

Lead and Copper Rule Minor Revisions: New Data, New Regulatory Options

The Environmental Protection Agency has published new data regarding proposed minor revisions to the Lead and Copper Rule. The Agency requests comment on the Notice of Data Availability (NODA), which appears in the Federal Register.

[April 22, 1998 Federal Register, 63 FR 20037.](#)

The NODA includes information on several additional regulatory options the Agency is considering in conjunction with its rulemaking effort to make minor revisions to the drinking water Lead and Copper Rule (LCR). The Agency proposed the minor revisions in April 1996 (61 FR 16348, April 12, 1996).

The EPA is developing these revisions to improve implementation, streamline and reduce reporting burden where possible, and promote consistent national implementation. The rulemaking also addresses two issues -- the continued exclusion of transient non-community water systems from coverage under the rule, and the definition of "control" as it pertains to the rule's lead service line replacement requirements -- that were remanded to the Agency in December 1994. The Agency proposed several minor revisions in April 1996 (61 FR 16348, April 12, 1996).

What changes is EPA planning to make in the Lead and Copper Rule?

The LCR requires water systems to monitor for lead and copper at the tap, to optimize corrosion control, and, if appropriate, to treat source water, conduct lead public education programs, and replace portions of lead service lines in the distribution system that are controlled by the water system. The minor revisions will

- provide limited monitoring relief for some systems that consistently have little or no lead and copper occurring at consumers' taps;
- allow greater flexibility in the delivery of public education for systems serving 3,300 and fewer people;
- eliminate a few system reporting requirements;
- clarify the requirements for maintaining optimal corrosion control;
- eliminate the LCR's rebuttable presumption that the water system controls the entire length of the lead service line;
- and revise the information States are required to report to EPA concerning the LCR.

The minor revisions final rule also will address the issue of the continued exclusion of transient non-community water systems from LCR requirements.

When will these changes take effect?

EPA expects to publish the final rule in the Fall of 1998. Most of the revisions will take effect 30 days after publication or on the effective day of any necessary revisions to State LCR regulations, whichever date is later.

Why is there a Notice of Data Availability?

At the time the minor revisions were proposed, in 1996, EPA was collecting additional information pertaining to the regulation of lead in drinking water at transient non-community water systems. The Agency promised to make that data available for public review and comment prior to publication of a final rule. The Notice of Data Availability (NoDA) fulfills that promise. In addition, EPA has identified several new regulatory options that it is considering as a result of the public comments received in response to the 1996 proposal and other new information. The new options pertain to the following issues: collection of tap water lead and copper samples for systems on a reduced monitoring schedule; maintenance of optimal corrosion control, notification of consumers affected by partial lead service line replacement, and State reporting requirements. The NoDA discusses these options and requests public comment on them. The NoDA also discusses the issue of simultaneous compliance with the LCR's corrosion control requirements and the proposed enhanced coagulation relations and requests public comment on the Agency's tentative approach for addressing this issue.

How do I find out more about the new data and regulatory options?

EPA has a limited number of copies of the additional data cited in the NoDA available for distribution to the public. A single set of materials may be ordered, free-of-charge, while supplies last, by calling the Safe Drinking Water Hotline at 1 (800) 426-4791, and requesting the following documents.

- EPA Publication # EPA 815-B-97-003. *Information Pertaining to Lead in Drinking Water at Transient Non-Community Water Systems*. December 1997.
- EPA Publication # EPA 815-B-97-004. *The Effect of Temperature on Corrosion Control*. December 1997.

How else can I get involved?

Review the NoDA and send us your written comments. We need your input:

[Read the notice online](#),

or request a copy from the Safe Drinking Water Hotline at 1-800-426-4791;

or see the April 22, 1998, 1998 Federal Register, [63 FR 20037].

We are looking for comments on all aspects of the NoDA, including any additional data and information. Comments must be received or postmarked by midnight, June 22, 1998. To submit comments by mail, please send an original and three copies of your comments and any attachments. To ensure that we can read, understand, and therefore properly respond to your comments, please cite, where possible, the document (including appropriate paragraph(s) or section(s)) to which each comment refers. Please use a separate paragraph for each issue discussed. Please submit your comments in hard copy or on a disc prepared following the file format instructions listed below for submitting comments electronically, to

Lead and Copper Comment Clerk
Water Docket (MC4101)
US EPA, 401 M St., SW
Washington, DC 20460

For written acknowledgment of your comments, enclose a self-addressed, stamped envelope.

To submit comments electronically,

Use WordPerfect 5.1 or 6.1 or ASCII file format,
Avoid using special characters or encryption,
Specify the docket name, number, or title of the Federal Register, and
Send to: ow-docket@epamail.epa.gov.