

LEAD AND COPPER RULE SHORT TERM REVISIONS AND CLARIFICATIONS

Targeted Regulatory Changes

- Minimum number of samples required.
- Consumer notice of lead tap water monitoring results.
- Public Education requirements.
- Definitions for compliance and monitoring periods.
- Reduced monitoring criteria.
- Advanced notification and approval of long-term treatment changes.
- Reevaluation of lead service lines.

Short Term Revisions (STR) Key Dates

- October 10, 2007 rule was published in Federal Register
- December 10, 2007 Rule effective date.
- April 7, 2008 rule compliance date for States that adopt by reference or where EPA has primacy (We are hoping to adopt the rule sometime in August 2008).
- October 10, 2009 State submits final program revision package.

Rule Requirements

❖ **Minimum Number of Samples Required**

- Systems with less than 5 taps may collect one sample from each tap.
- For those systems collecting fewer than 5 samples, the highest result is the 90th percentile level.

❖ **Consumer notice of lead tap water monitoring results**

- All Community Water Systems (CWS) and Non-Transient Non Community Water Systems must provide consumers that are served by the water system (not just ones with water bills) with

lead results. **PWS must notify even if levels do not exceed the Action Level (AL).**

- Notification should be provided within 30 days of when the system learns of the results.
- The notice must include the following:
 1. An explanation of the health effects of lead.
 2. Steps consumers can take to reduce exposure to lead in drinking water.
 3. Contact information of the water system.
 4. The Maximum Contaminant Level Goal and Action Level for lead and the definitions of these two terms.
- Within 3 months after the end of each lead and copper monitoring period the system must send the state a copy of the lead consumer notice and a certification that the system met the delivery requirements.
- If a lead consumer notice copy is not provided, or is late being submitted to the state this will result in a violation.
- EPA is now requiring that all CWS provide information in every CCR on lead in drinking water whether the system detected lead in any of its samples.
- System must use the following required language:

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. [Name of Utility] is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

❖ **Public Education Requirements (Systems exceeding the lead AL)**

- All systems exceeding the lead AL must still deliver same mandatory language as before.
- The health effects language has been revised to provide greater specificity on health problems that can result from exposure to lead.
- The revisions also require a system to include the following:
 1. Information regarding sources of lead.
 2. Steps consumers can take to reduce their lead exposure.
 3. Any known reasons for elevated lead levels.
 4. Steps that the water system is taking to reduce lead levels.
- Water systems must submit public education language for State review before delivery to consumers.
- New set of delivery requirements was added to help reach at risk populations (pregnant women, infants, and young children).
- Public Education materials must also indicate how consumers can get their water tested.
- Special CWS (water systems that can't make improvements to plumbing or install point-of-use devices) can apply to the state to forego these additional requirements (prisons, hospitals).
- CWS must make a good faith effort to locate and deliver materials to additional organization (child care facilities, midwives) and make sure they share this information with their customers or users even if the public health agency is not within the water system's service area.
- CWS must contact their local health agencies via phone or in person rather than relying solely on mailing.
- CWS must now distribute two press releases.
- Systems serving more than 100,000 in population must post and keep information on their web site until the system is at or below the AL.
- CWS serving less than 3,300 or fewer persons may limit their delivery of Public Education materials and informational notice to those places most often frequented without written approval from the state.
- All deliveries of public education materials should be done within 60 days after the end of monitoring period in which the exceedance occurred and repeat every 12 months.

- Systems must continue delivering public education material as long as the AL exceedance continues.

❖ **Definition For Compliance and Monitoring Periods**

- Compliance period- 3 year calendar period.
- Monitoring period- The specific period in which water systems must conduct required monitoring.
- Systems are deemed to be exceeding the AL on the date the monitoring period ends.
- For a system on a 6 month monitoring period the end date is June 30.
- For a system on reduced monitoring, the period ends September 30 or last day State specifies.
- The deadlines for follow up actions will be calculated from the end of the monitoring period.
- The State may require large systems to perform corrosion control studies within 12 months from the end of the monitoring period in which the system exceeds the lead or Copper AL. 18 months from the end of monitoring period for medium systems and 24 months for small systems
- If the State does not require corrosion control studies, the State shall specify optimal corrosion control treatment.
- 18 months from the end of monitoring period for medium systems.
- 24 months for small systems.
- A system has 180 days from the end of monitoring period in which it exceeded the lead or copper AL to initiate source water monitoring and make a source water treatment recommendation to the State.
- Samples that are collected during a reduced monitoring period must be reported to the State by October. Therefore samples should not be collected at the end of September.

❖ **Reduced Monitoring Criteria**

- Systems on reduced monitoring that exceed the lead AL must resume standard lead and copper tap and water quality parameters monitoring.

❖ **Advanced notification and approval of long-term treatment changes.**

- Water systems must now receive approval from the state before adding a new source or making any long-term treatment change.

❖ **Reevaluation of lead service lines.**

- Systems are required to reconsider any lines previously determined to not require replacement, if they exceed the AL again in the future and resume the lead service line replacement program.
- Water systems are required to update their inventory of lead service lines.

For Further Information please call or visit the following web sites:

Environment Department/Drinking Water Bureau 1-877-654-8720

http://www.epa.gov/safewater/lcrmr/compliancehelp_draftguidance.html)

http://www.epa.gov/safewater/lcrmr/pdfs/draft/guidance_lcrmr_publiceducation_cws.pdf