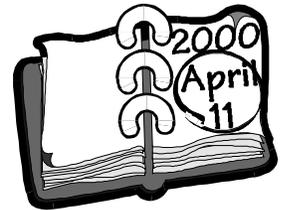




Lead and Copper Rule Minor Revisions Fact Sheet for Public Water Systems that Serve 3,300 or Fewer Persons

We (the EPA) have made minor changes to the Lead and Copper Rule (LCR) that was first published in 1991. These Lead and Copper Rule Minor Revisions (LCRMR) **take effect on April 11, 2000**. The LCRMR do not change the action levels of 0.015 milligrams per liter (mg/L) for lead and 1.3 mg/L for copper. They also do not affect the Rule's basic requirements to optimize corrosion control and, if appropriate, treat source water, deliver public education, and replace lead service lines. In many cases, the revisions reduce your monitoring, reporting, public education, and other requirements.



What Are the Changes to the Lead and Copper Rule?

The minor revisions to the LCR can be organized into four broad categories:

- 1 Demonstrating optimal corrosion control
- 2 Monitoring and reporting
- 3 Public education
- 4 Lead service line replacement

In this fact sheet, we have identified for each category: 1) the revisions that you must begin complying with by April 11, 2000 and 2) the revisions that you cannot implement unless and until they are adopted by your State and incorporated into your State's drinking water regulations. **Check with your State Primacy Agency to determine when and if provisions that depend on State adoption will take effect in your State.**



This fact sheet summarizes your requirements. For the exact detailed requirements, refer to:

Federal Register, Vol. 65, No. 8. Drinking Water Regulations; Maximum Contaminant Level Goals and National Primary Drinking Water Regulations for Lead and Copper; Final Rule; (Wed., Jan 12, 2000)

1 Revisions to Requirements for Demonstrating Optimal Corrosion Control

The revisions on this page apply to you **ONLY** if you have installed corrosion control treatment and/or are required to collect water quality parameter samples



You Must Begin Complying with These Requirements on April 11, 2000



If you have installed corrosion control treatment but are not required to conduct water quality parameter (WQP) monitoring, you must continue to properly operate and maintain corrosion control treatment at all times.

Revisions That Depend on State Adoption

Determining Whether You Comply with Your Optimal Water Quality Parameters (OWQPs)



Procedure Under The Original Lead and Copper Rule of 1991

Daily values were not used to determine compliance.

You were out of compliance if ***at any time*** the results of any WQP sample were below the minimum value or outside the range of values designated by the State.

You could collect a confirmation sample within 3 days of the original sample. If you collected this sample, the results of the original sample and the confirmation sample were averaged to determine compliance.



Procedure Under The Lead and Copper Rule Minor Revisions

“Daily values” are now used to determine compliance. Daily values are the sample results for each WQP and are calculated for each WQP at each sampling location. They are based on the sampling frequency for that WQP and sampling point.

You are only out of compliance if you have an “excursion” for more than a total of 9 days during a 6-month period. An excursion is any “daily value” for a WQP that is below the minimum value or outside the range of OWQPs set by the State.

Compliance determinations are always based on 6-month periods, regardless of your monitoring schedule (e.g., daily, biweekly, semi-annually, annually, triennially) or whether the sample is from an entry point or tap.

Confirmation samples are no longer used. You must report the results of all samples collected during the 6-month period.



For more information on this new OWQP compliance procedure, refer to:

How to Determine Compliance with Optimal Water Quality Parameters as Revised by the Lead and Copper Rule Minor Revisions, March 2000, EPA 815-R-99-019.

2 Revisions to Monitoring and Reporting Requirements

The revisions in this section may apply to your system



You Must Begin Complying with These Requirements on April 11, 2000



Procedure Under The Original Lead and Copper Rule of 1991

The LCR was unclear that if you did not have enough "high-risk" sites (i.e., Tier 1, 2, or 3 sites) that you were still required to collect the minimum number of tap samples.

The LCR did not specify which sites to use for reduced lead and copper tap monitoring.

The LCR did not require you to notify your State if you changed your treatment or added a new source.



Procedure Under The Lead and Copper Rule Minor Revisions

If you do not have enough Tier 1, 2, or 3 sites, you must use representative sites to meet minimum sampling requirements. A site is representative if its plumbing is similar to that of other sites in your system.

If you are on reduced lead and copper tap monitoring (i.e., monitor less frequently than every 6 months), you must collect from sites that are representative of the ones you used during standard monitoring. *(Your State entity may specify where to collect these samples.)*

If you are on reduced lead and copper tap monitoring, you must notify your State in writing no later than 60 days after changing treatment or adding a new source.

Revisions That Depend on State Adoption

Monitoring Requirements



Procedure Under The Original Lead and Copper Rule of 1991

You were required to conduct reduced lead and copper monitoring only during the months of June to September.

You were required to collect first-draw lead and copper samples, regardless of whether you had enough taps that could supply first-draw samples.

You were required to conduct 3 consecutive years of lead and copper tap monitoring before reducing your monitoring frequency to once every 3 years (triennial).

Before being allowed to conduct triennial WQP tap monitoring, you were required to be in compliance with your OWQPs for at least 6 consecutive years.



Procedure Under The Lead and Copper Rule Minor Revisions

Your State may allow you to conduct reduced lead and copper monitoring during months other than June to September.

If you a system that operates 24 hours a day and you do not have enough taps that can supply first-draw lead and copper samples, you may collect samples from the taps that have the longest standing times.

You can collect lead and copper tap water monitoring once every 3 years after monitoring for only 2 consecutive, 6-month monitoring periods, if your 90th percentile levels are ≤ 0.005 mg/L for lead and ≤ 0.65 mg/L for copper. *(This is also known as accelerated reduced tap monitoring).*

You can proceed to triennial WQP tap monitoring if you also qualify for accelerated reduced lead and copper tap water monitoring and are in compliance with your OWQPs for 2 consecutive monitoring periods.

Revisions That Depend on State Adoption

Monitoring Requirements (continued)



Procedure Under The Original Lead and Copper Rule of 1991

Sample invalidation was not allowed.

No monitoring waivers were allowed.

You were required to collect WQP samples at **all** of your entry points.

If you exceeded an action level but were not required to install source water treatment, you were not allowed to reduce the frequency with which you collected source water samples.



Procedure Under The Lead and Copper Rule Minor Revisions

You can ask your State to invalidate lead and copper tap water samples if the samples meet **at least one** of the criteria below and you provide documentation that supports your request:

- There is a laboratory error.
- The sample was damaged in transit.
- The State determines that the sample was taken from an inappropriate site.
- The State believes the sample was tampered with.

Note: If you do not have enough valid samples after the State invalidates your sample(s), you must collect enough replacement samples to meet the minimum sampling requirements.

You may request a 9-year monitoring waiver for lead and/or copper tap monitoring if:

- you serve 3,300 or fewer persons;
- your 90th percentile levels are ≤ 0.005 mg/L for lead and/or ≤ 0.65 mg/L for copper; and
- your plumbing materials meet certain criteria that indicate negligible risk from lead and/or copper exposure.

You may limit biweekly WQP entry point monitoring to representative locations if:

- you are a ground water system; and
- you can demonstrate that these sites are representative of your system's water quality conditions.

You may conduct source water monitoring on a reduced schedule even though you exceed an action level, **if**:

- your source water levels are ≤ 0.005 mg/L for lead and ≤ 0.65 mg/L for copper; and
- your State has determined that source water treatment is unnecessary.



For more information on monitoring waivers, refer to:

Monitoring Waivers under The Lead and Copper Rule Minor Revisions for Systems Serving 3,300 or Fewer People, March 2000, EPA 815-R-99-021.

Reporting Revisions That Depend on State Adoption

1. You may no longer be required to calculate and report your 90th percentile lead and copper levels if:
 - your State has notified you that it will perform this calculation;
 - you provided your sampling results and sampling site information to your State no later than the date specified by your State (*Note: this date will be sometime before the end of the monitoring period*); and
 - your State gave you the results of the 90th percentile calculation before the end of the monitoring period.
 2. You are no longer required to submit certifications that you followed proper sampling procedures or that homeowners collected samples after receiving proper instructions.
 3. You are no longer required to provide justifications if your sampling pool contains Tier 2 or Tier 3 sites or an insufficient number of sites served by lead service lines (LSLs).
 4. You are no longer required to request in writing your State's permission to monitor for lead and copper on a reduced schedule after you meet your OWQPs. (*You still must **receive written approval** from your State before you begin reduced monitoring.*)
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3 Revisions to Public Education Requirements

Read this section if you have exceeded the lead action level



You Must Begin Complying with These Requirements on April 11, 2000



Procedure Under The Original Lead and Copper Rule of 1991



Procedure Under The Lead and Copper Rule Minor Revisions

You were required to submit a letter to the State demonstrating that you met your public education requirements. This letter was due by December 31 of the year in which you performed public education.

You must submit a letter to the State demonstrating that you met your public education requirements within 10 days after *each* period in which these tasks were required. This means that if you are required to deliver public service announcements (PSAs) every 6 months, you must submit two letters per year.

Revisions That Depend on State Adoption



Procedure Under The Original Lead and Copper Rule of 1991



Procedure Under The Lead and Copper Rule Minor Revisions

Mandatory Public Education Language

You were required to include information about LSLs, even if your system had no LSLs.

You can delete references to LSLs in your public education materials if you have no LSLs and you obtain approval from your State.

You were not allowed to modify language regarding the availability of building permits and consumer access to these records.

If you are a community water system (CWS), you can modify public education language regarding building permit availability and consumer access to these records, if those documents are not available. You must have permission from your State to modify this language.

All CWSs and non-transient, non-community water systems (NTNCWSs) were required to use the same language provided by EPA.

If you are a NTNCWS, you may use alternative mandatory public education language that is more suited to your type of system.

If you are a certain type of CWS, such as a prison or hospital, whose residents cannot make their own plumbing improvements and are not billed separately for water, you can use the alternative mandatory public education language provided for NTNCWSs. *(Your State may require you to obtain approval.)*

Revisions That Depend on State Adoption

Distribution of Public Education Materials

All CWSs were required to:

- enclose your public education materials in the customers' regular water bills
- provide public service announcements to radio and TV stations semi-annually;
- notify the public via newspapers;
- distribute pamphlets to all facilities and organizations that provide the public with health and/or educational services.

If you were a NTNCWS, you could only post information and distribute pamphlets; you could not use e-mail to distribute public education information.

All CWSs were required to:

- Insert notices in the water bill
- Submit information to newspapers
- Distribute pamphlets
- Broadcast information via TV and radio

If you are a CWS, you:

- can mail public education materials separately from your bill;
- no longer have to provide public service announcements to radio and TV stations;
- no longer have to notify the public via newspapers.*
- can limit distribution of pamphlets to facilities primarily serving pregnant women and children, unless your State requires you to make a broader distribution.*

**If you serve 501 to 3,300 persons, you first must have approval from your State.*

If you are a NTNCWS, you can use internal e-mail systems instead of using printed materials to distribute public education materials, as long as this achieves at least the same coverage.

If you are a certain type of CWS, such as a prison or hospital, whose residents cannot make their own plumbing improvements and are not billed separately for water, you can follow the NTNCWS public education delivery requirements. (*Your State may require you to obtain approval.*)

4 Revisions to Lead Service Line Replacement Requirements

The revisions in this section apply to you **ONLY** if you have LSLs and you continue to exceed the lead action level after installing corrosion control and/or source water treatment



You Must Begin Complying with These Requirements on April 11, 2000



The following table shows how the LCRMR have changed your requirements if you do not own the entire LSL and you only replace that portion of the LSL that you own (also known as partial LSL replacement). Unless prohibited by local or State law, the LCRMR still require you to offer to replace the building owner's portion of the line at his/her expense.



Procedure Under The Original Lead and Copper Rule of 1991

There was no specific required deadline to provide notification of partial replacement.

For each resident served by a partially replaced line, you had to offer to collect and analyze a ***first-flush tap sample***, after you completed the partial replacement. This sample would have been collected at the tap of each resident that had accepted your offer.

If resident(s) had accepted your offer, you were required to collect the sample(s) and report results to the resident(s) within 14 days following the partial line replacement.

You had to report the sample results to residents.

You were not required to report any information to the State that demonstrated that you met your partial LSL requirements.

The LCR did not specify how to notify users about the partial replacement or the post-replacement sample results.



Procedure Under The Lead and Copper Rule Minor Revisions

You must notify residents at least 45 days before partial replacement that lead levels may increase temporarily following the replacement and provide guidance on the measures they can take to minimize exposure to lead. If your line replacement is in conjunction with emergency repairs, however, your State may allow a shorter time frame for this notification.

You must collect at your expense ***one*** representative service line sample for each replaced LSL within 72 hours of removing the line. You are not required to collect samples for each affected resident.

You must collect the sample within 72 hours of completing the partial replacement and report the results within 3 business days of receiving the results.

You must report sample results to the building owner(s) and the resident(s) served by the partially replaced line.

You also must submit these monitoring results to the State within the first 10 days of the month following that in which you receive the results. However, the LCRMR give regulating entities the option to modify reporting requirements, so you need to check with your State to be sure of your specific requirements.

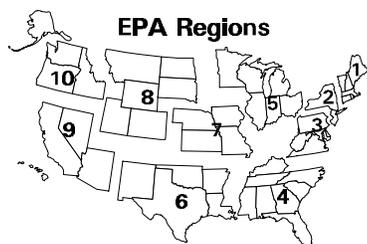
You must notify residents by mail. However, for multi-family dwellings you can post the notification in a conspicuous common-use area of the building.



For more information on partial lead service line notification and reporting requirements, refer to:

Notification and Reporting Requirements for Partial Lead Service Line Replacement under the Lead and Copper Rule, March 2000, EPA 815-R-99-022.

Where Can I Obtain More Information About the LCRMR?



State or EPA Regional Office

You can contact the EPA Region responsible for implementing the Safe Drinking Water Act for your systems. A list of contacts in each EPA Regional office is provided on the next page.

Other Guidance Documents

Lead and Copper Rule: Compliance Dates, March 2000, EPA 815-R-99-020. This document helps you understand when you must begin complying with the new requirements of the LCRMR. This guidance contains a discussion of each of the important changes made to the 1991 Rule by the LCRMR by major rule section (i.e., §141.81, §141.82, §§141.84-141.90, and §141.43), and identifies when you must begin complying with the new requirements. It also contains an appendix which compares the rule language of the LCR against the minor revisions.



You can obtain any of the guidance documents listed in this fact sheet from the Safe Drinking Water Hotline, the Water Resource Center (202-260-7786 or e-mail at center.water.resource@epa.gov), or the Office of Ground Water and Drinking Water web page at www.epa.gov/safewater/standards.html.



Safe Drinking Water Hotline

You can call the **SAFE DRINKING WATER HOTLINE** at 1-800-426-4791. It is open Monday through Friday, 9:00 a.m. to 5:30 p.m., ET, excluding Federal holidays. The Hotline can provide you with a list of other documents that pertain to the LCR and to the minor revisions.

EPA Regional Offices

EPA Region 1

Associate Director for Drinking Water Policy
One Congress Street
Suite 1100
Boston, MA 02114-2023
(617) 918-1571



Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont

EPA Region 2

Water Programs Branch
290 Broadway
New York, NY 10007-1866
(212) 637-3826



New Jersey, New York, Puerto Rico, Virgin Islands

EPA Region 3

Drinking Water Branch
1650 Arch Street
Philadelphia, PA 19103-2029
(800) 438-2474 (Customer Service Hotline)



Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia

EPA Region 4

Ground Water/Drinking Water Branch
61 Forsyth Street, S.W.
Atlanta, GA 30303-3415
(404) 562-9424



Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

EPA Region 5

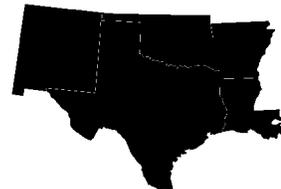
Safe Drinking Water Branch
77 West Jackson Boulevard
Chicago, IL 60604
(800) 621-8431



Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

EPA Region 6

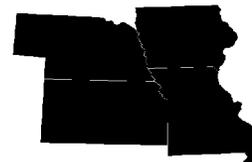
Source Water Protection Branch
1445 Ross Avenue
Dallas, TX 75202
(214) 665-7150



Arkansas, Louisiana, New Mexico, Oklahoma, Texas

EPA Region 7

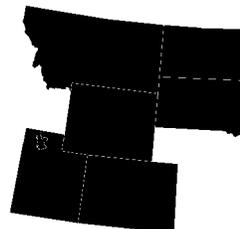
Drinking Water Branch
901 N. 5th Street
Kansas City, KS 66101
(913) 551-7032



Iowa, Kansas, Missouri, Nebraska

EPA Region 8

Municipal Systems Unit
999 18th Street
Denver, CO 80202
(303) 312-7021



Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

EPA Region 9

Drinking Water Office
75 Hawthorne Street
San Francisco, CA 94105
(415) 744-1843



Arizona, California, Hawaii, Nevada, American Samoa, Guam, Commonwealth of the Northern Mariana Islands

EPA Region 10

Drinking Water Unit
1200 Sixth Avenue
Seattle, WA 98101
(206) 553-1890



Alaska, Idaho, Oregon, Washington