Reducing Lead Where Children Learn Grant Program

Implementation Document for States and Territories



Office of Water (4606M)
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SUMMARY

The Environmental Protection Agency (EPA) is providing funding to eligible states and territories for participation in the *Reducing Lead Where Children Learn Grant Program (also known as "the Voluntary School and Child Care Lead Testing and Reduction Grant Program" SDWA 1464(d)).* States, territories, and tribes will use this funding to assist local educational agencies (LEAs) in testing and reducing lead in drinking water at schools and child care facilities.

This document contains the state *Reducing Lead Where Children Learn Grant Program* implementation information for both internal and external stakeholders, including updates per the enactment of the Infrastructure Investment and Jobs Act (P.L. 117-58, Nov. 15, 2021) to reduce lead exposure in drinking water at school and child care facilities through remediation. This document aligns with the agency's FY 2026 EPA Milestones under the Federal Lead Action Plan and the agency's priority to reduce children's exposure to lead sources. This document expands upon guidance and outreach to the federal and non-federal signatories of the Memorandum of Understanding (MOU) on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities.

Participating states shall ensure that each LEA that receives grant funds shall use the funds in accordance with the EPA's 3Ts for Reducing Lead in Drinking Water guidance or applicable state regulations that are not less stringent than the 3Ts guidance. Participants will make the lead test results publicly available and notify parent, teacher, and employee organizations of the availability of the results.

Interested states and territories submit their notification of intent to participate (NOIP) in the grant program to the EPA. The EPA will award funds with approved applications according to an allocation formula. All public materials for the grant program are available at www.epa.gov/safewater/grants.

A separate document will be provided for tribal funding and is also located at www.epa.gov/safewater/grants. The entity "State(s)" used throughout this document implies states and U.S. territories.





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I. OVERVIEW

This document describes the programmatic requirements applicable to all grants to states, the District of Columbia, and U.S. territories awarded through this grant program[1]. Under the grant program, "states" is defined by the Safe Drinking Water Act (SDWA). Consistent with this definition, within this document, the term "State" will be used to describe the 50 states and the District of Columbia, the Commonwealth of Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Requirements for tribal grants are detailed in a separate guidance memo available at: https://www.epa.gov/tribaldrinkingwater/reducing-lead-where-children-learn-tribal-grant-program. All projects funded with *Reducing Lead Where Children Learn Grant Program* funds must meet all eligibility and funding requirements outlined in this document. Grant recipients must also comply with 2 CFR Part 200, terms and conditions under the grant, and any other federal laws.

This document provides information on how the EPA intends to implement and manage the *Reducing Lead Where Children Learn Grant Program* (the grant program). Designed to support reducing lead exposure to children, who are the most vulnerable population, the objective of the grant program is to support lead testing and reduction activities in drinking water at schools and child care facilities. This document provides eligible recipients an explanation of the implementation process and provides eligible recipients with direction on the process for applying for grant funding, in addition to program requirements and restrictions. Grant recipients shall follow the framework for grants management, requirements, and reporting using the Uniform Grants Guidance (UGG) under 2 CFR Part 200. Grant recipients are encouraged to communicate and collaborate with the Agency regularly to discuss challenges or questions that may transpire as they develop their respective work plans, budget narratives, and/or implementation processes.

Some of the statutory provisions described in this document contain legally binding requirements. However, this document does not substitute for those provisions, regulations, or the binding terms and conditions of a grant.

[1] For purposes of this program, the term "State" includes, in addition to the several states, only the District of Columbia, the Commonwealth of Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands. 42 U.S.C. §300f (13)(A).

II. STATUTORY AUTHORITY

Section 1464(d) of the Safe Drinking Water Act (SDWA), as amended by section 2107 of the 2016 Water Infrastructure Improvements for the Nation Act (WIIN), section 2006 of the 2018 America's Water Infrastructure Act (AWIA), and by section 50110 of the 2021 Infrastructure Investment and Job Act (IIJA), authorizes the EPA to award grants to States to assist local educational agencies (LEAs) to test and remediate lead in drinking water at schools or *local educational agencies* and *child care programs*. SDWA section 1464(d)(1) defines *child care programs* and *local educational agencies* as:

(A) Child Care Program- The term 'child care program' has the meaning given the term 'early childhood education program' in section 103(8) of the Higher Education Act of 1965 (20 U.S.C. 1003(8)).

(B) Local Educational Agency- The term 'local educational agency' means:

(i) a local educational agency (as defined in section 8101 of Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

(iii) a person that owns or operates a child care program facility.

Are private and charter schools eligible beneficiaries of the grant?

The term "local educational agency" (LEA) as defined in section 8101 of Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) means a "public board of education or other public authority legally constituted within a state to …[administer]… a service for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or…recognized in a state as an administrative agency for its public elementary schools or secondary schools." For example, this would include public school districts, Educational Service Agencies, such as Boards of Cooperative Educational Services (BOCES), Intermediate Educational Units, and those charter schools that operate as LEAs under state law.

States can use grant funding to test and remediate lead in drinking water at public *and/or* at private child care facilities which serve low-income communities; however, the emphasis remains on public institutions.

Section 50110 of the IIJA, P.L.117-58, November 15, 2021, amended SDWA section 1464(d) to expand the eligible activities and the eligible applicants under this grant program. The IIJA amendments to SDWA section 1464(d), now authorize funds in the *Reducing Lead Where Children Learn Grant Program* to be used for voluntary lead testing, or compliance monitoring, and for lead remediation as described below:

> *[T]he administrator shall. . .make grants available to—(i) ''States to assist local educational agencies, public water systems that serve schools and child care programs under the jurisdiction of those local educational agencies, and qualified non-profit organizations in voluntary testing or compliance monitoring for and remediation of lead contamination in drinking water at schools and child care programs under the jurisdiction of those local educational agencies;"*

In other words, States are now authorized to use grant program funds to include not only voluntary lead testing, but also compliance monitoring and remediation efforts. States should develop a comprehensive plan on the use of the funding. States are encouraged to align grant supported voluntary lead sampling, compliance monitoring, and remediation efforts in accordance with State program(s) to improve collaborations and to enhance program implementation efforts. The EPA will provide additional guidance on the use of grant funds for compliance monitoring in FY 2027.

Lead remediation efforts include the 3Ts remediation actions (e.g., immediate, short-term, and long-term

measures), but are not limited to the removal, installation, and replacement of internal plumbing, faucets, water fountains, water filler stations, Point-of-Use (POU) devices, lead service lines or lead connectors, and other lead-free apparatuses related to drinking water. See Appendix C for further details on lead remediation activities and eligibilities.

Measuring the amount of lead in a water sample is the most common lead testing option to identify the presence of lead sources in drinking water. The grant program expands on additional lead testing options to identify the presence of lead sources in drinking water plumbing in schools and child care facilities. See Appendix E for eligibilities of additional lead testing options.

States should fully describe the planned activities in their application, including lead testing and remediation options used in funded projects. See section VI Application Package and Submission Information.

On October 8, 2024, the U.S. EPA issued a final rule, the Lead and Copper Rule Improvements (LCRI), requiring drinking water systems across the country to identify and replace lead pipes within 10 years. The rule also requires more rigorous testing of drinking water and a lower threshold requiring communities to take action to protect people from lead exposure in water. In addition, the final rule improves communication within communities so that families are better informed about the risk of lead in drinking water, the location of lead pipes, and plans for replacing them.

The LCRI retains the requirements from the 2021 Lead and Copper Rule Revisions (LCRR) for Community Water Systems (CWSs) to conduct sampling and public education in schools and child care facilities. It further expands the available waivers to include sampling efforts conducted prior to the rule compliance date, including sampling conducted under this grant program. The EPA has developed LCRI implementation tools for schools and child cares, found here: https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools#schools. For more details visit, Lead and Copper Rule Improvements

III. ELIGIBLE APPLICANTS

The EPA is, under the authority provided in SDWA section 1464(d), providing funds noncompetitively under the grant program to "States" as defined by the Safe Drinking Water Act. This includes the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Written correspondence from the State governor or designee to the Administrator of the EPA is required to certify a State agency as the recipient of funds who has the legal and administrative authority to enter into a grant or cooperative agreement with the EPA. Upon receipt, the EPA will consider the State agency designated by the governor, the lead agency for the State for the purposes of this grant program.

> *"The Administrator may make a grant for the voluntary testing or compliance monitoring for or remediation of lead contamination described in subparagraph (A) directly available to-- (i) any local educational agency described in clause (i) or (iii) of paragraph (1)(B) located in a State that does not participate in the voluntary grant program established under subparagraph (A); or (ii) any local educational agency described in clause (ii) of paragraph (1)(B); (iii) any public water system that is located in a State that does not participate in the voluntary grant program established under subparagraph (A) that--*
>
> > *(I) assists schools or child care programs in lead testing;*
> > *(II) assists schools or child care programs with compliance monitoring;*
> > *(III) assists schools with carrying out projects to remediate lead contamination in drinking water; or*
> > *(IV) provides technical assistance to schools or child care programs in carrying out lead testing; or*
>
> *(iv) a qualified non-profit organization, as determined by the Administrator."*

IV. NOTICE OF INTENT

States that want to receive *Reducing Lead Where Children Learn Grant Program* funding must submit a Notice of Intent to Participate (NOIP) indicating the lead agency charged with the State's oversight and responsibility for receipt and actions pertaining to the grant program.

A. **Notice of Intent to Participate**: States and territories must submit a NOIP to initiate participation in the grant program.
B. **Submission of the NOIP**: The NOIP can be submitted by email to WIINDrinkingWaterGrants@epa.gov. The NOIP must be from an official within the governor's office, the director of the designated agency, or other authorized officials.
C. **Review of the NOIP**: The EPA will forward the NOIPs to the appropriate EPA Regional Office for review. Regions will work with the States as necessary to resolve any identified issues.

States that submitted a NOIP for the initial funding request must still confirm participation in the grant program. This is subject to funding availability and to the extent the EPA chooses to administer the program. See Appendix B for further details if a State decides to decline funding or transfer administration.

V. ALLOCATION OF FUNDS

A. **Allocation Formula**: Under the *Reducing Lead Where Children Learn Grant Program*, the EPA plans to allocate funds to eligible states and territories based on an algorithmic formula that includes factors for population, low-income, and lead exposure risk. No more than 4 percent of grant funds accepted by an eligible entity may be used to pay the administrative costs of carrying out the grant[2]. The EPA has allocated approximately 6.44 percent of the appropriation for this grant program to aid tribal educational agencies. In the initial notice of allocations, the EPA assumes that all 50 states, the District of Columbia, and the five qualifying territories will participate in the grant program. If fewer than all States submit a NOIP, the formula will be applied to any remaining funds, and these funds will be reallocated to all eligible participants. States that decline to participate will not be eligible to receive any reallocated funds for that year. There is no match requirement for this program.

B. **Allocation Notification**: After receiving all NOIP's, the EPA will calculate the final allocations, and the EPA Regions will notify state and territory contacts with an allotment memo via e-mail. **Each state and territory is encouraged to accept, refuse, or decline the allotted funding within 120 days of the allotment memo release date** (see Appendix B). Each state and territory must then submit a work plan and budget narrative to their EPA Regional contact for review. The EPA will review the work plan and budget narrative and provide comments so that the state or territory can correct any issues before submitting their complete application through Grants.gov.

[2] Section 1464(d)(5) of SDWA, 42 U.S.C. §300j-24(d)(5).

VI. APPLICATION PACKAGE AND SUBMISSION INFORMATION

A. Content of Application Package: The application package will include all the following materials:

a. **Standard Form (SF) 424**, Application for Federal Assistance
b. **Standard Form (SF) 424A**, Budget Information
    1. *Applicants are to characterize costs for construction contractors as "Construction" and costs for architectural and engineering services as "Contractual."*
c. **Key Contacts Form**
d. **EPA Form 4700-4**, Pre-award Compliance Review
e. **Project Narrative Attachment Form**, An optional sample is available at www.epa.gov/safewater/grants to prepare the Work Plan and Budget Narrative.

B. Grants.gov Application Instructions

a. Your organization's authorized official representative (AOR) must submit your complete application package electronically to the EPA through Grants.gov.
b. Follow the instructions available on Grants.gov to submit an application package through Grants.gov. The application package contains the required forms listed above.
    1. Go to Grants.gov
    2. Search by **Funding Opportunity Number: EPA-CEP-02**
    3. From the list of Opportunity Package(s) currently available, click on the "Apply" link corresponding with Assistance Listing #: **66.444**.

VII. ELIGIBLE USES

SDWA section 1464(d), as amended by section 50110 of IIJA, allows States to use grant funds provided under the *Reducing Lead Where Children Learn Grant Program* to assist LEAs, public water systems (PWSs), and qualified non-profit organizations, in voluntary lead testing or compliance monitoring, and lead remediation in drinking water at schools and child care facilities. The State's work plan must describe how the State will ensure that projects selected for funding support the programmatic priorities listed below.



The funds are subject to the following:

A. Project and Budget Period: The EPA anticipates that funds awarded under this grant program will have a two-year project period. The project period starts once funds are awarded to the State.

B. Project Eligibility: Activities for lead testing and remediation in drinking water in schools and child care facilities should be done in accordance with the following:

- The EPA's *3Ts for Reducing Lead in Drinking Water* guidance or
- Applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care facilities that are not less stringent than the EPA's 3Ts.

C. Notification: SDWA section 1464(d)(6) requires that any recipient[3] of grant funds must publicly make available test results and notify parents, teachers, and employee organizations of the availability of the results. Specifically, grant recipients must:

- Make available a copy of the results of any testing for lead in drinking water carried out using grant funds, as soon as practicable but no later than 30 days after receiving the results, if applicable, in the school and child care program administration offices and, to the extent practicable, on the internet website of the LEA for inspection by the public; and
- Notify parent, teacher, and employee organizations of the availability of the results no later than 30 days after receiving the results.
- All results should be made publicly available and communicated to the impacted communities as soon as practical but no later than 30 days after receiving the results. Methods of communication may include publication in local newspaper(s), posting in public places, or mail or other direct delivery to the impacted communities (e.g., email to facility employees, parents, students). A record of these items may be requested by the EPA during the term of the grant and project.
- If hardcopy results are made available for disclosure to the community impacted by testing, said copy of notification should be documented by the recipient of the grant funding (e.g., the State agency) – including information regarding the date and location in which the information was disclosed publicly – if it is not made readily available digitally via URL link or website address. See communication templates in Module 1 of the 3Ts Toolkit.

Potential Child Care Program Collaboration

The EPA encourages States to engage with the following State child care organizations as a resource in reaching out to and prioritizing child care facilities for testing, compliance monitoring, and lead remediation:

- Child Care Licensing Agencies
- Child Care Resource Referral Agency
- Child Care Development Fund Administration

D. SDWA section 1464(d) Programmatic Objectives: The principal objective of the assistance to be awarded under this program is to provide grants to States to help LEAs to perform voluntary lead testing and remediation in drinking water, utilizing the EPA's *3Ts for Reducing Lead in Drinking Water* guidance or applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care facilities that are not less stringent.

[3] The recipient is the state agency which is responsible for meeting all the requirements in this section. Subrecipients may be subject to the same federal requirements as the state recipient, but the state recipient is ultimately responsible for monitoring the activities of the subrecipient, as necessary, to ensure compliance with program requirements and terms and conditions. See 2 CFR 200.332(e).

The objective of the grant program is to:

(1) Reduce children's exposure to lead in drinking water;
(2) Help States target funding toward schools and child care programs unable to pay for testing;
(3) Utilize the 3Ts model (or another State guidance no less stringent) to establish best practices for a lead in drinking water prevention program;
(4) Foster sustainable partnerships at the state and local level to allow for more efficient use of existing resources and exchange of information among experts in various educational and health sectors; and
(5) Enhance community, parent, and teacher cooperation and trust.

Project work plans should detail how the State will expend grant funds in accordance with:

- The *EPA's 3Ts for Reducing Lead in Drinking Water* guidance; or
- Applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care facilities that are not less stringent than the 3Ts guidance.
- Review Appendix E for additional lead testing options to include in the grant work plan.

If the grant recipient intends to use State regulations or guidance other than the EPA's 3Ts document, the grant recipient must demonstrate that the State program or regulation is no less stringent than the following elements outlined in the 3Ts manual. This should be described in the grant recipient's work plan:

1. **Communication** – must be integrated throughout the development and implementation of lead testing in drinking water in schools and child care facilities. Communication should establish key partnerships to support the program and keep the public informed. Recipient work plans should include a timeframe pertaining to public notification of testing results. Make available a copy of the results of any lead testing in drinking water carried out using grant funds, as soon as practicable but within 30 days of receiving the results. Notify impacted communities of the availability of results no later than 30 days after receiving the results. If hardcopy results are made available for disclosure to the communities impacted by testing, said copy of notification should be provided to the recipient of the grant funding – including information regarding the date and location in which the information was disclosed publicly – if it is not made readily available digitally via URL link or website address.

2. **Training** – for school and child care program officials to raise awareness of the potential occurrences, causes, and health effects of lead in drinking water. The program should utilize partnerships to develop program plans and assign responsibilities that provide the framework for an effective program. Training may include partnering (or developing a new technical assistance team) with experienced networks to provide technical assistance that achieves the 3Ts testing objectives. It may indicate what the process is to train and build a capable workforce that can execute the testing and the various steps in the 3T's process to move towards objectives.

3. **Testing** – for lead to identify potential lead sources in the plumbing that services drinking water in schools and child care facilities. Sampling protocols should utilize existing State guidelines for testing or, when State guidelines are not established, the 3Ts guidance.

4. **Taking Action** – by developing and implementing a plan to reduce lead in drinking water, including plans to support schools in remediation actions, including maintaining any installed POU devices, and by communicating remediation actions to parents, staff, and the larger school and child care program community.

To learn more about these elements, please visit www.epa.gov/safewater/3Ts.

> **Children six years and younger are most susceptible to the effects of lead**
>
> Lead is particularly dangerous to children because their growing bodies absorb more lead than adults and their brains and nervous systems are more sensitive to the damaging effects of lead.
>
> To learn more about lead visit: http://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water

E. Build America, Buy America Act (BABA): As part of the IIJA, BABA was enacted, which includes domestic preference requirements for federal financial assistance programs for infrastructure, as defined by BABA. See Sections 70914 and 70912 of IIJA, P.L. 117-58. Recipients should be aware that to the extent SDWA section 1464(d) projects or activities require the construction of infrastructure, these domestic sourcing requirements for American made iron, steel, and manufactured goods will apply. On October 25, 2023, the Office of Management and Budget's (OMB) Made in America Office released its final guidance for implementing the Build America, Buy America Act. The Office of Water (OW) released a memo on Implementation Procedures with a collection of frequently asked questions and answers on implementation procedures. For more information and resources, visit the EPA's BABA landing page.

F. Project Funding Prioritization: States must prioritize assistance with lead testing and remediation in drinking water at schools and child care facilities that are in low-income areas pursuant to SDWA section 1464(d)(4). This may include public schools as well as child care facilities that are serving these communities. This prioritization aligns with the statutory requirement under SDWA section 1464(d)(4), as amended by section 2107 of the 2016 WIIN Act and section 2006 of the 2018 AWIA and section 50110 of the 2021 IIJA. States must prioritize funding to target:

- Schools and child care programs in low-income areas (e.g., schools with at least 50% of the children receiving free and reduced lunch, Head Start facilities, Early Head Start facilities, or other appropriate criteria).

The EPA recommends States also prioritize lead remediation activities, as outlined in Appendix C, including at facilities such as:

- Elementary and child care programs that primarily care for children 6 years and under;
- Older facilities more likely to contain lead plumbing; schools and child care facilities built before 2014 are more likely to have lead pipes, fixtures, and solder; and
- Sustainable, historical buildings that may be used as child program facilities in the future.

If resources are available to a State or LEA from any other federal funds, agency, a State, or a private foundation for lead testing or remediating lead in drinking water, the State or LEA must demonstrate that the funds provided from SDWA section 1464(d) grant will not displace those resources. Grant funding can be used to create a lead testing and remediation project or supplement and enhance existing State funding or other resources.

G. Programmatic Priorities

The principal objective of the program is to support lead testing and reduction activities in drinking water at schools and child care facilities. Per SDWA Section 1464(d)(4), States must prioritize assistance with lead testing and remediation in drinking water at schools and child care facilities that are in low-income areas.

Furthermore, recipients must link proposed assistance agreement work plans with the FY 2026-2030 EPA Strategic Plan. Funding will primarily support Objective 1.2: Clean and Safe Water and Objective 3.2: Cooperative Federalism. States may address these linkages by ensuring project activities lead to reducing lead in drinking water available to children in schools and child care facilities and by reinforcing partnerships with EPA and local agencies.

H. Anticipated Outputs/Outcomes

Pursuant to Section 6a of EPA Order 5700.7, Environmental Results under the EPA Assistance Agreements, the EPA requires that grant applicants adequately describe environmental outputs and outcomes to be achieved under assistance agreements.

Linkage to EPA's Strategic Plan: The activities to be funded under this announcement support the FY 2026-2030 EPA Strategic Plan. Awards made under this announcement will support Objective 1.2: Clean and Safe Water and Objective 3.2: Cooperative Federalism. Applicants must explain in their work plan how their project will further the goals and objectives outlined in the plan.

Applicants must include specific statements in the work plan describing the environmental results of the proposed project in terms of well-defined outputs and, to the maximum extent practicable, well-defined outcomes that will demonstrate how the project will contribute to the priorities described above. Specifically, the proposed activities must assist schools and child care programs to test and remediate lead in drinking water, in accordance with the *EPA's 3Ts for Reducing Lead in Drinking Water* guidance or applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care facilities that are not less stringent.

Outputs: The term "output" means an environmental activity, effort, and/or associated work product related to an environmental goal and objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.

Expected outputs from the projects to be funded under this announcement include, but are not limited to:

- Development of LEA and State lead testing and remediation plans for drinking water in schools and child care facilities, and development of a management strategy that supports a robust training, testing, monitoring, communication, remediation, and maintenance plan protecting children from lead exposure now and in the future.
- Widespread use of the *EPA's 3Ts for Reducing Lead in Drinking Water* as guidance in establishing implementation of the state program and/or to use to align procedures in pre-existing State programs.
- Plans to prioritize lead testing and remediation to target vulnerable communities and populations. This includes schools and child care programs in low-income areas (e.g., schools with at least 50% of the children receiving free and reduced lunch, Head Start and Early Head Start facilities); elementary and child care programs that primarily care for children 6 years and under; and older facilities that are more likely to contain lead plumbing. Schools and child care facilities built before 2014 are more likely to have lead pipes, fixtures, and solder.

- Public availability of results of any lead testing conducted in schools and child care facilities carried out using grant funds within 30 days of receiving results, if applicable, in the school or child care facility administration offices and, to the extent practicable, on the internet website for inspection by the public; and notify parent, teacher, and employee organizations of the availability of the results.
- Reduction of lead sources (e.g., fixtures and lead plumbing) in drinking water in school and child care facilities.
- Establish a memorandum of understanding/memorandum of agreement (MOU/MOA), or partnership, and letters of support with State and local agencies and nongovernmental organizations that support schools and child care programs (e.g., an MOU between the State education, health and environment agencies, State Child Care Licensing Agency, Child Care Resource Referral Agency, and Child Care Development Fund Administrators). Partnership agreements to encourage collaboration and efficient use of resources, as well as coordination of technical assistance, training, and mitigation solutions.

Outcomes: The term "outcome" means the result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be qualitative and environmental, behavioral, health-related, or programmatic in nature, but must also be quantitative. They may not necessarily be achievable within an assistance agreement funding period.

Expected outcomes from the projects to be funded under this announcement include, but are not limited to:

- Schools or child care programs, previously unable to pay for testing or remediation, implement a testing program and/or mitigate lead exposure by utilizing the 3Ts toolkit to determine the best action to take for remediation.
- Reduce children's exposure to lead in drinking water.
- Improve knowledge of school and child care program staff about lead in drinking water and other environmental harms.
- Develop a regular lead testing and remediation program at schools and child care facilities.
- Improve water quality at schools and child care facilities.
- Establish routine best practices at schools and child care facilities such as those outlined in the 3Ts toolkit.
- Reduce the number of lead sources in drinking water at schools and child care facilities.

Other potential outcomes may include, but are not limited to:

- Foster sustainable partnerships at the state and local level to exchange information among experts in various areas of the school, child care, utility, and health sectors to reduce lead exposure.
- Enhance community, parent, and teacher trust.
- Improve public knowledge on the health effects of lead in drinking water.
- Enhance school and child care facility building functions and sustainability.

VIII. USE OF FUND REQUIREMENTS

The budget narrative must detail funding expenditures that demonstrate adherence to the following:

A. Federal Matching Funds: No funds awarded under the grant program shall be used for matching funds for other federal grants unless expressly authorized by statute.

B. Administrative Costs Expense Cap: Under SDWA 1464(d)(5), no more than 4 percent of the State's total award may be used to cover administrative type costs, which includes indirect costs under 2 CFR 200.414. Eligible grant agreement administrative costs subject to the 4% limitation include direct costs for:

1. Costs incurred to comply with the following provisions of the Uniform Administrative Requirements for Cost Principles and Audit Requirements for Federal Awards at 2 CFR Parts 200 and 1500 other than those identified as programmatic.

   a. Record-keeping associated with equipment purchases required under 2 CFR § 200.313;

   b. Preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 2 CFR § 200.308;

   c. Maintaining and operating financial management systems required under 2 CFR § 200.302;

   d. Preparing payment requests and handling payments under 2 CFR § 200.305;

   e. Financial reporting under 2 CFR § 200.328

   f. Non-federal audits required under 2 CFR Part 200, Subpart F; and

   g. Closeout under 2 CFR § 200.344 with the exception of preparing the recipient's final performance report. Costs for preparing this report are programmatic and are not subject to the 4% limitation on direct administrative costs.

2. Pre-award costs for preparation of the proposal and application for this grant agreement (including the final workplan) are not allowable as direct costs but may be included in the recipient's indirect cost pool to the extent authorized by 2 CFR § 200.458.

   a. The EPA has determined that the administrative cost limitation does not apply to "programmatic" costs, (i.e., costs for activities that are integral to achieving the purpose of the grant.)

   The limitation does not apply to direct costs of training. For example, costs for instructor salaries, program management salaries, materials (e.g., textbooks, equipment, and supplies), necessary travel and transportation expenses are programmatic, not administrative, to the extent that such costs are included in the scope of work as defined under the EPA's 3T's guidance.

   b. Costs for performance reporting required under 2 CFR Parts 200 and 1500 and the terms and conditions of this agreement may be eligible programmatic costs as long as these costs are not included in the recipient's indirect cost pool.

C. Expenses Incurred Prior to the Project Period: The allowability of pre-award costs are governed by

2 CFR §200.458 and 2 CFR §1500.9. Pre-award costs are those incurred prior to the effective date of the federal award directly pursuant to the negotiation and in anticipation of the federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the federal award and only with the written approval of the federal awarding agency. The EPA defines pre-award costs as costs incurred prior to the award date, but on or after the start date of the project/budget period. Under the EPA's interpretation of 2 CFR 200.309, all eligible costs must be incurred during the budget/project period as defined by the start and end date shown on the grant award to receive the EPA's approval. This policy is implemented in a grant-specific Term and Condition entitled "Pre-award Costs." All costs incurred before the EPA makes the award are at the recipient's risk. The EPA is under no obligation to reimburse such costs if for any reason the recipient does not receive a federal award or if the federal award is less than anticipated and inadequate to cover such costs.

D. **Reimbursements**: No funds awarded under this grant shall be used for reimbursement of previous testing/remediation efforts prior to the implementation of the grant program.

E. **Cannot Displace Existing Funds:** SDWA section 1464(d) requires that if resources are available to a state or LEA from any other federal agency, State, or private foundation for lead testing and/or remediation in drinking water, the State, or LEA must demonstrate that the funds provided from SDWA section 1464(d) grant will not displace those resources.

F. **In-kind Assistance:** At the request of a recipient, and if the EPA agrees, an EPA award, may include in-kind assistance provided by the EPA (including contractor support and purchases or leases of equipment or purchases of supplies), or the EPA's personnel under Intergovernmental Personnel Act assignments or Interagency Agreements. In-kind assistance that the EPA provides is different than in-kind contributions an applicant contributes or obtains from third parties for the purposes of meeting a cost-share requirement.

    - Any cost sharing requirements apply to the amount of the EPA in-kind assistance in addition to the EPA funds. Also, applicants may not count the amount of the EPA in-kind assistance towards their cost-share.
    - An applicant must acknowledge the amount and purpose of the in-kind assistance it anticipates including as towards meeting a cost-share requirement must be necessary and reasonable, allowable, allocable, and eligible as discussed earlier (as outlined in the Uniform Grant Guidance (UGG)). Costs included in an EPA agreement may not be charged to any other EPA agreement, financial assistance agreement with another federal agency, or included in your indirect cost rate to qualify as cost-share.
    - An EPA award, at the Agency's discretion, may include in-kind assistance provided by the EPA contracts (including purchases or leases of equipment or purchases of supplies), personnel under Intergovernmental Personnel Act assignments or Interagency Agreements.
    - In-kind assistance that the EPA provides is different than in-kind contributions a recipient obtains from third parties for the purposes of meeting a cost-share requirement.
    - Agency policies for providing in-kind assistance instead of funds are set forth in the EPA Order 5700.1. A recipient may request in-kind assistance, or the EPA may decide to offer that assistance in lieu of direct financial assistance.
    - These costs must be assigned to the appropriate cost category. For example, if the EPA purchases equipment that is delivered to a recipient as the EPA in-kind assistance the cost for those items would be placed in the equipment category. On the other hand, if

the EPA provides in-kind technical services through an EPA contractor, then costs would be placed in the contractual category. Only authorized EPA personnel may assign tasks to the EPA contractors.

- Project officers (POs) must provide an appropriate justification demonstrating the cost-effectiveness and/or expediency for the federal government to procure the requested support. POs may request that recipients provide information to support this determination.

IX. AWARD ADMINISTRATION INFORMATION

A. 2 CFR Part 200 and 2 CFR Part 1500: The requirements of 2 CFR Part 200 (OMB Uniform Grant Guidance) and 2 CFR Part 1500 (EPA Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) apply to this grant funding.

B. Terms and Conditions: General administrative and programmatic terms and conditions applicable to the EPA assistance agreements under this program may be viewed at: www.epa.gov/grants/grant-terms-and-conditions. The EPA Headquarters will provide the EPA Regions with a list of terms and conditions that will also apply to the grant program. The EPA Regional teams will ensure that all applicable terms and conditions are included.

C. Quality Assurance Project Plan (QAPP): Awards funded under this program will include the collection of environmental data and will require the development of a QAPP. The structure of the QAPP is intended to step through the thought process of planning a project, as well as to provide a framework for documenting the plan. A QAPP is prepared as part of the project planning process and should be completed and approved before data collection is started. For more information, visit: https://www.epa.gov/quality/quality-assurance-project-plan-qapp-guidance. The QAPP can and should be updated with changes to the project plan or personnel that come up during the project period.

D. Funding to Other State Agencies: The EPA's general policy, based on the definitions of the terms "Non-federal entity" (2 CFR §200.1), "Pass-through entity (2 CFR §200.1), "Recipient" (2 CFR §200.1), and "State" (2 CFR §200.1), is that the state itself is the legal entity that receives the EPA funds even if one particular component of the state is named in the assistance agreement as the recipient. Transfers of the EPA funds between state agencies to perform a particular financial assistance agreement would, therefore, be governed by state law. Additionally, 2 CFR §200.417 "Interagency Services" contemplates situations in which one agency provides services to another agency within the same unit of government as a direct cost of performing the EPA assistance agreement.

If using interagency service agreements between state agencies under 2 CFR §200.417, the expenditures the state agency makes to carry out the Interagency Service Agreement should be shown in the corresponding direct cost categories (Personnel, Travel, Contractual, etc.). If state law characterizes agreements under which one state agency provides services to another state agency as a procurement contract, then the costs would be placed in the contractual category. In interagency service situations, 2 CFR §200.417 provides the state may charge a pro-rated share of indirect costs for the service, or 10% of the ". . .direct salary and wage cost of providing the service (excluding overtime, shift premiums, and fringe benefits) may be used in lieu of determining the actual indirect costs of the service." Centralized services

included in central service cost allocation plans subject to Appendix V of 2 CFR Part 200 are accounted for separately.

There may be situations in which State law provides that State agencies or instrumentalities are legally separate for the purposes of financial transactions between them or when State financial management policies for federal assistance agreements require separate instruments for accounting purposes (e.g., due to differences in indirect cost rates). In those situations, a State may characterize appropriate funding transfers as subawards. Note, however, that if one State agency provides a subaward to another State agency, the State agency acting as the pass-through entity must comply with applicable provisions of 2 CFR Part 200 (including 2 CFR §§200.331-200.333), the National Term and Condition for Subawards, and the EPA Subaward Policy unless the EPA provides an exception. Also, should a State choose to provide subawards, the State can only provide subawards to LEAs as identified in SDWA section 1464(d)(1) and the awards must be made consistent with 2 CFR Part 200 and the EPA's subaward policy. The aggregate cost estimates for subawards to other State agencies or instrumentalities should be included as line items in the "Other" budget category. The link to the Subaward policy is www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward- policy-epa-assistance-agreement-recipients.

More information about the Agency's National Term and Condition for Subawards under the UGG and the EPA's Subaward Policy can be found at: https://www.epa.gov/sites/default/files/2016-02/documents/gmc_subaward_policy_appendix_b_national_t_and_c.pdf.

E. Procurements: When procuring property and services under a federal award, a State must follow the same policies and procedures it uses for procurements from its non-federal funds. The State will comply with §200.323 Procurement of Recovered Materials and ensure that every purchase order or other contract includes any clauses required by section §200.327 Contract Provisions. All other non-federal entities, including subrecipients of a State (other than another State agency), will follow §200.317 General Procurement Standards through §200.327 Contract Provisions.

F. Performance Partnership Grants: Funds awarded under this program are not eligible for inclusion with the State's Performance Partnership Grants.

G. Public Notification: Not later than 60 days after the date of the award of a subaward by a State, the State shall publish the following on the website of the state:

- For subawards provided to LEAs, the total number and dollar amount of subawards.

H. Testing Results Notification Requirements: Eligible entities receiving grant funding will adhere to the statutory requirements as noted in SDWA section 1464(d):

- *"(B)(i) make available, if applicable, in the administrative offices and, to the extent practicable, on the Internet website of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water carried out using grant funds under this subsection; and (ii) notify parent, teacher, and employee organizations of the availability of the results…"*

The grant requires using the *EPA's 3Ts for Reducing Lead in Drinking Water*, or a process no less stringent. The 3Ts guidance provides for flexible and effective preparation and coordination to deliver information swiftly, professionally, and consistently, which includes reporting and recordkeeping. The process and the degree to which information is presented or maintained, however, is at the discretion of the State (but no later than 30 days after receipt of test results as outlined in the grant Terms and

Conditions) and as approved by the EPA via the award process.

I. Reporting Elements:

Performance Reports – Content: In accordance with 2 CFR 200.329, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) A comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period; 2) The reasons why established outputs/outcomes were not met; and 3) Additional pertinent information, including, when appropriate, analysis and explanation of cost overruns or high-unit costs. Additionally, the recipient agrees to inform the EPA as soon as problems, delays, or adverse conditions which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan are known. Performance reports should only include activities and metrics that have been funded from this grant.

Performance Reports – Frequency: States agree to submit quarterly and annual performance reports electronically to the EPA Project Officer. Quarterly reports are due within 30 days after the reporting period and the annual reports are due each October 30th. The quarterly reporting periods are October – December (Quarter 1), January – March (Quarter 2), April – June (Quarter 3), and July – September (Quarter 4). Annual reporting periods are from October through September of each year. Recipients' progress report submissions will be accepted via the EPA's electronic Online Reporting Tool.

Quarterly Reports: The quarterly report will reflect information pertaining to the State, the work performed to meet the objectives of the program, and the grant activity during the period of performance. Reporting must provide a comprehensive review of the amount of testing and remediation activities performed; the total number of planned schools and/or child care facilities included in the testing and remediation program; the number of schools and/or child care facilities that completed lead testing and remediations; and the breakdown of financial and direct grant assistance which subsidized the testing during the reporting cycle. Quarterly reports should only include activities and metrics that have been funded from this grant.

Participating States should coordinate with the EPA Regional Offices on reporting elements after applications have been approved for awards. Recipients' progress report submissions will be accepted via the EPA's electronic Online Reporting Tool. In accordance with 2 CFR 200.329, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) A comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period; 2) The reasons why established outputs/outcomes were not met; and 3) Additional pertinent information, including, when appropriate, analysis and explanation of cost overruns or high-unit costs.

Annual Reports: The annual report will reflect the participating entity's comprehensive efforts toward lead testing and remediation in schools and/or child care facilities over the course of the calendar year. Recipients' progress report submissions will be accepted via the EPA's electronic Online Reporting Tool. In accordance with 2 CFR 200.329, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) A comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period; 2) The reasons why established outputs/outcomes were not met; and 3) Additional pertinent information, including, when appropriate, analysis and explanation of cost overruns or high-unit costs. Annual reports should only include activities and metrics that have been funded from this grant.

Final Reports: The State is required to submit a final report that includes the following: Summary of the

project or activity, testing, and remediation benefits and other outputs and outcomes achieved, and costs of the project or activity. **The final report shall be submitted to the EPA within 120 calendar days of the project/budget period end date.** An example guide of the details on reporting information is available from the EPA. In accordance with 2 CFR 200.329, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) A comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period; 2) The reasons why established outputs/outcomes were not met; and 3) Additional pertinent information, including, when appropriate, analysis and explanation of cost overruns or high-unit costs. Final reports should only include activities and metrics that have been funded from this grant.

Program Review: The EPA oversees the financial and programmatic implementation of the *Reducing Lead Where Children Learn Grant Program*. As part of its oversight role, the Agency will review projects' goals and activities to evaluate efficiency, effectiveness, and administration of the grant program and procedures in compliance with obligations under SDWA section 1464(d) and the Uniform Grant Guidance (2 CFR 200). Appendix D shows the Program Review Assessment checklist that the EPA anticipates using as part of the oversight review.

RESOURCES

SDWA section 1464(d) *Reducing Lead Where Children Learn Grant Program* FAQs and Resources: https://www.epa.gov/dwcapacity/reducing-lead-where-children-learn-grant-program

Drinking Water Act Grant Program Resources: www.epa.gov/safewater/grants

3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities: www.epa.gov/safewater/3Ts

Best Practice Guide for Procuring Services, Supplies, and Equipment Under the EPA Assistance Agreements: www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance

The EPA Subaward Policy with attachments: https://www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients

APPENDIX A: SUMMARY OF KEY WORK PLAN ELEMENTS

SUMMARY STATEMENT

SCOPE OF WORK

A. State Goals and Priorities

B. Grant Program Implementation and Activities

i. Activities using either the EPA 3Ts or another protocol that is no less stringent

ii. Communication

iii. Training

iv. Testing

v. Taking Action

C. Roles and Responsibilities

D. Timeline and Milestones

E. SDWA Grant Programmatic Priorities and the EPA Strategic Plan Linkage

The activities described in this work plan support the grant Programmatic Priorities and the FY 2026 – FY 2030 EPA Strategic Plan, Objective 1.2: Clean and Safe Water and Objective 3.2: Cooperative Federalism.

F. Outputs and Outcomes

i. Outputs: *An environmental activity or effort, and/or associated work products that are produced or provided over a specific period of time. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.*

ii. Outcomes: *The result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related, or programmatic in nature, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period. The EPA encourages recipients to identify outcomes wherever possible because they lead to environmental and/or public health improvement more clearly than outputs.*

G. Budget Narrative

H. APPENDIX: COLLABORATORS AND ASSOCIATES UNDER THIS PROGRAM (OPTIONAL)

APPENDIX B: REFUSE FUNDING, DECLINE FUNDING, AND ADMINISTRATION TRANSFER

Once new fiscal year funding becomes available, States are encouraged to accept, refuse, or decline funding within **120 days** from the date of the latest allotment memo. This will enable EPA to redistribute unused funds to other States. See Appendix F for more information.

- **Accept Funding:** The State agency communicates to the regional project officer that they will apply for the allotted funding.
- **Refuse Funding:** The State agency communicates to the regional project officer that they do not wish to apply to the allotted funding, but they do not wish to exit the grant program.
- **Decline Funding:** The State governor's office communicates to the regional project officer that they do not wish to apply for the allotted funding and they wish to exit the program (see I. Decline Funding Notifications, below).

See the following for guidance to decline funding. The process to refuse funding can be found in Appendix F.

I. Decline Funding Notifications

The governor's office has been notified and has chosen to decline funding. A notice to decline funding needs to be sent to the EPA from the governor's administration office. The governor's administration office sends out a notice to decline funding to the EPA Regional Office, which will be used to notify the EPA Headquarters, detailing:

1. Amount being declined
2. Reason for the decline
3. If applicable, how the State will apply for future funding (e.g. submit new NOIP)
4. If applicable, how another State agency will take over grant implementation

II. Grant Program Administration Continuation After Decline

Respective States will continue the process of implementation through the respective State agency until completion of program objectives or until all funds have been drawn. The State will coordinate and communicate with the EPA all of the implementation processes and actions that may impact the grant. In the case where a State chooses to decline all subsequent funding and cannot continue to carry out and implement the grant, if applicable, all agencies listed in the Notice of Intent to Participate (NOIP) must be notified. When applicable, all agencies listed in the NOIP will need to confirm the decline to carry out and implement the grant program.

If a state wishes to re-enter the program, a new Notice of Intent to Participate (NOIP) may be submitted from the governor's office.

III. Administration Transfer

State agency transfer decisions are at the discretion of the state, not the EPA. The State should contact the EPA for further details.

APPENDIX C: LEAD REMEDIATION ACTIONS AND FUNDING ELIGIBILITY

This appendix outlines the lead remediation actions and potential activities for recipients of the grant. Lead remediation is the reduction of lead sources in drinking water through the removal, replacement, or new installations of plumbing and associated services that affect human consumption. This includes the 3Ts remediation actions but is not limited to activities related to internal plumbing, faucets, water fountains, water filler stations, Point-of-Use (POU) devices, lead service lines, and other lead-free apparatus related to drinking water.

I. Statutory Authority: Section 50110 of IIJA, amended SDWA section 1464(d) to authorize the use of funds in the *Reducing Lead Where Children Learn Grant Program* for lead remediation and compliance monitoring in schools and child care facilities in addition to lead testing:

"States to assist local educational agencies, public water systems that serve schools and child care programs under the jurisdiction of those local educational agencies, and qualified non-profit organizations in voluntary testing or compliance monitoring for and remediation of lead contamination in drinking water at schools and child care programs under the jurisdiction of those local educational agencies;"

Projects funded under this grant are required to be performed in accordance with the EPA's 3Ts (Training, Testing, and Taking Action) program approach or one as stringent for lead reduction and remediation in drinking water in schools and child care facilities. Specific to funding remediation projects, the 3Ts program recommends the following:

- States should fund lead remediation efforts on each drinking water fixture with identified lead source presence.

States should assist local educational agencies (LEAs) and public water systems (PWSs) that serve schools, child care programs, and qualified non-profit organizations participating in the grant program to prioritize lead remediation efforts on elevated lead levels as defined by the Program Remediation Trigger (PRT).

- States are required to establish the PRT under the grant program. The PRT is used to prioritize remediation activities in schools, child care facilities, and PWSs under the jurisdiction of the LEAs that serve these facilities.
- States should assist LEAs and PWSs as well as non-profit organizations participating in the grant program to prioritize low-income areas with identified lead sources.
    - Contact the state programs at https://www.epa.gov/dwcapacity/reducing-lead-where-children-learn-grant-program-contacts.

States should also prioritize funding remediation activities at the following locations:

- Elementary and child care programs that primarily care for children 6 years and under;
- Older facilities more likely to contain lead plumbing; schools and child care facilities built before 2014 that are more likely to have lead pipes, fixtures, and solder; and
- Sustainable, historical buildings that may be used as child care program facilities in the future.

II. Lead Remediation Funding Eligibility: States may include eligible lead remediation activities in the work plan and budget approved by the EPA. Lead remediation activities included in the work plan need to describe activities according to the 3Ts (or another program no less stringent) including the lead remediation actions as well as the budget and maintenance plans for the activities. The breakdown on funding usage is at the discretion of the State. If resources for lead testing and/or remediation are available to a state or LEA from any other federal agency, a State, or a private foundation for testing and/or lead remediation in drinking water, the State or LEA must demonstrate that the funds provided from SDWA section 1464(d) grant will not replace those resources. Grant funding can be used to create a new program or supplement and enhance existing state resources.

III. Eligible Uses: IIJA was enacted on November 15, 2021; hence, expenditures for compliance and lead remediation activities are eligible post November 15, 2021. All lead remediation actions eligible for funding are to proceed after the presence of lead sources are identified and documented according to the grant project work plan. Potential lead remediation activities that States may include in the work plan, budget, and maintenance plans can include but are not limited to the installation of or removal and replacement of the following:

- Fixtures such as faucets and related components
- Water fountains and related plumbing (e.g., fountain valve, bubbler, cooler tank)
- Plumbing re-configuration (e.g., adding a bypass from the lead source)
- Pipes/valves joint with lead solder
- Removal and replacement of full lead service lines (LSL) including lead connector (e.g., lead goosenecks, pigtails, etc.)
    - To define a "lead service line" for the purpose of this document, the EPA will use the Lead and Copper Rule Improvements definition, which is, *"…that is made of lead or where a portion of the service line is made of lead. A lead-lined galvanized service line is defined as a lead service line."*
    - Lead goosenecks, pigtails, and connectors are eligible expenses under this grant, whether standalone or connected to a lead service line.
- Galvanized piping downstream of lead line (e.g., galvanized service line that currently is or ever was downstream of a lead service line; or is currently downstream of a lead status unknown service line)
- Filler stations with POU devices certified to remove lead
- POU devices certified to remove lead
    - Follow guidance for consumer selection of POU devices: https://www.epa.gov/water-research/consumer-tool-identifying-point-use-and-pitcher-filters-certified-reduce-lead
    - The EPA is not interpreting POU devices as "treatment facilities." If a facility meets the definition of a "public water system" under SDWA section 1401 and meets all the criteria for exclusion from the National Primary Drinking Water Regulations (NPDWRs) under SDWA section 1411, the installation of POU devices at individual taps does not make the facility a "treatment facility" under SDWA section 1411(1) and the facility is still excluded from the requirements of the NPDWRs. Therefore, a school or child care facility that is currently not a regulated PWS will not become regulated by installing POU devices if that is the only change made by the school or child care facility. Section 1411 of SDWA says NPDWRs will not apply to an entity "which consists only of distribution and storage facilities (and does not have any collection and treatment facilities)."
- Other removal, replacements, and reduction of lead source activities in drinking water as according to work plan

IV. Maintenance Plan: States should ensure plans are in place for maintenance and continuation efforts of lead remediation activities. Per the EPA's *3Ts for Reducing Lead in Drinking Water* Module 6: Remediation and Establishing Routine Practices, schools and child care facilities should establish routine practices to reduce exposure to elevated lead levels and other environmental hazards (e.g., bacteria).

If POU devices are to be installed in a school or child care facility, States should ensure proper maintenance plans are developed. The recipient should propose maintenance plans to replace filters based on their projected use. The plan could include, for example, the manufacturer's usage instructions for POU (and filter) operation and replacement. Maintenance plans should include but are not limited to the following:

- Maintenance personnel and replacement schedules (e.g., start and end periods of use)
- Locations and time use periods (e.g., POU filters being installed for a fixed short time or long extended periods)

V. Ineligible Uses: Lead testing and/or remediation actions not related to human consumption water fixtures are not eligible for funding. This could include lead testing, removal, installation, and/or replacement of fixtures and plumbing immediately connected to the non-drinking water fixtures, which can include the following:

- Utility faucets
- Hose bibs not being used for water for human consumption
- Sprinkler systems
- Lawn and utility hoses
- Other water fixtures that are not used for human consumption
    - Under SDWA, human consumption means drinking, bathing, showering, hand washing, teeth brushing, food preparation, dishwashing, and maintaining oral hygiene

VI. Field Scenarios on Eligible Use of Funds: The following are examples of field scenarios to illustrate eligible projects that may receive funding for lead remediation activities.

Field Scenario 1: There is an internal lead pipe behind a building wall. To access the lead pipes, the wall and surrounding area need to be tested for lead paint and asbestos, in addition to removing the wall. **What activities under this scenario are eligible for *Reducing Lead Where Children Lean Grant Program* funding?**

The grant may cover the cost to test for asbestos and lead paint on the wall and surrounding area impacted which blocks access to remove the lead pipe. In addition, the funding may cover the lead pipe replacement and the associated costs to reach the lead pipe, including the removal of walls and removal of the asbestos.

Field Scenario 2: The school or child care facility has tested and demonstrated that several fixtures and multiple internal plumbing components have elevated levels of lead. The school or child care facility was unable to locate and shut off the water by the water valve. The school or child care facility contracted a specialty plumber who was able to locate and shut off the water valve associated with the plumbing and fixture. **Is this service covered under the grant program?**

Grant funds may cover the cost of plumbing services associated with locating and shutting off the water valve.

Field Scenario 3: The school or child care facility has tested and determined the source of lead is the LSL leading from the main water line to the facility. **Will the grant program cover the cost of replacing the LSL?**

Full LSL replacement is an eligible expense for the program grant funds including replacing

the public and private portions and any lead connectors such as goosenecks, pigtails, etc. Coordinate with your state and local water utility to replace the entire LSL. To further support LSL replacement, the EPA provides funding to water utilities. More details at https://www.epa.gov/ground-water-and-drinking-water/lead-service-line-replacement.

Field Scenario 4: The school or child care facility would like to work with a contractor to create a process to transfer results and create a database for the lead testing results and remediation actions. **Is this covered under the grant program?**

Creating a database to manage lead testing results and remediation actions can be covered with grant program funding.

Field Scenario 5: I understand that POU devices are an eligible expense under the expanded remediation criteria for this grant program. **Do they need to be owned and maintained by the school or the PWS?**

POU devices are an eligible expense under the Reducing Lead Where Children Learn Grant Program. Funds are authorized to be used for voluntary lead testing or compliance monitoring and lead remediation. Lead remediation efforts may include but not be limited to the removal and replacement of internal plumbing, faucets, water fountains, water filler stations, POU devices, lead service lines or lead connectors, and other lead-free apparatus related to drinking water.

The responsibility for installing and maintaining the POU may vary depending on the agreement between the grant recipient (e.g., state) and the school or facility receiving the eligible projects or activities related to the removal and replacement of internal plumbing, faucets, water fountains, lead service lines or lead connectors, the installation of water filler stations, and/or other lead-free apparatus related to drinking water under the grant program.

Field Scenario 6: My school district has a lead issue and is interested in applying for the grant funding. **How can we apply?**

The EPA sends grant funding to designated state agencies to implement the Reducing Lead Where Children Learn Grant Program. Contact your state agency to find out if the school district is eligible by visiting: https://www.epa.gov/dwcapacity/reducing-lead-where-children-learn-grant-program-contacts.

For additional information regarding the Reducing Lead Where Children Learn Grant Program, view FAQs and resources: https://www.epa.gov/dwcapacity/reducing-lead-where-children-learn-grant-program.

APPENDIX D: THE EPA PROGRAM REVIEW ASSESSMENT CHECKLIST

The EPA will use the Program Review Assessment Checklist listed in Table 1 below to determine whether its grant program is operating as intended. This assessment review focuses on the implementation of the program and procedures in compliance with statutory and grant obligations, such as meeting grant objectives, project deliverables, proper grant administration, and program statutory requirements.

States may consider developing a similar customized state program review assessment tool (i.e., Table 1: **The EPA Program Review Assessment Checklist** below) to evaluate internally whether the state is meeting grant objectives.

Table 1. The EPA Program Review Assessment Checklist

State Oversight Agency				
Contact information				
Reviewer information				
	Objectives/Grant Requirements	**Reviewer Checks**	**Findings/ Outcomes**	**Follow-up Actions**
1.	Linkage to the EPA's Strategic Plan	Determine if program fits within the FY 2026 – FY 2030 EPA Strategic Plan and produce appropriate outputs and outcomes consistent with the EPA Order 5700.7 A1, Environmental Results under the EPA Assistance Agreements.		
2.	2 CFR Part 200 and 2 CFR Part 1500 requirements	Verify if program is meeting requirements of 2 CFR Part 200 (OMB Uniform Grant Guidance) and 2 CFR Part 1500 (the EPA Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) that apply to this grant funding.		
		Funding prioritization: Verify program prioritization to low-income areas. Is part or all of the program funding toward: Schools and child care programs in low-income areas (e.g., Schools with at least 50% of the children receiving free and reduced lunch, Head Start and Early Head Start facilities); or Elementary and child care programs that primarily care for children 6 years and under?		
		Verify if program is meeting grant specific SDWA section 1464(d) programmatic Terms and Conditions.		

		Verify program progress reports are being submitted onto the EPA's Online Reporting Tool in a timely manner. Performance Reports: • **Quarterly:** Reporting period end dates: December 31st, March 31st, June 30th, & September 30th; Deadlines for reporting to the EPA: 30 days after reporting period ends. • **Annual:** Reporting period end date: September 30th; Deadline for reporting to the EPA: October 30th.		
3.	Statutory requirement: 3Ts for Reducing Lead in Drinking Water guidance (or another state guidance not less stringent)	**Testing**: Verify that lead testing protocols (QAPP/QMP) are consistent for schools and/or child care facilities participating in the program. Verify the state has established a program remediation trigger (PRT) for actionable measures following lead testing.		
		Training: Verify that training is in place on the risk of lead in drinking water, lead testing and reduction education to facility personnel as well as the impacting communities.		
		Taking Action: (1) Verify pre and post testing activities, communication to parents, staff, and the larger school and/or child care program community; (2) Verify remediation activities are in place, including activities to reduce lead in drinking water appropriately in terms of immediate, short, and/or long-term actions.		
4.	Lead Testing Results and Remediation Activities, Public Notifications	Verify the state ensures lead test results and remediation activities are being communicated to the impacted communities (e.g., facility employees, parents/guardians, and/or school and child care associated communities).		
		Verify if communications to the public of results are timely, within 30 days of receiving results.		
		Verify the state has a website (or other methods of delivery for public awareness of test results such as email or direct mail) available to present the grant program's lead testing results and remediation activities.		

APPENDIX E: ADDITIONAL LEAD TESTING OPTIONS TO IDENTIFY SOURCES OF LEAD IN DRINKING WATER

The EPA is providing supplementary information in this appendix regarding additional options for lead testing that may be used to identify sources of lead in the plumbing that serves drinking water in schools and child care facilities. These options are in addition to the water sampling and lead testing methods described in prior publications of the *Reducing Lead Where Children Learn Grant* and 3Ts programs.

Lead remediation, including POU devices, are eligible costs under the *Reducing Lead Where Children Learn Grant Program*. Lead remediation should occur after lead sources are identified and documented according to the grant project work plan.

If a state decides to use additional lead testing options described in this appendix in lieu of, or in addition to, drinking water testing, it must specify these methods in its grant work plan. When using these additional testing options, it is important to include the criteria for prioritizing appropriate remediation action to reduce lead exposure because these options do not provide a numerical drinking water lead level (e.g., prioritizing remediation in older buildings based on year built or equipment installed).

States may use the following additional testing options to identify the source of lead in drinking water in schools and child care facilities:

- Analysis of lead presence using criteria based on construction and plumbing codes, permits, and existing records or other documentation which may indicate the presence of lead (e.g., permits, blueprint records/building schematics, construction records). Key information in these records include:
    - Building age (because buildings built before 2014 may be more likely to contain lead in solder and/or plumbing components); and
    - Plumbing age (because faucets and plumbing installed prior to 2014 may be more likely to contain lead); and
- Lead service line identification:
    - Accessing the public water system (PWS) initial service line inventory, as required under the 2021 Lead and Copper Rule Revisions (LCRR), can help to identify lead service lines. The LCRR required all community water systems and non-transient non-community water systems to provide a publicly accessible inventory of service line materials by October 16, 2024.
    - In some inventories, the service line material may be unknown. Smaller child care facilities operated out of single-family residences could be more likely to be served by an LSL based on the diameter of the service line. Focus identification activities on locations where service lines are less than two inches in diameter.
- Methods to determine potential lead exposure locations include:
    - Blood lead level records of children (analysis from school health records, public health records) combined with records on lead presence in drinking water in the building; and
    - Visual inspection and capture of plumbing (e.g., photo of pipes/solder/new fixtures and fittings) by a state certified Plumbing Inspector to identify lead sources [See: Protect Your Tap: A Quick Check for Lead].

- Rapid water lead testing kits:
    - While rapid water lead testing kits can be useful as an initial screen, the EPA discourages the use of these kits as a standalone method to identify lead sources. These kits are prone to false negatives (i.e., Results are typically reflected as present or absent. An absent result may be false.) They also do not provide a quantifiable lead level, and generally only measure dissolved lead, not particulate lead. Knowing the numerical water lead level aids in prioritizing appropriate remediation actions to reduce lead exposure.
    - Follow-up water testing (using the EPA 3Ts protocols) or combining these test kits with other non-water lead testing options should be used to further confirm the identification of lead presence.
- Other best practices that can be documented to identify the presence of lead in drinking water according to project work plan.

APPENDIX F: UNOBLIGATED AND DE-OBLIGATED FUNDING

I. Fiscal Year Fund Timeline

Once new fiscal year funding becomes available with the release of the allotment memo, EPA Regions have until the end of the following fiscal year to award the allotted funds to the States (e.g. FY26 funds are available until September 30, 2027). Fiscal year funds are available to States for two fiscal years and any unawarded funds at the end of the two-year period will be redistributed and are henceforth referred to as **carryover funding**.

II. Carryover Funding

EPA HQ will reallocate the carryover funding to eligible[4][5] states using the allotment formula of the year in which the funds were initially issued[6]. The carryover funding is reissued to the EPA Regions and remains available to States until the end of the fiscal year in which it is released (e.g. FY25 carryover funding released in FY27 will be available until September 30, 2027). If carryover funds are not awarded to States before the end of the fiscal year, the funds will be redistributed to all eligible States using the applicable allotment formula.

III. Carryover Refusal

If a State does not intend to apply for their allotted carryover funding, the state agency should communicate with the EPA Regional Project Officer via email within **30 days** of the carryover announcement date. States that refuse carryover funding remain eligible for future year allotments and carryover funds. The refused funds will be redistributed to all eligible States using the applicable allotment formula.

IV. Allotment Refusal

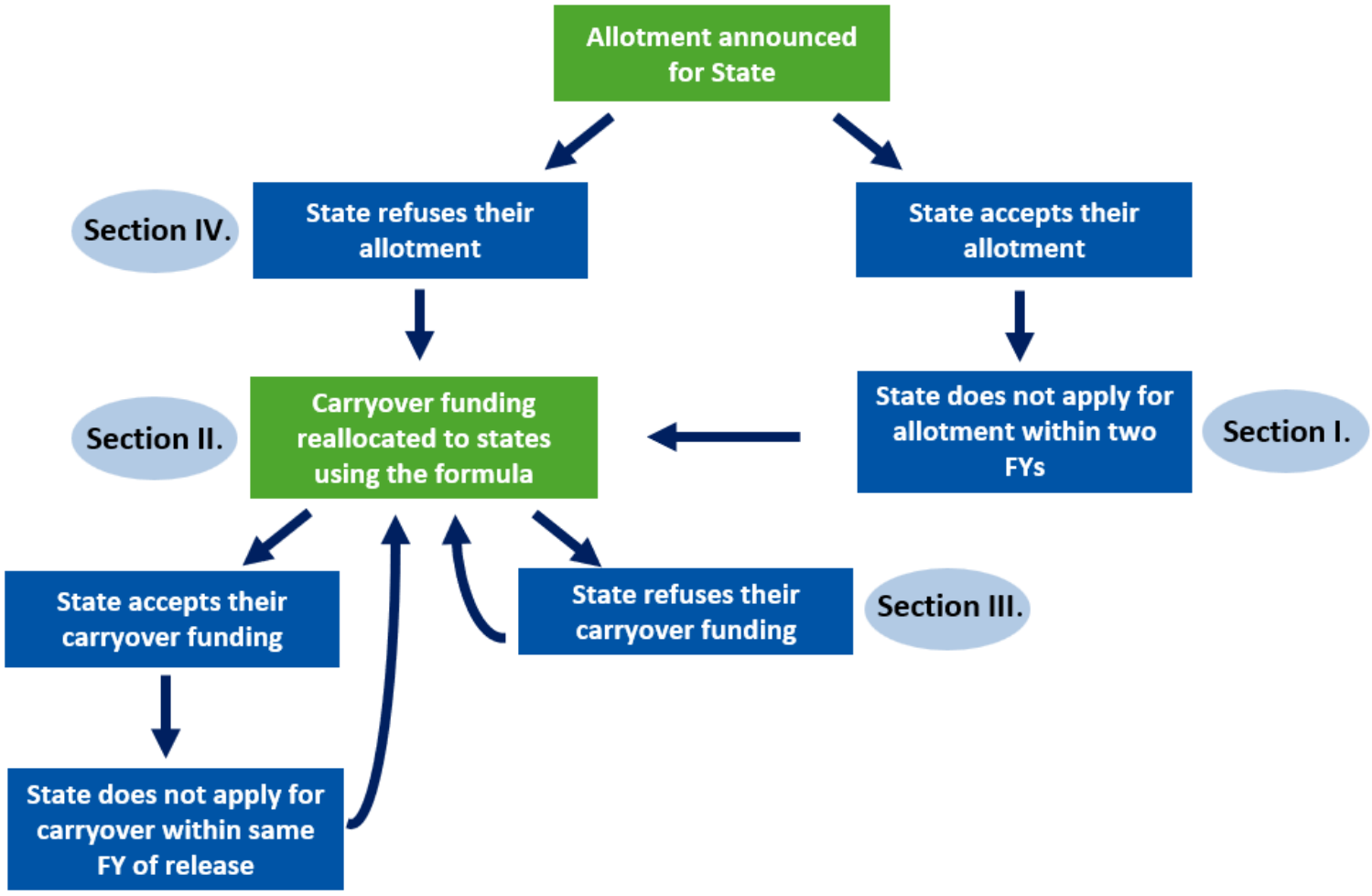
If a State does not intend to apply for their annual allotment, the state agency should communicate with the Regional Project Officer via email within **120 days** of the allotment memo release date (See Appendix B). Refusing a single year allotment does not indicate withdrawal from the program entirely. States that refuse a single year allotment remain eligible for future year allotments. When a State refuses their allotment, the refused funds will be redistributed to all eligible[7] States using the applicable allotment formula.

[4] States that did not apply for their FY26 allotment are eligible to receive reallocated carryover funds. However, since the pool of carryover funds is smaller than the total allotments, these states will receive less than their original allotment.

[5] States that did not apply for their FY26 allotment – and have not applied for their allotments in the previous three funding cycles – are not eligible to receive reallocated carryover funds.

[6] Territories will receive the same amount that was swept due to the use of a secondary formula to calculate the allotment portion.

[7] States that refused allotments for that year are not eligible for redistributions. States that declined participation in the program are also not eligible.


Allotment announced for State
State refuses their allotment
Section IV.
State accepts their allotment
Carryover funding reallocated to states using the formula
Section II.
State does not apply for allotment within two FYs
Section I.
State accepts their carryover funding
State refuses their carryover funding
Section III.
State does not apply for carryover within same FY of release