



LEAD & COPPER RULE IMPROVEMENTS: NEXT STEPS & FUNDING STRATEGIES

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KEY PROVISIONS IN THE FINAL LCRI

THE FINAL RULE ESTABLISHES REQUIREMENTS AND UPDATES TO BETTER PROTECT COMMUNITIES FROM LEAD IN DRINKING WATER, INCLUDING:

- Achieving Lead Pipe Replacement Within 10 Years
- Improving Tap Sampling
- Strengthening Protections to Reduce Exposure
- Locating Legacy Lead Pipes
- Lowering the Lead Action Level to 10 µg/L
- Communicating Transparently and Frequently



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CURRENT COMPLIANCE

2021 LCRR WATER SYSTEMS REQUIREMENTS SYSTEMS MUST COMPLY WITH BETWEEN OCTOBER 16, 2024 UNTIL NOVEMBER 1, 2027

- Failure to submit initial inventory to the State by October 16, 2024, requires Tier 3 Public Notification (PN)
- Provide revised lead health effects language in public education materials to ensure consistent notification messaging with PN requirements
- Annual reporting to the State by July 1 that the system provided notification and delivered lead service line information materials to affected consumers with lead, GRR, or unknown service lines for the previous calendar year. Water systems must provide a copy of the notification and information materials to the State
- Failure to certify to the State that the system notified persons served at service connections of a known or potential service line containing lead requires Tier 3 PN



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CURRENT COMPLIANCE

2021 LCRR WATER SYSTEMS REQUIREMENTS SYSTEMS MUST COMPLY WITH BETWEEN OCTOBER 16, 2024 UNTIL NOVEMBER 1, 2027 (CONT.)

- Provide 2021 LCRR revised lead health effects language in public education materials (including public education after a lead action level exceedance) to ensure consistent messaging with notification of service line material and PN requirements
- Exceedance of the lead action level requires Tier 1 PN provided to persons served by the water system no later than 24 hours after the system learns of the exceedance
- A copy of the Tier 1 PN for lead action level exceedance must be sent to the head of the primacy agency and EPA Administrator no later than 24 hours after the system learns of the exceedance
- Provide revised lead health effects language as required in Tier 1 PN for lead action level exceedance and Tier 2 and 3 PN for violations



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NOVEMBER 1, 2027 DEADLINE – WHAT'S DUE

- All water systems must submit a baseline inventory or statement that they have no lead, GRR, or unknown service lines
- All water systems with at least one lead, GRR, or unknown service line must submit a service line replacement plan
- All community water systems must submit a list of the schools and licensed child care facilities they serve or provide certification that they do not serve any
- If a water system wishes to obtain a waiver from the inventory validation requirements, they must also submit a written request to the State demonstrating that they have conducted an inventory validation that is at least as stringent as the LCRI inventory validation requirements by November 1, 2027



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BASELINE INVENTORY

- Review available information that describes connector materials and locations and include identified connectors in the baseline inventory
- Include an address for each service line and connector, if available
- Include the total number of each type of service line, the number of lead and unknown connectors, the number of full lead and GRR service line replacements, and the number of partial lead and GRR service line replacements



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SERVICE LINE REPLACEMENT PLAN

- Required for systems that have at least one lead, GRR, or unknown service line.
- Must include:
 - A strategy for determining the material composition of unknown service lines
 - A standard operating procedure for conducting full service line replacement
 - A communication strategy for informing consumers and customers before a full or partial lead or GRR service line replacement
 - Instructions for consumers and customers to flush service lines and premise plumbing of particulate lead following a disturbance of a lead, GRR, or unknown service lines or following full or partial replacement
 - A strategy to prioritize service line replacement based on factors including, but not limited to, known lead and GRR service lines and community-specific factors
 - A communication strategy to inform both consumers and customers served by the water system about the replacement plan and program



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SERVICE LINE REPLACEMENT PLAN

- Must include (cont.):
 - Identification of any laws, regulations, and/or water tariff agreements that affect the water system's ability to gain access to conduct full replacement
 - For any water system that identifies any lead-lined galvanized service lines in the inventory, a strategy to determine the extent of their use in the distribution system
 - A funding strategy for conducting service line replacement. Where the water system intends to charge customers for the cost to replace all or a portion of the service line because it is authorized or required to do so under State or local law or water tariff agreement, the funding strategy must include a description of whether and how the water system intends to assist customers who are unable to pay to replace the portion of the service line they own



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FUNDING STRATEGIES

FUNDING SOURCES

- Pennsylvania Infrastructure Investment Authority (PENNVEST)
- Water Infrastructure Improvements for the Nation (WIIN) Act
- Water Infrastructure Finance and Innovation Act (WIFIA) Program
- Environmental Justice Government-to-Government (EJG2G) Program
- USDA Water & Waste Disposal Loan & Grant Program
- Special Evaluation Assistance for Rural Communities and Households (SEARCH) Grant
- Public Works and Economic Adjustment Assistance Program (PWEAA)
- Community Development Block Grant (CDBG) Program



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FUNDING STRATEGIES

KEY CONSIDERATIONS

- Identification vs Replacement work
- Funding timeline
- Match component requirements
- Bidding requirements – Wage Rates, DBE, BABA Act, etc.



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JANUARY 1, 2028 DEADLINE – WHAT’S DUE

- A site sample plan
 - A pool of tap sampling sites from the highest tier(s) based on the materials of service lines and connectors in their service line inventory
 - A list of water quality parameter entry point and distribution sampling locations
- The tap sampling protocol that is provided to individuals who are sampling
 - Requires water systems with LSLs to collect an additional fifth-liter sample at the same time as the first-liter sample (i.e., first-and-fifth-liter-paired sample) for lead at LSL sites and use the higher of the two values to calculate the 90th percentile lead level
 - Specifies which samples must be included in the 90th percentile calculation
 - Requires water systems to provide sampling instructions that do not include recommendations for aerator cleaning/removal and pre-stagnation flushing prior to sample collection
 - Requires the use of a wide-mouth bottle that is defined as having a mouth with an inner diameter of at least 40 millimeters



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SUMMARY TO PREPARE FOR NOVEMBER 1, 2027

- Continue to:
 - Research and understand the LCRI regulation
 - Identify unknown service lines in the water system
 - Replace lead and GRR service lines and evaluate funding opportunities
 - Regularly update the service line inventory
 - Implement risk mitigation best practices following disturbance or replacement of a service line containing or potentially containing lead
- Prepare to submit the following by the November 1, 2027 compliance date
 - Baseline Inventory (updated initial service line inventory)
 - Service Line Replacement Plan (all water systems with at least one lead, galvanized requiring replacement, or unknown service line)
 - List of Schools and Child Care Facilities (CWSs only)
- Prepare to submit the following by the January 1, 2028 compliance date
 - A site sample plan
 - A list of tap sampling sites for water quality parameter monitoring
 - The tap sampling protocol that is provided to individuals who are sampling



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Q&A

HOW TO REACH STACI AND BROOKE

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