



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

March 29, 2016

Joel Beauvais  
Deputy Assistant Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave NW  
Washington, D.C. 20460

Dear Mr. Beauvais:

Thank you for your letter dated February 29, 2016 regarding the need to ensure that public health is adequately protected by vigilant oversight of the safety of our nation's drinking water supplies. We take that responsibility very seriously and California has some of the most stringent standards in the country. Our state led the nation in enacting stringent lead reduction requirements for water supply materials which have subsequently been adopted nationally. The oversight of California's public drinking water systems includes rigorous permitting of each proposed source of supply and the mandatory treatment requirements for each permitted source. We share your concerns of ensuring that the public is fully informed of any water quality issues that may be identified within their public water system or at their residence as a result of the Lead and Copper Rule (LCR) monitoring. We are revisiting our LCR data handling practices to minimize future data submission errors and to be able to more quickly react to any lead action level (ALE) exceedances, and are looking at other changes to our own standards that will improve our capacity to prevent lead exposure through drinking water.

In response to the list of requested actions by the State Water Resources Control Board, Division of Drinking Water (DDW) to ensure that the Lead and Copper Rule is being properly implemented in California, we offer the following responses:

- (1) Confirm that the state's protocols and procedures for implementing the LCR are fully consistent with the LCR and applicable EPA guidance;

**DDW RESPONSE--Implementation of the LCR in California has been evaluated as requested and conforms to EPA protocols and procedures.**

- (2) Use relevant EPA guidance on LCR sampling protocols and procedures for optimizing corrosion control;

**DDW RESPONSE—Optimized corrosion control that conforms to EPA LCR protocols and procedures is required as part of the LCR implementation in California.**

- (3) Post on your agency's public website all state LCR sampling protocols and guidance for identification of Tier 1 sites (at which LCR sampling is required to be conducted);

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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**DDW RESPONSE—LCR sampling protocols and guidance has been posted on our website at the following link:**

[http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/leadandcopperrule.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/leadandcopperrule.shtml)

(4) Work with public water systems- with a priority emphasis on large systems- to increase transparency in implementation of the LCR by posting on their public website and/or on your agency's website:

- o the materials inventory that systems were required to complete under the LCR including the locations of lead service lines, together with any more updated inventory or map of lead service lines and lead plumbing in the system; and
- o LCR compliance sampling results collected by the system, as well as justifications for invalidation of LCR samples;

**DDW RESPONSE—DDW requested the posting of this information by all public water systems required to comply with the LCR. The request was sent on March 7, 2016.**

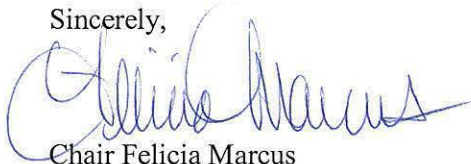
(5) Enhance efforts to ensure that residents promptly receive lead sampling results from their homes.

**DDW RESPONSE—most systems already send the results with EPA's consumer education information back to the customer. DDW requested the posting of this information by all public water systems required to comply with the LCR. The request was sent on March 7, 2016.**

A copy of the DDW request sent to all systems required to monitor under the LCR is attached.

We value our close working relationship with the Water Division of Region IX USEPA and will continue to enhance the availability of LCR data and guidance to the public. As noted above, we are also reviewing our own lead and copper regulations along with our other available tools to significantly enhance our ability to identify and remedy lead exposure through drinking water in California.

Sincerely,



Chair Felicia Marcus  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

cc: Tom Howard, Executive Director  
Cindy Forbes, Division of Drinking Water



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Division of Drinking Water

**TO:** All Community and Nontransient Noncommunity Water Systems

**FROM:** Cindy Forbes, P.E.  
Deputy Director  
**DIVISION OF DRINKING WATER**

**DATE:** March 7, 2016

**SUBJECT:** RECOMMENDATIONS FOR ENHANCED PUBLIC ACCESS TO LEAD AND COPPER RULE RELATED INFORMATION

As you are aware, there has been considerable attention in recent months regarding the lead levels found in the drinking water supply serving consumers living and working in the Flint, Michigan area. Although the 90<sup>th</sup> percentile tap samples lead action level is rarely exceeded by California public water systems, some of the individual tap samples have exceeded the action level.

To maintain high confidence in the drinking water that you are providing to your customers, the State Water Resources Control Board, Division of Drinking Water (DDW) is recommending to all public water systems that are subject to the Lead and Copper Rule (LCR) to enhance their public outreach efforts on and the availability of LCR compliance-related information. This outreach may include the posting of the following information on the water systems' websites or physically posting the information alongside other water quality notices, such as the Annual Consumer Confidence Report. Our recommendation is for public water systems to make available to the public the following:

- The latest 90<sup>th</sup> percentile values for the most recent round of LCR tap sampling; and
- The number of sites sampled, the number of sites that exceeded an action level, and the number of samples that were invalidated (if applicable); and
- Justifications for invalidation of LCR samples (if applicable); and
- Information on the locations of lead service lines in the distribution system, together with a map of the identified areas and an inventory of lead plumbing in the system; and
- Additional health information on how to minimize lead in drinking water if lead was detected above the action level in more than 5%, and up to and including 10% , of sites sampled. The health information language specified in Section 64482(c), Chapter 15, Title 22 of the Consumer Confidence Report regulations may be used for this purpose.

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As a reminder, please ensure residents that participated in the lead and copper tap sampling promptly receive the sampling results for their homes and provide additional assistance if lead is detected in the water sample. It is recommended that you provide the monitoring results to the residents no later than 30 days after you receive the monitoring results from your laboratory and within 1-2 working days if lead and/or copper levels over the respective action levels are found.

DDW is working closely with the U.S. Environmental Protection Agency (USEPA) to ensure California's water systems are in compliance with the requirements of the Lead and Copper Rule and taking necessary actions to protect public health. The USEPA will be working on revising and strengthening the Lead and Copper Rule. DDW will keep you abreast of any upcoming changes. The latest information will be available on the DDW's website:

[http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/leadandcopperrule.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/leadandcopperrule.shtml)

If you have further questions regarding this matter, please contact your local District Engineer or county health department.