



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH

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March 25, 2016

Joel Beauvais, Deputy Assistant Administrator  
Office of Water  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, Mail Code 4101M  
Washington, DC 20460

Dear Administrator Beauvais:

Thank you for your letter dated February 29, 2016. The Washington State Department of Health (department) is committed to fully implementing our primary responsibility for the implementation and enforcement of drinking water regulations under our primacy agreement with EPA, and keeping the public's trust.

Lead exposure has been a focus of the department for many years. We continue to work on efforts to reduce public exposure and monitor blood lead levels across the state. The purpose of this letter is to inform you of our implementation of the Lead and Copper Rule (LCR) and address the near-term actions urged in your letter.

**Near-Term Action #1: Confirm that the state's protocols and procedures for implementing the LCR are fully consistent with the LCR and applicable guidance.**

The department has had full authority and responsibility for implementation of the Safe Drinking Water Act (SDWA) in Washington State since 1976. We have worked closely with EPA Region 10 program staff to implement the LCR since the program began in 1991. We have confirmed that our protocols and procedures to implement the rule are consistent with the primacy obligations and applicable EPA guidance.

**Near-Term Action #2: Use relevant EPA guidance on LCR sampling protocols and procedures for optimizing corrosion control.**

Our sampling guidance is consistent with LCR requirements and EPA guidance. If a water system that provides corrosion control treatment exceeds the action level for lead or copper, our engineers and water quality specialists work with the system to assess the possible reason for the exceedance and make any necessary adjustments to optimize treatment to return the system to compliance.

**Near-Term Action #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).**

We post our sampling and monitoring guidance on our website<sup>i</sup> and often refer to applicable EPA guidance in our publications.<sup>ii</sup> While we share guidance on the selection of Tier 1 sites, it is still up to the water system to follow these and select appropriate sites.

**Near-Term Action #4: Work with PWSs—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 the following:**

- *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.*
- *LCR compliance sampling results collected by the system, as well as justification for invalidation of LCR samples.*

We support transparency and public access to information. We post all LCR compliance sample results on our public website, Sentry Internet,<sup>iii</sup> and have for several years. However, posting of material surveys and lead service line locations is not a requirement under the current LCR. In Washington State, only two communities (Spokane and Walla Walla) have reported significant numbers of lead service lines. We have engaged these utilities in conversation about the importance of this information, and will have further discussion on how to best share this information with their communities. We will continue to work with our water systems and our Attorney General to make appropriate information available to the public.

***Near-Term Action #5: Enhance efforts to ensure that residents promptly receive lead sampling results from homes, together with clear information on lead risks and how to abate them, and that the general public receives prompt information on high lead levels in drinking water systems.***

As a result of the LCR Short-Term Revisions, we developed consumer notice templates to help water systems meet the new requirement to notify occupants of each home from which they collect lead and copper samples of their individual results. This notice meets LCR content requirements, including sources of lead, health effects, and steps residents can take to reduce exposure.

We look forward to continuing our work with EPA in developing LCR revisions, explaining our program activities, and sharing ways to improve the rule and implementation of the rule at the state and federal levels. If you have additional questions, please contact Mike Means, Acting Director of the Office of Drinking Water, at Mike.Means@doh.wa.gov or 360-236-3178.

Sincerely,

A handwritten signature in black ink, appearing to read "John Wiesman", followed by the word "for" in a smaller, less legible script.

John Wiesman, DrPH, MPH  
Secretary of Health

cc: The Honorable Jay Inslee, Governor, State of Washington  
Peter Grevatt, Environmental Protection Agency  
Mike Means, Department of Health

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<sup>i</sup> DOH Lead Information Website:  
<http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/Contaminants/Lead>

<sup>ii</sup> DOH Publications Website:  
<http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/PublicationsandForms>

<sup>iii</sup> Sentry Internet Website:  
<http://www.doh.wa.gov/DataandStatisticalReports/EnvironmentalHealth/DrinkingWaterSystemData/SentryInternet>