



# Public Drinking Water Branch Update Final Lead and Copper Rule Revisions

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# Lead and Copper Rule Revisions & Lead and Copper Rule Improvements

- Lead and Copper Rule Revisions (LCRRs) were published on January 15, 2021.
- LCRR became effective on December 16, 2021.
- EPA announced a new rule called the Lead and Copper Rule Improvements (LCRIs) on December 17, 2021.
- Proposed LCRI rule will be published in the summer of 2023.
- LCRI will be effective in the summer of 2024, before the effective date of the LCRR (October 16, 2024).

# LCRR and the LCRI

- EPA has stated that the LCRI will change just about all of the LCRR.
- EPA stated the only part of the LCRR that will not change is the initial lead service line inventory requirements.
- EPA acknowledges the LCRI will create much uncertainty.
- EPA Lead Service Line guidance is currently being reviewed by OMB and is expected to be released anytime between now and late August.

# LCRR Early Implementation

- There were three early implementation requirements – LSLI, LSLR Plans and Sample Site Plan updates.
- Lead Service Line Inventory (LSLI) – Start now!
- Doing this will help water systems submit the initial LSLI on time.
- Help access the large amount of funding available for LSLI, LSLR Plans and LSLR.

# LSLI/LSLR Performed Under Infrastructure Acts

- Funding provided from WIIN Act, Bipartisan Infrastructure Law (BIL) and American Rescue Plan Act (ARPA).
- Act LSLI guidance is available on EPA's website. This guidance is for funding purposes.
- Act guidance is provided to get the large amount of funding out to water systems.
- ARPA – funding applies only to LSLI for both public and private portions. 100% grant with a cap. The application deadline was July 14, 2022.

# LSLI/LSLR Performed Under Infrastructure Acts

- BIL – funding through the DWSRF for LSLI, LSLR Plans, identification, planning, design and actual LSLR.
- Full LSLR is required as a part of the funding.
- Low interest loans with grant. Competitive. Can submit for funding now using DWSRF application.
- EPA will provide technical assistance for funds available through the WIIN Act and DWSRF.

# Lead Service Line Inventory

- The LCRI will not change the requirements for initial LSLI. This is the only component of LCRR you need to be concerned about in the next two years.
- All community and non-transient non-community water systems will be required to develop a LSLI.
- LSLI are due to be submitted to the state on or before October 16, 2024.
- Both portions, privately owned and water system owned, must be included in the LSLI.
- Use all available information to determine the material composition of service lines: plumbing codes, permits, tap cards, records historical plans and specifications inspection records, past observation etc.

# Lead Service Line Inventory Cont.

- The LSLI categories are – Lead, Galvanized Requiring Replacement (GRR), Non-lead, and Lead Status Unknown.
- Initial LSLI does not require 100% identification of service lines, but must include as many as possible. Updates will be required for submittal according to the monitoring schedule for lead and copper tap sampling.
- LSLI requires the material composition of all services to be listed even non-lead services. The information will be used as evidence to back-up the determinations such as when materials for all services are known or certification that no lead service lines exist.



# Lead Service Line Inventory Cont.

- Updates are not required more frequently than annually.
- Water system must update their on-site LSLI annually, but submittal is still according to the sampling schedule.
- LSLI must be made available to the public.
- LSLI for water systems over 50,000 must make it available online.
- Any information provided during this presentation after this point has the possibility of being changed by the LCRIs.

# Lead Service Line Identification

- Use all available records to determine service line composition. Can include, but not limited to plumbing codes, permits, service request records, tap cards, meter cards, as-built plans and specifications, inspection records etc.
- There are computer models available that can take existing records such as the age of homes, records of known service lines in the area etc. to create a best educated guess where LSL are located.
- Physical inspection – pothole, hydro-vac, electrical current, homeowner statements and inspection, sampling etc.
- It is not known which methods EPA will approve.

# Lead Service Line Replacement Plan

- Compliance date was October 16, 2024.
- There are seven components in the LCRR: 1. Strategy for determining lead status unknown lines. 2. Procedure for conducting full LSLR. 3. Strategy for informing customers before replacement. 4. >10,000 in pop. replacement goal. 5. Flushing procedure. 6. LSLR prioritization 7. Funding strategy for LSLR.
- EPA is planning to change this part of the LCRR with the LCRI. So, there may be major changes.

# LSLR in the LCRR

- The current requirements for the LSLR may change.
- The LCRR still allows partial LSLR.
- The LCRI may change this to require only full LSLR. The Biden Administration has called for all lead service lines to be removed in ten years. So it is very possible, with all the funding available for LSLR, to require replacement of both customer owned and water system owned LSLs.

# Possible LCRI Changes to the LCRR

- Mandate some percentage of LSLR for all water systems.
- Mandate a higher percentage of LSLR for water systems exceeding the lead action level.
- Require a lead result for both the first draw and fifth liter samples. The highest result is used in calculating the 90<sup>th</sup> percentile.
- Trigger level and all requirements for it could be eliminated and the lead action level lowered from 15ug/L to 10ug/L. This would reduce the complexity of the rule.

# LCRI Changes to the LCRR

- Changes to the tap sampling criteria, Tiers, Action Level, sampling protocol, so sample site plans will change.
- Prioritize disadvantaged communities.
- Changes to the LSLR plans and replacement requirements to encourage full LSL replacement.

Questions?  
Thank you.