

A Public Water System's

Guide to Lead Public Education



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2 AN INTRODUCTION TO LEAD PUBLIC EDUCATION

This section provides a brief overview of lead public education. Detailed information about required public education content, distribution, and the deadlines for issuing public education in New Jersey can be found in subsequent sections.

Who is required to conduct public education?

- Community Water Systems (CWS) and Non-Transient Non-Community Water Systems (NTNCWS), that exceed the lead action level (AL) of 0.015 mg/L based on tap water samples collected in accordance with federal regulations for the monitoring of lead and copper in tap water, 40 C.F.R. 141.86, are required to conduct public education pursuant to 40 C.F.R. 141.85, *Public education and supplemental monitoring requirements*.
- Per the New Jersey Department of Children and Families regulations, licensed childcare facilities that are Transient Non-Community Water Systems (TNCWS) or non-public water systems are required to monitor for lead and shall be considered a NTNCWS per N.J.A.C. 3A:52-5.3(i)5iii and, when applicable, conduct public education.
- Schools, as defined under N.J.A.C. 6A:26-12.4, must comply with the New Jersey Department of Education requirements set forth in those regulations for content and distribution requirements.

If any result exceeds the lead AL, schools must provide written notification to the parents/guardians of all students attending the facility, facility staff, and the New Jersey Department of Education. The written notification shall also be posted on the school's website and include specific language outlined in the above regulations. This written notification is different than the Lead and Copper Rule's (LCR) public education requirements. For guidance on the New Jersey Department of Education's written lead in drinking water notification requirements, visit New Jersey Department of Environmental Protection's (NJDEP) [Lead in Schools website](#).

What is the purpose of public education?

- Public education is intended to educate consumers about health effects and sources of lead, steps to reduce exposure from lead in drinking water, what the public water system is doing to correct the situation, and where the consumer can find additional information.

What must be included in public education?

- The required content of written public education materials is outlined at 40 C.F.R. 141.85(a), *Content of written public education materials* can be found in [Section 3](#). The NJDEP strongly recommends that public water systems use the applicable public education templates on the [NJDEP's website](#) to ensure all required language is included and in the required order.
- Any additional information a public water system may choose to include must be consistent with the required public education content, not lessen the severity of the public education, and must be in plain language that can be understood by the public.
 - Some public water systems may be exempt from including certain portions of public education content, depending on the specifics of the water system, and some water systems may be required to include additional content in their public education materials. For any additional required content or distribution requirements dependent on the water system's classification, see [Section 4](#) for CWS and [Section 5](#) for NTNCWS.

What methods must be used to distribute public education?

- The required delivery methods of written public education materials are outlined at 40 C.F.R. 141.85(b), *Delivery of public education materials*, and can be found in [Section 4](#) for CWS and [Section 5](#) for NTNCWS.
- Additional required delivery methods are outlined in New Jersey Legislature at [SDWA 58: 12A-12.6](#) and can be found in [Section 3.3](#).
- If a public water system chooses to conduct the required additional public education outreach activities in a method not outlined, NJDEP approval must be obtained prior to distribution to ensure compliance.

Does public education need to be approved by the NJDEP?

- Yes. Before written public education materials are distributed, they must be reviewed and approved by the NJDEP per 40 CFR 141.85 (a)(1). It is strongly recommended that public water systems use the applicable public education templates on the [NJDEP's website](#) to ensure all required language is included and in the required order.
 - For the public education letter that is to be reviewed and approved by the NJDEP and issued to all customers within 10 calendar days of becoming aware of the AL exceedance pursuant to [SDWA 58: 12A-12.6](#) (further outlined in [Section 3.3](#) below), an already approved template is available on [NJDEP's website](#). If a public water system elects to revise the letter or use one of its own, the letter must be reviewed and approved by the NJDEP prior to issuance. NJDEP cannot guarantee its

review of an alternate letter will be completed in time for the public water system to issue the notice within the required 10-day timeframe.

- Public water systems should provide the other written public education materials (e.g., brochure, poster, water bill, newspaper article, public service announcement) to the NJDEP with at least 14 calendar days for review and must receive approval of all written public education materials prior to distribution for each subsequent lead AL exceedance.

What does my public water system need to submit to certify that we have completed public education requirements?

- A copy of all public education material must be attached to the applicable certification form as proof of completion and submitted to the NJDEP in accordance with 40 C.F.R. 141.90(f), within 10 calendar days following each public education deadline. (Sampling and regulatory forms can be found at <https://www.state.nj.us/dep/watersupply/dws-sampreg.html>.)
 - [Initial Public Education Certification Form: DEP 10-F 00006](#)
 - [Ongoing Public Education Certification Form: DEP 10-F 00007](#)
- The required documentation to be included with the certification form is available in Tables 1 – 3.

What happens if public education is not performed?

- If a public water system fails to perform public education in accordance with the requirements of the federal Safe Drinking Water Act, a violation will be issued per 40 C.F.R. 141.85, Tier 2 public notification in conjunction with the public education will be required, and penalties will be issued in accordance with the [Safe Drinking Water Act](#) (SDWA). A Tier 2 public notice template that a public water system can use to satisfy this public notification requirement is available on the [NJDEP's website](#).
- If a public water system fails to provide notice of elevated lead levels in drinking water to customers and local officials, per New Jersey's AL Exceedance Notification Law ([SDWA 58:12A-12.5](#)), violations and penalties will be issued in accordance with the SDWA, and Tier 2 public notification will be required.

When can my public water system discontinue issuing public education?

- Public education can only be discontinued when the public water system has one six-month monitoring period at or below the lead AL and no Lead and Copper Monitoring and Reporting violations (i.e., public education requirements are required to be completed for as long as the public water system exceeds the lead AL). The NJDEP recommends public water systems confirm with NJDEP that they may discontinue public education. If a public water system exceeds the lead AL again, it must recommence initial public education requirements.

3 CONTENT REQUIREMENTS AND NJ SPECIFIC CONTENT AND DISTRIBUTION REQUIREMENTS FOR ALL PUBLIC WATER SYSTEMS (PWS)

3.1 CONTENT OF PUBLIC EDUCATION FOR ALL PWS

CWS and NTNCWS must include the following elements in public education in the same order as listed below. Additional information presented by the water system must be consistent with the information below and be in plain language that can be understood by the general public. Water systems must obtain approval of the written content of public education prior to delivery.

The NJDEP's public education templates available for CWS and NTNCWS contain approved language to satisfy the content requirements specified in this section. These public education templates, as well as, a Lead Public Education Brochure, Lead Public Education Poster, Lead Public Education Water Bill, and Lead Public Education Public Service Announcement template are available at <https://www.nj.gov/dep/watersupply/dws-sampreg.html>.

3.1.1 Element 1: Include the following title and opening sentence exactly as written.

IMPORTANT INFORMATION ABOUT LEAD IN YOUR DRINKING WATER

[System name] found elevated levels of lead in drinking water in some homes/buildings. Lead can cause serious health problems, especially for pregnant women and young children.

3.1.2 Element 2: Health effects of lead

Include the following required statement exactly as written.

Lead can cause serious health problems if too much enters your body from drinking water or other sources. It can cause damage to the brain and kidneys and can interfere with the production of red blood cells that carry oxygen to all parts of your body. The greatest risk of lead exposure is to infants, young children, and pregnant women. Scientists have linked the effects of lead on the brain with lowered IQ in children. Adults with kidney problems and high blood pressure can be affected by low levels of lead more than healthy adults. Lead is stored in the bones, and it can be released later in life. During pregnancy, the child receives lead from the mother's bones, which may affect brain development.

3.1.3 Element 3: Sources of lead

Required information to include:

- A. Explain what lead is.
- B. Explain possible sources of lead in drinking water and how lead enters drinking water. Include information on home/building plumbing materials and service lines that may contain lead.
- C. Discuss other important sources of lead exposure in addition to drinking water (e.g., paint)

An example of approved content meeting this requirement is below.

Lead is a common metal found in the environment. Drinking water is one possible source of lead exposure. The main sources of lead exposure are lead-based paint and lead-contaminated dust or soil. In addition, lead can be found in certain types of pottery, pewter, brass fixtures, cosmetics, imported spices and other food. Other sources include exposure in the workplace and exposure from certain hobbies like shooting ranges and fishing (lead can be carried on clothing or shoes). Lead is found in some toys, some playground equipment, and some children's metal jewelry.

Lead is unusual among drinking water contaminants in that it seldom occurs naturally in water supplies like rivers and lakes. Lead enters drinking water primarily as a result of the corrosion, or wearing away, of materials containing lead in the water distribution system and household plumbing. These materials include lead-based solder used to join copper pipes, brass, and chrome-brass faucets, and in some cases, pipes made of or lined with lead.

When water remains in contact with lead pipes or plumbing materials containing lead over time, the lead may dissolve into your drinking water. **This means the first water drawn from the tap in the morning, or later in the afternoon if the water has not been used all day, may contain elevated levels of lead.**

- Homes and buildings in New Jersey built before 1987 are more likely to have lead pipes and/or lead solder.
- **[FOR CWS]** Service lines, which may also contain lead, are the individual pipes that run from the water main in the street to a home or building and consist of two portions. The first portion is the section of the service line from the water main to the curb stop and the second portion is the section from the curb stop to the home. Ownership of the service line varies by water system, but for [system name], the service line is owned OPTION: [entirely OR partially] by the water system [and/or] property owner.
- **[FOR NTNCWS]** Service lines, which may also contain lead, are the individual pipes that run from the well to a home or building. The property owner is also the owner of the service line. Lead service lines are not typically found in non-community systems.

- Brass faucets, fittings, and valves, including those advertised as “lead-free”, may also contribute lead to drinking water. The law currently allows end-use brass fixtures, such as faucets, that contain a maximum of 0.25 percent lead to be labeled as “lead free”. However, prior to January 4, 2014, “lead free” allowed up to 8 percent lead content of the wetted surfaces of plumbing products including those labeled National Sanitation Foundation (NSF) certified. Consumers should be aware of their current fixtures and take appropriate precautions.

EPA estimates that 10 to 20 percent of a person’s potential exposure to lead may come from drinking water. Infants who consume mostly formula mixed with lead-containing water may receive 40 to 60 percent of their exposure to lead from drinking water. When there are elevated levels of lead in your water, drinking water is likely to be a more important source of exposure.

3.1.4 Element 4: Discuss the steps the consumer can take to reduce their exposure to lead in drinking water.

Required information to include:

- A. Encourage running the water to flush out the lead.
- B. Explain concerns with using hot water from the tap and specifically caution against the use of hot water for preparing baby formula.
- C. Explain that boiling water does not reduce lead levels.
- D. Discuss other options consumers can take to reduce exposure to lead in drinking water such as alternative sources or treatment of water.
- E. Suggest that parents have their child’s blood tested for lead.

Examples of approved content meeting this requirement for both CWS and NTNCWS are below.

[FOR CWS]

Steps You Can Take to Reduce Exposure to Lead in Drinking Water

1. **Remove if it is known there are no LSLs in your entire service area. Find out if you have a lead service line.** Residents and customers are encouraged to check their portion of the service line for lead, and we are asking you to contact us at [water system phone number or email address] if a lead service line is identified so, we can update our records. Lead service lines in New Jersey are water supply connections made of, or lined with, a material consisting of lead, and which connects a water main to a building inlet. Lead pigtails, lead goosenecks, and other lead fittings are also considered to be lead service lines along with galvanized service lines. We [will be notifying or notified] those addresses served by a lead service line according to our records on [date] by mail.

2. **Remove if it is known there are no LSLs in your entire service area. Replace service lines containing lead.** In New Jersey all lead

service lines within our service area must be replaced in full, from the street to home regardless of whether we are exceeding the lead action level. We are required to replace all lead service lines no later than 2031. We have a lead service line replacement plan to meet this requirement. Contact [water system phone number or email] to learn more about replacing the lead service line on your property.

3. Find out if you have interior lead plumbing or solder. If your home/building was constructed prior to 1987, it is important to determine if interior lead solder or lead pipes are present. You can check yourself, hire a licensed plumber, or check with your landlord.

4. Replace plumbing fixtures and service lines containing lead. Replace brass faucets, fittings, and valves that do not meet the current definition of “lead free.” The current definition went into effect January 4, 2014; therefore, any “lead free” plumbing materials purchased and/or installed prior to that date should be discarded or replaced. Visit the NSF website at www.nsf.org to learn more about lead-containing plumbing fixtures.

5. Run the cold water to flush out lead. Let the water run from the tap before using it for drinking or cooking any time the water in the faucet has gone unused for more than six hours. The longer the water resides in plumbing the more lead it may contain. Flushing the tap means running the cold-water faucet for about 15 to 30 seconds. Although toilet flushing or showering flushes water through a portion of the plumbing system, you still need to flush the water in each faucet before using it for drinking or cooking. Flushing tap water is a simple and inexpensive measure you can take to protect your health. It usually uses less than one gallon of water. **For those with lead service lines or until you determine if you are served by one, let the water run from the tap longer based on the length of the lead service line and the plumbing configuration in your home. In other words, the larger the home or building and the greater the distance to the water main (in the street), the more water it will take to flush properly.**

6. Use cold water for cooking and preparing baby formula. Because lead from lead-containing plumbing materials and pipes can dissolve into hot water more easily than cold water, never drink, cook, or prepare beverages including baby formula using hot water from the tap. If you have not had your water sampled or if you know or suspect you have a lead service line, it is recommended that bottled or filtered water be used for drinking and preparing baby formula. If you need hot water, draw water from the cold tap and then heat it.

7. Do not boil water to remove lead. Boiling water will not reduce lead.

8. Use alternative sources or treatment of water. If there is confirmed or suspected lead-containing materials, such as a lead service line and/or interior lead plumbing or lead solder, in your home or building, you may want to consider purchasing bottled water or a water filter. Be sure the filter is approved to reduce lead or contact NSF International at 1-800-NSF-8010 or www.nsf.org for information on performance standards for water filters. Be sure to maintain and replace a filter device in accordance with the manufacturer's recommendations.

9. Regularly remove and clean aerators/screens on plumbing fixtures. Over time, particles and sediment can collect in the aerator screen. Regularly remove and clean aerators screens located at the tip of faucets and remove any particles.

10. Test your water for lead. Call us at [insert phone number] to find out how to get your water tested for lead. Testing is essential because you cannot see, taste, or smell lead in drinking water. [Include information on your water system's testing program. For example, do you provide free testing? Are there labs in your area that are certified to perform lead in water testing? Or directly refer to NJDEP's list of certified labs. The NJDEP Data Miner is a tool that can be used for assistance but be sure to include the direct link <https://www13.state.nj.us/DataMiner>. Once there, click Search by Category then select Certified Laboratories from the Report Category drop down box. Then click on the Submit button and under Certified Laboratories choose Drinking Water Certified Lead Labs.]

11. Get your child tested. Contact your local health department or healthcare provider to find out how you can get your child tested for lead if you are concerned about lead exposure. Your family doctor or pediatrician can perform a blood test for lead and provide you with information about the health effects of lead. Wash your children's hands and toys often as they can come into contact with dirt and dust containing lead. New Jersey law requires that children be tested for lead in their blood at both 1 and 2 years of age (12 and 24 months), and before they are 6 years old if they have never been tested before or if they have been exposed to a known source of lead. You can find out more about how to get your child tested and how to pay for it at <https://www.state.nj.us/health/childhoodlead/testing.shtml>. Children 3 to 5 years of age should also be tested if they have not been tested before.

The steps described above will reduce the lead concentrations in your drinking water. However, if a water test indicates that the drinking water coming from your tap contains lead concentrations more than **15 ppb** after flushing, or after we have completed our actions to minimize lead levels, then you may want to take the following additional measures:

12. Have an electrician check your wiring. If grounding wires from the electrical system are attached to your pipes, corrosion may be greater. Check with a licensed electrician or your local electrical code to determine if your wiring can be grounded elsewhere. DO NOT attempt to change the wiring yourself because improper grounding can cause electrical shock and fire hazards.

13. Water softeners and reverse osmosis units will remove lead from water but can also make the water more corrosive to lead solder and plumbing by removing certain minerals; therefore, the installation of these treatment units at the point of entry into homes with lead plumbing should only be done under supervision of a qualified water treatment professional.

[FOR NTNCWS]

Steps You Can Take to Reduce Exposure to Lead in Drinking Water

1. Remove if it is known there are no LSLs in your entire service area. Replace service lines containing lead. Lead service lines in New Jersey are water supply connections made of, or lined with, a material consisting of lead, and which connects a water main to a building inlet. Lead pigtails, lead goosenecks, and other lead fittings are also considered to be lead service lines along with galvanized service lines.

2. Find out if you have interior lead plumbing or solder. If your home/building was constructed prior to 1987, it is important to determine if interior lead solder or lead pipes are present. You can check yourself, hire a licensed plumber, or check with your landlord. **OPTION:** We have evaluated our interior plumbing and have determined lead [is **or** is not] present.

3. Replace plumbing fixtures and service lines containing lead. Replace brass faucets, fittings, and valves that do not meet the current definition of “lead free.” The current definition went into effect January 4, 2014; therefore, any “lead free” plumbing materials purchased and/or installed prior to that date should be discarded or replaced. Visit the NSF website at www.nsf.org to learn more about lead-containing plumbing fixtures. **OPTION:** We have evaluated our plumbing fixtures and have determined lead containing fixtures [are **or** are not] present.

4. Run the cold water to flush out lead. Let the water run from the tap before using it for drinking or cooking any time the water in the faucet has gone unused for more than six hours. The longer the water resides in plumbing the more lead it may contain. Flushing the tap means running the cold-water faucet for about 15 to 30 seconds. Although toilet flushing or showering flushes water through a portion of the plumbing system, you still need to flush the water in each faucet before using it for drinking or cooking. Flushing tap water is a simple and inexpensive measure you can take to protect your health. It usually uses less than one gallon of water. **OPTION:** Since [we have a lead service line **or** until we determine if you are served by one], let the water run from the tap

longer based on the length of the lead service line and the plumbing configuration in your home or building. In other words, the larger the home or building and the greater the distance to the water main (in the street), the more water it will take to flush properly.

5. Use cold water for cooking and preparing baby formula. Because lead from lead-containing plumbing materials and pipes can dissolve into hot water more easily than cold water, never drink, cook, or prepare beverages including baby formula using hot water from the tap. It is recommended to use bottled or filtered water for drinking and preparing baby formula. If you need hot water, draw water from the cold tap and then heat it.

6. Do not boil water to remove lead as it will not reduce lead levels.

7. Use alternative sources or treatment of water. If there is confirmed or suspected lead-containing materials, such as a lead service line and/or interior lead plumbing or lead solder, in your home or building, you may want to consider purchasing bottled water or a water filter. Be sure the filter is approved to reduce lead or contact NSF International at 1-800-NSF-8010 or www.nsf.org for information on performance standards for water filters. Be sure to maintain and replace a filter device in accordance with the manufacturer's recommendations.

8. Regularly remove and clean aerators/screens on plumbing fixtures. Over time, particles and sediment can collect in the aerator screen. Regularly remove and clean aerators screens located at the tip of faucets and remove any particles.

9. Test your water for lead. Call us at [insert phone number] to find out how to get your water tested for lead. Testing is essential because you cannot see, taste, or smell lead in drinking water. [Include information on your water system's testing program. For example, do you provide free testing? Are there labs in your area that are certified to perform lead in water testing? Or directly refer to NJDEP's list of certified labs. The NJDEP Data Miner is a tool that can be used for assistance but be sure to include the direct link <https://www13.state.nj.us/DataMiner>. Once there, click Search by Category then select Certified Laboratories from the Report Category drop down box. Then click on the Submit button and under Certified Laboratories choose Drinking Water Certified Lead Labs.]

10. Get your child tested. Contact your local health department or healthcare provider to find out how you can get your child tested for lead if you are concerned about lead exposure. Your family doctor or pediatrician can perform a blood test for lead and provide you with information about the health effects of lead. Wash your children's hands and toys often as they can come into contact with

dirt and dust containing lead. New Jersey law requires that children be tested for lead in their blood at both 1 and 2 years of age (12 and 24 months), and before they are 6 years old if they have never been tested before or if they have been exposed to a known source of lead. You can find out more about how to get your child tested and how to pay for it at <https://www.state.nj.us/health/childhoodlead/testing.shtml>. Children 3 to 5 years of age should also be tested if they have not been tested before.

The steps described above will reduce the lead concentrations in your drinking water. However, if a water test indicates that the drinking water coming from your tap contains lead concentrations more than 15 ppb after flushing, or after we have completed our actions to minimize lead levels, then we may take the following additional measures:

12. Have an electrician check wiring.

If grounding wires from the electrical system are attached to pipes, corrosion may be greater. If this is the case, we would need to check with a licensed electrician or our local electrical code to determine if our wiring can be grounded elsewhere. DO NOT attempt to change the wiring yourself because improper grounding can cause electrical shock and fire hazards.

13. Water softeners and reverse osmosis units will remove lead from water but can also make the water more corrosive to lead solder and plumbing by removing certain minerals; therefore, the installation of these treatment units at the point of entry into homes and buildings with lead plumbing should only be done under supervision of a qualified water treatment professional.

OPTION: We will be evaluating our treatment unit to ensure it is optimized.

3.1.5 Element 5: Explain why there are elevated levels of lead in the system's drinking water (if known) and what the water system is doing to reduce the lead levels in homes/buildings in this area.

Required information to include:

- A. If known, explain why there are elevated levels of lead in the system's drinking water.
- B. Explain what the water system is doing to reduce lead levels throughout the distribution system. Such as the required remedial actions of submitting a Corrosion Control Treatment Recommendation, a Source of Water Treatment Recommendation, etc.
 - a. Include the following text in addition to other remedial actions:
 - i. [System name] is [increasing OR continuing] both monitoring efforts and public education about lead in drinking water.
 - b. For CWS with known lead service lines or service lines of unknown material, the following text must be included in addition to aforementioned text:

- i. [Insert information about lead service lines in your community, how a consumer can find out if they have a lead service line, what your water system is doing to replace lead service lines, etc.]
- ii. We are required by New Jersey law, P.L. 2021, c.183, to replace 10% of the lead service lines in the water system every year, on average, and complete our program by July 2031. To date we have replaced [number] of our initial [number] lead service lines.

Additional optional language can be included in this element including the following:

- A. Your system may also want to provide information on the history of lead levels in tap samples; have they declined substantially over time? Have they been low and risen recently? Is there a known reason for any change?
- B. Consecutive water systems may choose to include the following text: We receive [some] of our water from [water system]; and therefore, we are evaluating the water quality entering our service area and working with [water system] on necessary steps.

3.1.6 Element 6: Include the following text containing contact information.

For more information, call us at [insert phone number] or visit our website at [insert website]. For more information on reducing lead exposure around your home/building and the health effects of lead, visit EPA's website at, <http://www.epa.gov/lead>, call the National Lead Information Center at 800-424-LEAD or Safe Drinking Water Act hotline at 1-800-426-4791, or contact your health care provider.

3.2 NJ SPECIFIC CONTENT ADDITIONS FOR ALL PWS

Public water systems are responsible for determining if they serve a large proportion of non-English speaking customers. Any system located in, or has a service connection in, a municipality in which 10% or more of its residents speak English less than "very well" according to the most recently available census data (found at <https://data.census.gov/cedsci/>), must include the below bolded statement in all written public education materials in the language(s). Detailed instructions on how to use US Census Bureau data to determine if your public water system must include the language in their public education materials can be found on the [NJDEP's website](#).

IMPORTANT INFORMATION ABOUT LEAD IN YOUR DRINKING WATER

[System name] found elevated levels of lead in drinking water in some homes/buildings. Lead can cause serious health problems, especially for pregnant women and young children. Contact us at [phone number and/or email address] to obtain a translated copy of the public education materials or to request assistance in the appropriate language.

- The above statement is included in all current public education material templates provided by the NJDEP (found here: [Sampling & Regulatory Forms](#)).
- It is strongly recommended public water systems determine the need to include a secondary language statement and prepare such statement before they are required to issue public education. This statement should be included in any Operation and Maintenance manual the system maintains and in any other plans and/or Standard Operating Procedures. The need to include a secondary language statement in public education materials should be evaluated on a yearly basis.
- NTNCWS and TNCWS licensed childcare facilities should consider the languages primarily spoken by their employees and other people regularly served by their system when determining the need to include additional languages.

3.3 NEW JERSEY SPECIFIC DISTRIBUTION REQUIREMENTS FOR ALL PWS

Each Lead AL Exceedance

Public water systems must provide a written public education notice addressed to “resident” or “property owner/tenant”, to all customers, including all schools, daycare centers, facilities serving young children, public and private hospitals, medical clinics, doctor’s offices serving pregnant women and young children and all local health and welfare agencies in the public water system’s service area, and the chief executive of each municipality in the public water system’s service area. ([C.58:12A-12.5](#))

Public water systems may use the public education notice required under 40 C.F.R. 141.85(b)(2)(i) for CWS and 40 C.F.R. 141.85(b)(4)(ii) for NTNCWS to satisfy this requirement if it is mailed within 10 calendar days rather than 60 calendar days.

Requirements for Landlords

Pursuant to [C.58:12A-12.4-12.6](#), the public education notice provided to all customers from the public water system must state that it is the landlord’s responsibility to distribute the written notice to every tenant unless the tenant is a direct customer of the public water system and is billed directly by the system.

If a landlord receives any notice or health safety information concerning the presence of lead in drinking water from a public water system, the landlord shall:

- Distribute, by any means including by email, the notice, as soon as practicable but no later than 3 business days after receipt to every tenant who has entered into a lease agreement with the landlord and whose dwelling unit is served by the public water system, and
- Post the notice, as soon as practicable, but no later than 3 business days after receipt, in a prominent location at the entrance of each rental premises that is owned by the landlord and served by the public water system, except that this requirement shall not apply in the case of single-family dwellings that do not have a common area.

4 COMMUNITY WATER SYSTEM (CWS) SPECIFIC CONTENT AND DISTRIBUTION METHOD REQUIREMENTS AND EXCEPTIONS

4.1 SPECIFIC CONTENT REQUIREMENTS

In addition to including the elements specified in [Section 3](#), a CWS must discuss lead in plumbing components and the difference between low lead and lead free.

NJDEP recommends that CWS use [NJDEP's CWS Lead Public Education Notice Template](#) to ensure that all required content language is included.

4.2 CONTENT EXCEPTIONS

If the CWS is a facility in which the population is not capable of, or is prevented from, making improvements to plumbing or installing treatment devices or the public water system provides water as part of the cost of services provided and does not separately charge for water consumption (e.g., correctional facility or hospital), the above additional content language may not be required to be included in the public education in accordance with 40 C.F.R. 141.85 (b)(7).

Eligible public water systems must submit a written request to DEP and obtain approval for this exception.

4.3 DISTRIBUTION METHOD REQUIREMENTS AND EXCEPTIONS

The distribution method requirements and any applicable exceptions to the requirements are outlined in Table 1: Distribution Method Requirements – CWS. Refer to the deadlines for distributing public education in Section 6: Deadlines for Issuing Public Education.

If the CWS is a facility in which the population is not capable of, or is prevented from, making improvements to plumbing or installing treatment devices or the public water system provides water as part of the cost of services provided and does not separately charge for water consumption (e.g., a correctional facility or hospital), the public water system may perform the NTNCWS distribution method requirements in lieu of the CWS distribution method requirements in accordance with 40 C.F.R 141.85(b)(7). Therefore, this CWS shall follow the distribution method requirements outlined in Table 2: Distribution Method Requirements – NTNCWS. **Note that the public water system must submit a written request to NJDEP and obtain NJDEP approval.**

Table 1: Distribution Method Requirements – CWS

**If the CWS received written approval from the NJDEP to perform the NTNCWS distribution requirements in lieu of the CWS requirements, follow Table 2: Distribution Requirements – NTNCWS.*

Templates for the below requirements are available on [NJDEP's website](#).

Frequency	Requirement	Exception	Required Documentation
Within 10 Days after the CWS is aware of each AL exceedance	Provide the written notice addressed to “resident” or “property owner/tenant” by regular mail to both the service address and the mailing address of all customers served by the public water system, including all schools, daycare centers, and facilities serving young children, all public and private hospitals, medical clinics, and doctor’s offices serving pregnant women and young children, and all local health and welfare agencies in the public water system’s service area per Bill NJ S968.	N/A	A copy of the written notice and a postal receipt or invoice.
Continuous	Post and retain the public education notice on a publicly accessible public water system website.	If the public water system serves 100,000 or fewer people, it does not have to fulfill this requirement. However, it is strongly recommended if the public water system has a website.	A link to the public water system’s website or screenshot of the public education notice on the webpage.

Table 1: Distribution Method Requirements – CWS

**If the CWS received written approval from the NJDEP to perform the NTNCWS distribution requirements in lieu of the CWS requirements, follow Table 2: Distribution Requirements – NTNCWS.*

Templates for the below requirements are available on [NJDEP's website](#).

Frequency	Requirement	Exception	Required Documentation
Quarterly	Provide required language under 40 C.F.R. Part 141.85(b)(2)(iii) in water bills.	The message or delivery mechanism can be modified in consultation with the NJDEP. Specifically, the NJDEP may allow a separate quarterly mailing public education material to every customer if the public water system can demonstrate it cannot place the information on water bills.	A copy of the water bill or the postal receipt or invoice if the public education materials was sent by a separate mailing instead of utilizing the water bill.
Semi-annual	Submit a press release to at least one newspaper, one television, and one radio station. <i>Note: A press release is more thorough than a public service announcement and a separate requirement.</i>	If the public water system serves 3,300 or fewer people, it does not have to submit a press release and instead must distribute public education materials to every household/customer served by the public water system.	A copy of the issued press release and a list of which newspaper, television, and radio station the press release was sent to from the public water system or municipality.
Annual	Provide public education notice to all bill paying customers.	N/A	A copy of the distributed public education notice and a postal receipt or invoice.

Table 1: Distribution Method Requirements – CWS

**If the CWS received written approval from the NJDEP to perform the NTNCWS distribution requirements in lieu of the CWS requirements, follow Table 2: Distribution Requirements – NTNCWS.*

Templates for the below requirements are available on [NJDEP's website](#).

Frequency	Requirement	Exception	Required Documentation
	<p>Contact and provide public education notice to local public health agencies directly by phone or in person.</p> <p><i>Recommendation: Develop a list of all the local public health agencies with their contact information (e.g., phone number and physical address) in preparation to assist in the implementation of this requirement.</i></p>	N/A	A list of the local public health agencies contacted, including how they were contacted and when.
	<p>Provide the public education notice to the following organizations within the public water system's service area:</p> <ul style="list-style-type: none"> ➤ Public and private schools or school boards; ➤ Women, Infants and Children (WIC) and Head Start Programs; ➤ Public and private hospitals and medical clinics; ➤ Pediatricians; Family planning clinics; and ➤ Local welfare agencies. 	If the public water system serves 3,300 or fewer people, it may limit the distribution of the materials to facilities and organizations served by the public water system that are most likely to be visited regularly by pregnant women and children.	A list of the organizations that the public education was provided to, including how they were delivered (i.e., via mail) and when.

Table 1: Distribution Method Requirements – CWS

**If the CWS received written approval from the NJDEP to perform the NTNCWS distribution requirements in lieu of the CWS requirements, follow Table 2: Distribution Requirements – NTNCWS.*

Templates for the below requirements are available on [NJDEP's website](#).

Frequency	Requirement	Exception	Required Documentation
	Provide public education notice to the following organizations within <u>and around</u> the public water system's service area: <ul style="list-style-type: none"> ➤ <i>Licensed childcare centers;</i> ➤ <i>Public and private preschools; and</i> ➤ <i>Obstetricians-gynecologists and midwives.</i> 	If the public water system serves 3,300 or fewer people, it may limit the distribution of the materials to facilities and organizations served by the public water system that are most likely to be visited regularly by pregnant women and children.	A list of the organizations that the public education was provided to, including how they were delivered (i.e., via mail) and when.
	Implement at least three additional outreach activities from one or more of the different categories that reach all portions of the distribution system in consultation with the NJDEP. (See Table 2.)	If the public water system serves 3,300 or fewer people, it must conduct at least one of the additional outreach activities if able to reach all portions of the distribution system.	See Table 2 for the required documentation of each outreach activity.

Table 2: Public Education Additional Outreach Activities

Each activity must either be available and easily accessible for all customers or able to reach and accommodate customers within every area of the distribution system. Public water systems must perform at least three of the following additional outreach activities from three different activity categories. Systems who serve 3,300 or fewer people are only required to conduct one of the following additional outreach activities. Templates for Public Education Outreach Activities are available on [NJDEP's website](#).

Activity	Description	Required Documentation
Public Service Announcement	The public service announcement must, at the minimum, indicate that the public water system found high levels of lead in drinking water in some homes/buildings, that lead can cause serious health problems, especially for pregnant women and young children, and provide a resource for customers to find more information. This resource shall be at least two of the following: a website, a phone number, an email address, or a mailing address.	A copy of the public service announcement that was issued by the public water system or municipality.
Paid Advertisement	The public water system may use multiple paid advertisement(s) that are spread throughout the service area. For example, if the paid advertisement is placed on a main roadway through the service area reaching a large audience, no additional advertisements are needed to count this as one completed activity. If the paid advertisement is on a local road with a smaller audience (only a small percentage of the customers are within this portion of the service area), more advertisements are needed to count paid advertisements as one completed activity.	A copy or photograph of the advertisement(s) and the location(s) of them.

Table 2: Public Education Additional Outreach Activities

Each activity must either be available and easily accessible for all customers or able to reach and accommodate customers within every area of the distribution system. Public water systems must perform at least three of the following additional outreach activities from three different activity categories. Systems who serve 3,300 or fewer people are only required to conduct one of the following additional outreach activities. Templates for Public Education Outreach Activities are available on [NJDEP's website](#).

Activity	Description	Required Documentation
Public Area Information Displays	The public water system may place public area information throughout the service area in conspicuous areas. These displays may often be placed in public areas such as: city hall, health offices and centers, community and arts centers, libraries, grocery stores, pharmacies, schools, parks, and places of worship. Conspicuous areas may include but are not limited to announcement boards in common areas or lobbies of public spaces. If a public water system serves multiple municipalities, a display in each municipality will be required to count this as one completed activity.	A photograph of the public area information display or the text which has been placed on the display and the location(s)/addresses.
E-mails to Customers	The emails must be sent to all the email addresses that the public water system has on file. The email must, at the minimum, indicate that the public water system found high levels of lead in drinking water in some homes/buildings, that lead can cause serious health problems, especially for pregnant women and young children, and provide a resource for customers to find more information. This resource must be at least two of the following: a website, a phone number, an email address, or a mailing address. This may count as one completed activity if the public water system has email addresses for over fifty percent of their customers.	A copy of the email with the recipient list.

Table 2: Public Education Additional Outreach Activities

Each activity must either be available and easily accessible for all customers or able to reach and accommodate customers within every area of the distribution system. Public water systems must perform at least three of the following additional outreach activities from three different activity categories. Systems who serve 3,300 or fewer people are only required to conduct one of the following additional outreach activities. Templates for Public Education Outreach Activities are available on [NJDEP's website](#).

Activity	Description	Required Documentation
Public Meetings	<p>The public water system may hold public meetings that are spread throughout the service area. The public meetings (i.e., informational sessions) must educate consumers about lead health effects, sources, and steps to minimize exposure which can be found in the NJDEP's public education template. If a public water system serves multiple municipalities, one public meeting per municipality will be required to count as one completed activity. An acceptable number of meetings would be enough to accommodate interested residents from all portions of the service area. The meeting shall be convened by the water system or a public official (e.g., mayor, council member, or any formally appointed position, either elected or non-elected) and open to the public.</p> <p>Note: Public meetings convened by a private citizen or organization that do not represent the water system or municipality (e.g., condo association) unless they are the water system owner/operator shall not be considered a public meeting for this requirement. These public meetings cannot target a subset of the population.</p>	How these public meetings were advertised, including a list of the meeting locations, an attendee list (if available), copies of the meeting notes and handouts, and the dates and times they were held.

Table 2: Public Education Additional Outreach Activities

Each activity must either be available and easily accessible for all customers or able to reach and accommodate customers within every area of the distribution system. Public water systems must perform at least three of the following additional outreach activities from three different activity categories. Systems who serve 3,300 or fewer people are only required to conduct one of the following additional outreach activities. Templates for Public Education Outreach Activities are available on [NJDEP's website](#).

Activity	Description	Required Documentation
Household Deliveries	The public water system must provide delivery to all consumers, such as by doorknob hangers.	A copy of material(s) provided and the date(s) of distribution. Provide the extent of the service area in which household deliveries were provided.
Targeted Individual Customer Contact	The targeted individual customer contact must be made to individuals who are at the greatest risk of lead exposure (i.e., consumers with lead service lines, infants, young children, and pregnant women). The public water system must target individual customers who are at the greatest risk of lead exposure for this to count as one activity. These activities may include but are not limited to phone trees, calls to individual consumers/households, and targeted mailings to at-risk population.	The group(s) of customers contacted, method(s) of contact, information or material(s) provided, and the date(s) of contact.

Table 2: Public Education Additional Outreach Activities

Each activity must either be available and easily accessible for all customers or able to reach and accommodate customers within every area of the distribution system. Public water systems must perform at least three of the following additional outreach activities from three different activity categories. Systems who serve 3,300 or fewer people are only required to conduct one of the following additional outreach activities. Templates for Public Education Outreach Activities are available on [NJDEP's website](#).

Activity	Description	Required Documentation
Direct Material Distribution to All Multi-Family Homes and Institutions	The direct material distribution to all multi-family homes and institutions must be delivered to individuals who would not receive PE materials for their individual unit. Public water systems must attempt to deliver the public education materials to all multi-family homes and institutions in the distribution system for this to count as one activity.	A list of addresses of the multi-family homes and institutions. In this instance, a multi-family home is a large building in which the PE distribution to customers would be delivered to the building rather than the individual units.
Other Activity Approved by NJDEP	Some examples of other activity methods approved by NJDEP are: posting on the public water system's website for systems that serve a population less than 100,000; press conference; reverse 911 phone calls; post on all the public water system's social media accounts; tabling at a community event; and additional press releases.	Consult with NJDEP for appropriate documentation.

5 NON-TRANSIENT NON-COMMUNITY WATER SYSTEM (NTNCWS) DISTRIBUTION Method REQUIREMENTS

A public water system that is a NTNCWS must meet the distribution method requirements outlined in Table 3: Distribution Method Requirements – NTNCWS.

Table 3: Distribution Method Requirements – NTNCWS Templates for the below requirements are available on NJDEP's website .		
Frequency	Requirement	Required Documentation
Within 10 Days after the NTNCWS is aware of each AL exceedance	Provide a written notice addressed to the mailing address of the owner or lessee by regular mail and posted in a conspicuous location on the property where consumers will see per Bill NJ S968.	A copy of the written notice and a postal receipt or invoice.
Annual	Provide public education notice to each person served by the public water system.	A copy of the public education notice and a postal receipt or invoice.
	Schools and childcares only: provide public education notice to parents and guardians.	
	Post informational posters in a public place or common area in each building of the public water system. Note: The public education notice can be posted in lieu of an informational poster.	A photograph of the posted public education in a public place or common area.

6 DEADLINES FOR ISSUING PUBLIC EDUCATION

6.1 INITIAL EXCEEDANCE

Public water systems that exceed the lead AL, must conduct all applicable federal public education content and distribution method requirements based on the public water system type and population served, **within 60 calendar days after the end of the monitoring period in which the initial exceedance occurred** (see Table 3 below).

In addition to the applicable federal public education requirements, public water systems must conduct the written notice requirements outlined in C.58:12A-12.6 **within 10 days of becoming aware of the lead AL exceedance**. These public education requirements are described in Tables 1-3.

Table 4: Federal Initial Public Education Issuance and Certification Form Deadlines			
Monitoring Period of Initial Exceedance	January 1 - June 30 (Standard: Semi-Annual)	July 1 - December 31 (Standard: Semi-Annual)	June 1 - September 30 (Reduced: Annual/ Triennial)
Issuance Deadline	August 29	March 1	November 29
Certification Deadline	September 8	March 11	December 9

6.2 CONSECUTIVE EXCEEDANCES

Public water systems that continue to exceed the lead AL following the initial exceedance, shall continue to distribute all applicable federal public education requirements based on the previous completion date for each public education requirement based on the applicable system type (see Table 5 below).

In addition to the applicable federal public education requirements, public water systems must conduct the written notice requirements outlined in C.58:12A-12.6 **within 10 days of becoming aware of the consecutive lead AL exceedance**. These public education requirements are described in Tables 1-3.

Table 5: Federal Ongoing Public Education Issuance and Certification Form Deadlines

Public water System Type	Frequency	Issuance Deadline	Certification Deadline
CWS	Annual	12 months from previous distribution/ completion for each requirement	10 calendar days following the 12-month issuance deadline for each requirement.
	Semi-annual	6 months from previous distribution/ completion	10 calendar days following the 6-month issuance deadline.
	Quarter	Once per calendar quarter	10 calendar days following the end of the calendar quarter.
	Continuous	Continuously	10 calendar days following the end of each calendar quarter.
NTNCWS	Annual	Once per calendar year	January 10 th

7 RESOURCES

Safe Drinking Water Act (C.58:12A-1) https://www.state.nj.us/dep/exams/docs/statut_58.12A-1_SDWA.pdf

Chapter 82 Pertaining to Safe Drinking Water Act (58:12A-12.4 to 58:12A-12.6) https://pub.njleg.gov/bills/2020/PL21/82_.PDF

Safe Drinking Water Act Rules https://dep.nj.gov/wp-content/uploads/rules/rules/njac7_10.pdf

National Primary Drinking Water Regulations (40 C.F.R 141) <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-141>

DEP's Lead in Schools website <https://www.state.nj.us/dep/watersupply/schools.htm>

Sampling and regulatory forms <https://www.state.nj.us/dep/watersupply/dws-sampreg.html>

DEP DWSG website <https://www.state.nj.us/dep/watersupply/index.html>

Abbreviation List

AL	Action Level
CFR	Code of Federal Regulations
CWS	Community Water System
DWSG	Division of Water Supply and Geoscience
LCR	Lead and Copper Rule
NJDEP	New Jersey Department of Environmental Protection
NTNCWS	Non-transient Non-community Water System
SDWA	Safe Drinking Water Act
TNCWS	Transient Non-community Water System