



Fact Sheet: Ohio House Bill 512 & Upcoming Rule Adoption. Immediate Lead Notification Requirements for Community and Nontransient Noncommunity Public Water Systems and Certified Laboratories.

This fact sheet is an overview of new requirements related to lead monitoring and analysis in community and nontransient noncommunity public water systems (PWSs), and certified laboratories from Ohio House of Representatives Bill 512, effective on September 9, 2016.

House Bill 512 Summary and Future Rule Adoption

Ohio House of Representatives Bill 512, signed by Governor Kasich, amended Ohio Revised Code (ORC) sections 6109.01, 6109.10 and 6109.22, and enacted section 6109.121. The amendments and new law require the Director of Ohio EPA to adopt rules to address lead notification and testing for community water systems (CWSs) and nontransient noncommunity (NTNC) public water systems (PWSs) within 120 days after the effective date of Ohio House Bill 512. However, some provisions outlined in ORC section 6109.121 are effective as of Sept. 9, 2016 (listed below).

Requirements for CWSs and NTNC PWSs resulting from House Bill 512. Effective on Sept. 9, 2016.

1. For all lead sample results, PWS owners must provide notice of the results of each individual tap sample to the owner and persons served at the location where the sample was collected. This must be completed no later than 2 business days after receipt of the sample results.
 - a. For results below the lead threshold level (15 µg/L), PWSs may use direct notification such as an e-mail, phone call, hand delivery, or US Postal Service (post marked within 2 business days).
 - b. For results above the lead threshold level, PWSs may use direct notification, such as an e-mail, phone call, or hand delivery.
2. If an individual lead sample is above the lead threshold level (15 µg/L) the PWS owner must also do all of the following, as applicable:
 - a. Provide information on the availability of health screening and blood lead level testing to the owner and persons served at the location where the sample was collected. This must be completed no later than 2 business days after receipt of the sample results.
 - b. Provide notice of the laboratory results to the applicable local board of health. This must be completed no later than 2 business days after receipt of the sample results.
 - c. A NTNC PWS owner or operator must immediately remove all fixtures exceeding the threshold.
 - d. CWSs must include the following information in the annual consumer confidence report:
 - i. The lead sample results.
 - ii. An explanation of the associated health risks of lead.

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- iii. The actions water consumers can take to reduce health risks of lead or copper.
 - iv. The actions the PWS is taking to reduce exposure.
3. If the PWS is above the lead Action Level (ALE = 90th percentile >15 µg/L), the PWS owner must do all of the following, as applicable:
- a. Provide notice to all water consumers of the action level exceedance. This must be completed no later than 2 business days after receipt of the sample results. Notices should follow Tier 1 public notification requirements as defined in Ohio Administrative Code (OAC) rule 3745-81-32.
 - b. Provide information on the availability of tap water testing for lead to all water consumers served by the system who are known or likely to have lead service lines, lead pipes, or lead solder. This must be completed no later than 5 business days after receipt of the sample results.
 - c. Provide the analysis of laboratory results to all water consumers, comply with public education requirements for a lead action level exceedance and provide information on the availability of health screening and blood lead level testing to all water consumers served by the system. This must be completed no later than 30 business days after receipt of the sample results.
4. PWSs must verify to Ohio EPA within 5 days of receipt of laboratory results that the actions required under items (1), (2)(a), (2)(b) and (2)(c), and (3)(a) and (3)(b) were completed. The most current consumer notice verification form should be used for individual tap verification and the most current public education verification form should be used for ALE verification. These can be found on Ohio EPA's web site, on the tab, "Forms and Instructions," for lead and copper: <http://epa.ohio.gov/ddagw/reporting.aspx>.
5. Samples submitted to a lab for analysis must include specific information related to where the sample was collected within the PWS (i.e., sample location street address, residence phone number and e-mail address).

(Ohio EPA will be reaching out to PWSs in Fall 2016 to identify specific sample monitoring point IDs for lead and copper sampling locations.)

* For NTNC PWS schools, notification to students, employees and the parents of students, as required under items (1), (2) and (3) [except (3)(c)] must be through direct notification such as e-mail and phone calls. Newsletters or direct mailing may be used to meet requirements of (3)(c).

Requirements for Laboratories resulting from House Bill 512. Effective on Sept. 9, 2016

In accordance with the legislation, a laboratory that receives lead tap water samples from public water systems must:

1. Complete a lead analysis of the sample, as applicable, no later than thirty business days after the receipt of the sample. Completion of the analysis must include the Quality Control (QC) phase of analysis, and;
2. Report the results of all lead analyses no later than the end of the next business day following the day of the analysis of the sample.

Contact

Information on additional requirements will be provided to PWSs when new OAC rules on lead are adopted. For more information about the rules, contact Susan Kramer at Susan.Kramer@epa.ohio.gov or (614) 644-2752.