliance. The certification will be sent to the contact information that you provide in the cover letter.
6. If the information that you provide is insufficient to issue a certificate of compliance, your facility will be notified of the reason for non-compliance within 30 days.

You will find resources on the next page, including a link to DEP-accredited laboratories. Thank you for the work you do to educate our children, and to make sure they are safe in your care.

Sincerely,

A handwritten signature in black ink that reads "Thomas Farley". The signature is written in a cursive style with a large, sweeping initial 'T'.

Thomas A. Farley, MD, MPH
Health Commissioner

Water Safety and Promotion Resources

Pennsylvania Department of Environmental Protection

Lead in Drinking Water (includes link to DEP-accredited laboratories)

<https://www.dep.pa.gov/Citizens/My-Water/PublicDrinkingWater/Pages/Lead-in-Drinking-Water.aspx>

U.S. Environmental Protection Agency

Reducing Lead in Drinking Water Toolkit

<https://www.epa.gov/ground-water-and-drinking-water/3ts-reducing-lead-drinking-water-toolkit>

Centers for Disease Control and Prevention

Increasing Access to Drinking Water in Schools Toolkit

<https://www.cdc.gov/healthyschools/npao/wateraccess.htm>

School District of Philadelphia

Safe Water Testing Program

<https://www.philasd.org/waterresults>

City of Philadelphia

Water Quality Reports

<https://www.phila.gov/water/wu/drinkingwater/quality/>

Drink Philly Tap

Campaign Website

<https://drinkphillytap.org/>

Get Healthy Philly

Healthy Hydration Handouts

<http://foodfitphilly.org/wp-content/uploads/2019/10/Hydration-Handouts.zip>

CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH
Board of Health

Regulation Relating to Water Quality Requirements for Structures in Group E Occupancy and
Certain Day Care Facilities

Approved January 11, 2018

WHEREAS, Section A-703.2 of Title 4 of The Philadelphia Code requires substantial compliance with applicable water quality requirements of the Board of Health for structures in Group E occupancy, the Educational occupancy, as defined in Title 4, and day care facilities that are not part of a school, but at which thirteen or more children are cared for;

WHEREAS, the American Academy of Pediatrics recommends plain water to satisfy fluid requirements in early childhood after infancy;

WHEREAS, drinking plain water during early childhood plays an important role in developing healthy beverage consumption habits later in life; and

WHEREAS, increasing confidence among Philadelphians in the quality of the water available in schools and day care facilities is expected to increase plain water consumption in early childhood;

NOW, THEREFORE, the Board of Health hereby adopts this Regulation Relating to Water Quality Requirements for Structures in Group E Occupancy and Certain Day Care Facilities, as follows:

Section 1. Definitions

Action Level. For lead, 10 parts per billion (ppb).

Covered Structure. Any structure subject to the certification requirements pertaining to water quality set forth in Section A-703.2.4.B of The Philadelphia Code.

Department. The Department of Public Health.

First-Draw Sample. A 250 milliliter (mL) cold-water sample collected when an Outlet has been idle for between eight (8) and eighteen (18) hours and in accordance with any applicable guidance the Department issues.

Leaded Plumbing Materials. Any pipe, pipe or plumbing fitting or fixture, solder, or flux that does not meet the definition of “lead free” in Section 1417 of the Safe Drinking Water Act, 42 U.S.C. 300g-6.

Outlet. A potable water fixture, including, but not limited to, a drinking fountain or faucet, currently used or potentially to be used for drinking or cooking purposes.

Section 2. Periodic Testing

- (a) No later than April 1, 2018, and subsequently at least once every five (5) years, the owner of a Covered Structure that contains Leaded Plumbing Materials or an agent thereof shall collect a First-Draw Sample from each Outlet in the Covered Structure.
- (b) The owner of a Covered Structure that contains Leaded Plumbing Materials or an agent thereof shall submit for lead contamination analysis each First-Draw Sample collected in accordance with Section 2(a) of this Regulation to a laboratory accredited to perform lead contamination analysis by the Pennsylvania Department of Environmental Protection’s Laboratory Accreditation Program.

Section 3. Response to Outlet Exceeding Action Level

If the lead concentration of water collected from an Outlet in accordance with Section 2 of this Regulation is at or above the Action Level, the owner of the Covered Structure or an agent thereof shall:

- (a) Within twenty-four (24) hours of notification of the results of the test, prohibit use of the Outlet until a remediation plan has been implemented and subsequent testing reflects contaminant levels below the Action Level; and
- (b) Within thirty (30) days of notification of the results of the test, report the test results to the Department via electronic mail or another method the Department designates.

Section 4. Periodic Reporting

No later than ninety (90) days after completing periodic testing required pursuant to Section 2(a) of this Regulation, the owner of a Covered Structure or an agent thereof shall report to the Department via electronic mail or another method the Department designates:

- (a) Completion of required testing of First-Draw Samples in accordance with Section 2 of this Regulation and, if applicable, remediation and re-testing of any in-service Outlet in accordance with Section 3 of this Regulation;

- (b) A determination that the Covered Structure does not contain Leaded Plumbing Materials, if applicable; and
- (c) For any Outlet tested prior to the effective date of this Regulation for which the owner of a Covered Structure or an agent thereof wishes to assert that such testing was in substantial compliance with this Regulation, an attestation that:
 - (.1) The owner of the Covered Structure or an agent thereof tested a First-Draw Sample from the Outlet in a manner that substantially complies with this Regulation and any guidance the Department issues;
 - (.2) Any needed remediation and re-testing has been completed; and
 - (.3) The lead concentration in the water from the Outlet is below the Action Level.

Section 5. Recordkeeping

The owner of a Covered Structure or an agent thereof shall retain all records of test results, remediation plans and efforts, and determinations that a Covered Structure does not contain Leaded Plumbing Materials, for ten (10) years following the creation of such documentation. Copies of such documentation shall be provided immediately to the Department upon request.