



CONGRESSIONAL CITY CONFERENCE

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March **7-10**, 2021

VIRTUAL

The Lead and Copper Rule: What Cities Need to Know

Housekeeping Reminders



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Today's Speakers



Andrea Eales
Director of Government
Affairs, American Public
Works Association



**The Honorable Satya
Rhodes-Conway**
Mayor, City of Madison,
Wisconsin



Alan Roberson, P.E.
Executive Director,
Association of State
Drinking Water
Administrators



Steve Via
Director of Federal
Relations, American
Water Works Association

Lead and Copper Rule Revisions

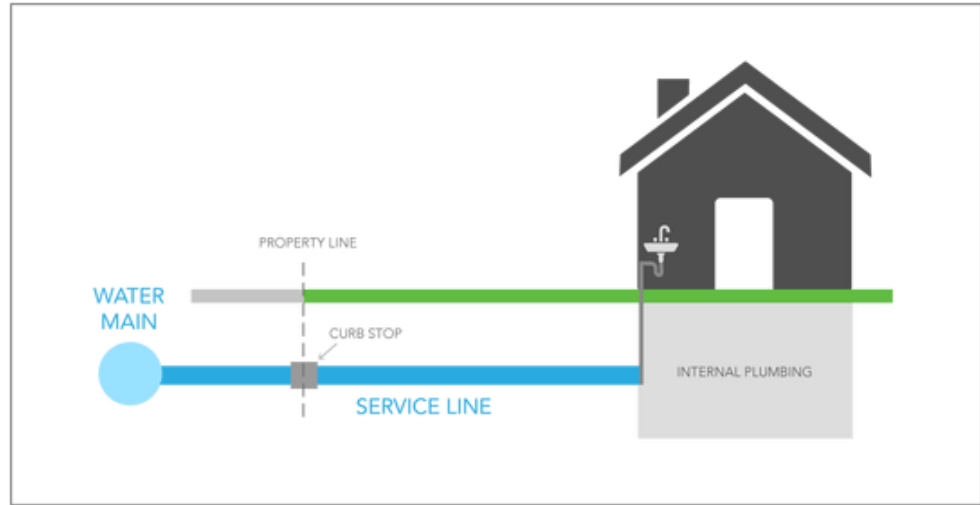
What it Means to Cities

J. Alan Roberson, P.E.
ASDWA Executive Director



LCRR Major Components

- Lead service line inventories
 - Replacement plans
 - Sampling plans
- Action level exceedance (ALE)
 - Required actions after ALE
- Trigger level & find-and-fix
- Corrosion control treatment
- Public education & public notification
- Testing in schools and child care facilities
- \$\$ for cities and states



6-10 million lead services lines in the country



Lead Service Inventories & Replacement Plans

- Inventories

- Materials for both public and private sides of all service lines
 - Looking for lead service lines
 - Many unknowns on private side
- Initial inventory in three years
 - Will have lots of unknowns
 - How to decrease that number?
 - Models & algorithms
- Must be publicly available
 - Website – serving >50,000 people

- Replacement Plans

- Goal: replace all the lead service lines all the way to building wall
- Systematic & detailed plan
 - How to inform homeowners
 - How to prioritize
 - How to provide financial assistance for private side replacement costs



Sampling Plans & Action Level Exceedances

- Sampling Plans

- Residents conduct LCRR sampling
 - Only regulation with residents
- Tier 1 sampling locations from lead service lines
 - More lead service lines will be found
 - Fifth liter to be sampled for locations with lead service lines
 - First liter otherwise and first liter for copper in all cases
 - Potential for confusion



- Action Level Exceedances (ALEs)

- 90th percentile (P90) - “bright line”
 - 15 ppb for lead
- Required actions
 - Public notification
 - Corrosion control treatment if not already in place
 - 3% annual requirement for lead service line replacement
- New Trigger Level P90=10 ppb
 - Modifies the required actions
- Find-and-fix for sample >15 ppb



Public education & notification

- Public needs to be educated about the locations of lead service lines
 - Why it's important to have them removed
- Public education needs to be ongoing
 - Going to take several years to replace all the lead services lines all the way to building wall
- Public notification requirements
 - 24 hours after a system-wide action level exceedance
 - 72 hours for a compliance sample > 15 ppb
 - 30 days for samples < 15 ppb



Testing in Schools and Child Care Facilities

- Systems required to test 20% of elementary schools and child care facilities annually for 5 years
 - On request after initial five years
 - Secondary schools on request
- Systems provide sampling results
- Remediation of problematic fixtures has a significant cost



Costs for Cities, Systems, and States

- LCRR Costs (from EPA) @ 3%
 - PWSs: \$215.3 million annually
 - States: \$20.3 million
 - Homeowners: \$11.0 million
 - WWTP: \$1.5 million
- Benefits (IQ) @ 3%
 - \$434 million annually
- States' Costs (from ASDWA)
 - Review of all inventories & plans, compliance sampling, lead service line replacement, corrosion control studies, public education and notification, and testing in schools and child care facilities
 - 835,000/yr. additional staff hours
 - \$49 million annually for states
 - 44% of current Public Water Supply System (PWSS) funding to states
 - Data management a big concern

Using 7% - costs and benefits are approx. 3.6% higher



PANEL - QUESTIONS?

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Association of State
Drinking Water Administrators



American Water Works
Association

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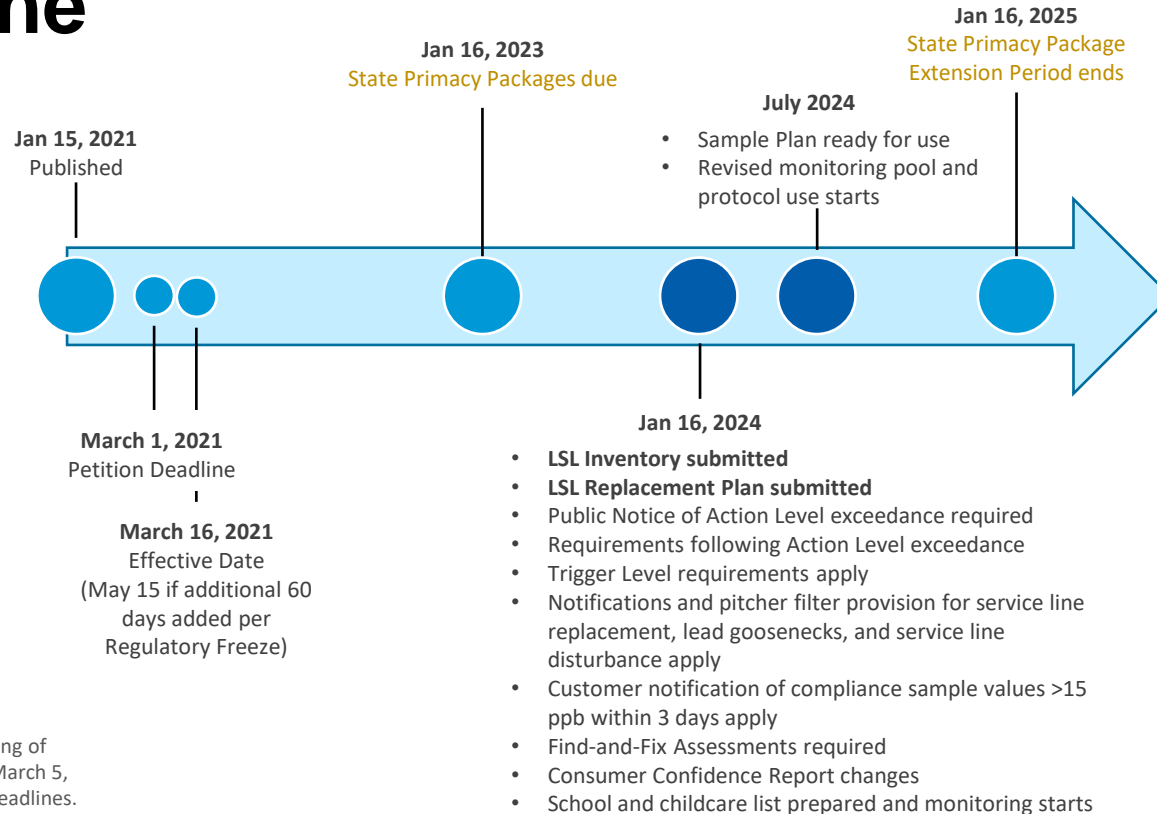
LEAD AND COPPER RULE- PARTNERS, FUNDING, AND FINANCE

STEVE VIA

THE LEAD AND COPPER RULE: WHAT CITIES NEED TO KNOW

MARCH 8, 2021

Lead and Copper Rule Implementation Timeline



Note: Based on understanding of information available as of March 5, 2021. Does not include all deadlines. Does not constitute legal advice.

LEAD SERVICE LINE INVENTORIES

- **Timeframe:** Finished by January 2024
- **Purpose:** Basis for outreach to households, sets stage for triggered lead service line replacement
- **Funding**
 - Local budget (water system)
- **Partners:**

Local Resources

- In-house or regional GIS
- In-house or shared website
- Joint purchase agreements

Local Coordination

- Water system
- Building permit / planning offices
- Commissioner of Revenue
- Health department (lead poisoning prevention team)
-



LEAD SERVICE LINE REPLACEMENT

- **Timeframe:** Finished by January 2024
- **Purpose:** Establish lead service line practice for timely removal, including (1) funding and (2) prioritization / equity

- **Funding**

- For plan

- Local budget (water system)

- For replacement

- Local budget
 - State revolving loan fund
 - WIFIA
 - Community development block grant
 - Small and disadvantaged communities grant

- **Partners:**

- Local Resources

- In-house or regional GIS
 - In-house or shared website
 - Joint purchase agreements

- Local Coordination

- Water system
 - Building permit / planning offices
 - Commissioner of Revenue
 - Health department (lead poisoning prevention team)
 - Public communications team

CORROSION CONTROL

- **Timeframe:** New requirements will begin to trigger regulatory requirements in July 2024 and to a greater degree in Dec 2024
 - Systems that buy treated water do not get a pass from these requirements
- **Purpose:** Under the LCR revisions 15 – 40% of communities with lead service lines will have to re-evaluate treatment

More systems will be affected by provisions that require corrosion control evaluation of new sources of water supply and treatment changes.

- **Funding**

For study and evaluation

- Local budget (water system)

For installing required treatment changes

- Local budget
- State revolving loan fund
- Rural Development
- WIFIA

- **Partners:**

- Smaller communities have access to NRW circuit riders
- Wholesale water systems
- Neighboring water systems

MONITORING IN SCHOOLS AND CHILDCARE FACILITIES

- **Timeframe:** Starts in January 2024
(sampling before 2024 does not count)
- **Purpose:** To build awareness and motivate school programs to address lead
- **Funding**
 - Local budget (water system / school)
 - Limited amount of WIIN Act Grant funding – if program continues
- **Partners:**
 - Identifying Schools and Childcare
 - State Boards of Education
 - State Departments of Social

Services

Coordination with State-Specific Laws

- Monitoring requirements directly applicable to schools and childcare
- Funding remediation

Local Coordination

- Water system
- School district
- Health department
- Public communications team

Reference: 3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities

ELECTED LEADERS PLAY A CRITICAL ROLE

- **Leadership:**

- Timely action
- Inter-department collaboration
- Collaboration with other communities
- Evaluate and engage in State legislation / rulemaking processes

- **Communication:**

- Support for mission and priority starts with senior leadership in community
- Leverage and support existing programs

- **Funding:**

- Costs fall on water system (water rates)
- **And** costs fall directly on homes with lead service lines

- **Equity**

- Recognize and address any local equity implications

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[https://www.nlc.org/initiative/
lead-and-copper-rule-series/](https://www.nlc.org/initiative/lead-and-copper-rule-series/)

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