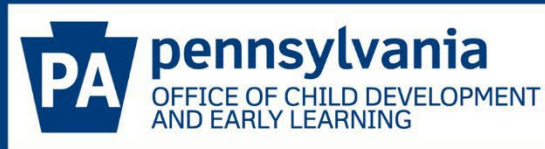


**Announcement**  
**Revised C-19-01**



Pennsylvania Office of Child Development and Early Learning  
Bureau of Early Learning Policy and Professional Development and Bureau of  
Certification Services

**Issue Date:** March 1, 2019

**Effective Date:** March 1, 2019 (Revised August 12, 2022 and February 27, 2023)

**Expiration Date:** N/A

**Subject:** Verifying Compliance with the Pennsylvania Safe Drinking Water Act

**To:** All Department of Human Services (DHS) Certified Child Care Center Providers; Early Learning Resource Centers; and Office of Child Development and Early Learning Staff

**From:**

Tracey Campanini

Deputy Secretary, Office of Child Development & Early Learning

A handwritten signature in black ink that reads 'Tracey Campanini'. The signature is written in a cursive style and is positioned above the printed name and title.

## **PURPOSE**

To advise applicants and Department of Human Services (DHS) certified child care center operators on how to verify compliance with DHS child care regulations, 55 Pa. Code §3270.14, which requires child care facilities to comply with applicable Federal and State law and regulations, and §3270.69(a), which requires child care centers to comply with the Pennsylvania Safe Drinking Water Act (SDWA), 35 P.S. §§ 721.1-721.17.

To ensure that DHS certified child care center are in compliance with 55 Pa. Code §3270.14 and §3270.69(a), the Pennsylvania Department of Environmental Protection (DEP) has been working with DHS, Office of Child Development and Early Learning (OCDEL), Bureau of Certification (BCS), to implement a method to verify compliance.

To provide additional information regarding changes of the verification process for child care centers with an on-site water source that is in a stand-alone public water system such as a strip mall.

Revisions to Announcement C-19-01 are provided in red text below.

**NOTE:** The information in this announcement pertains to applicants and operators of DHS certified child care centers **only**. 55 Pa. Code §3280.69 and §3890.67 do **not** address the Pennsylvania Safe Drinking Water Act. Applicants and operators of Group Child Care Homes (GCCHs) and Family Child Care Homes (FCCHs) are **not** required to verify compliance with the Pennsylvania Safe Drinking Water Act.

## **BACKGROUND**

A water company, municipality, or on-site water source such as a well, spring, river, lake, or cistern can supply water to a child care facility. A water company or municipality is a Public Water System (PWS). If a facility has an on-site water source it must be determined by DEP if the water source falls under the definition of a PWS.

The SDWA and DEP regulations define a public water system as a system that supplies water to the public for human consumption, regularly serves an average of at least 25 individuals daily at least 60 days out of the year or has at least 15 service connections.

If a child care center is supplied water from an on-site water source, rather than a water company or municipal authority, and the building regularly provides water for human consumption to an average of at least 25 individuals daily at least 60 days out of the year or has at least 15 water connections, the facility is defined as having a PWS.

## **DISCUSSION**

Pennsylvania Department of Environmental Protection (DEP) has developed the following forms to aid applicants and operators in verifying compliance with 55 Pa. Code §3270.14 and §3270.69(a):

- DEP Approval Letter (Attachment A-1)
- Public Water Supply Determination Survey (Affidavit) (Attachment A-2)
- Provider Does Not Meet the Definition of a PWS Letter (Attachment A-3)
- PWS Compliance Status Form (Attachment A-4)

### **A. Guidelines for Applicants and Operators of Child Care Centers-Initial Application:**

- 1. When the facility receives its water from a water company or municipality**
  - a. A copy of the facility's most recent water bill or a letter from the water company verifying that they supply water to the facility location; or
- 2. When the facility receives its water from an on-site water source (well, river, cistern...)**

- a. The applicant contacts DEP. DEP will review the water system and determine if the system meets the definition of a PWS.
- b. If the facility's water source meets the definition of a PWS, as determined by DEP, the applicant must have the water system tested and inspected as per DEP's regulations. Once the system has passed, DEP will issue the DEP Approval Letter (A-1) which grants authorization for owner to operate as a public water system. The applicant will include this letter with the application; or
- c. If the facility does not meet the definition of a public water system as determined by DEP, the applicant will need to submit a notarized copy of the Public Water Supply Determination Survey (Affidavit) (A-2) to DEP. The applicant obtains this form from DEP. Once DEP receives the notarized Affidavit, DEP will provide the applicant with the Provider Does Not Meet the Definition of a PWS Letter (A-3) verifying that the facility does not meet the definition of a PWS and is not subject to the Safe Drinking Water Act. The applicant will include the Provider Does Not Meet the Definition of a PWS Letter (A-3) with the application; or
- d. If the child care facility receives its water from an on-site water source and is in a building that is a stand-alone public water system (for example a strip mall that receives its water from an on-site water source), the applicant shall obtain the seven-digit Public Water System Identification Number (PWSID) from the property owner. The applicant shall go to the Drinking Water Reporting System website to verify that DEP is regulating the system. Find the Drinking Water Reporting System at [drinkingwater.state.pa.us](http://drinkingwater.state.pa.us). Once the website has been accessed take the following steps:
  1. Select Public Water System ID Bullet
  2. Enter the PWSID in the box
  3. Select the Submit button
  4. Find the name of the system in the box on the left side of the page and if the word ACTIVE is in parenthesis beside the name of the system, then DEP is regulating the system
  5. Click on the word ACTIVE to access the Basic Information page
  6. At the bottom of the page, click "Download CSV – Current Page Only" and print the page and submit with the application as verification that the facility is in compliance with 55 Pa. Code § 3270.69(a).

Find the Drinking Water Reporting System at [drinkingwater.state.pa.us](http://drinkingwater.state.pa.us).

**B. Guidelines for Operators of Child Care Centers-Renewal:**

**1. When the facility receives its water from a water company or municipality**

If there have been no changes to the water supplier, the water bill provided at application still serves as verification of compliance of Chapter 3270.69(a) and no further documentation is needed.

**2. When the facility receives its water from an on-site water source (well, river, cistern...)**

a. If the facility is a PWS, the operator must submit a PWS Compliance Status Form (A-4). The operator obtains this form from DEP. The form is a yearly requirement

b. If the facility has an on-site water source, but is not a PWS, at the renewal inspection, the certification representative reviews the number of children, staff, and facility persons who are in the building daily:

❖ The Provider Does Not Meet the Definition of a PWS Letter (A-3) provided at initial application, continues to be valid if the number of children enrolled at the facility has not changed or has decreased; or

❖ If enrollment has increased from the listed number on the Provider Does Not Meet the Definition of a PWS Letter (A-3) from DEP, DHS will refer the facility to DEP for a new determination:

○ If DEP determines that the facility still does not meet the definition of a PWS, the operator will complete a new Affidavit (A-2) and have the Affidavit (A-2) notarized. The operator will submit the new Affidavit (A-2) to DEP and DEP will issue a new Provider Does Not Meet the Definition of a PWS Letter (A-3).

○ If DEP determines that the operator now meets the definition of a PWS, DEP will work with the operator to determine the next steps for PWS testing and inspection. Once the PWS passes all tests and inspections, DEP will issue the DEP Approval Letter (A-1). At future renewal inspections, the operator will request a PWS Compliance Status Form (A-4) from DEP and submit with the renewal application.

c. If the child care facility receives its water from an on-site water source and is in a building that is a stand-alone public water system (for example a strip mall that receives its water from an on-site water source), the operator shall obtain the seven-digit Public Water System Identification Number (PWSID) from the property owner. The operator shall go to the Drinking Water Reporting System website to verify that DEP is regulating the system. Find the Drinking Water Reporting System at [drinkingwater.state.pa.us](http://drinkingwater.state.pa.us). Once the website has been accessed take the following steps:

1. Select Public Water System ID Bullet
2. Enter the PWSID in the box
3. Select the Submit button
4. Find the name of the system in the box on the left side of the page and if the word ACTIVE is in the parenthesis beside the name of the system, then DEP is regulating the system
5. Click on the word ACTIVE to access the Basic Information page
6. At the bottom of the page, click "Download CSV – Current Page Only" and print the page and submit with the reapplication as verification that the facility is in compliance with 55 Pa. Code § 3270.69(a).

Find the Drinking Water Reporting System at [drinkingwater.state.pa.us](http://drinkingwater.state.pa.us).

For more information on the definition of a public water system and a list of DEP Regional Offices, [refer to the "Identifying Public Water Systems" DEP Fact Sheet](#).

For more information on public water system requirements, [visit the DEP Bureau of Safe Drinking Water](#).

## NEXT STEPS

1. Read this Announcement and share it with appropriate staff
2. Child care center applicants and operators will review their water source to ensure they are in compliance with 55 Pa. Code § 3270.69(a).

Comments and Questions regarding this announcement should be directed to the child care provider's Regional Office of Child Development and Early Learning:
---

<b>Certification Regional Office of Child Development and Early Learning</b>
--

Central Region 800-222-2117
-----------------------------

Northeast Region 800-222-2108
-------------------------------

Southeast North and Southeast South Region 800-346-2929
---

Western Region 800-222-2149
-----------------------------