



FACT SHEET

EPA's Final Lead and Copper Rule Improvements Small Water System Compliance Flexibilities October 2024

Introduction

EPA is finalizing the Lead and Copper Rule Improvements (LCRI) to significantly reduce exposure to lead in drinking water. The final rule builds on the 2021 Lead and Copper Rule Revisions (LCRR), which modified the previous Lead and Copper Rule (LCR). The final LCRI strengthens five main focus areas: achieving lead pipe replacement within 10 years, locating legacy lead pipes, improving tap sampling, lowering the lead action level, and strengthening protections to reduce lead exposure. The LCRI strengthens nationwide requirements to protect children and adults from lead in drinking water. These advancements are commonsense, achievable, and built on actions taken by States and cities.

This fact sheet is designed to help small water systems understand the compliance flexibilities under the LCRI. Please see the additional EPA fact sheets available on [EPA's LCRI website](#) for information on LCRI requirements.

Small Water System Flexibilities for Optimal Corrosion Control Treatment (OCCT)

Because of the challenges that small systems may face in implementing OCCT, the LCRI allows smaller water systems (serving 3,300 persons or fewer) the option to seek State approval to use a compliance alternative to OCCT. Note that States may choose to not adopt regulations to provide this compliance flexibility. If a water system's State does not adopt this, then it is not available to that water system.

Which systems can qualify for a Small System compliance alternative if approved by the State?

- Community water systems (CWSs) serving 3,300 or fewer people, or
- Non-transient non-community water systems (NTNCWSs) serving any size population.

What are the compliance alternatives?

The LCRI includes two compliance alternatives for a system that exceeds the lead action level of 0.010 mg/L but not the copper action level of 1.3 mg/L: (1) point-of-use devices; or (2) replacing all lead-bearing plumbing materials. The State must approve the use of the water system's recommended option.

Replacement of lead and galvanized requiring replacement (GRR) service lines is required of all systems and therefore, is not a small system compliance alternative.

Option 1: Point-of-Use Devices

Systems approved for the point-of-use device (POU) compliance option must follow the requirements in Table 1. Keep in mind that if the water system chooses the POU, it **MUST** operate and maintain the POU devices even if the system no longer exceeds the lead action level, unless the system receives State approval to select another compliance option.

Table 1: Small System Flexibility Program Requirements for Point-of-Use Devices

| Description | |
|--|--|
| Provide and install the device(s)¹ | <ul style="list-style-type: none">For CWSs, at least one point-of-use (POU) device must be installed in every household and at every tap that is used for cooking and/or drinking in every non-residential building.For NTNCWSs, a POU device must be installed on every tap that is used for cooking and/or drinking. |
| Maintain the POU device | <ul style="list-style-type: none">Maintain the POU device, including but not limited to changing filter cartridges and resolving any operational issues.The POU device must be equipped with mechanical warnings to ensure that consumers are automatically notified of operational problems.Provide documentation to the State to certify maintenance of the POU devices, unless the State waives this requirement. |
| Provide public education | <ul style="list-style-type: none">Provide public education to users on the proper use of POU devices. Can be provided in person, by mail, or other State-approved method. |
| Monitor POU performance | <ul style="list-style-type: none">Collect a first-liter tap sample after a minimum six-hour stagnation period and after the water passes through the POU device. Systems must monitor one-third of the devices each year so all are monitored within a 3-year cycle. |
| Provide sample results | <ul style="list-style-type: none">Report the results from the tap sampling no later than 10 days after the end of the tap sampling period. If a sample exceeds 0.010 mg/L, notify the persons served by the POU device, and/or building management no later than one business day of receiving the tap sample results. |
| Take corrective action | <ul style="list-style-type: none">Within 30 days, the system must document and take corrective action at each site where the sample result exceeds 0.010 mg/L. If the corrective action is not completed within 30 days, the system must provide documentation to the State within 30 days explaining why it was unable to correct the issue. |

¹ The POU device must be independently certified by a third party to meet the American National Standards Institute (ANSI) standard applicable to the specific type of POU unit to reduce lead in drinking water.

Option 2: Replacement of Lead-bearing Materials

Water systems that have control over all plumbing in the buildings they serve and have no lead, GRR, or unknown service lines may seek State approval to replace all lead-bearing plumbing that does not meet the definition of “lead-free”.¹ Systems must replace all lead-bearing plumbing materials within one year (or sooner if required by the State) and submit a certification to the State.

¹ Water systems must replace all plumbing that does not meet the definition of “lead free” in section 1417 of the Safe Drinking Water Act, as amended by the Reduction of lead in Drinking Water Act and any future amendments applicable at the time of replacement.

What if a water system has existing Corrosion Control Treatment (CCT)?

If a water system already has CCT and exceeds the lead action level, regardless of whether it is considering small system compliance options, the system must:

- Continue to operate and maintain its CCT until the State determines in writing that it is no longer necessary.
- Meet any requirements that the State determines to be appropriate before implementing a State approved alternative compliance option.

When must the water system submit its compliance alternative recommendation to the State?

If the water system is requesting to use either the POU device option or replace all lead-bearing plumbing materials, it must submit a recommendation to the State within six months of the end of the tap sampling period in which the system exceeded the lead action level. For example, if the system exceeded the lead action level during the monitoring period of January 1 through June 30, 2028, the system's recommendation is due to the State by December 31, 2028. Within six months of the system's recommendation, the State must approve or disapprove the recommendation.

If the system chooses to install or re-optimize OCCT following a lead action level exceedance, it does not need to submit a small system compliance recommendation to the State and must comply with the applicable requirements.

What if the State does not approve the water system's recommendation?

The State may designate the other compliance alternative as an option. If the State does not approve the water system's recommendation and does not designate an alternative, the water system must comply with the requirements to install or re-optimize CCT. The State may require the system to conduct a study or may specify OCCT.

Additional LCRI Flexibilities Available to Small Systems

Tap Sampling

- Systems serving 3,300 or fewer people may continue to qualify for monitoring every nine years at the reduced number of sites as the LCRI did not modify this provision.
- Systems serving 3,300 or fewer people with lead and/or GRR service lines must conduct standard monitoring for at least two consecutive six-month monitoring periods following November 1, 2027, unless they already follow the LCRI tap sampling protocols prior to November 1, 2027. In the latter case, the system can remain on its existing sampling schedule.

Public Education

- CWSs serving 3,300 or fewer people have flexibilities in the number of outreach activities that the LCRI requires for CWSs that do not meet the mandatory service line replacement rate.
- CWSs serving 3,300 or fewer persons may continue to limit certain aspects of their public education programs required after a lead action level exceedance as the LCRI has not modified these flexibilities.

CCT

- The LCRI provides a pathway for all water systems to defer CCT steps and avoid a more burdensome OCCT study (but maintain any existing CCT) if they replace all remaining lead and GRR service lines in five years or less. While available to systems of all sizes, EPA anticipates systems with fewer lead and GRR service lines are likely to take advantage of this provision.
- Systems serving 10,000 or fewer people are not required to conduct a pipe rig/loop study using harvested lead service lines (LSLs) from their distribution system, unless required by the State.

Funding and Technical Assistance

There are a number of pathways for systems to receive support for lead and GRR service line replacement and related activities, including low- to no-cost financing through the Drinking Water State Revolving Fund (DWSRF); lead remediation grants under authorities established by the Water Infrastructure Improvements for the Nation (WIIN) Act; and low-cost financing from the Water Infrastructure Finance and Innovation Act (WIFIA) program. EPA strongly encourages water systems to evaluate these available funding opportunities to support LCRI implementation and full service line replacement. Water systems are encouraged to contact their State's DWSRF program to learn about project eligibilities, requirements, and how to apply for assistance through the DWSRF.

To support eliminating LSLs, the Infrastructure Investment and Jobs Act, also referred to as the Bipartisan Infrastructure Law (BIL), included **\$15 billion** specifically appropriated for service line replacement projects and associated activities directly connected to the identification and replacement of lead service lines. The BIL also included over **\$11.7 billion** for the Drinking Water State Revolving Fund General Supplemental, which can also be used for lead service line replacement as well as other drinking water projects.

EPA's water technical assistance (WaterTA) supports communities to identify water challenges; develop plans; build technical, managerial, and financial capacity; and develop application materials to access water infrastructure funding that results in more communities with applications for Federal funding, quality water infrastructure, and reliable water services. EPA is also providing significant technical assistance to communities through efforts such as the [Get the Lead Out Initiative](#) and [Lead Service Line Replacement Accelerators](#), which assist efforts to conduct service line replacement.

EPA provides several resources for systems on Federal funding and technical assistance. For more information, visit:

- [Identifying Funding Sources for Lead Service Line Replacement](#)
- [Funding and Technical Resources for Lead Service Line Replacement in Small and Disadvantaged Communities](#)
- [Strategies to Achieve Full Lead Service Line Replacement](#)
- [WaterTA](#)

Additional Resources

Learn more about water infrastructure funding opportunities by visiting EPA's [water infrastructure page](#).

Additionally, EPA has published multiple online resources for systems to use concerning lead in drinking water. For more information, visit:

- [Basic Information About Lead in Drinking Water](#)
- [Lead and Copper Rule Implementation Tools](#)
- [Information on Lead Service Lines](#)
- [Engaging with the Community on Lead Service Lines](#)

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