



Preparing for Engagement in EPA's Upcoming Proposed
Lead and Copper Rule Improvements
Drinking Water Regulatory Process
October 17, 2023

- You can access captions by following the URL: <https://rossstrategic.spf.io/z/8x77J>. When you follow this URL, it will open a separate window and you can select a caption language. The captioning will appear in this separate window.
- Para llegar a los subtítulos en español sigue la URL: <https://rossstrategic.spf.io/z/8x77J>. Si sigue esta URL, abrirá una ventana separada donde tendrá la opción de subtítulos en español. Los subtítulos aparecerán en esta ventana separada.
- For Zoom Technical Support contact **LCRIMeetingSupport@cadmusgroup.com**.

How to Access Captions



What is the purpose of today's webinar?

- To provide the public with information about lead in drinking water and its regulation under the Safe Drinking Water Act.
- To prepare the public with how to participate in the rulemaking process and how to offer EPA input on the upcoming proposed Lead and Copper Rule Improvements once it is published.



Outline for Today's Webinar

Lead in Drinking
Water Overview



Drinking Water
Rulemaking Process



Public
Engagement



Tips for
Commenting



Additional
Resources



**Lead in Drinking
Water Overview**



Drinking Water
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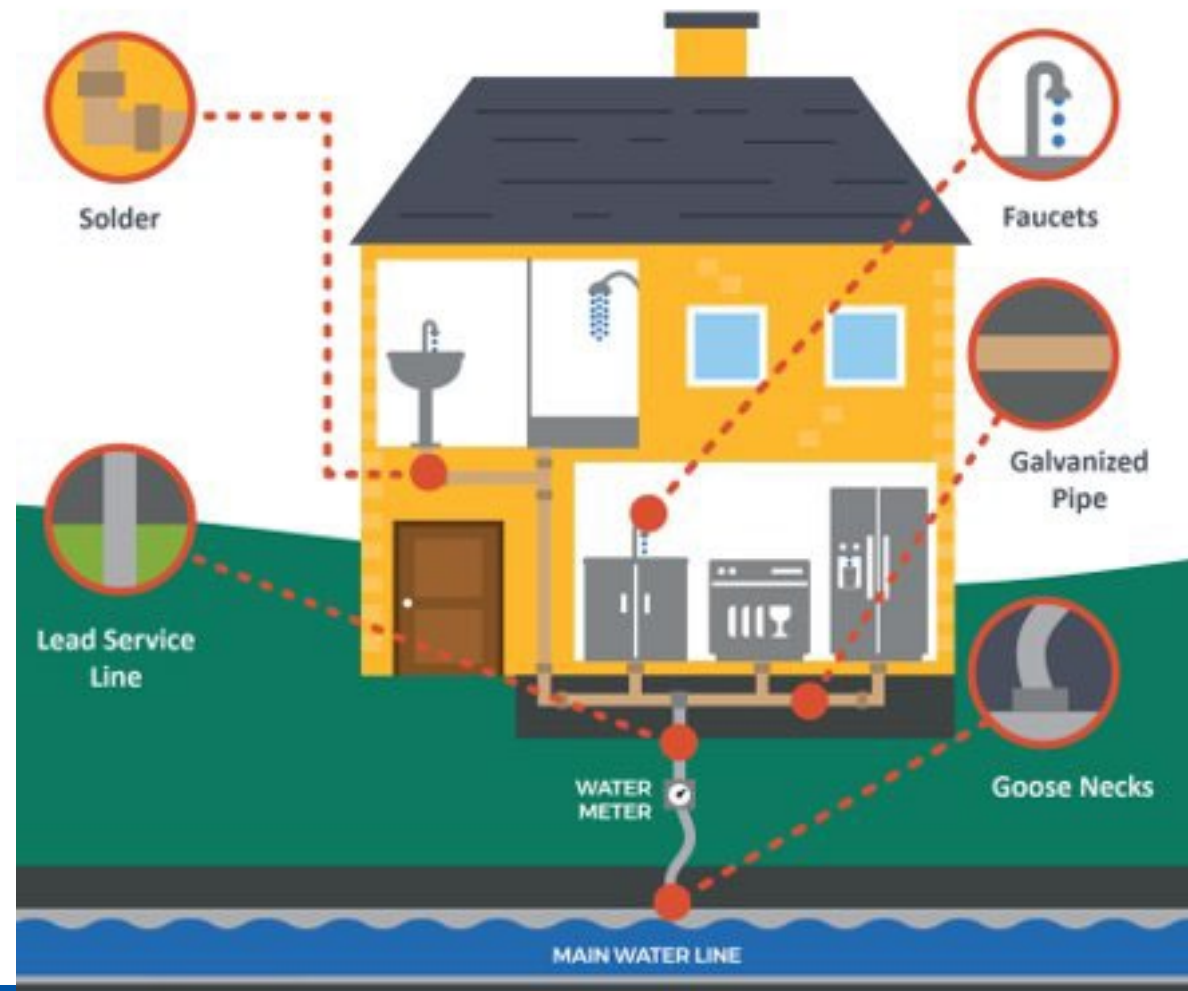


Additional
Resources



What do I need to know about lead in drinking water?

- Lead in pipes, solder, and faucets can dissolve in water or break off as particles.
- When present, lead service lines are the most significant source of lead in drinking water.
- In children, exposure to lead can cause serious health effects like lower IQ, learning and behavioral problems.
- In adults, health effects can include higher risk of heart disease, high blood pressure, and kidney or nervous system problems.



History of Lead in Drinking Water Regulations

- The Safe Drinking Water Act authorizes EPA to establish regulations (also referred to as “rules”) for public water systems.
- EPA first established the Lead and Copper Rule in 1991 to reduce exposure to lead and copper in drinking water.



Lead and Copper Rule

- The rule requires some water systems to treat drinking water to keep lead in place when lead (or copper) levels in water require action. This is called corrosion control.
- When corrosion control is not enough to reduce lead levels, the Lead and Copper Rule requires water systems to take additional actions, including lead service line replacement and public education.



Lead and Copper Rule

- Maximum Contaminant Level Goal (MCLG) for lead: 0 $\mu\text{g}/\text{L}$
 - The MCLG is zero because there is no level of exposure to lead that is without risk.
- Action Level for lead: 15 $\mu\text{g}/\text{L}$
 - The Action Level was set in 1991 based on what water systems could achieve with corrosion control treatment.
- The Lead and Copper Rule requires water systems to test water at the tap in certain homes that have lead in the plumbing.
- If more than 10 percent of the lead samples from a system are greater than the Action Level, the system needs to take actions to reduce lead exposure.

Lead and Copper Rule Revisions

- The Lead and Copper Rule Revisions was promulgated on January 15, 2021 and created new requirements for:
 - Lead Service Line Inventory
 - Lead Service Line Replacement
 - Tap Sampling
 - Trigger Level
 - Corrosion Control Treatment
 - Small System Flexibility
 - Public Education/Notifications
 - Sampling in Schools and Child Care Facilities
- Subsequently, EPA reviewed the Lead and Copper Rule Revisions in accordance with Executive Order 13990 and concluded that there are significant opportunities to improve the rule.

Lead and Copper Rule Improvements

- EPA intends to propose the Lead and Copper Rule Improvements in 2023 and finalize by October 16, 2024.
- Key areas:
 - Replacement of lead service lines while equitably improving public health protection.
 - Improving the methods to identify and require action in communities that are most at risk of elevated drinking water lead levels.
 - Exploring ways to reduce the complexity of the regulation.



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SDWA Drinking Water Rulemaking Process

- Under the Safe Drinking Water Act (SDWA), drinking water regulations establish requirements that apply to **public water systems**.
 - Public water systems (as defined by SDWA) provide water to at least 15 service connections or serve at least 25 people.
- The Lead and Copper Rule establishes requirements for public water systems that are classified as either **community water systems (CWSs)** or **non-transient, non-community water systems (NTNCWSs)**.
 - A CWS is a public water system that supplies water to the same population year-round.
 - A NTNCWS is a public water system that regularly supplies water to at least 25 of the same people at least six months per year. Some examples are schools, factories, office buildings, and hospitals which have their own water systems.

SDWA Drinking Water Rulemaking Process

- SDWA authorizes EPA to revise national primary drinking water regulations. Each revision must maintain, or provide for greater, public health protection.
- EPA first proposes a drinking water regulation (or revision) for public comment, considers the public comments, and then issues a final drinking water regulation.
- Following the final drinking water regulation, primacy agencies (typically a State, Tribal, or Territorial agency) implement EPA drinking water regulations at public water systems within their jurisdictions to ensure compliance.
 - There are 49 States, 1 Tribe, and 5 Territories currently enforcing the Lead and Copper Rule.
- Under SDWA, public water systems generally have three years from the date the regulation is finalized to comply with the regulation.

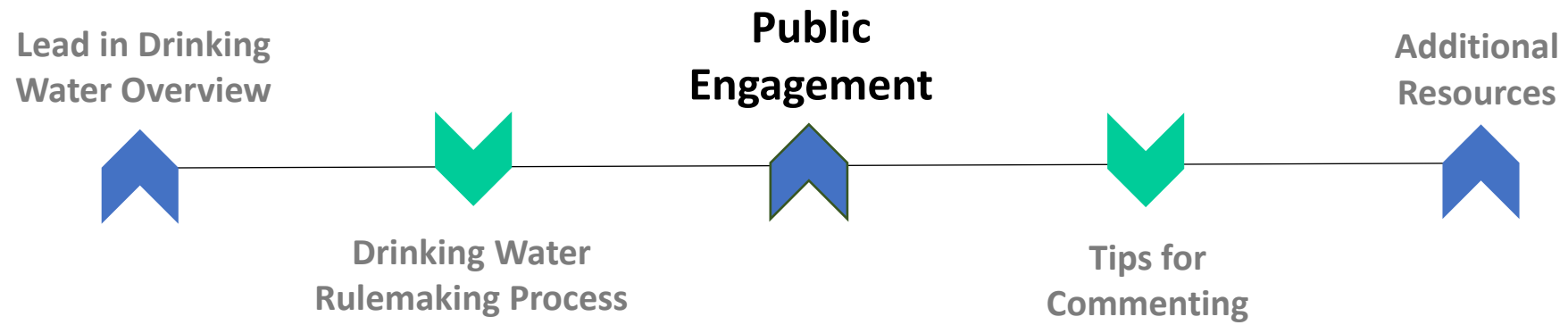
SDWA Drinking Water Rulemaking Process

- EPA must develop a **Health Risk Reduction and Cost Analysis** that informs the determination as to whether the benefits of the proposed regulation justify, or do not justify, the costs. The analysis must include:
 1. Quantifiable and non-quantifiable health risk reduction benefits;
 2. Quantifiable and non-quantifiable health risk reduction benefits from reductions in co-occurring contaminants;
 3. Quantifiable and non-quantifiable costs that are likely to occur solely as a result of compliance;
 4. Incremental costs and benefits of rule options;
 5. Effects of the contaminant on the general population and sensitive subpopulations including infants, children, pregnant women, the elderly, and individuals with a history of serious illness;
 6. Any increased health risks that may occur as a result of compliance, including risks associated with co-occurring contaminants; and
 7. Other relevant factors such as uncertainties in the analysis and factors with respect to the degree and nature of the risk.

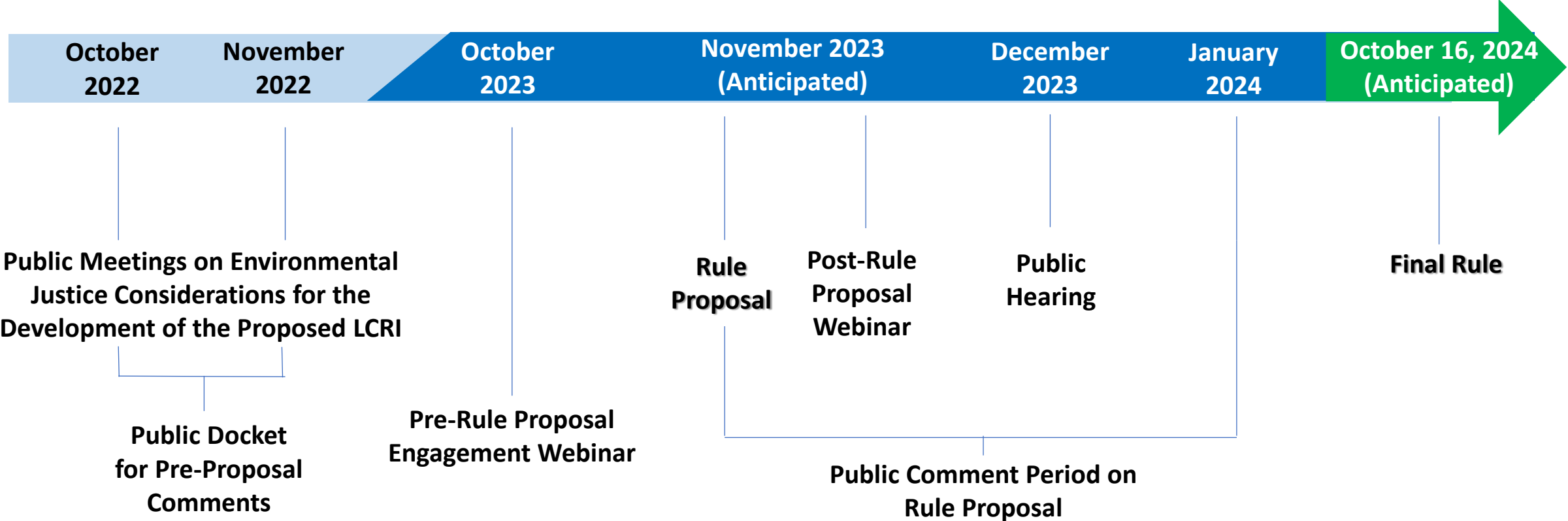


Potential Funding for Implementation of the LCRI

- The Bipartisan Infrastructure Law (BIL) provides for significant investments in safe drinking water infrastructure and drinking water programs.
- EPA is working to ensure the funds are available to drinking water systems, especially those within disadvantaged communities.
- Specific funds to potentially support implementation of the LCRI drinking water regulation:
 - \$11.7 billion: Funding to supplement the Drinking Water State Revolving Loan Fund (DWSRF)
 - \$15 billion: Funding for lead service line replacement projects and associated activities directly connected to the identification of and planning for the replacement of lead service lines LSLs.



Public Engagement Highlights for the Lead and Copper Rule Improvements (LCRI)



Pre-Rule Proposal: Public Engagement

- EPA held two public meetings last fall to gather input related to environmental justice (EJ) considerations to inform development of the proposed LCRI.
- Public docket opened to gather written input on EJ considerations.
 - To view written public comments received during comment period and materials from the public meetings, including meeting summaries, visit <https://www.regulations.gov/>.
 - Search for **Docket ID No. EPA-HQ-OW-2022-0801**
 - We will go through how to navigate regulations.gov in a few slides.
 - This will be same docket number for the proposed rule.
- Today's webinar on preparing for future proposed regulation engagement.

Pre-Rule Proposal: Other Stakeholder Engagement

- To inform the development of the proposed LCRI, EPA also gathered input from several stakeholder groups including:
 - Local, state, and tribal governments and officials
 - Small drinking water system through a Small Business Advocacy Review Panel
 - Science Advisory Board
 - National Drinking Water Advisory Council



After Rule Proposal: Public Informational Webinar

- EPA will hold a **public informational webinar** to provide information about the proposed rule and how the public can provide feedback.
- EPA intends to hold the webinar in November after the rule is proposed.
- Information about the webinar will be posted to EPA's LCRI website.



After Rule Proposal: Public Hearing

- In addition to the public informational webinar, EPA will also hold a **virtual public hearing** where there will be an opportunity to make oral comments.
- The public hearing is a formal meeting where EPA listens to the public's views and concerns about the EPA proposal.
- Details about the public hearing will be included in the preamble of the proposed rule. Information will also be posted to EPA's LCRI website.
 - The public hearing will occur during the public comment period.
 - Generally, presenters register in advance to attend the public hearing and have approximately 2-4 minutes to provide oral remarks. If presenters wish to provide longer remarks, they can also be submitted as written comments that the Agency will consider.
 - Oral remarks will be transcribed and available in the public docket for the final rule.



After Rule Proposal: Public Comment Period and Docket

- The **comment period** for the proposed rule will open when the proposed rule is published in the Federal Register. Comment periods typically range from 30-90 days after publication in the Federal Register.
 - A prepublication version of the proposed rule preamble will be available on EPA's LCRI website prior to publication in the Federal Register, allowing for additional review time.
- Members of the public will be able to submit written public comments to the **docket**.
- Public **dockets** contain information that EPA uses in a rulemaking to explain or support its decisions. They also contain public input provided through the formal comment process.
- The **preamble** of the proposed rule posted in the Federal Register and to EPA's LCRI website will provide details about the proposed rule and specific direction on submitting comments.

After Rule Proposal: Public Comment Period and Docket

- The public docket on www.regulations.gov will accept public comments on the proposed rule when it is published. Comments on the proposed rule should go to the public docket under Docket ID: **EPA-HQ-OW-2022-0801**.
 - EPA's preference is to receive comments through the Federal eRulemaking portal at www.regulations.gov.
 - EPA will also accept written comments via email, fax, and mail.
- Submit comments by the **comment period deadline** outlined in the proposed rulemaking and on EPA's LCRI website: <https://www.epa.gov/ground-water-and-drinking-water/lead-and-copper-rule-improvements>
- For more information on submitting information to EPA dockets, please visit: <https://www.epa.gov/dockets/commenting-epa-dockets>.



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Using Regulations.gov for the Proposed LCRI

Go to <https://www.regulations.gov>.

The screenshot shows the homepage of Regulations.gov. At the top right, it says "An official website of the United States Government" with a small American flag icon. The main header features the "Regulations.gov" logo with the tagline "Your Voice in Federal Decision Making" and a "SUPPORT" button. Below the header is a large blue banner with the text "Make a difference. Submit your comments and let your voice be heard." In the center of the banner is a search bar with the placeholder text "Search for dockets and documents on agency actions" and a green "Search" button. Below the banner, there are two main sections. On the left, a light blue box titled "What's New on Regulations.gov" contains the text: "New features include the ability to download Agency, Docket, and Public Submission Document metadata in bulk. See FAQs for more detail." To the right of this text is an icon representing documents and a search function. On the right side, there is an "Explore" section with a sub-header "Comments Due Soon". Below this sub-header is a table with two rows: "Today" with a count of 73, and "Next 3 Days" with a count of 97.

| Comments Due Soon | |
|-------------------|----|
| Today | 73 |
| Next 3 Days | 97 |

Using Regulations.gov for the Proposed LCRI

Type the docket ID number (EPA-HQ-OW-2022-0801) into the search box.

The screenshot shows the homepage of Regulations.gov. At the top right, it says "An official website of the United States Government." with a small American flag icon. The logo "Regulations.gov" is on the left with the tagline "Your Voice in Federal Decision Making". A "SUPPORT" button is in the top right. The main heading reads "Make a difference. Submit your comments and let your voice be heard." Below this is a search bar with the placeholder text "Search for dockets and documents on agency actions" and a green "Search" button. The search bar is circled in red. Below the search bar, there are two sections: "What's New on Regulations.gov" with text about new features and a "What's New" icon, and an "Explore" section with a "Comments Due Soon" table.

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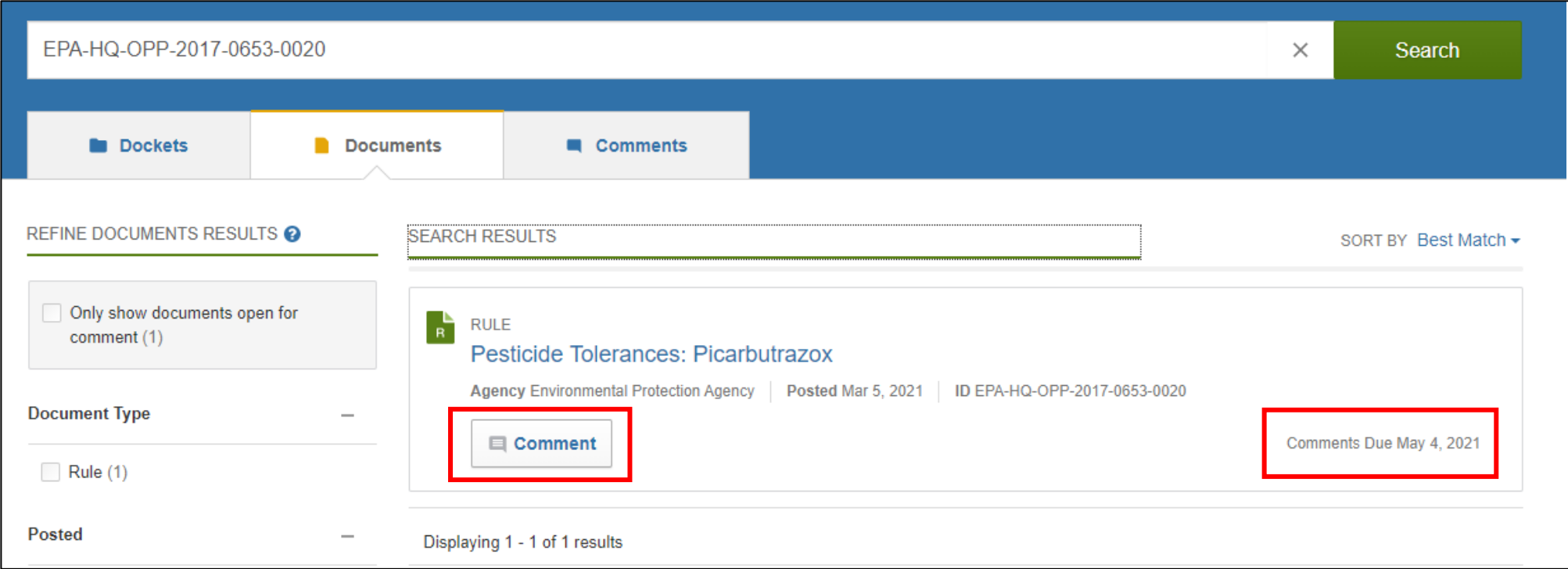
Using Regulations.gov for the Proposed LCRI

In the docket, you will see the rulemaking support information and the proposed rule to provide comment on.

The screenshot shows the Regulations.gov interface. At the top right, it says "An official website of the United States Government." The logo "Regulations.gov" with the tagline "Your Voice in Federal Decision Making" is on the left. A search bar contains "EPA-HQ-OW-2022-0801" and a "Search" button. Below the search bar are tabs for "Dockets", "Documents", and "Comments". The "Documents" tab is active. On the left, there are filters for "Document Type" (Supporting & Related Material (4), Proposed Rule (1)), "Posted" (Custom Dates), and "Comments Due". The "SEARCH RESULTS" section on the right shows two items, both labeled "SUPPORTING & RELATED MATERIAL" with an "SR" icon. The first item is "Proposed LCRI EJ Public Meetings Presentation - Final" from the Environmental Protection Agency, posted on Mar 1, 2023, with ID EPA-HQ-OW-2022-0801-0033. The second item is "Proposed LCRI EJ Public Meetings Master Presentation - Final" from the Environmental Protection Agency, posted on Mar 1, 2023, with ID EPA-HQ-OW-2022-0801-0034. A "SORT BY Best Match" dropdown is visible at the top right of the results area.

Using Regulations.gov for the Proposed LCRI

To submit a comment, click on the “Comment” icon on the webpage.*



*This is an example rule for illustrative purposes only.

Using Regulations.gov for the Proposed LCRI

Write your comment and/or attach any supporting files and submit comment.

Write a Comment

[Read Agency Guidelines](#) | [Commenter's Checklist](#)

Comment*

Start typing comment here...

5000

Attach Files

You can attach up to 20 files, but each file cannot exceed 10MB. Valid file types include: bmp, docx, gif, jpg, jpeg, pdf, png, pptx, rtf, sgml, tif, tiff, txt, wpd, xlsx, xml.

Drop files here or

Email Address

Email Address

Opt to receive email confirmation of submission and tracking number? (We will never post on Regulations.gov or share your email with anyone else.)

For more information on submitting information to EPA docket, visit <https://www.epa.gov/dockets/commenting-epa-dockets>

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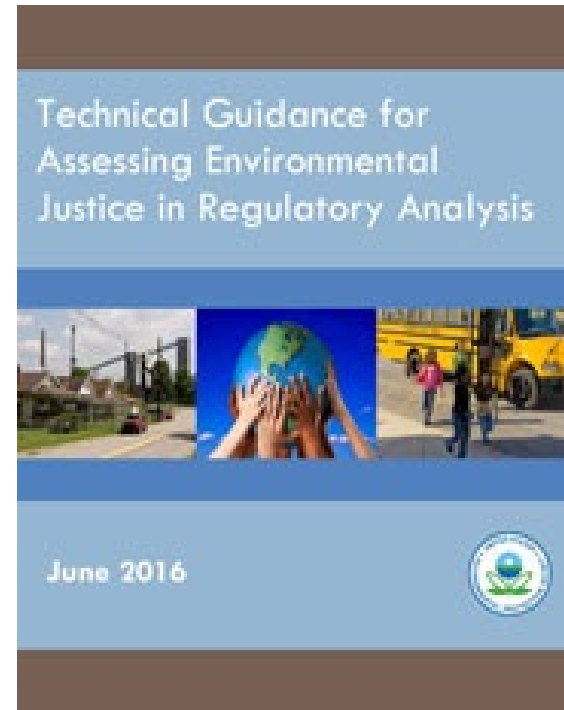


**Additional
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EJ Considerations for Proposing a Drinking Water Regulation

- Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (Executive Order 12898) and Revitalizing Our Nation's Commitment to Environmental Justice for All (Executive Order 14096)
- EPA is committed to ensuring the fair treatment and meaningful involvement of all people with respect to environmental laws, regulations, and policies.
- To directly support this commitment to EJ, EPA's *Technical Guidance for Assessing Environmental Justice in Regulatory Analysis* outlines particular technical approaches and methods to help EPA analyze potential EJ concerns for regulatory actions.
- As a part of the LCRI development process, EPA is currently conducting this analysis and will provide this information when issuing the proposed rule.



What can I do to learn about and protect myself from lead in drinking water right now?

- Learn more about lead and how to limit your exposure in drinking water: <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water>
- Some steps you can take to reduce lead in drinking water include:
 - **Have your water tested.** Contact your water utility to have your water tested and to learn more about the lead levels in your drinking water.
 - **Learn if you have a lead service line.** Contact your water utility or a licensed plumber to determine if the pipe that connects your home to the water main (called a service line) is made from lead.
 - **Run your water.** Before drinking, flush your home's pipes by running the tap, taking a shower, doing laundry, or doing a load of dishes. The amount of time to run the water will depend on whether your home has a lead service line or not, and the length of the lead service line. Residents should contact their water utility for recommendations about flushing times in their community.
 - **Learn about construction in your neighborhood.** Be aware of any construction or maintenance work that could disturb your lead service line. Construction may cause more lead to be released from a lead service line.
 - **Use cold water.** Use only cold water for drinking, cooking and making baby formula. Remember, boiling water does not remove lead from water.
 - **Clean your aerator.** Regularly clean your faucet's screen (also known as an aerator). Sediment, debris, and lead particles can collect in your aerator. If lead particles are caught in the aerator, lead can get into your water.
 - **Use your filter properly.** If you use a filter, make sure you use a filter certified to remove lead. Read the directions to learn how to properly install and use your cartridge and when to replace it. Using the cartridge after it has expired can make it less effective at removing lead. Do not run hot water through the filter.

Additional Resources

- EPA Website: [Lead and Copper Rule Improvements](#)
- EPA Website: [Lead](#)
- EPA Website: [Basic Information about Lead in Drinking Water](#)
- EPA Website: [Basics of Regulatory Process](#)
- EPA Website: [Get Involved in EPA Regulations](#)
- EPA Website: [Commenting on EPA Dockets](#)
- [Regulations.gov](#)
- [FederalRegister.gov](#)
- For more information, please contact LCRI@epa.gov



Thank you for attending today's training webinar.

EPA will post the recording and slides for today's webinar to our website as soon as possible at this address:

<https://www.epa.gov/ground-water-and-drinking-water/lead-and-copper-rule-improvements>

For additional questions, please contact LCRI@epa.gov