MID-ATLANTIC REGION

EPA Region 3 Regulatory Updates

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US EPA Region 3
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EPA New and Revised Regulation Timelines

EPA New Regulations – Per and Polyfluoroalkyl Substances (PFAS)

Rulemaking Actions	*Date*
EPA's Proposed Rule	**March 29, 2023**
EPA's Final Rule	**April 26, 2024**
Key Compliance Dates	**April 26, 2027** • complete initial monitoring by this date, • start ongoing compliance monitoring, • start to provide information to the public through CCR **April 26, 2029** • MCL compliance date, • ongoing compliance monitoring, • provide Public Notification (PN) for any PFAS MCL violations

PADEP has an active statewide PFAS Rule (PFOA, PFOS MCLs). PA water systems must continue to comply with PADEP's PFAS rule.

EPA's National Primary Drinking Water Regulation PFAS website:
https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas

EPA Revised Regulations – Lead and Copper

Lead and Copper Rule Revisions (LCRR)	
Rulemaking Actions	***Date***
Proposed Rule	**November 13, 2019**
Final Rule	**January 15, 2021**
Key Compliance Date	**October 16, 2024**

Lead and Copper Rule Improvements (LCRI)	
Rulemaking Actions	***Date***
Proposed Rule	**December 6, 2023**
Final Rule	**October 16, 2024 (expected)**
Key Compliance Date	**October 2027 (?)**

EPA's Lead and Copper Rule Implementation Tools website:
https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools

EPA Revised Regulations – Consumer Confidence Rule (CCR)

Rulemaking Actions	*Date*
Proposed Rule	**April 5, 2023**
Final Rule	**May 24, 2024**
Key Compliance Dates	**2025 (LCRR), 2027**

EPA's CCR Revisions website:
https://www.epa.gov/ccr/consumer-confidence-report-rule-revisions

EPA Potential Future Regulations – Perchlorate, MDBPs

Perchlorate	
Rulemaking Actions	***Date***
Proposed Rule	**November 2025**
Final Rule	**May 2027**
Key Compliance Date	**?**

EPA's perchlorate website:
https://www.epa.gov/sdwa/perchlorate-drinking-water

Microbial and Disinfection Byproducts (MDBP) Revisions	
Rulemaking Actions	***Date***
Proposed Rule	**Summer 2025**
Final Rule	**Feb 2028?**
Key Compliance Date	**?**

EPA's MDBP website:
https://www.epa.gov/dwsixyearreview/potential-revisions-microbial-and-disinfection-byproducts-rules

PADEP will work to adopt any new and revised EPA rulemakings through Pennsylvania's specific regulatory processes.

This takes time to do.

Stay engaged with PADEP on specifics related to adopting EPA's regulations.

Consumer Confidence Rule (CCR)

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Consumer Confidence Rule (CCR) Revisions

- Final Rule – Published May 24, 2024 (Federal Register)
  - https://www.federalregister.gov/documents/2024/05/24/2024-10919/national-primary-drinking-water-regulations-consumer-confidence-reports
- Key Compliance dates:
  - 2025
    - incorporates LCRR components into CCRs due July 1, 2025
  - 2027
    - incorporates 2026 data into CCR due July 1, 2027

CCR Reminders – LCRR Components (starting with 2025 CCRs)

- From the final CCR preamble:

"While the EPA has proposed additional revisions to §§ 141.153 and 141.154 within the proposed LCRI, **the EPA has not proposed to delay the compliance date for revisions made under the LCRR to §§ 141.153 and 141.154 except for § 141.153(d)(4)(xii)**. The proposed revisions to the CCR rule renumbered § 141.153(d)(4)(xii) to § 141.153(h)(8)(i) as a technical edit."

https://www.federalregister.gov/documents/2024/05/24/2024-10919/national-primary-drinking-water-regulations-consumer-confidence-reports#p-164

CCR Reminders – LCRR Components (starting with 2025 CCRs)

- From the final CCR preamble:

"Between June 24, 2024, and December 31, 2026, community water systems must comply with §§ 141.151 through 141.155, as codified in 40 CFR part 141, subpart O, on July 1, 2023. Beginning January 1, 2027, community water systems must comply with §§ 141.151 through 141.156."

https://www.federalregister.gov/documents/2024/05/24/2024-10919/national-primary-drinking-water-regulations-consumer-confidence-reports#p-379

CCR Reminders – LCRR Components (starting with 2025 CCRs)

- From CFR codified on July 1, 2023 - 141.153(d)(4)
  - (vi) - For lead and copper: the 90th percentile concentration of the most recent round(s) of sampling, the number of sampling sites exceeding the action level, **and the range of tap sampling results**
  - (xi) The report shall include a statement that a service line inventory (including inventories consisting only of a statement that there are no lead service lines) has been prepared and include instructions to access the service line inventory

CCR Reminders – LCRR Components (starting with 2025 CCRs)

- From CFR codified on July 1, 2023 – 141.154(d)(1)

A short informational statement about lead in drinking water and its effects on children. The statement must include the following information:

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 **and removing lead pipes**, but cannot control the variety of materials used in plumbing components **in your home. You share the responsibility for protecting yourself and your family from the lead in your home plumbing. You can take responsibility by identifying and removing lead materials within your home plumbing and taking steps to reduce your family's risk. Before drinking tap water, flush your pipes for several minutes by running your tap, taking a shower, doing laundry or a load of dishes. You can also use a filter certified by an American National Standards Institute accredited certifier to reduce lead in drinking water.** If you are concerned about lead in your water **and** wish to have your water tested, **contact [NAME OF UTILITY and CONTACT INFORMATION]**. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available at http://www.epa.gov/safewater/lead.

CCR Reminders – LCRR Components (starting with 2025 CCRs)

- From CFR codified on July 1, 2023 - App A to Subpart O

  Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

CCR Revisions - Highlights

- Improve the readability, clarity, and understandability of CCRs, the accuracy of the information presented, improve risk communication in CCRs, incorporate electronic delivery options, provide supplemental information regarding lead levels and control efforts
- Each report must include a summary *displayed prominently at the beginning of the report*, including a brief description of the nature of the report.
- Certifications within 10 days

CCR Revisions - Highlights

- Systems serving at least 50,000 must post report to the Internet
  - ➢ Previously this applied to systems serving at least 100,000
- Systems serving 10,000 or more must provide CCRs to customers biannually (twice per year), deliver by July 1 and by December 31
  - ➢ 6-month update with the second report, if applicable
- Systems serving 100,000 or more persons, must develop a plan to assist consumers with limited English proficiency. The first plan due to the state with first report in 2027. Plans evaluated annually, updated as necessary, reported with the CCR certification.

CCR Reminders

- Must include information on detected contaminants including UCMR5 results; and when EPA has proposed an MCL
- May use CCRs to accomplish public notice for Tier 3 notices, including notice for availability of UCMR5 results
- Encouraged to link to EPA's CCR webpage

Final PFAS National Primary Drinking Water Regulation

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Regulatory Levels: Maximum Contaminant Level Goals

- On April 26, 2024, EPA took a signature step to protect public health by establishing levels for several PFAS known to occur individually and as a mixture in drinking water.
- For PFOA and PFOS, EPA is setting a non-enforceable health-based goal of **zero**. This is called a Maximum Contaminant Level Goal (MCLG).
  - This reflects the latest science showing that there is no level of exposure to these two PFAS without risk of health impacts.
- For PFNA, PFHxS, and HFPO-DA (GenX Chemicals), EPA is setting MCLGs of **10 parts per trillion**.

Regulatory Levels: Maximum Contaminant Level

- EPA is setting enforceable Maximum Contaminant Levels (MCLs) at **4.0 parts per trillion** for PFOA and PFOS, individually.
  - This standard will reduce exposure from these PFAS in our drinking water to the lowest levels that are feasible for effective implementation.
- For PFNA, PFHxS, and HFPO-DA (GenX Chemicals), EPA is setting MCLs of **10 parts per trillion**.

Regulatory Levels: Hazard Index

- EPA is also regulating, through a Hazard Index (HI), mixtures of four PFAS—**PFHxS, PFNA, HFPO-DA,** and **PFBS**.
- Decades of research show some chemicals, including some PFAS, can combine in mixtures and have additive health effects, even if the individual chemicals are each present at lower levels.
- PFAS can often be found together and in varying combinations as mixtures.

Regulatory Levels: Hazard Index

- The Hazard Index is a long-established approach that the EPA regularly uses, for example in the Superfund program, to determine the health concerns associated with exposure to chemical mixtures.
- The Hazard Index is calculated by adding the ratio of the water sample concentration to a Health-Based Water Concentrations.

$$HI\ MCL = \left(\frac{[HFPO\text{–}DA_{water}]}{[10\ ppt]}\right) + \left(\frac{[PFBS_{water}]}{[2000\ ppt]}\right) + \left(\frac{[PFNA_{water}]}{[10\ ppt]}\right) + \left(\frac{[PFHxS_{water}]}{[10\ ppt]}\right) = 1$$

- Details provided in EPA Hazard Index Fact Sheet: https://www.epa.gov/system/files/documents/2024-04/pfas-npdwr_fact-sheet_hazard-index_4.8.24.pdf

Hazard Index MCL Calculation Examples

	HFPO-DA	PFBS	PFNA	PFHxS	Hazard Index	
• **Example 1**	$\left(\frac{[0\ ppt]}{[10\ ppt]}\right)$ +	$\left(\frac{[200\ ppt]}{[2000\ ppt]}\right)$ +	$\left(\frac{[4\ ppt]}{[10\ ppt]}\right)$ +	$\left(\frac{[4\ ppt]}{[10\ ppt]}\right)$ =	0.9	No exceedance of final Hazard Index MCL
• **Example 2**	$\left(\frac{[5\ ppt]}{[10\ ppt]}\right)$ +	$\left(\frac{[200\ ppt]}{[2000\ ppt]}\right)$ +	$\left(\frac{[6\ ppt]}{[10\ ppt]}\right)$ +	$\left(\frac{[15\ ppt]}{[10\ ppt]}\right)$ =	3 (2.7 rounds to 3)	Exceedance of final Hazard Index MCL (and exceedance of PFHxS MCL)
• **Example 3**	$\left(\frac{[14\ ppt]}{[10\ ppt]}\right)$ +	$\left(\frac{[0\ ppt]}{[2000\ ppt]}\right)$ +	$\left(\frac{[0\ ppt]}{[10\ ppt]}\right)$ +	$\left(\frac{[0\ ppt]}{[10\ ppt]}\right)$ =	1 (1.4 rounds to 1)	No exceedance of final Hazard Index MCL (only one PFAS present)
• **Example 4**	$\left(\frac{[9\ ppt]}{[10\ ppt]}\right)$ +	$\left(\frac{[100\ ppt]}{[2000\ ppt]}\right)$ +	$\left(\frac{[4\ ppt]}{[10\ ppt]}\right)$ +	$\left(\frac{[3\ ppt]}{[10\ ppt]}\right)$ =	2 (1.65 rounds to 2)	Exceedance of final Hazard Index MCL (no individual MCL exceedances)

*MCL compliance is determined by running annual averages at the sampling point

Regulatory Levels: Summary

Chemical	Maximum Contaminant Level Goal (MCLG)	Maximum Contaminant Level (MCL)
PFOA	0	4.0 ppt
PFOS	0	4.0 ppt
PFHxS	10 ppt	10 ppt
HFPO-DA (GenX chemicals)	10 ppt	10 ppt
PFNA	10 ppt	10 ppt
Mixture of two or more: PFHxS, PFNA, HFPO-DA, and PFBS	Hazard Index of 1 (unitless)	Hazard Index of 1 (unitless)

*Compliance is determined by running annual averages at the sampling point

Implementation: Initial Monitoring Requirements

- Final rule requirements for community water systems and non-transient, non-community water systems for initial monitoring of regulated PFAS concentrations include:
  - two or four samples collected at each entry point to the distribution system over a period of one year, dependent on system size and type; and/or
  - use of recent, previously acquired PFAS drinking water data from the fifth Unregulated Contaminant Monitoring Rule (UCMR 5) or state-level drinking water occurrence data or other appropriate collection program.
- Initial monitoring results will determine initial compliance monitoring schedule for each individual entry point within the system.
- Initial monitoring (or demonstration of previously acquired data) must be completed in the three years following rule promulgation.

Implementation: MCL Compliance Determination

- The compliance determination is done through a running annual average (RAA) calculation for systems conducting quarterly monitoring.
- Systems are out of compliance with an NPDWR if the RAA of quarterly samples at a sampling point exceeds a respective MCL (PFOA, PFOS, PFHxS, PFNA, HFPO-DA, and/or Hazard Index).
- PQLs are factored into the compliance calculation. If a sample result is less than the PQL for the monitored PFAS, zero will be used to calculate the RAA.
  - For example, if a system quarterly sampling results for PFOA that are 2.0, 2.0, 5.0, and 2.5 ppt for their last four quarters at a sample location, the values used to calculate the RAA for that sample location would be 0, 0, 5.0, and 0 ppt with a resulting PFOA RAA of 1.3 ppt (i.e., (0+0+5.0+0) / 4 = 1.25 ppt).
- A system will not be considered in violation of an MCL until it has completed one year of quarterly sampling, unless a sampling result will cause the RAA to exceed an MCL regardless of any future monitoring (e.g., the analytical result is greater than four times the MCL).

Implementation: Timeframes

- Within **three years** of rule promulgation (2024 – 2027):
  - Initial monitoring must be complete
- Starting **three years** following rule promulgation (starting 2027- 2029):
  - Results of initial monitoring must be included in Consumer Confidence Reports
  - Regular monitoring for compliance must begin, and results of compliance monitoring must be included in Consumer Confidence Reports
  - Public notification for monitoring and testing violations
- Starting **five years** following rule promulgation (starting 2029)
  - Comply with all MCLs
  - Public notification for MCL violations

Implementation: Communication with the Public

- PWSs will be required to issue public notification to customers if PFAS levels in drinking water violate an MCL.
- For all PFAS MCL violations, the final rule will require public notification to be provided within 30 days of an MCL violation.
- The final rule requires annual public notification for violations of monitoring and testing procedures.
- Community water systems are also required to include PFAS information in the Consumer Confidence Report distributed to their customers including:
  - The level of PFAS that is measured in the drinking water.
  - The potential health effects of any PFAS detected in violation of an EPA MCL.

PFAS Funding and Technical Assistance

- PFAS contamination can have a disproportionate impact on small, disadvantaged, and rural communities, and there is federal funding available specifically for these water systems.
- The Bipartisan Infrastructure Law (BIL) dedicates $9 billion specifically to invest in communities with drinking water impacted by PFAS and other emerging contaminants. $1B of these funds can be used to help private well owners.
- An additional $12 billion in BIL funding is available for general drinking water improvements.
- For more: https://www.epa.gov/water-infrastructure

EPA's PFAS NPDWR website:
https://www.epa.gov/sdwa/and-polyfluoroalkyl- substances-pfas

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Lead & Copper Rule (LCR) Updates:

Lead & Copper Rule Revisions (**LCRR**)
Lead & Copper Rule Improvements (**LCRI**)

LCR, LCRR, LCRI – Quick Review

- LCR - 1991, established the National Primary Drinking Water Regulation to control lead and copper in drinking water
- LCRR - published Jan 2021 - first major update to LCR in 30 years
  - Dec 2021, after review of the 2021 LCRR and in accordance with Executive Order 13990, EPA announced significant opportunities to further improve LCRR through the LCRI
  - Compliance deadline is October 16, 2024
- LCRI - published as a proposed rulemaking in Dec 2023
  - Final LCRI expected prior to October 16, 2024

LCRR's Compliance Date of October 16, 2024, is Coming…

As of today (September 30, 2024), October 16, 2024, will be here in:

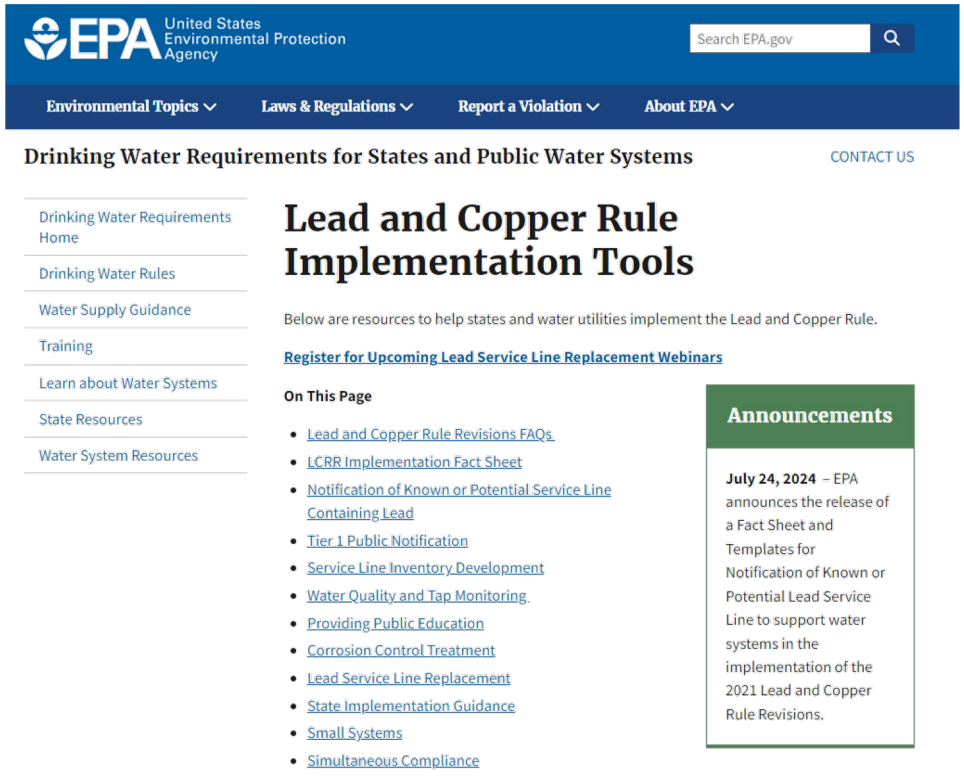
16 days

↓

2 weeks, 2 days

There is Useful LCRR Info on EPA's LCR Implementation Tools Website

- Various resources are available to help states and water utilities implement the Lead and Copper Rule:
  - LCRR FAQs
  - LCRR Implementation Fact Sheet
  - Notification of Known or Potential Service Line Containing Lead
  - Tier 1 Public Notification



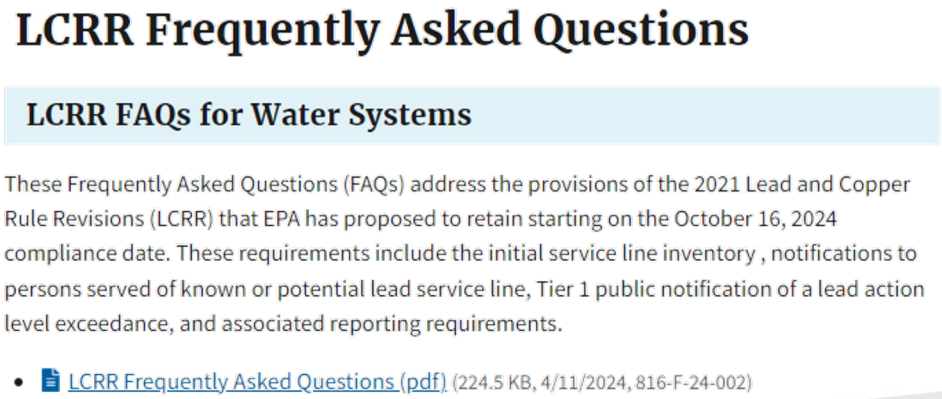
https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools

There is Useful LCRR Info on EPA's LCR Implementation Tools Website

- Publicly available and updated April 2024, to include:

  LCRR FAQ for Water Systems

  Addresses the provisions of the 2021 LCRR that EPA has proposed to retain starting on the October 16, 2024, compliance date. These requirements include the initial service line inventory, notification to persons served of known or potential lead service line, Tier 1 public notification of a lead action level exceedance, and associated reporting requirements.



LCRR Frequently Asked Questions

LCRR FAQs for Water Systems

These Frequently Asked Questions (FAQs) address the provisions of the 2021 Lead and Copper Rule Revisions (LCRR) that EPA has proposed to retain starting on the October 16, 2024 compliance date. These requirements include the initial service line inventory , notifications to persons served of known or potential lead service line, Tier 1 public notification of a lead action level exceedance, and associated reporting requirements.

- LCRR Frequently Asked Questions (pdf) (224.5 KB, 4/11/2024, 816-F-24-002)

EPA FAQ

Lead and Copper Rule Revisions (LCRR) Frequently Asked Questions (FAQs)

These Frequently Asked Questions (FAQs) address the parts of the 2021 Lead and Copper Rule Revisions (LCRR) that EPA has proposed to keep starting October 16, 2024. The FAQs only reflect federal requirements for these provisions. Your State[1] may have additional regulatory requirements.

General 2021 Lead and Copper Rule Revisions (LCRR)

What requirements of the LCRR is EPA proposing to retain?

EPA is proposing to keep the LCRR October 16, 2024, compliance date for the initial inventory, notification of service line material, Tier 1 public notification of a lead action level exceedance, and associated reporting requirements. Please see sections below for the FAQs specific to each of these requirements.

What systems do LCRR requirements apply to?

All community water systems (CWS) and non-transient non-community water systems (NTNCWS) must comply with these requirements.

When do water systems have to comply with the retained LCRR requirements?

Under EPA's new proposal as well as existing rules, water systems must comply with the following 2021 LCRR requirements beginning **October 16, 2024:**

Initial Service Line Inventory

What are the initial service line inventory requirements?

All CWSs and NTNCWSs must complete and submit an initial service line inventory to their State[1] by October 16, 2024. The inventory must include all service lines connected to the public water distribution system regardless of ownership status. Each service line must be characterized as lead, galvanized requiring replacement, lead status unknown (or unknown), or non-lead using approved sources (noted below).

The service line inventory must also be publicly accessible, and the publicly accessible inventory must include locations for lead and galvanized requiring replacement service lines. Water systems serving greater than 50,000 persons must make the publicly accessible inventory available online. EPA's *Guidance for Developing and Maintaining a Service Line Inventory* provides details on these requirements.

What are the required information sources for water systems to use to develop the initial inventory?

To identify service line materials, water systems must use information identified through previous materials identification and review the following sources of information:

- All construction and plumbing codes, permits, and existing records or other documentation which indicates the service line materials used to connect structures to the distribution system.

[1] "State" for purposes of this document means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a State or Tribal government does not have primary enforcement responsibility pursuant to section 1413 of the Act, the term "State" means the Regional Administrator, U.S. Environmental Protection Agency. [40 CFR 141.2]

Are all service lines, including fire suppression service lines, required to be included in the initial service line inventory?

Systems must include all service lines in their inventories, regardless of the actual or intended use. These include, for example, service lines with non-potable applications such as fire suppression or those designated for emergency. These service lines could be repurposed in the future for a potable or non-emergency use. Water systems must also include in their inventory service lines connected to vacant or abandoned buildings, even if they are unoccupied and the water service is turned off.

Lead Action Level Exceedance (ALE) Tier 1 Public Notice (PN)

What are the requirements to conduct Tier 1 Public Notice (PN) following a lead action level exceedance (ALE)?

Water systems that exceed the lead action level are required to provide public notification to persons served as soon as practical but no more than 24 hours after learning of the exceedance. EPA refers to this type of public notification as "Tier 1". Water systems must also consult with their State and provide a copy of the notice to the State and EPA within 24 hours after learning of the exceedance. See EPA's Public Notification website for more information. EPA has developed a template that water systems can use to draft Tier 1 PN for a lead ALE.

When does the 24-hour clock start for a Lead Action Level Exceedance (ALE) Tier 1 PN?

Water systems must provide public notification as soon as practical but no more than 24 hours after learning of the lead ALE.

Do water systems have to submit a certification within 10 days of completing the Tier 1 PN for a lead ALE?

Yes, water systems must submit a certification to their State within 10 days of completing the 24-hour Tier 1 PN requirements. For additional information regarding specific State guidelines and formats for submission of this certification, please contact your State. Note, this certification requirement is in addition to the requirement that water systems provide a copy of the Tier 1 notice to EPA and the head of the primacy agency as soon as practicable, but not later than 24 hours after the system learns of the lead ALE.

Is a lead action level exceedance (ALE) a violation?

No, an exceedance of the lead action level is not a violation. If the lead action level is exceeded in more than ten percent of tap water samples collected during any monitoring period (i.e., if the 90th percentile level is greater than the action level), a water system must take certain actions such as issuing Tier 1 PN, public education, optimizing corrosion control treatment, and, in some cases, replacing lead service lines.

Public Education for Known or Potential Lead Service Lines (LSLs)

What are the Public Education requirements for Known or Potential LSLs?

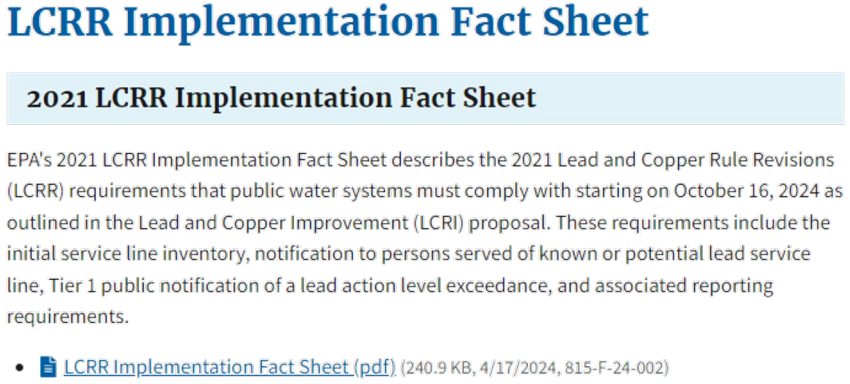
Water systems must provide information to all persons served at service connections with lead, galvanized requiring replacement, or lead status unknown service lines within 30 days of completion of

There is Useful LCRR Info on EPA's LCR Implementation Tools Website

- Publicly available and updated April 2024, to include:

  LCRR Implementation Fact Sheet

  Describes the 2021 LCRR requirements that public water systems must comply with starting on October 16, 2024, as outlined in the LCRI proposal. These requirements include the initial service line inventory, notification to persons served of known or potential lead service line, Tier 1 public notification of a lead action level exceedance, and associated reporting requirements.



LCRR Implementation Fact Sheet

2021 LCRR Implementation Fact Sheet

EPA's 2021 LCRR Implementation Fact Sheet describes the 2021 Lead and Copper Rule Revisions (LCRR) requirements that public water systems must comply with starting on October 16, 2024 as outlined in the Lead and Copper Improvement (LCRI) proposal. These requirements include the initial service line inventory, notification to persons served of known or potential lead service line, Tier 1 public notification of a lead action level exceedance, and associated reporting requirements.

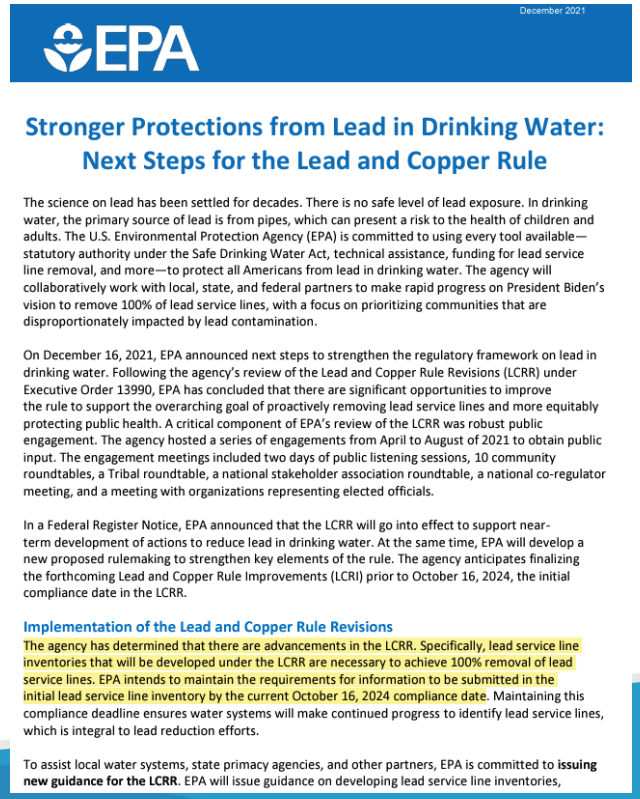
- LCRR Implementation Fact Sheet (pdf) (240.9 KB, 4/17/2024, 815-F-24-002)

Excellent resource for keeping track of the applicable federal LCRR citations

2021 LCRR Requirements-Systems	Date	2023 Code of Federal Regulations Section
Intial Inventory and Associated Reporting		
Initial inventory development (includes making inventory publicly accessible).	October 16, 2024	40 CFR 141.84(a)(1) through 141.84(a)(10) (excluding 141.84(a)(6) and (a)(7))
Submission of initial inventory to the State[i]	October 16, 2024	40 CFR 141.90(e)(1)
Failure to submit initial inventory to the State by October 16, 2024 requires Tier 3 Public Notification (PN).	Starting October 16, 2024	40 CFR Appendix A to Subpart Q of Part 141 I.C.1 (exclude Tier 3 notification for 141.90 except 141.90(e)(1), (e)(13), and (f)(4))
Notification of Service Line Material and Associated Reporting		
Notification of known or potential service line containing lead within 30 days of completion of the inventory (initial) and repeat notification on an annual basis until the entire service connection is no longer lead, galvanized requiring replacement, or unknown. For new customers, water systems shall also provide the notice at the time of service initiation.	Within 30 days of completion of the inventory and then annually	40 CFR 141.85(e)
Provide revised lead health effects language in public education materials to ensure consistent notification messaging with PN requirements (as referenced in 141.85(e)).	Starting October 16, 2024	40 CFR 141.85(e)(3) requires health information meeting the requirements of 40 CFR 141.85(a)(1)(ii)
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, galvanized requiring replacement, or unknown service lines for the previous calendar year. Water systems shall provide a copy of the notification and information materials to the State.	July 1, 2025 and then annually	40 CFR 141.90(e)(13), 40 CFR 141.90(f)(4)

LCRR Requirements and Compliance Dates That Will Be Retained (proposed LCRI)

- **Service Line Inventory**
  - Initial service line inventory is still required to be completed and submitted by the LCRR compliance date of October 16, 2024
  - EPA has been clear about this requirement since 2021 and since the agency's August 2022 issuance of *Guidance for Developing and Maintaining a Service Line Inventory*
- *Key takeaways*
  - Review Service Line Inventory and Associated Reporting Requirements
    - LCRR Implementation Fact Sheet
  - Continue working on inventories and identify service line materials
  - Ensure you are meeting PADEP's specific inventory expectations, utilize the inventory resources available from PADEP
    - https://www.dep.pa.gov/Business/Water/BureauSafeDrinkingWater/DrinkingWaterMgmt/Regulations/Pages/Lead-and-Copper-Rule.aspx



December 2021

EPA

Stronger Protections from Lead in Drinking Water: Next Steps for the Lead and Copper Rule

The science on lead has been settled for decades. There is no safe level of lead exposure. In drinking water, the primary source of lead is from pipes, which can present a risk to the health of children and adults. The U.S. Environmental Protection Agency (EPA) is committed to using every tool available—statutory authority under the Safe Drinking Water Act, technical assistance, funding for lead service line removal, and more—to protect all Americans from lead in drinking water. The agency will collaboratively work with local, state, and federal partners to make rapid progress on President Biden's vision to remove 100% of lead service lines, with a focus on prioritizing communities that are disproportionately impacted by lead contamination.

On December 16, 2021, EPA announced next steps to strengthen the regulatory framework on lead in drinking water. Following the agency's review of the Lead and Copper Rule Revisions (LCRR) under Executive Order 13990, EPA has concluded that there are significant opportunities to improve the rule to support the overarching goal of proactively removing lead service lines and more equitably protecting public health. A critical component of EPA's review of the LCRR was robust public engagement. The agency hosted a series of engagements from April to August of 2021 to obtain public input. The engagement meetings included two days of public listening sessions, 10 community roundtables, a Tribal roundtable, a national stakeholder association roundtable, a national co-regulator meeting, and a meeting with organizations representing elected officials.

In a Federal Register Notice, EPA announced that the LCRR will go into effect to support near-term development of actions to reduce lead in drinking water. At the same time, EPA will develop a new proposed rulemaking to strengthen key elements of the rule. The agency anticipates finalizing the forthcoming Lead and Copper Rule Improvements (LCRI) prior to October 16, 2024, the initial compliance date in the LCRR.

Implementation of the Lead and Copper Rule Revisions

The agency has determined that there are advancements in the LCRR. Specifically, lead service line inventories that will be developed under the LCRR are necessary to achieve 100% removal of lead service lines. EPA intends to maintain the requirements for information to be submitted in the initial lead service line inventory by the current October 16, 2024 compliance date. Maintaining this compliance deadline ensures water systems will make continued progress to identify lead service lines, which is integral to lead reduction efforts.

To assist local water systems, state primacy agencies, and other partners, EPA is committed to **issuing new guidance for the LCRR**. EPA will issue guidance on developing lead service line inventories,

LCRR Requirements and Compliance Dates That Will Be Retained (proposed LCRI)

- **Notification of Known or Potential Service Line Containing Lead**
  - Required within 30 days of completion of the inventory
    - Also required for new customers at the time-of-service initiation
  - Applies to those services classified as *lead, galvanized requiring replacement (GRR), and unknown*
  - Repeat notification annually until entire service is no longer lead/GRR/unknown
- Key takeaways
  - Review Notification of Known or Potential Service Line Containing Lead & Associated Reporting Requirements
    - LCRR Implementation Fact Sheet
  - Be prepared to communicate to all customers about their known or potential service lines containing lead
  - EPA templates are now available (July 2024), PADEP is working on template development

EPA FAQ

Lead and Copper Rule Revisions (LCRR) Frequently Asked Questions (FAQs)

These Frequently Asked Questions (FAQs) address the parts of the 2021 Lead and Copper Rule Revisions (LCRR) that EPA has proposed to keep starting October 16, 2024. The FAQs only reflect federal requirements for these provisions. Your State[1] may have additional regulatory requirements.

Public Education for Known or Potential Lead Service Lines (LSLs)

What are the Public Education requirements for Known or Potential LSLs?

Water systems must provide information to all persons served at service connections with lead, galvanized requiring replacement, or lead status unknown service lines within 30 days of completion of their initial service line inventory. This will provide awareness and education to residents about their service line material and steps they can take to reduce their exposure to lead in drinking water.

What is the delivery timeline for this Public Education for Known or Potential LSLs?

A water system must provide the initial notification within 30 days of completion of their initial service line inventory. For purposes of the initial inventory, EPA will treat the compliance date of October 16, 2024, as the start date for calculating the 30-day deadline for providing notification to persons served by a lead, galvanized requiring replacement, or lead status unknown line because this is also the deadline for systems to submit the inventory to the State. However, EPA does encourage water systems to provide these notifications earlier to educate their consumers. Water systems must also provide the notice at the initiation of service for new customers. This requirement applies beginning October 16, 2024. Water systems must repeat notification on an annual basis until the entire service connection is no longer lead, galvanized requirement replacement, or unknown.

What do water systems report to the State for this requirement?

Annually by July 1, the water system must demonstrate to the State that it delivered these service line notifications for the previous calendar year. The water system must provide a copy of the notification and information materials to the State. For additional information regarding specific State guidelines and formats for submission of this certification, please contact your State.

What are the content requirements for the Notification of Known or Potential LSLs?

The specific content requirements vary depending on whether the service line is lead, GRR, or unknown. All notifications must include an explanation of the health effects of lead, a statement that service line material is either lead, galvanized requiring replacement, or unknown, and steps individuals can take to reduce lead exposure in drinking water. For a confirmed lead or galvanized requiring replacement, the notice must also include information on opportunities to replace the service line. For an unknown service line, the notice must include information on opportunities to verify the material of the service line. See 40 C.F.R. section 141.84(e)(3) for the complete list of specific requirements.

What resources are available to assist systems with these notifications?

EPA is developing templates that water systems may use for the notifications of a known or potential LSL. EPA expects to have these templates available in spring 2024 and plans to post them on EPA's website at https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools.

For purposes of the initial inventory, EPA will treat the compliance date of October 16, 2024, as the start date for calculating the 30-day deadline for providing notification to persons served by a lead, galvanized requiring replacement, or lead status unknown line because this is also the deadline for systems to submit the inventory to the State. *However, EPA does encourage water systems to provide these notifications earlier to educate their consumers*.

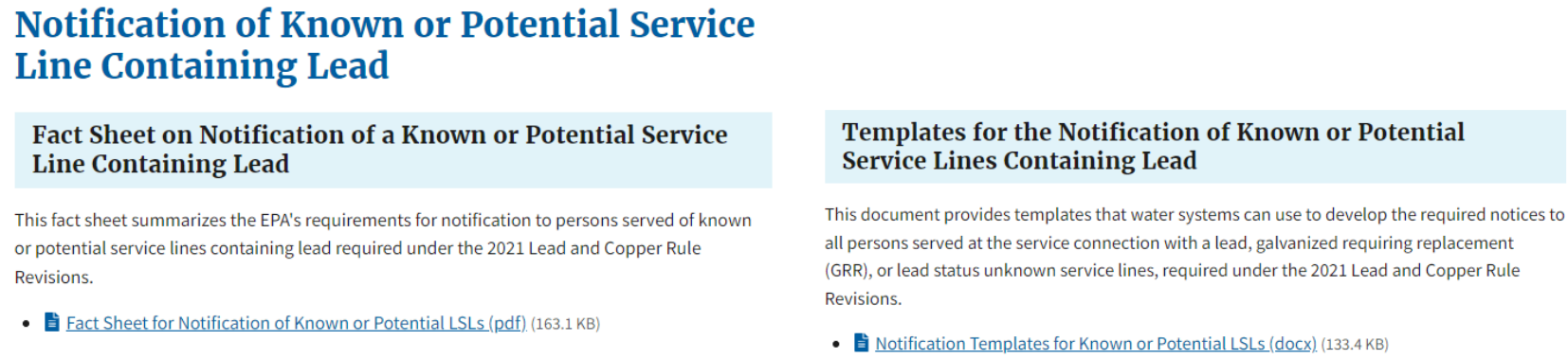
EPA has developed templates to assist with notifications

There is Useful LCRR Info on EPA's LCR Implementation Tools Website

- Publicly available and updated July 2024, to include:

  Notification of Known or Potential Service Line Containing Lead Fact Sheet (pdf),

  Notification of Known or Potential Service Line Containing Lead Templates (docx)



Notification of Known or Potential Service Line Containing Lead

Fact Sheet on Notification of a Known or Potential Service Line Containing Lead

This fact sheet summarizes the EPA's requirements for notification to persons served of known or potential service lines containing lead required under the 2021 Lead and Copper Rule Revisions.

- Fact Sheet for Notification of Known or Potential LSLs (pdf) (163.1 KB)

Templates for the Notification of Known or Potential Service Lines Containing Lead

This document provides templates that water systems can use to develop the required notices to all persons served at the service connection with a lead, galvanized requiring replacement (GRR), or lead status unknown service lines, required under the 2021 Lead and Copper Rule Revisions.

- Notification Templates for Known or Potential LSLs (docx) (133.4 KB)

Notification of Known or Potential Service Line Containing Lead Fact Sheet (pdf)

Notification of Known or Potential Service Line Containing Lead

CONTENT

What Must be Included in Notification of Known or Potential SL containing lead?

Notification content requirements differ depending on if the consumer is serviced by a lead, GRR, or lead status unknown service line.

Lead	GRR	Lead Status Unknown
✓ A statement that the service line is lead.	✓ A statement that the service line is GRR.	✓ A statement that the service line material is unknown but may be lead.
✓ An explanation of the health effects of lead as specified in the rule and below.	✓ An explanation of the health effects of lead as specified in the rule and below.	✓ An explanation of the health effects of lead as specified in the rule and below.
✓ Steps persons at the service connection can take to reduce exposure to lead in drinking water.	✓ Steps persons at the service connection can take to reduce exposure to lead in drinking water.	✓ Steps persons at the service connection can take to reduce exposure to lead in drinking water.
✓ Information about opportunities to replace LSLs as well as programs that provide financing solutions to replace the LSL.*	✓ Information about opportunities for replacement of the service line.	✓ Information about opportunities to verify the material of the service line.

*EPA recommends that water systems ask the owner of the service connection to contact the water system prior to making any arrangements to have the service line replaced.

PADEP has developed templates for Notification of Known or Potential Lead

The federal Lead and Copper Rule Revisions (LCRR) requires, under 40 CFR §141.85(e), that all water systems which have determined for their initial SLI that they have Lead, GRR or Unknown service lines within their water system, provide notification to all persons served by one of those connections. The regulation provides specific requirements for when this notice must be delivered and what it must contain, which we will review below. DEP is currently working on developing templates for these notifications and will make them available on eLibrary as soon as possible. The form numbers for these forms are as follows:

- Consumer Notification of a Lead Service Line: 3930-FM-BSDW0100
- Consumer Notification of a Galvanized Requiring Replacement Service Line: 3930-FM-BSDW0101
- Consumer Notification of an Unknown Service Line: 3930-FM-BSDW0102

LCRR Requirements and Compliance Dates That Will Be Retained (proposed LCRI)

- **Tier 1 PN following a lead action level exceedance (ALE)**
  - Between October 16, 2024, and the LCRI Compliance date, Tier 1 PN will be required following an exceedance of the LCR action level of 0.015 mg/L (15 ppb)
- Key takeaways
  - Review PN & Associated Reporting Requirements
    - LCRR Implementation Fact Sheet
  - Review your systems Tier 1 PN processes and procedures
  - Be prepared to distribute Tier 1 PN for lead ALE and send to state/EPA

There is Useful LCRR Info on EPA's LCR Implementation Tools Website

- Publicly available and updated April 2024, to include:

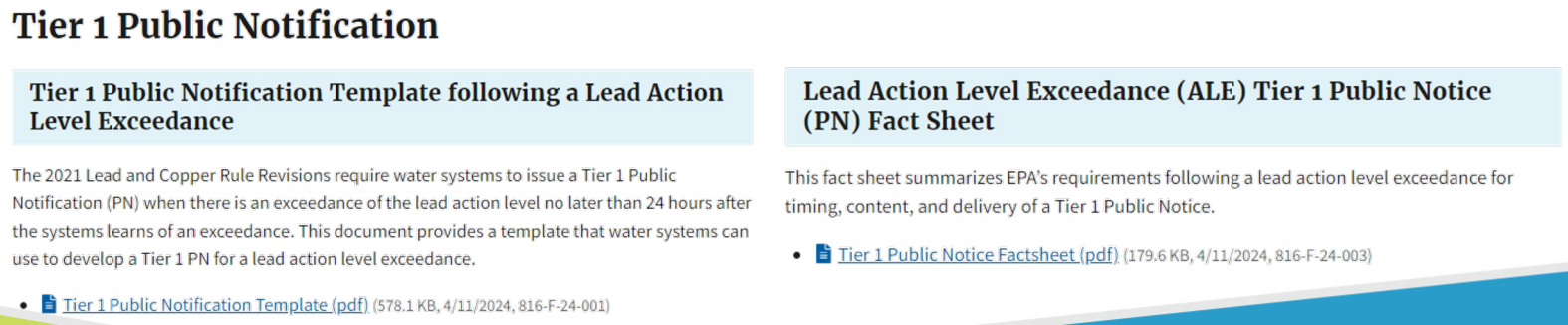
  Tier 1 Public Notification Template (pdf), Tier 1 Public Notification Template (docx),

  Tier 1 Public Notification Factsheet

  Tier 1 PN - required for a lead ALE no later than 24 hours after the system learns of an exceedance.

  Systems can use the template to assist with developing Tier PN for a lead ALE.

  The factsheet summarizes EPA's requirements following a lead ALE for timing, content, and delivery.



Tier 1 Public Notification

Tier 1 Public Notification Template following a Lead Action Level Exceedance

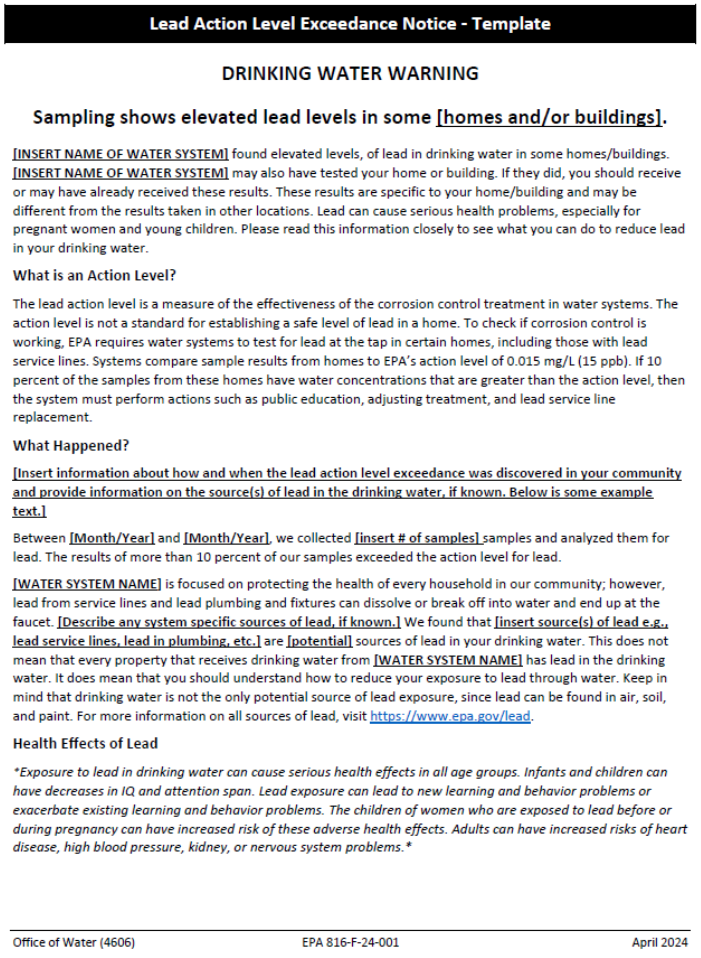
The 2021 Lead and Copper Rule Revisions require water systems to issue a Tier 1 Public Notification (PN) when there is an exceedance of the lead action level no later than 24 hours after the systems learns of an exceedance. This document provides a template that water systems can use to develop a Tier 1 PN for a lead action level exceedance.

- Tier 1 Public Notification Template (pdf) (578.1 KB, 4/11/2024, 816-F-24-001)

Lead Action Level Exceedance (ALE) Tier 1 Public Notice (PN) Fact Sheet

This fact sheet summarizes EPA's requirements following a lead action level exceedance for timing, content, and delivery of a Tier 1 Public Notice.

- Tier 1 Public Notice Factsheet (pdf) (179.6 KB, 4/11/2024, 816-F-24-003)



Lead Action Level Exceedance Notice - Template

DRINKING WATER WARNING

Sampling shows elevated lead levels in some [homes and/or buildings].

[INSERT NAME OF WATER SYSTEM] found elevated levels, of lead in drinking water in some homes/buildings. [INSERT NAME OF WATER SYSTEM] may also have tested your home or building. If they did, you should receive or may have already received these results. These results are specific to your home/building and may be different from the results taken in other locations. Lead can cause serious health problems, especially for pregnant women and young children. Please read this information closely to see what you can do to reduce lead in your drinking water.

What is an Action Level?

The lead action level is a measure of the effectiveness of the corrosion control treatment in water systems. The action level is not a standard for establishing a safe level of lead in a home. To check if corrosion control is working, EPA requires water systems to test for lead at the tap in certain homes, including those with lead service lines. Systems compare sample results from homes to EPA's action level of 0.015 mg/L (15 ppb). If 10 percent of the samples from these homes have water concentrations that are greater than the action level, then the system must perform actions such as public education, adjusting treatment, and lead service line replacement.

What Happened?

[Insert information about how and when the lead action level exceedance was discovered in your community and provide information on the source(s) of lead in the drinking water, if known. Below is some example text.]

Between [Month/Year] and [Month/Year], we collected [insert # of samples] samples and analyzed them for lead. The results of more than 10 percent of our samples exceeded the action level for lead.

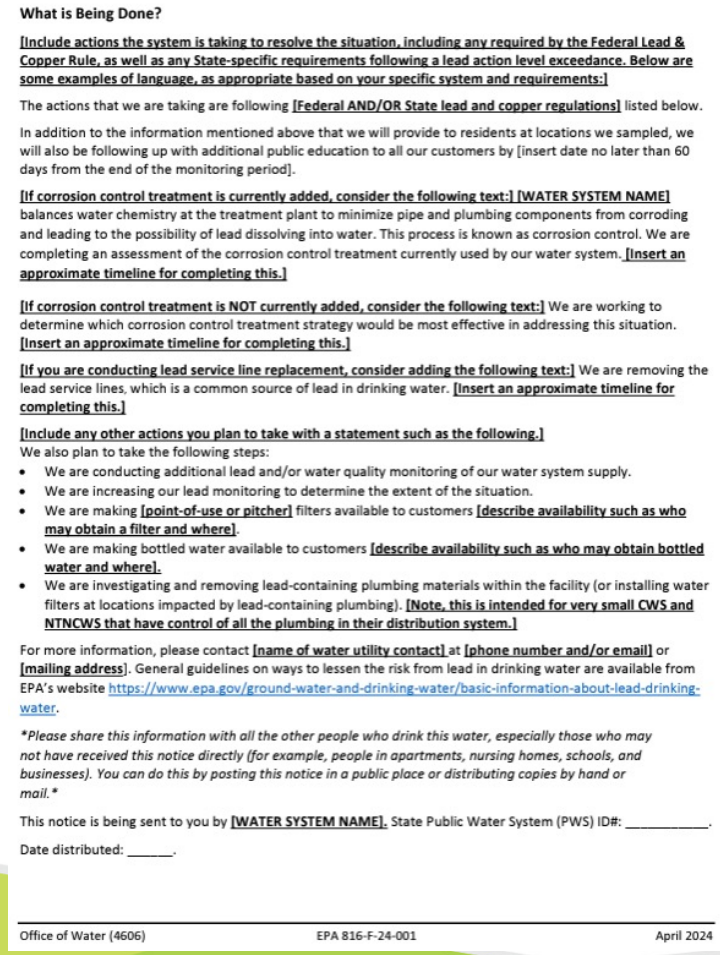
[WATER SYSTEM NAME] is focused on protecting the health of every household in our community; however, lead from service lines and lead plumbing and fixtures can dissolve or break off into water and end up at the faucet. [Describe any system specific sources of lead, if known.] We found that [insert source(s) of lead e.g., lead service lines, lead in plumbing, etc.] are [potential] sources of lead in your drinking water. This does not mean that every property that receives drinking water from [WATER SYSTEM NAME] has lead in the drinking water. It does mean that you should understand how to reduce your exposure to lead through water. Keep in mind that drinking water is not the only potential source of lead exposure, since lead can be found in air, soil, and paint. For more information on all sources of lead, visit https://www.epa.gov/lead.

Health Effects of Lead

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney, or nervous system problems.

Office of Water (4606) EPA 816-F-24-001 April 2024

- ***PN Timing***
  - Within 24 hours of learning about the lead ALE:
    - Consult with PADEP
    - Issue the PN to customers
    - **Send copy to** PADEP and **EPA** (LeadALE@epa.gov)
- ***Content***
  - Must include the required elements and mandatory language (health effects and statement to share the PN)
- ***Delivery***
  - Use appropriate forms of delivery
  - Consider non-English speaking customers



What is Being Done?

[Include actions the system is taking to resolve the situation, including any required by the Federal Lead & Copper Rule, as well as any State-specific requirements following a lead action level exceedance. Below are some examples of language, as appropriate based on your specific system and requirements:]

The actions that we are taking are following **[Federal AND/OR State lead and copper regulations]** listed below.

In addition to the information mentioned above that we will provide to residents at locations we sampled, we will also be following up with additional public education to all our customers by [insert date no later than 60 days from the end of the monitoring period].

[If corrosion control treatment is currently added, consider the following text:] [WATER SYSTEM NAME] balances water chemistry at the treatment plant to minimize pipe and plumbing components from corroding and leading to the possibility of lead dissolving into water. This process is known as corrosion control. We are completing an assessment of the corrosion control treatment currently used by our water system. **[Insert an approximate timeline for completing this.]**

[If corrosion control treatment is NOT currently added, consider the following text:] We are working to determine which corrosion control treatment strategy would be most effective in addressing this situation. **[Insert an approximate timeline for completing this.]**

[If you are conducting lead service line replacement, consider adding the following text:] We are removing the lead service lines, which is a common source of lead in drinking water. **[Insert an approximate timeline for completing this.]**

[Include any other actions you plan to take with a statement such as the following.]
We also plan to take the following steps:

- We are conducting additional lead and/or water quality monitoring of our water system supply.
- We are increasing our lead monitoring to determine the extent of the situation.
- We are making **[point-of-use or pitcher]** filters available to customers **[describe availability such as who may obtain a filter and where]**.
- We are making bottled water available to customers **[describe availability such as who may obtain bottled water and where].**
- We are investigating and removing lead-containing plumbing materials within the facility (or installing water filters at locations impacted by lead-containing plumbing). **[Note, this is intended for very small CWS and NTNCWS that have control of all the plumbing in their distribution system.]**

For more information, please contact **[name of water utility contact]** at **[phone number and/or email]** or **[mailing address]**. General guidelines on ways to lessen the risk from lead in drinking water are available from EPA's website https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by **[WATER SYSTEM NAME].** State Public Water System (PWS) ID#: _____.

Date distributed: _____.

Office of Water (4606) EPA 816-F-24-001 April 2024

- ***PN Timing***
  - Within 24 hours of learning about the lead ALE:
    - Consult with PADEP
    - Issue the PN to customers
    - **Send copy to** PADEP and **EPA** (LeadALE@epa.gov)
- ***Content***
  - Must include the required elements and mandatory language (health effects and statement to share the PN)
- ***Delivery***
  - Use appropriate forms of delivery
  - Consider non-English speaking customers

If a PWS has a lead ALE, and the system or state has not issued Tier 1 PN, EPA will be issuing it.

LCR – LCRR - LCRI Compliance Dates

- **EPA is proposing that water systems continue to comply with the LCR until the LCRI compliance date**
  - *This excludes the slides previously discussed describing the **LCRR Requirements and Compliance Dates That Will Be Retained** with a compliance date of October 16, 2024*:
    - Initial service line inventory completion and submission by October 16, 2024
    - Notification of Known or Potential Service Line Containing Lead
    - Tier 1 PN for lead ALE
    - Associated reporting requirements for the areas above

EPA intends to finalize the LCRI prior to October 16, 2024.

Stay engaged with PADEP on specific LCRR/LCRI requirements.

EPA
MID-ATLANTIC REGION

Contact Info:

Dennis O'Connor
oconnor.dennis@epa.gov
215-814-5431

EPA
MID-ATLANTIC REGION

Supplemental Slides for Lead

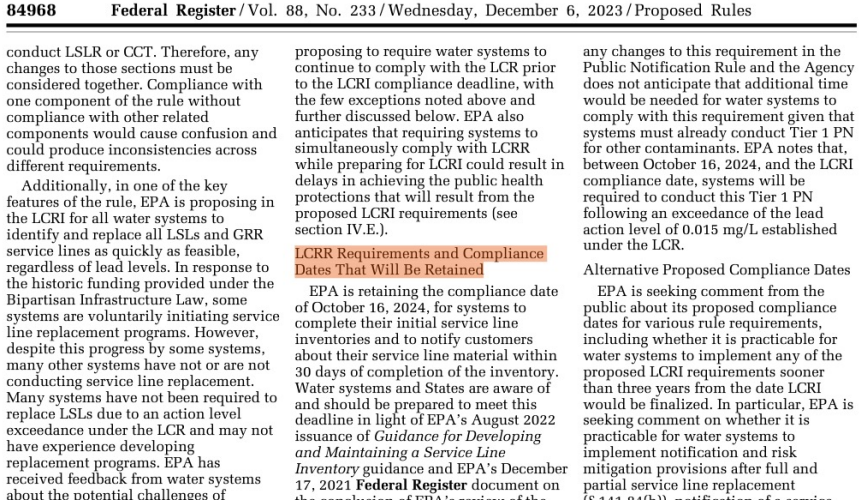
There is Useful LCRR Info in the Proposed LCRI

- This is Publicly Available
  - full proposed LCRI as published in the Federal Register

    https://www.federalregister.gov/documents/2023/12/06/2023-26148/national-primary-drinking-water-regulations-for-lead-and-copper-improvements-lcri
- Proposed LCRI preamble contains useful LCRR information that helps explain where EPA anticipates going and when
  - ***LCRR Requirements and Compliance Dates That Will Be Retained*** **(page 84968)**
  - ***Alternative Proposed Compliance Dates*** **(page 84968-84969)**
  - ***Proposed LCRI Compliance Dates*** **(page 84967)**
- Note: LCRI is still in the proposed rulemaking stage and can change between the proposed and final rulemaking that is expected before October 16, 2024

LCRR Requirements and Compliance Dates That Will Be Retained

(as published in 2023 proposed LCRI preamble)



conduct LSLR or CCT. Therefore, any changes to those sections must be considered together. Compliance with one component of the rule without compliance with other related components would cause confusion and could produce inconsistencies across different requirements.

Additionally, in one of the key features of the rule, EPA is proposing in the LCRI for all water systems to identify and replace all LSLs and GRR service lines as quickly as feasible, regardless of lead levels. In response to the historic funding provided under the Bipartisan Infrastructure Law, some systems are voluntarily initiating service line replacement programs. However, despite this progress by some systems, many other systems have not or are not conducting service line replacement. Many systems have not been required to replace LSLs due to an action level exceedance under the LCR and may not have experience developing replacement programs. EPA has received feedback from water systems about the potential challenges of

proposing to require water systems to continue to comply with the LCR prior to the LCRI compliance deadline, with the few exceptions noted above and further discussed below. EPA also anticipates that requiring systems to simultaneously comply with LCRR while preparing for LCRI could result in delays in achieving the public health protections that will result from the proposed LCRI requirements (see section IV.E.).

LCRR Requirements and Compliance Dates That Will Be Retained

EPA is retaining the compliance date of October 16, 2024, for systems to complete their initial service line inventories and to notify customers about their service line material within 30 days of completion of the inventory. Water systems and States are aware of and should be prepared to meet this deadline in light of EPA's August 2022 issuance of *Guidance for Developing and Maintaining a Service Line Inventory* guidance and EPA's December 17, 2021 **Federal Register** document on

any changes to this requirement in the Public Notification Rule and the Agency does not anticipate that additional time would be needed for water systems to comply with this requirement given that systems must already conduct Tier 1 PN for other contaminants. EPA notes that, between October 16, 2024, and the LCRI compliance date, systems will be required to conduct this Tier 1 PN following an exceedance of the lead action level of 0.015 mg/L established under the LCR.

Alternative Proposed Compliance Dates

EPA is seeking comment from the public about its proposed compliance dates for various rule requirements, including whether it is practicable for water systems to implement any of the proposed LCRI requirements sooner than three years from the date LCRI would be finalized. In particular, EPA is seeking comment on whether it is practicable for water systems to implement notification and risk mitigation provisions after full and partial service line replacement

Alternative Proposed Compliance Dates

(as published in 2023 proposed LCRI preamble)

conduct LSLR or CCT. Therefore, any changes to those sections must be considered together. Compliance with one component of the rule without compliance with other related components would cause confusion and could produce inconsistencies across different requirements.

Additionally, in one of the key features of the rule, EPA is proposing in the LCRI for all water systems to identify and replace all LSLs and GRR service lines as quickly as feasible, regardless of lead levels. In response to the historic funding provided under the Bipartisan Infrastructure Law, some systems are voluntarily initiating service line replacement programs. However, despite this progress by some systems, many other systems have not or are not conducting service line replacement. Many systems have not been required to replace LSLs due to an action level exceedance under the LCR and may not have experience developing replacement programs. EPA has received feedback from water systems about the potential challenges of implementing replacement programs including availability of equipment and supplies, difficulties in securing

proposing to require water systems to continue to comply with the LCR prior to the LCRI compliance deadline, with the few exceptions noted above and further discussed below. EPA also anticipates that requiring systems to simultaneously comply with LCRR while preparing for LCRI could result in delays in achieving the public health protections that will result from the proposed LCRI requirements (see section IV.E.).

LCRR Requirements and Compliance Dates That Will Be Retained

EPA is retaining the compliance date of October 16, 2024, for systems to complete their initial service line inventories and to notify customers about their service line material within 30 days of completion of the inventory. Water systems and States are aware of and should be prepared to meet this deadline in light of EPA's August 2022 issuance of *Guidance for Developing and Maintaining a Service Line Inventory* guidance and EPA's December 17, 2021 **Federal Register** document on the conclusion of EPA's review of the LCRR (86 FR 71574, 71579, USEPA, 2021b).

Inventories help systems identify the

any changes to this requirement in the Public Notification Rule and the Agency does not anticipate that additional time would be needed for water systems to comply with this requirement given that systems must already conduct Tier 1 PN for other contaminants. EPA notes that, between October 16, 2024, and the LCRI compliance date, systems will be required to conduct this Tier 1 PN following an exceedance of the lead action level of 0.015 mg/L established under the LCR.

Alternative Proposed Compliance Dates

EPA is seeking comment from the public about its proposed compliance dates for various rule requirements, including whether it is practicable for water systems to implement any of the proposed LCRI requirements sooner than three years from the date LCRI would be finalized. In particular, EPA is seeking comment on whether it is practicable for water systems to implement notification and risk mitigation provisions after full and partial service line replacement (§ 141.84(h)), notification of a service line disturbance (§ 141.85(g)), and associated reporting requirements

Exhibit 6. Proposed Alternative Compliance Dates

Proposed Alternative Compliance Dates	Requirement
Effective date of the LCRI	Risk mitigation after full and partial service line replacement and service line disturbance (§§ 141.84(h), 141.85(g), 141.90(e)(6) and (f)(6))
One or two years after rule promulgation (January 2026)	All other LCRI provisions except for § 141.84(d).
Three years after rule promulgation (January 2028)	LCRI service line replacement (§ 141.84(d)).

Alternative Proposed Compliance Dates (proposed LCRI)

- **Risk Mitigation After Replacement and Disturbances**
  - Proposed LCRI solicited comments on feasibility of implementing these ahead of the LCRI compliance date
  - PADEP has mitigation requirements specific to service line replacements and recommendations during disturbances
- Key takeaway
  - Review mitigation materials, such as PADEPs requirements and available guidance such as AWWA Standard C810 – Replacement and Flushing of Lead Service Lines.

Exhibit 6. Proposed Alternative Compliance Dates

Proposed Alternative Compliance Dates	Requirement
Effective date of the LCRI	Risk mitigation after full and partial service line replacement and service line disturbance (§§ 141.84(h), 141.85(g), 141.90(e)(6) and (f)(6))
One or two years after rule promulgation (January 2026)	All other LCRI provisions except for § 141.84(d).
Three years after rule promulgation (January 2028)	LCRI service line replacement (§ 141.84(d)).

Proposed LCRI Compliance Dates

(as published in 2023 proposed LCRI preamble)

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October 16, 2024 deadline for the service line inventory. While EPA expects to promulgate the final LCRI prior to October 16, 2024, the Agency also acknowledged that the announcement of the proposed LCRI ''creates some uncertainty for water systems and States regarding the deadline and completion'' of required actions under LCRR, including the LSLR and tap sampling plans (86 FR 71580, USEPA, 2021b). In the LCRR review notice published on December 17, 2021, the Agency stated its intention to propose revisions to the LCRR compliance deadlines ''only for components of the rule that the Agency will propose to significantly revise'' (86 FR 71580, USEPA, 2021b). Some stakeholders have requested that EPA further delay the LCRR compliance date for items the Agency is proposing to revise in LCRI. For example, some States believe it will be difficult for them to review all the required plans at the same time and asked that EPA consider staggering various rule deadlines. Another stakeholder indicated that EPA should require compliance with the LCRI requirements beginning no earlier than January 2026. However, other stakeholders have previously cited concerns that delaying implementation of LCRR may delay public health protection (86 FR 31943, USEPA, 2021e; *State of Arizona et al., v. EPA,* 77 4th 1126 (D.C. Cir. 2023) (dismissing petition for review of EPA's rule to delay the LCRR compliance date)). For a discussion on how the proposed compliance dates in this section address public health protection see section IV.E.

Proposed LCRI Compliance Dates

For the LCRI, EPA is proposing a compliance date of three years after promulgation of a final rule and is proposing that systems continue to comply with the LCR until that date, with the exception of the LCRR initial LSL inventory, notification of service line material, associated reporting requirements, and the requirement for Tier 1 public notification for a lead action level exceedance under subpart Q. This would provide the amount of time necessary for States to work with water systems to prepare to comply with the final LCRI requirements, which include revisions to most of the provisions of LCRR. EPA is proposing a direct transition from the LCR to the LCRI for all rule provisions with the above exceptions, so that States and water systems could focus their resources on preparing and updating service line inventories and conducting

lead action level exceedances, in addition to preparing for LCRI requirements, such as preparing their service line replacement plan. Water systems would not be required to comply with the other requirements of the LCRR between October 16, 2024 and the LCRI compliance date.

EPA is proposing for water systems to continue to comply with the LCR until the LCRI compliance dates, with the above exceptions, because of the significant level of effort required of water systems to plan for compliance with the LCRI, coupled with the complexity of the LCRR. Additionally, EPA is proposing significant changes in the LCRI relative to the LCRR, many of which would render various LCRR requirements obsolete in a few years. Specifically, EPA is proposing to eliminate the trigger level and the many associated rule requirements that are required after a trigger level exceedance, including reporting requirements to the States that could require significant resources. Many of the rule requirements in LCRR are so interrelated that changes in one rule area impacts other areas. For example, the various actions water systems are required to take are based on a system's 90th percentile lead level. In LCRR, provisions for CCT are based on system size; CCT and LSL status; and if the system is above, below, or between different thresholds (*e.g.,* lead PQL, lead trigger level, lead action level). In the proposed LCRI, these compliance pathways would be simplified by the proposed elimination of the lead trigger level, but also required additional proposed changes to the CCT provisions. Likewise, the LCR requires first-liter sampling at all sites while the LCRR requires fifth-liter sampling at LSL sites. The proposed LCRI would require the highest of the first and fifth liter at LSL sites. Changing from 90th percentile values based on a sampling approach with which systems have years of experience (the LCR), to a few years of a different approach (the LCRR), before changing again to the approach proposed in the LCRI, would likely cause confusion for systems and the public, and lead to wasted resources (*e.g.,* developing sampling instructions, sampling plans, outreach materials).

Another challenge is that the LCRR small system flexibility provision in § 141.93 allows systems serving 10,000 people or fewer to choose between the LSLR provisions or CCT provisions, which otherwise are specific to systems serving more than 10,000 people. Without the small system flexibility provision, there would be no

Useful Resources

Technical Assistance (TA) to Support Lead Service Line Replacements

New Information Available from EPA LCR Implementation Tools Webpage

Scope of Available TA for Lead Service Line Replacements

Lead Service Line Replacement (LSLR) Accelerator Project

https://www.epa.gov/water-infrastructure/lead-service-line-replacement-accelerators

Lead Service Line Replacement (LSLR) Accelerators Project

- Initiative launched in Jan 2023 to address existing barriers and accelerate progress toward lead service line identification and replacement
- Partnership between EPA and 4 states agencies: Connecticut, New Jersey, Pennsylvania and Wisconsin
- PADEP is actively posting and sharing information developed from this partnership on their website - see the “Inventory Resources” section in the below PADEP link

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Lead and Copper Rule Service Line Inventories

EPA published the Lead and Copper Rule Revisions (LCRR) in January 2021, which **requires all community and nontransient noncommunity water systems to submit a service line inventory to DEP by October 16, 2024**. This website contains a variety of valuable resources; all PWS's are encouraged to carefully review all information provided here.

Questions? If after reviewing information on this website, questions remain related to service line inventories, please contact the Bureau of Safe Drinking Water – Operations Section at RA-EPSDWOpsSection@pa.gov.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Inventory Resources:

Historical Record Review Checklist: As part of conducting the inventory, water systems must review all records available to identify service line materials. The following table is meant to guide water systems through completing a thorough records review of all information which *may* be available to help identify service line material. It is best to review this checklist as an *initial* step in preparing to complete a thorough inventory. This checklist is an *optional* training aid, water systems are *not* required to complete or submit this checklist.

- Historical Record Review Checklist

Community Engagement Plan Template

It is important to inform and involve water system customers in the service line inventory process. The more customers understand, the more likely they are to cooperate with and provide accurate information to their public water supplier; thereby increasing the water system's ability to complete a more accurate inventory in a timely manner. To this end, DEP is making available a Service Line Inventory Community Engagement Plan template for public water suppliers. Please note:

- Areas of the template highlighted in yellow are intended to be updated by the water system.
- Areas of the template highlighted in green provide additional notes for the water system.
- Various examples are listed within the template, which can be removed or modified to reflect the needs of the community or water system.

Link: Community Engagement Plan Template *(this will open doc in new window)*

https://www.dep.pa.gov/Business/Water/BureauSafeDrinkingWater/DrinkingWaterMgmt/Regulations/Pages/Lead-and-Copper-Rule.aspx

EPA's Lead Service Lines Webpage

United States Environmental Protection Agency

Ground Water and Drinking Water

Lead Service Lines

An estimated 9.2 million lead service lines (LSLs) serve water to properties in communities across the United States. In order to meet the Biden-Harris Administration's goal of replacing 100% of LSLs, communities, water systems, and homeowners can access the variety of materials to engage with community members, identify funding sources, plan an inventory, and conduct lead service line replacement (LSLR).

Click the circles below for more information and available resources related to lead service lines.

https://www.epa.gov/ground-water-and-drinking-water/lead-service-lines

EPA's Planning and Developing Service Line Inventories Webpage

Service Line Inventory Tools - The Technical Assistance Needs Assessment and Community Workplan Template

- Template can help TA providers/water systems build a foundation for all planning and support needs for service line inventory and replacement planning.
- The template will walk the water system and/or TA provider through past efforts, TA needs, planning work around service line inventory, lead service line replacement planning, community engagement efforts, lead service line replacement funding support, LSLR construction support, and schedule for completing tasks and delivering TA.
- This is intended to be used by TA providers and/or water system staff to customize and fill out for each system's specifications. Not all fields and/or tasks may be applicable for each water system and additional information may be needed.
  - Technical Assistance Needs Assessment and Community Workplan Template (docx) (265.7 KB, 5/30/2024)
- If you have any questions regarding this product, please email: WaterTa@epa.gov

https://www.epa.gov/ground-water-and-drinking-water/planning-and-developing-service-line-inventory

EPA's Planning and Developing Service Line Inventories Webpage

[Community/System Name, State]
TA Needs Assessment and Community Workplan

Workplan Schedule (Example Format)

The Workplan Schedule is important to ensure everyone's expectations are the same. The schedule should be established at the beginning of the project and should be maintained and updated as necessary as the project progresses. Add in the appropriate timeframe on the top row and then add X's for when each task needs to be completed by. Columns can be added or deleted as necessary.

Task	[Month 1]	[Month 2]	[Month 3]	[Month 4]	[Month 5]	[Month 6]	[Month 7]	[Month 8]	[Month 9]	[Add months as necessary]
Develop format for service line inventory										
Collect service line inventory information from historical records review										
Coordinate with water system staff to plan inventory process										
Collect service line inventory information during routine distribution service work										
Develop a field verification program										
Implement the field verification program										
Submit the inventory to the primacy agency										

[Community/System Name, State]
TA Needs Assessment and Community Workplan

Detailed Workplan Template (Example Format)

The Workplan is essential to keeping track of goals, responsible parties, and timing of project activities. Complete the detailed workplan before activities are started and update it regularly. Rows can be added or deleted as necessary. This information could also be visualized using a Gantt chart or spreadsheet format.

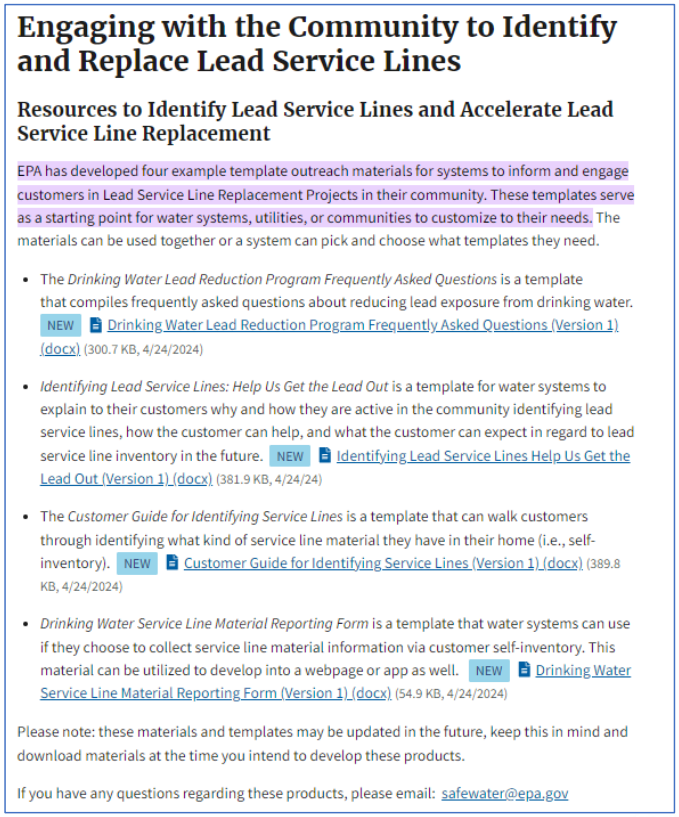
Task Name	Responsibility (Person or Org)	Anticipated Timing	Anticipated System Time Commitment	Anticipated Start Date	Anticipated Completion Date
Develop format for service line inventory					
Collect service line inventory information from historical records review					
Coordinate with water system staff to plan inventory process					
Collect service line inventory information during routine distribution system work					
Develop a field verification program					
Implement the field verification program					
Submit the inventory to the primacy agency					

https://www.epa.gov/ground-water-and-drinking-water/planning-and-developing-service-line-inventory

EPA's Engaging with the Community on Lead Service Lines Webpage

- Contains customizable templates available to inform and engage customers in LSLR Projects in their community
  - Drinking Water Lead Reduction Program Frequently Asked Questions (Version 1) (docx) (300.7 KB, 4/24/2024)
  - Identifying Lead Service Lines Help Us Get the Lead Out (Version 1) (docx) (381.9 KB, 4/24/24)
  - Customer Guide for Identifying Service Lines (Version 1) (docx) (389.8 KB, 4/24/2024)
  - Drinking Water Service Line Material Reporting Form (Version 1) (docx) (54.9 KB, 4/24/2024)

- Current templates and new information will be added to the webpage:
  - https://www.epa.gov/ground-water-and-drinking-water/engaging-community-lead-service-lines



Engaging with the Community to Identify and Replace Lead Service Lines

Resources to Identify Lead Service Lines and Accelerate Lead Service Line Replacement

EPA has developed four example template outreach materials for systems to inform and engage customers in Lead Service Line Replacement Projects in their community. These templates serve as a starting point for water systems, utilities, or communities to customize to their needs. The materials can be used together or a system can pick and choose what templates they need.

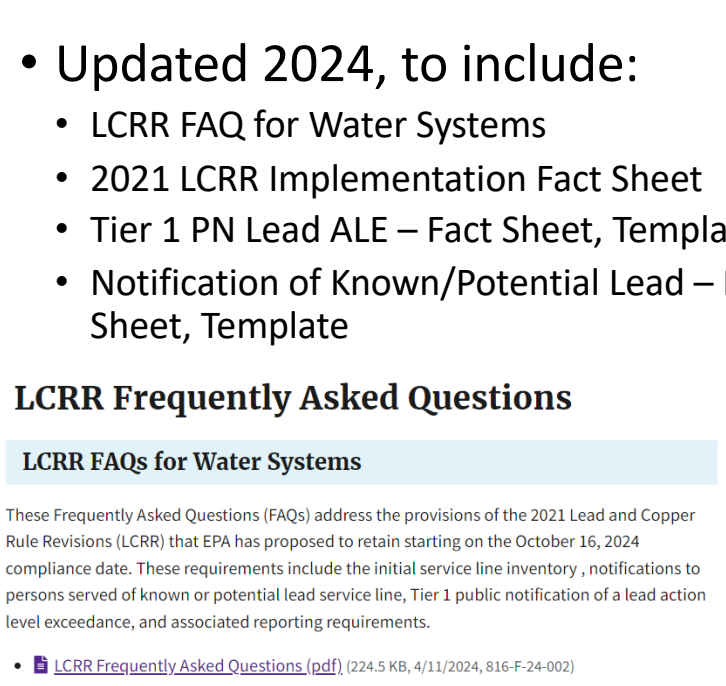
- The *Drinking Water Lead Reduction Program Frequently Asked Questions* is a template that compiles frequently asked questions about reducing lead exposure from drinking water. NEW Drinking Water Lead Reduction Program Frequently Asked Questions (Version 1) (docx) (300.7 KB, 4/24/2024)
- *Identifying Lead Service Lines: Help Us Get the Lead Out* is a template for water systems to explain to their customers why and how they are active in the community identifying lead service lines, how the customer can help, and what the customer can expect in regard to lead service line inventory in the future. NEW Identifying Lead Service Lines Help Us Get the Lead Out (Version 1) (docx) (381.9 KB, 4/24/24)
- The *Customer Guide for Identifying Service Lines* is a template that can walk customers through identifying what kind of service line material they have in their home (i.e., self-inventory). NEW Customer Guide for Identifying Service Lines (Version 1) (docx) (389.8 KB, 4/24/2024)
- *Drinking Water Service Line Material Reporting Form* is a template that water systems can use if they choose to collect service line material information via customer self-inventory. This material can be utilized to develop into a webpage or app as well. NEW Drinking Water Service Line Material Reporting Form (Version 1) (docx) (54.9 KB, 4/24/2024)

Please note: these materials and templates may be updated in the future, keep this in mind and download materials at the time you intend to develop these products.

If you have any questions regarding these products, please email: safewater@epa.gov

There is Useful LCRR Info on EPA's LCR Implementation Tools Website

- Updated 2024, to include:
  - LCRR FAQ for Water Systems
  - 2021 LCRR Implementation Fact Sheet
  - Tier 1 PN Lead ALE – Fact Sheet, Template
  - Notification of Known/Potential Lead – Fact Sheet, Template

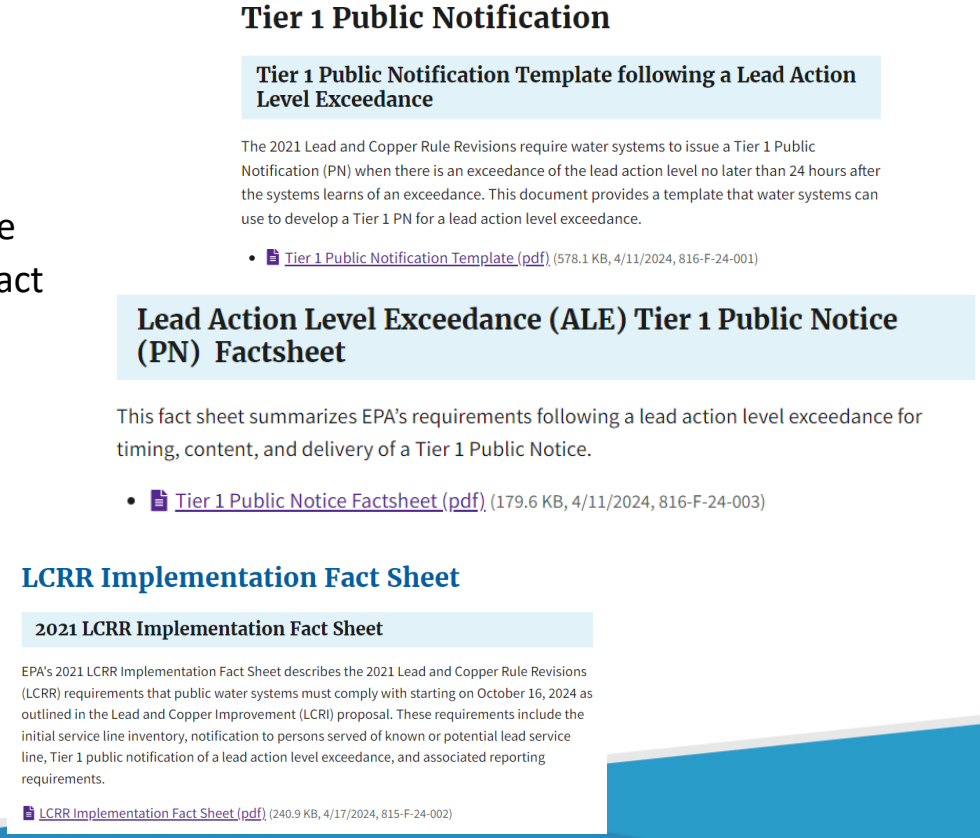


LCRR Frequently Asked Questions

LCRR FAQs for Water Systems

These Frequently Asked Questions (FAQs) address the provisions of the 2021 Lead and Copper Rule Revisions (LCRR) that EPA has proposed to retain starting on the October 16, 2024 compliance date. These requirements include the initial service line inventory , notifications to persons served of known or potential lead service line, Tier 1 public notification of a lead action level exceedance, and associated reporting requirements.

- LCRR Frequently Asked Questions (pdf) (224.5 KB, 4/11/2024, 816-F-24-002)



Tier 1 Public Notification

Tier 1 Public Notification Template following a Lead Action Level Exceedance

The 2021 Lead and Copper Rule Revisions require water systems to issue a Tier 1 Public Notification (PN) when there is an exceedance of the lead action level no later than 24 hours after the systems learns of an exceedance. This document provides a template that water systems can use to develop a Tier 1 PN for a lead action level exceedance.

- Tier 1 Public Notification Template (pdf) (578.1 KB, 4/11/2024, 816-F-24-001)

Lead Action Level Exceedance (ALE) Tier 1 Public Notice (PN) Factsheet

This fact sheet summarizes EPA's requirements following a lead action level exceedance for timing, content, and delivery of a Tier 1 Public Notice.

- Tier 1 Public Notice Factsheet (pdf) (179.6 KB, 4/11/2024, 816-F-24-003)

LCRR Implementation Fact Sheet

2021 LCRR Implementation Fact Sheet

EPA's 2021 LCRR Implementation Fact Sheet describes the 2021 Lead and Copper Rule Revisions (LCRR) requirements that public water systems must comply with starting on October 16, 2024 as outlined in the Lead and Copper Improvement (LCRI) proposal. These requirements include the initial service line inventory, notification to persons served of known or potential lead service line, Tier 1 public notification of a lead action level exceedance, and associated reporting requirements.

- LCRR Implementation Fact Sheet (pdf) (240.9 KB, 4/17/2024, 815-F-24-002)

https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools

Supplemental Regulatory Slides - AWIA

EPA
MID-ATLANTIC REGION

America's Water Infrastructure Act (AWIA) Deadlines are Coming

CWS Size	R&R Assessment Certification	ERP Certification
≥ 100,000	March 31, 2025	September 30, 2025
50,000 - 99,999	December 31, 2025	June 30, 2026
3,301 - 49,999	June 30, 2026	December 31, 2026

https://www.epa.gov/waterresilience/awia-section-2013

Reviewing your RRA and ERPs

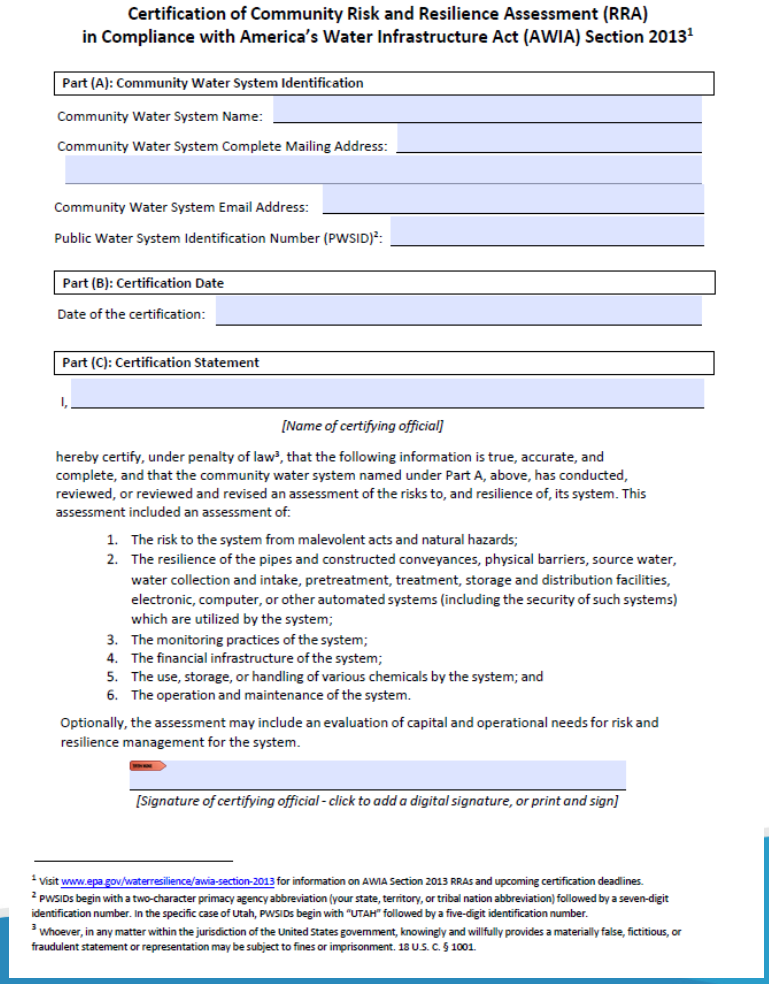
- Each community water system shall review the assessment at least **once every 5 years** to determine whether such assessment should be revised
- Submit a certification that the system has **reviewed** its assessment and, if applicable, **revised** such assessment
- Shall prepare or **revise**, where necessary, an emergency response plan that incorporates findings of the assessment (and **any revisions** thereto)

Reviewing your RRA and ERPs

- Update your RRA and ERP to include emerging as well as ongoing threats
- EPA's website, www.epa.gov/waterresilience, has resources on many threats of concern to water systems, including cybersecurity, supply chain resilience, climate change, and more

New RRA & ERP Certification Forms

- ✓ Form Fillable
- ✓ Population Served
- ✓ PWSID# begin with PA
- ✓ Reviewed *or* Reviewed/Revised



Certification of Community Risk and Resilience Assessment (RRA) in Compliance with America's Water Infrastructure Act (AWIA) Section 2013[1]

Part (A): Community Water System Identification

Community Water System Name:

Community Water System Complete Mailing Address:

Community Water System Email Address:

Public Water System Identification Number (PWSID)[2]:

Part (B): Certification Date

Date of the certification:

Part (C): Certification Statement

I,

[Name of certifying official]

hereby certify, under penalty of law[3], that the following information is true, accurate, and complete, and that the community water system named under Part A, above, has conducted, reviewed, or reviewed and revised an assessment of the risks to, and resilience of, its system. This assessment included an assessment of:

1. The risk to the system from malevolent acts and natural hazards;
2. The resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;
3. The monitoring practices of the system;
4. The financial infrastructure of the system;
5. The use, storage, or handling of various chemicals by the system; and
6. The operation and maintenance of the system.

Optionally, the assessment may include an evaluation of capital and operational needs for risk and resilience management for the system.

[Signature of certifying official - click to add a digital signature, or print and sign]

[1] Visit www.epa.gov/waterresilience/awia-section-2013 for information on AWIA Section 2013 RRAs and upcoming certification deadlines.
[2] PWSIDs begin with a two-character primacy agency abbreviation (your state, territory, or tribal nation abbreviation) followed by a seven-digit identification number. In the specific case of Utah, PWSIDs begin with "UTAH" followed by a five-digit identification number.
[3] Whoever, in any matter within the jurisdiction of the United States government, knowingly and willfully provides a materially false, fictitious, or fraudulent statement or representation may be subject to fines or imprisonment. 18 U.S. C. § 1001.