

3745-81-90 **Control of lead and copper - reporting and record keeping requirements.**

All water systems shall report all of the following information to the director in accordance with this rule.

(A) Reporting requirements for tap water monitoring for lead and copper and for water quality parameter monitoring.

(1) Except as provided in paragraph (A)(1)(h) of this rule, a public water system shall report the information specified below for all tap water samples and all water quality parameter samples within the first ten days following the end of each applicable monitoring period, as specified in rules 3745-81-86 and 3745-81-87 of the Administrative Code. The end of the monitoring period is the last date samples are permitted to be collected during that period.

(a) The results from all tap samples for lead and copper including the location of each site and the criteria under paragraphs (A)(3) to (A)(7) of rule 3745-81-86 of the Administrative Code under which the site was selected for the public water system's sampling pool and the name and certification number of the laboratory which analyzed the samples;

(b) Documentation for each tap water lead or copper sample for which the public water system requests invalidation pursuant to paragraph (F)(2) of rule 3745-81-86 of the Administrative Code.

(c) (Reserved);

(d) The ninetieth percentile lead and copper concentrations measured from among all lead and copper tap water samples collected during each monitoring period (calculated in accordance with paragraph (C)(3) of rule 3745-81-80 of the Administrative Code), unless the director calculates the system's ninetieth percentile lead and copper levels under paragraph (H) of this rule;

(e) With the exception of initial tap monitoring conducted pursuant to paragraph (D)(1) of rule 3745-81-86 of the Administrative Code, the public water system shall designate any site which was not sampled during previous monitoring periods, and include an explanation of why sampling sites have changed;

(f) The results of all tap monitoring for pH and, where applicable, temperature, alkalinity, calcium, conductivity, and orthophosphate or

silica collected under paragraphs (B) to (E) of rule 3745-81-87 of the Administrative Code;

- (g) The results of all monitoring at the entry point(s) to the distribution system for applicable water quality parameters under paragraphs (B) to (E) of rule 3745-81-87 of the Administrative Code;
 - (h) A water system shall report the results of all water quality parameter samples collected under paragraphs (C) to (F) of rule 3745-81-87 of the Administrative Code during each six-month monitoring period specified in paragraph (D) of rule 3745-81-87 of the Administrative Code within the first ten days following the end of the monitoring period unless the director has specified a more frequent reporting requirement.
- (2) For a nontransient noncommunity water system, or a community water system meeting the criteria of paragraphs (B)(7)(a) and (B)(7)(b) of rule 3745-81-85 of the Administrative Code, that does not have enough taps that can provide first-draw samples, the public water system shall either:
- (a) Provide written documentation to the director identifying standing times and locations for enough non-first-draw samples to make up its sampling pool under paragraph (B)(5) of rule 3745-81-86 of the Administrative Code by the start of the first applicable monitoring period under paragraph (D) of rule 3745-81-86 of the Administrative Code that commences after April 11, 2000, unless the director has waived prior director approval of non-first-draw sample sites selected by the system pursuant to paragraph (B)(5) of rule 3745-81-86 of the Administrative Code; or
 - (b) If the director has waived prior approval of non-first-draw sample sites selected by the system, identify, in writing, each site that did not meet the six-hour minimum standing time and the length of standing time for that particular substitute sample collected pursuant to paragraph (B)(5) of rule 3745-81-86 of the Administrative Code and include this information with the lead and copper tap sample results required to be submitted pursuant to paragraph (A)(1)(a) of this rule.
- (3) At a time specified by the director, or if no specific time is designated, then as early as possible prior to the addition of a new source or any substantial change in water treatment, as defined in paragraph (C) of 3745-91-01 of the Administrative Code, a public water system deemed to have optimized corrosion control under paragraph (B)(3) of rule 3745-81-81 of the Administrative Code, or a water system subject to reduced monitoring pursuant to paragraph (D)(4) of rule 3745-81-86 of the Administrative Code shall submit written documentation and plans, if

applicable, to the director describing the substantial change or addition. The director shall review and approve the addition of a new source or substantial change in water treatment before it is implemented by the water system. Examples of substantial change in water treatment include the addition of a new treatment process or modification of an existing treatment process. Examples of modifications include switching secondary disinfectants, switching coagulants (e.g., alum to ferric chloride), and switching corrosion inhibitor products (e.g., orthophosphate to blended phosphate). Substantial changes can include dose changes to existing chemicals if the public water system is planning long-term changes to its finished water pH or residual inhibitor concentration. Treatment changes would not include chemical dose fluctuations associated with daily raw water quality changes.

- (4) Each ground water system that limits water quality parameter monitoring to a subset of entry points under paragraph (C)(3) of rule 3745-81-87 of the Administrative Code shall provide, by the commencement of such monitoring, written correspondence to the director that identifies the selected entry points and includes information sufficient to demonstrate that the sites are representative of water quality and treatment conditions throughout the system.
- (B) Reporting requirements for source water at the entry point to the distribution system.
- (1) A public water system shall report the monitoring results for all samples of source water at the entry point to the distribution system collected in accordance with rule 3745-81-88 of the Administrative Code within the first ten days following the end of each entry-point water monitoring period (i.e., per six-month period, annually, per compliance period, per compliance cycle) for which a sample was collected as specified in rule 3745-81-88 of the Administrative Code.
 - (2) With the exception of the first round of source water at the entry point to the distribution system monitoring conducted pursuant to paragraph (B) of rule 3745-81-88 of the Administrative Code, the public water system shall specify any site which was not sampled during previous monitoring periods, and include an explanation of why the sampling point has changed.
- (C) Corrosion control treatment reporting requirements. By the applicable dates under rule 3745-81-81 of the Administrative Code, public water systems shall report the following information:

- (1) For systems demonstrating that they have already optimized corrosion control, information required in paragraph (B)(2) or (B)(3) of rule 3745-81-81 of the Administrative Code;
 - (2) For systems required to optimize corrosion control, their recommendation regarding optimal corrosion control treatment under paragraph (A) of rule 3745-81-82 of the Administrative Code;
 - (3) For systems required to evaluate the effectiveness of corrosion control treatments under paragraph (C) of rule 3745-81-82 of the Administrative Code, the information required by that paragraph; and
 - (4) For systems required to install optimal corrosion control approved by the director under paragraph (D) of rule 3745-81-82 of the Administrative Code, a letter certifying that the system has completed installing that treatment.
- (D) Source water treatment reporting requirements. By the applicable dates in rule 3745-81-83 of the Administrative Code, systems shall provide the following information to the director:
- (1) If required under paragraph (B)(1) of rule 3745-81-83 of the Administrative Code, their recommendation regarding source water treatment; and
 - (2) For systems required to install source water treatment under paragraph (B)(2) of rule 3745-81-83 of the Administrative Code, a letter certifying that the system has completed installing the treatment approved by the director within twenty-four months after the director approved the treatment.
- (E) Lead service line replacement reporting requirements. Public water systems shall report the following information to the director to demonstrate compliance with the requirements of rule 3745-81-84 of the Administrative Code.
- (1) No later than twelve months after the end of a monitoring period in which a public water system exceeds the lead action level in monitoring referred to in paragraph (A) of rule 3745-81-84 of the Administrative Code, the system shall submit in written documentation to the director the material evaluation, conducted as required in paragraph (A) of rule 3745-81-86 of the Administrative Code, identify the initial number of lead service lines in its distribution system at the time the system exceeds the lead action level, and provide the system's schedule for annually replacing at least seven per cent of the initial number of lead service lines in its distribution system.

- (2) No later than twelve months after the end of a monitoring period in which a system exceeds the lead action level in monitoring referred to in paragraph (A) of rule 3745-81-84 of the Administrative Code, and every twelve months thereafter, the system shall demonstrate to the director in writing that the system has either:
 - (a) Replaced in the previous twelve months at least seven per cent of the initial lead service lines (or a greater number of lines specified by the director under paragraph (E) of rule 3745-81-84 of the Administrative Code) in its distribution system, or
 - (b) Conducted monitoring which demonstrates that the lead concentration in all service line samples from one or more individual lines, taken pursuant to paragraph (B)(3) of rule 3745-81-86 of the Administrative Code, is less than or equal to 0.015 milligram per liter. In such cases, the total number of lines replaced and/or which met the criteria in paragraph (C) of rule 3745-81-84 of the Administrative Code shall equal at least seven per cent of the initial number of lead lines identified under paragraph (E)(1) of this rule (or the percentage specified by the director under paragraph (E) of rule 3745-81-84 of the Administrative Code).
- (3) The annual letter submitted to the director under paragraph (E)(2) of this rule shall contain the following information:
 - (a) The number of lead service lines scheduled to be replaced during the previous year of the system's replacement schedule;
 - (b) The number and location of each lead service line replaced during the previous year of the system's replacement schedule; and
 - (c) If measured, the water lead concentration and location of each lead service line sampled, the sampling method, and the date of sampling.
- (4) Any system which collects lead service line samples following partial lead service line replacement required by rule 3745-81-84 of the Administrative Code shall report the results to the director within the first ten days of the month following the month in which the system receives the laboratory results, or as specified by the director. The director has the discretion to eliminate this requirement to report these monitoring results. Systems shall also report any additional information as specified by the director, in a time and manner prescribed by the director, to verify that all partial lead service line replacement activities have taken place.

(F) Public education program reporting requirements.

- (1) Any public water system that is subject to the public education requirements in rule 3745-81-85 of the Administrative Code shall, within ten days after the end of each period in which the system is required to perform public education tasks in accordance with paragraph (B) of rule 3745-81-85 of the Administrative Code, send written documentation to the director that contains:
 - (a) A demonstration that the system has delivered the public education materials that meet the content requirements in paragraph (A) of rule 3745-81-85 of the Administrative Code and the delivery requirements in paragraph (B) of rule 3745-81-85 of the Administrative Code; and
 - (b) A list of all the newspapers, radio stations, television stations, and facilities and organizations to which the system delivered public education materials during the period in which the system was required to perform public education tasks.
- (2) Unless required by the director, a public water system that previously has submitted the information required by paragraph (F)(1)(b) of this rule need not resubmit the information required by paragraph (F)(1)(b) of this rule, as long as there have been no changes in the distribution list and the system certifies that the public education materials were distributed to the same list submitted previously.
- (3) No later than three months following the end of the monitoring period, each public water system shall mail a sample copy of the consumer notification of tap results to the director along with a certification that the notification has been distributed in a manner consistent with the requirements of paragraph (D) of rule 3745-81-85 of the Administrative Code.

(G) Reporting of additional monitoring data.

Any public water system which collects monitoring data in addition to that required by rules 3745-81-80 to 3745-81-88 of the Administrative Code shall report the results to the director within the first ten days following the end of the applicable monitoring period under rules 3745-81-86 to 3745-81-88 of the Administrative Code during which the samples are collected.

- (H) Reporting of ninetieth percentile lead and copper concentrations where the director calculates a system's ninetieth percentile concentrations.

A public water system is not required to report the ninetieth percentile lead and copper concentrations measured from among all lead and copper tap water samples collected during each monitoring period, as required by paragraph (A)(1)(d) of this rule if:

- (1) The director has previously notified the water system that the director will calculate the water system's ninetieth percentile lead and copper concentrations, based on the lead and copper tap results submitted pursuant to paragraph (H)(2)(a) of this rule, and has specified a date before the end of the applicable monitoring period by which the public water system shall provide the results of lead and copper tap water samples;
 - (2) The public water system has provided the following information to the director by the date specified in paragraph (H)(1) of this rule:
 - (a) The results of all tap samples for lead and copper including the location of each site and the criteria in paragraphs (A)(3), (A)(4), (A)(5), (A)(6), and (A)(7) of rule 3745-81-86 of the Administrative Code under which the site was selected for the system's sampling pool, pursuant to paragraph (A)(1)(a) of this rule; and
 - (b) An identification of sampling sites utilized during the current monitoring period that were not sampled during previous monitoring periods, and an explanation why sampling sites have changed; and
 - (3) The director has provided the results of the ninetieth percentile lead and copper calculations, in writing, to the water system before the end of the monitoring period.
- (l) Any public water system subject to the requirements of rules 3745-81-80 to 3745-81-89 of the Administrative Code shall retain on its premises original records of all sampling data and analyses, reports, surveys, letters, evaluations, schedules, director's determinations, and any other information required by rules 3745-81-80 to 3745-81-89 of the Administrative Code. Each water system shall retain the records required by this rule for no fewer than twelve years.

Effective: 07/24/2009

R.C. 119.032 review dates: 07/24/2014 and 04/24/2019

Promulgated Under: 119.03

Statutory Authority: 6109.04

Rule Amplifies: 6109.04

Prior Effective Dates: 09/13/93, 10/17/03