

Lead Consumer Notices

FAQs



This document has been prepared by the New Jersey Department of Environmental Protection (NJDEP) to assist public water systems with frequently asked questions (FAQs) associated with the preparation, distribution, and submission of Consumer Notice of Tap Water Results, also known as “lead consumer notices” (LCNs) as required under the Federal Lead and Copper Rule (40 CFR 141.85(d)).

- For questions related to reporting results, refer to the [E2 Guide](#).
- For questions related to forms, refer to the [Forms Guide](#).

NOTE: Additional Technical Fact Sheets, Guidance Documents, and Templates are available at:
<https://www.state.nj.us/dep/watersupply/dws-sampreg.html>

Lead Consumer Notice Content

1. What information should be included in the Lead Consumer Notice ?

The LCN must contain the results of the lead tap water monitoring for the tap that was tested. Additionally, water systems are to include an explanation of the health effects of lead, steps consumers can take to reduce their exposure to lead in drinking water, water system contact information (can be phone number, address, email, etc.), the Maximum Contaminant Level Goal (MCLG) for lead, the action level for lead, and definitions of the MCLG and action level.

2. Does the water system need to include the 90th percentile in the Notice of Tap Water Results?

Noncommunity systems must include the 90th percentile result in the notice for consumers to review. Community systems do not need to include the 90th percentile result, but the EPA recommends doing so if the water system knows the results prior to the delivery deadline.

3. Does NJDEP provide LCN templates on its website that water systems can use?

Yes, there are templates available for both community and noncommunity Water Systems.

Community Water System

- [Consumer's Individual Result and Water System's 90th Percentile Result Below Action Level](#)
- [Consumer's Individual Result and Water System's 90th Percentile Result Above Action Level](#)
- [Consumer's Individual Result Below Action Level and Water System's 90th Percentile Result Above Action Level](#)

- [Consumer's Individual Result Above Action Level and Water System's 90th Percentile Result Below Action Level](#)

Noncommunity Water System

- [90th Percentile Result Below Action Level](#)
- [90th Percentile Result Above Action Level](#)

Distribution

4. How does the LCN need to be distributed?

The LCN must be provided to persons served at the tap that was tested, either by mail, direct hand delivery, or by another method approved by the State. For instance, NJDEP will allow noncommunity water systems to post the results on a public bulletin board where users may review the information. The system must provide the LCN to customers at sample taps tested, including customers who do not receive water bills.

5. Is distribution different for nursing homes or assisted living facilities?

The LCN should be provided to each individual resident or their responsible party/guardian, where samples were collected, as well as posted in a public space, with a table noting all of the individual results, where consumers can review the information.

6. How should LCNs be distributed in schools and/or daycares?

The LCN should be posted in a public space where consumers can review the information. A copy of the LCN should also be made available to parents/guardians.

7. Does the LCN need to be provided to all units in a multi-family residence?

No, the LCN only needs to be distributed to the unit(s) where the taps that were tested are located.

8. When must the LCN be sent to consumers or posted publicly?

Community systems must send the Notice of Tap Water Results to consumers within 30 days of learning the individual sample result. Noncommunity systems must post the notice within 30 days of receiving all results.

Submission to the NJDEP

9. What documents are needed for my LCN submittal to NJDEP?

Submissions to the NJDEP must contain the following documents:

- A Certification Form - Consumer Notice of Lead Tap Water Monitoring Results (BSDW-54) available at: <https://www.state.nj.us/dep/watersupply/doc/bsdw54.docx>
- A completed example of an LCN that represents a single home with a matching lead sample result reported, or, for noncommunity water systems, a copy of the posted LCN containing a table of all the results.

10. Where do I send my submission?

Submissions should be scanned and emailed to watersupply@dep.nj.gov with the subject line indicating the water system PWSID number (NJ#####) and “Lead Consumer Notice”.

If you are unable to scan the documents, hard copies may be sent to the following address:

Mail Code 401-04Q
Division of Water Supply & Geoscience
Water Systems Operations Element
Bureau of Safe Drinking Water
401 E. State Street – P.O. Box 420
Trenton, New Jersey 08625-0420

11. When must I submit the LCN forms to the NJDEP?

The BSDW-54 form and a copy of the Notice of Tap Water Results letter must be submitted to the NJDEP **within 3 months** following the end of the sampling period as per 40 CFR Part 141.90(f)(3). However, it is strongly recommended to submit them as soon as possible following the issuance of the LCNs.

- For systems with annual or triennial sampling requirements the due date is the end of December of the year when the sampling occurred.
- For systems with semiannual 6-month sampling requirements the due dates are:
 - For the first half of the year the submission is due in September of that year
 - For the second half of the year the submission is due in March of the following year.

General

12. Will I be notified directly of any form or template updates?

No. It is the water system’s responsibility to check the NJDEP website prior to issuance and submittal of the consumer notice to ensure documents are up to date.

13. Why are some inactive water systems required to submit the BSDW-54 form and one example of Consumer Notice of Tap Water Results letter to NJDEP?

Some water systems become inactive right after sampling for their regular scheduled monitoring period. Since the samples were taken the water system is still required to submit the LCN documents to NJDEP and to notify their consumers of the lead sampling results. After completion the system will no longer have to comply with these requirements unless the system is later reclassified as a community or nontransient noncommunity water system.

14. If water systems have their labs submit lead results through E2 online to NJDEP, then why are we required to submit the LCN documents?

The Federal Lead and Copper Rule requires the distribution of LCNs to customers and also requires the submission to the State of a sample copy along with a certification that the LCNs were distributed in a manner consistent with the requirements as per 40 CFR 141.90(f)(3).

15. What are the monitoring periods for sampling lead?

- **Semiannual (standard) monitoring period:** Sampling twice per year (example: the monitoring periods for 2018 were 1/1/2018 through 6/30/2018 & 7/1/2018 through 12/31/2018, also referred to as the 1st half of 2018 and 2nd half of 2018)
- **Annual monitoring period:** Sampling once per year (example: the monitoring period is 1/1/2018 – 12/31/2018 but the samples must be collected 6/1/2018-9/30/2018)
- **Triennial monitoring period:** Sampling once during the third year of the calendar years specified for lead and copper (example: for the monitoring period 1/1/2016 – 12/31/2018, the samples are to be collected during 6/1/2018-9/30/2018)

16. Is there a website that water systems can go on to verify lead sampling results and locations reported by E2/the certified laboratory?

Yes, lead sampling results are available on the NJDEP Drinking Water Watch application. Please note that only sample point IDs are available, street addresses are not publicly available. You can visit Drinking Water Watch (DWW) online at: www.nj.gov/dep/watersupply/waterwatch.

17. Is public notification required if I receive a violation for failure to distribute, or for distributing deficient LCNs?

No, public notification is not required for failure to distribute LCNs. However, the violation will not be returned to compliance until the LCNs have been distributed (or redistributed if the originals were deficient) for the monitoring period in question. Even if you have distributed LCNs for subsequent

monitoring periods you will need to distribute them for the monitoring period that was missed in order to be returned to compliance and have the violation closed.

18. Are Transient and Non-Public water systems that are daycares required to submit LCN documents?

Yes. Child care facilities are required to post all results and submit LCN documents after sampling for lead during their scheduled monitoring period. Transient noncommunity water systems are not subject to the LCR requirements; however, in New Jersey, licensed child care facilities that are either transient noncommunity water systems or non-public, water systems must meet the Safe Drinking Water Act requirements of a nontransient noncommunity water system under the Madden Law (P.L.2007, c.1). Thus, they are required to submit this documentation.

19. I have more questions, where can I get additional information?

You may send an email to watersupply@dep.nj.gov, or call the NJDEP Bureau of Safe Drinking Water at 609-292-5550. Be sure to have your PWSID# and reference Lead Consumer Notices.