

Lead Communications: Preparing for future regulations



Timeline LCR Regulatory Development





Lead-Laced Water In Flint



Before Flint: D.C.'s drinking water crisis was even worse

<https://wtop.com/dc/2016/04/flint-d-c-s-drinking-water-crisis-even-worse/>

<https://www.npr.org/sections/thetwo-way/2016/04/20/465545378/lead-laced-water-in-flint-a-step-by-step-look-at-the-makings-of-a-crisis>

<https://www.cdc.gov/nceh/lead/tips.htm>



EPA NATIONAL DRINKING WATER ADVISORY COUNCIL

“Require proactive LSL replacement programs, which set replacement goals, effectively engage customers in implementing those goals, and provide improved access to information about LSLs, in place of current requirements in which lead service lines (LSLs) must be replaced only after a lead action level (AL) exceedance and CCT”

- Mandated lead service line replacement without regard for results of LCR testing
- 20-year timeline for removal or 5 percent annually
- Lead Presumption – date not fixed
- Household Action Level of 5 ppm
- Public mapping of LSL inventory

AWWA endorses NDWAC recommendations unanimously.

<https://www.epa.gov/sites/production/files/2017-01/documents/ndwaclcrwgfinalreportaug2015.pdf>

<https://www.usnews.com/news/best-states/michigan/articles/2017-06-14/a-timeline-of-the-water-crisis-in-flint-michigan>



LEAD AND COPPER RULE REVISIONS WHITE PAPER

“EPA is considering proposing full LSLR (lead service line replacement) programs.”

6.5 to 10 million homes nationwide

\$2,500 - \$5,500 per line, but could be as much as \$8,700 per line

\$16 billion to \$80 billion

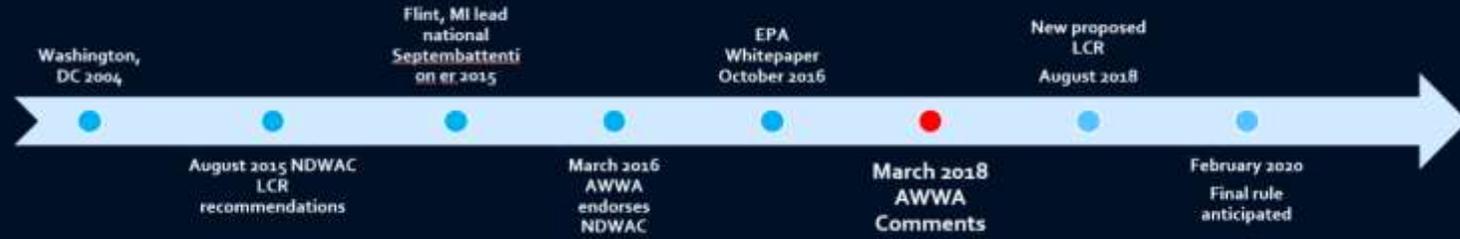
“EPA anticipates that the proposal will consider the “household action level” approach recommended by the NDWAC”

NDWAC 5 ppb HAL

EPA peer review health study to set MCL

MCLG is zero

“EPA is considering (a) role for filters in addressing risk from lead and copper at the household level.”



EPA should not make replacing all lead service lines in a specific timeframe a rule requirement.

Provide sufficient time to allow the initial inventory to be developed

Water systems

- already substantially control lead exposure through water.

- will not be able to replace lead service lines overnight.

- do not have the authority to require customers to cooperate.

An exact inventory describing the use of lead pipes under both water utility and customer ownership is not feasible. An exact inventory would necessitate certain knowledge about all 96.7 million service connections in the United States, not simply the 6.1–10 million that are more likely to be lead.

EPA has no means at present to understand if a community would benefit most by expanding its lead paint abatement program, targeting lead sources in rental housing, removing lead service lines, or pursuing other sources of lead.

Trump Says His Regulatory Rollback Already Is the ‘Most Far-Reaching’

Scott Pruitt Environmental Protection Agency Secretary tells Wall Street Journal 1/17/18

In 2018, he said he plans to focus on cleaning up toxic sites in the Superfund program and with what he calls “the war on lead.”

“I really believe that we can eradicate lead from our drinking supply within a decade. We just have to get serious about it,” Mr. Pruitt said. “We haven’t been focused and urgent about the things that matter and can impact people’s health today, and we need to do that.”

EPA Spokesman tells HuffPost on 4/4/18

“Administrator Pruitt has directed his team to work swiftly to update the Lead and Copper Rule.”

<https://www.nytimes.com/2017/12/14/us/politics/trump-federal-regulations.html>

https://www.wsj.com/articles/scott-pruitt-aims-to-accelerate-his-efforts-to-remake-the-epa-1516220866?shareToken=st4054fo418e5a47ce8969936823352a9d&reflink=article_email_share

https://www.huffingtonpost.com/entry/pruitt-regulation-epa_us_5ac537b5e4b09ef3b2432ca6

Draft Changes to LCR from Michigan DEQ



- Require replacement of all lead service lines by a date to be set according to size of PWS.
- Reduce public notice time after LCR action level exceedance from 60 to 15 days.
- Reduce Treatment Technique action level for lead from 15 ppb to 10 ppb.
- Require PWS to determine source of lead in homes of customer sample exceeds 40 ppb.
- Require written distribution system material evaluation by PWS for DEQ.
- Require “prompt” notice to homeowner/occupant of service line material content, and replacement or repair.
- Require formation of Water System Advisory Councils in PWS serving over 1,000.

Michigan DEQ statement “The current rules are designed to ensure integrity of the public water supply system and are outdated based on available best current science and practices.

“Health providers, elected officials, and the public at large have become aware that the existing rules and drinking water standards for lead are not health-based standards and not as protective of public health as they should be, especially for vulnerable populations of infants and children.”

Communications, Operations and ... Funding

PREPARING FOR FEBRUARY 2020

Communications Importance

NDWAC three-year milestones

“If replacement goals are not met, the revised LCR should require the PWS to take additional actions intended to enhance interest in and **incentives** for customer participation in full LSLR.”

Reduce liability

For every customer you persuade now – that’s one less you could be forced to help pay to replace a lead service line. EPA says cost per \$2500 -\$5500 per line, but maybe as much as \$8700 per.

Fluff or hard dollars?

George Hawkins former CEO of DC Water –

“People say communications is the soft side, and I say, are you nuts?”

“This is the core – if we do not have a relationship with the customers we serve, nothing else will happen. None of the big engineering, none of the big projects, none of the infrastructure improvements, none of the jobs – all of these other good things depend fundamentally on a relationship with a customer where a customer understands why they’re paying what they’re paying.”

LEAD SERVICE LINE REPLACEMENT COLLABORATIVE

Our goal is to accelerate voluntary LSL replacement in communities across the United States.



Types of water pipes

Follow the guidance below or contact a licensed plumber to determine the material of your water pipes. To identify the material of your service pipe material on private property, check your household water service connection, typically located in the basement.

Homeowners should identify and replace old household pipes, particularly galvanized plumbing and sources of lead. The type of household plumbing can vary throughout your household.

Lead



A dull, silver-gray color that is easily scratched with a coin. Use a magnet - strong magnets will *not* cling to lead pipes.

Galvanized



A dull, silver-gray color. Use a magnet - strong magnets *will* typically cling to galvanized pipes.

Copper



The color of a copper penny.

Plastic



White, rigid pipe that is joined to water supply piping with a clamp.

Systems that have removed (most) lead



- Lead Services Map
- Lead Hotline
- Brochure
- Offer \$2,000 credit

- http://www.bwsc.org/SERVICES/Programs/Lead_Brochure.PDF
- http://www.bwsc.org/COMMUNITY/lead/lead_toc.asp



- Scratch test, laboratories, requesting removal
- Offers \$1,000 rebate



- <http://www.cityofmadison.com/water/water-quality/lead-copper-in-water/lead-in-water-what-you-should-know>
- <https://www.detroitnews.com/story/news/local/michigan/2016/12/14/lansing-lead-service-line/95435604/>
- file:///C:/Users/mattj/Downloads/LSLR_Presentation.pdf

What does the MAWC do?

Disturb/NonDisturb
Doorhanger/US Mail
Brochure
Partner with 2-1-1
Lead Hotline
Contract with ESL to administer
Start Nov. 2016
Avg 10 a month
Most replace



https://www.mawc.org/sites/default/files/check_service_line_for_lead.pdf
<https://www.mawc.org/facts-on-lead>
<https://www.mawc.org/lead-and-copper-test-results>

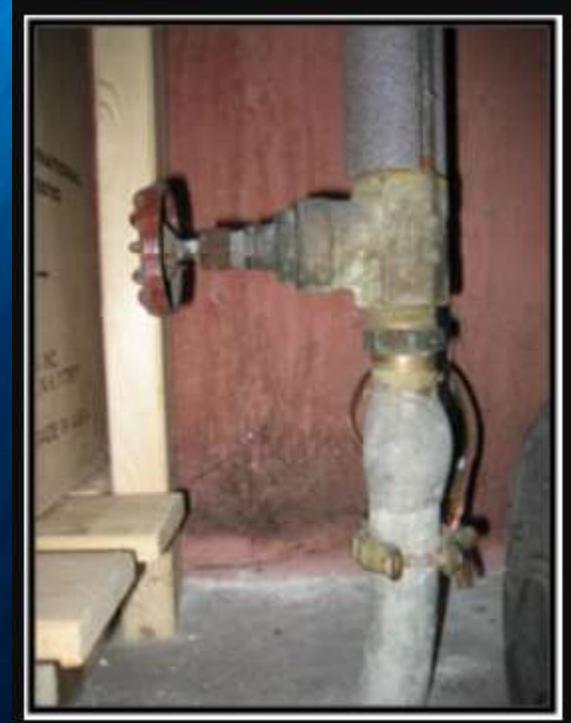
Where can you start?

Inventory

- repair/replace meters
- repair frozen services
- exposed during repair of mains
- main replacement

develop communications

support legislation



Lead-related bills

PA LEGISLATURE

- [SB 727](#) – Water test for lead at sale of property – Consumer Protection
- [SB 296](#) – disclosure of lead paint and lead service lines in real estate transfers – Urban Affairs and Housing
- [SB 405](#) – creation of a lead SuperFund – Community Economic and Recreational Development
- [SR 33](#) – established [Lead Task Force](#) under Joint State Government Commission on June 9, 2017. Report due December 2018

AWWA SAYS

- In 2013 the National Association of Home Builders estimated that the typical buyer of a single-family home can be expected to stay in a home approximately 13 years.
- Shared federal and state support will be necessary to facilitate fully removing lead services

Potential Funding Mechanisms

AWWA says **Shared federal and state support** will be necessary to facilitate fully removing lead services

- Existing
 - USDA Single Family Housing Repair Loans & Grants
 - Recipients must meet poverty guidelines and be in a rural area
 - Community Development Block Grants (CDBG or CD)
 - Run through counties or municipalities, typically used for street repavings, economic development projects
 - Weatherization, Redevelopment
 - Health Departments
 - Administration: 2-1-1
 - You
- Future
 - Lead Superfund bill-PA Legislature
 - LIHEAP-style water bill from Congress
 - Bring Back WAMs like DEP Safe Water grants

Current PA Law

Chapter 109 Safe Drinking Water

§ 109.1107. System management responsibilities.

(d) Lead service line replacement.

(4) Conditions of replacement. The water supplier shall replace the portion of the lead service line that it owns. In cases where the system does not own the entire lead service line, the system shall notify the owner of the line, or the owner's authorized agent, that the system will replace the portion of the service line that the system owns and **shall offer to replace the owner's portion of the line**. A system is not required to replace the line if the owner refuses to pay for the cost of replacement of the privately owned portion of the line, or **if any laws prohibit** this replacement. ...

Fiscal Code bill (HB 674) (Act 44-2017) – The language in **SB 656** (Fontana) was placed into this code bill. It amends the Municipality Authorities Act by allowing authorities to use public funds to repair and replace private water lines or private sewer laterals if they pose a threat to the public health or safety. The legislation does not force any authority to participate and gives the authority discretion to designate public funding for such a cause and to also determine the guidelines for eligibility for such a program.

Thank You

Questions?



Footnotes

Sources:

EPA: Lead and Copper Rule Long-Term Revisions

<https://www.epa.gov/dwstandardsregulations/lead-and-copper-rule-long-term-revisions>

OMB: LCR Regulatory Revisions

<https://www.reginfo.gov/public/do/eAgendaViewRule?publd=201710&RIN=2040-AF15>

EPA: Lead and Copper Revisions Whitepaper

https://www.epa.gov/sites/production/files/2016-10/documents/508_lcr_revisions_white_paper_final_10.26.16.pdf

AWWA: Federalism Consultation, comments on LCR:

<https://www.awwa.org/Portals/0/files/legreg/documents/AWWALTCRFederalismComments.pdf>

NDWAC Recommendations

<https://www.epa.gov/dwstandardsregulations/ndwac-recommendations-administrator-long-term-revisions-lead-and-copper-rule>

WSJ: Scott Pruitt Aims to Accelerate His Efforts to Remake the EPA

https://www.wsj.com/articles/scott-pruitt-aims-to-accelerate-his-efforts-to-remake-the-epa-1516220866?shareToken=st4054f0418e5a47ce8969936823352a9d&reflink=article_email_share

Huff Post: This is one regulation Pruitt has said should be stronger (subhead)

https://www.huffingtonpost.com/entry/pruitt-regulation-epa_us_5ac537b5e4b09ef3b2432ca6

Michigan DEQ LCR page

http://www.michigan.gov/deq/0,4561,7-135-3313_3675_3691-9647--,00.html

Resources:

AWWA: Lead Communiciations

<https://www.awwa.org/resources-tools/water-knowledge/lead/lead-communications.aspx>

WRF: Lead and Copper Rule: Potential Regulatory Changes, Corrosion Chemistry, and Stakeholder Communication

<http://www.waterrf.org/resources/webcasts/pages/PublicWebcasts-detail.aspx?ItemID=60>

Outline

Footnotes on each page, questions welcome

Section I Timeline LCR Regulatory Development

1. Timeline

A. How did we get here? Flint, DC

B. Forecast regulations – timeline from EPA: August 2018 – final Feb 2020
NDWAC
AWWA Adopts
EPA Whitepaper

C. Trump Administration reducing regulations
Pruitt and EPA statements

D. AWWA 2018 comments

2. Interesting aside
MDEQ proposed regs

Section II Communications, Operations and ... Funding

1. The role of communications
fluff?

2. AWWA Communications

3. LSLR Collaborative AWWA and WRF members

4. Systems removed, Boston, Lansing, Madison

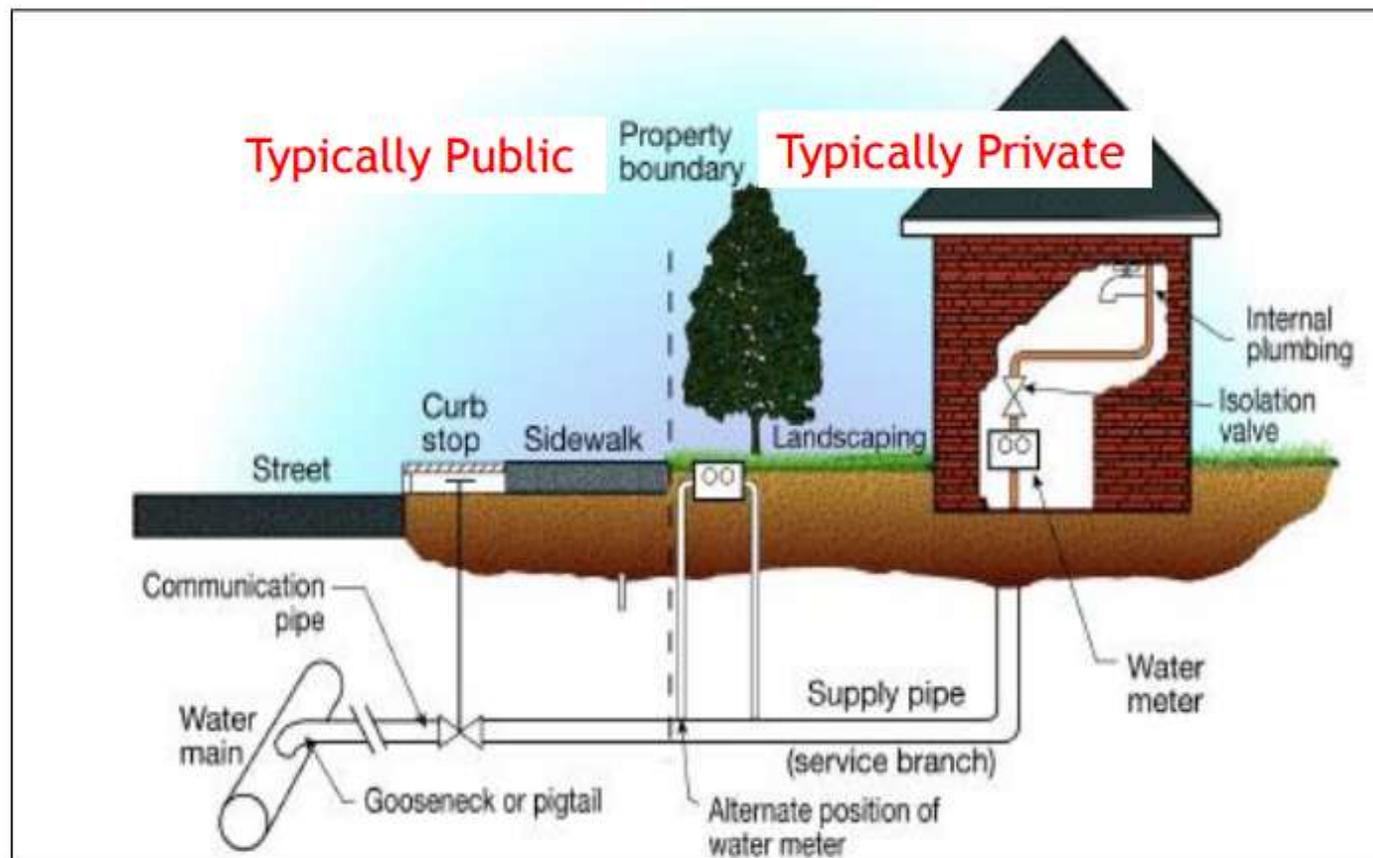
5. What MAWC does

6. What you can do
service, repair, construction; records, lot and block cards

7. Funding

8. Current Law

Lead Service Line Replacement Background



Source: Sandvig, A., P. Kwan, G. Kirmeyer, B. Maynard, D. Mast, R. R. Trussell, S. Trussell, A. Cantor, and A. Prescott. 2008. *Contribution of Service Line and Plumbing Fixtures to Lead and Copper Rule Compliance Issues*. Denver, Colo.: Water Research Foundation. Adapted with permission.

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