Lead and Copper Rule Improvements

Spring Water School - Kalispell

May 13, 2025

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Montana Rural Water Systems, Inc
-Technical Assistance
-Training
Friends helping friends!

DEQ LCR Updates

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Lead & Copper Rule Improvements (LCRi)

- Published version December 30, 2024
- Compliance Date in November 1,2027

Lead & Copper Rule Website

- https://deq.mt.gov/water/Programs/dw-leadandcopper

Lead & Copper Rule email address

- leadandcopper@mt.gov

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What's Changing with the LCRi?

- Baseline Inventories
- Inventory Validation
- Addressing Unknown Service Lines
- Lead service line replacement plans
- Tier 1 Public Notice
- New site sampling plan requirements
- New action level for lead
- New tap monitoring requirements
- Corrosion control treatment requirements
- Small system flexibility
- Distribution system and site assessment (find-and-fix)
- Lead testing at schools/childcare facilities
- Lead service line replacement requirements

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Timeline

DEQ
Montana Department of Environmental Quality

Lead and Copper Rule Timeline

10/16/2024
- LSL Inventories Due.

10/30/2024
- 24-hr Tier 1 public notice for Lead (0.015 mg/L).

11/16/2024
- Notification letter to customers with Lead, GRR or unknown service lines.

07/01/2025
- Systems must provide certification to the state that LSL notification letter have been delivered.

11/01/2027
- All systems must comply with new LCRi requirements
- Baseline inventories due
- LSL replacement plans due
- Site sampling plans due
- List of schools & childcares due

01/01/2028
- Systems with Lead, Grr or unknown will go back to 6-month sampling.
- School/childcare sampling begins (20%/year).

12/31/2032
- 5-year school/childcare sampling cycle complete.

11/01/2034
- LSL inventory validation complete.

11/01/2037
- Complete mandatory LSL replacement material verification of all unknown service lines.

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Tier 1 Public Notice

- A 90th percentile action level exceedance (ALE) for **Lead** triggers a Tier 1 Public Notice (PN) after October 30, 2024
  - Applies to:
    - 90th percentile of 0.015 mg/L until October 31, 2027
    - 90th percentile of 0.010 mg/L after November 1, 2027
- A Tier 1 Notice is a 24hr notification.
  - 24hr clock starts when the PWS learns of the ALE
  - A copy of the PN must be submitted to EPA and DEQ within the 24hrs.
    - LeadALE@epa.gov
    - leadandcopper@mt.gov
  - Tier 1 PN template will be available on DEQ website
  - A certification form must be submitted to DEQ within 10 days
    - Tells how PN was distributed and when.
    - DEQ is creating a template
- If PWS doesn't send out PN, DEQ has to do a press release. If DEQ doesn't do it, EPA will step in.

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Tier 1 24hr Public Notice

In order to reach all persons served, water systems are to use, at a minimum, two of the following forms of delivery:

- Appropriate broadcast media (such as radio and television);
- Posting of the notice in conspicuous locations throughout the area served by the water system;
- Hand delivery of the notice to persons served by the water system; or
- Another delivery method approved in writing by the primacy agency.

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Baseline Inventory

Due 11/01/2027

Baseline Inventory (updated initial inventory)

- It must include information on connectors (Pigtail/Gooseneck) as well as any updated or new information on service line materials and locations.
- A written statement maybe submitted if no LSL, GRR, or UNK service lines are present. And no Lead or unknown connectors are present.
- A written statement can be submitted if no changes to Initial Inventory and connectors had been included.

Annual inventory updates due November 1st of each year starting in 2028.

- If no change to inventory, a written statement can be submitted

Service Line Inventory Validation

Due 12/31/2034

The water system must identify a validation pool consisting of all service lines categorized as "non-lead," but excluding non-lead service lines identified by the following:

- Records showing the service line was installed after December 31, 1987
- Visual inspection of the pipe exterior at a minimum of two points (*e.g.*, excavation, visual inspection in the meter pit or stop box, or visual inspection inside the home)
- Previously replaced lead or galvanized requiring replacement service lines.

Table 1. Minimum Number of Validations Required

Size of Validation Pool	Number of Validations Required
<1,500	20% of validation pool
1,500 to 2,000	322
2,001 to 3,000	341
3,001 to 4,000	351
4,001 to 6,000	361
6,001 to 10,000	371
10,001 to 50,000	381
>50,000	384

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Addressing Unknown Service Lines

Due 12/31/37

All water systems must identify the material of all unknown service lines by the applicable mandatory service line replacement deadline

LSL Replacement Plans

- All systems with at least one lead, GRR, or unknown service line must develop the service line replacement plan (8 required components)
- Due November 1, 2027
- Service line replacement plan must be made publicly accessible; and available online for systems serving > 50,000 people
- Systems must replace service lines at a minimum average annual rate of 10 percent calculated on a rolling 3-year period
- A template will be available.

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New Action Level for Lead

Starting November 1, 2027

- Lead - 0.010 mg/L (reduced from 0.015 mg/L)
- Copper - 1.30 mg/L (no change)

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New Tiering Criteria

Starting November 1, 2027

- Tier 1 – Single family structure with lead premise plumbing and/or LSL.
- Tier 2 – buildings including multi-family residences with lead premise plumbing and/or LSL
- Tier 3 – sites served by a lead connector as well as sites served by GRR. For Community systems only includes single family structures
- Tier 4 – sites that have copper premise plumbing with lead solder installed prior to 1988. For Community systems only includes single family structures
- Tier 5 – sites that representative of the distribution system.

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New Site Sampling Plans

- Develop a new site sample plan based on the inventory
- Sampling sites will be selected based on a 5 tier criteria
- All samples should be collected from sites served by LSLs, if available
- Due on November 1, 2027
- Select more locations than required to account for future changes

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New Compliance Monitoring Requirements

- Starting January 2028, all water systems with lead and/or Galvanized Requiring Replacement must begin Standard Monitoring (6-month sampling)
- Systems may reduce monitoring based on results of 2 consecutive 6-month periods
- Requires collection of first- and fifth-liter samples in homes with LSLs
  - Copper sample only from 1st sample
  - Lead sample from 1st and 5th . Highest conc will be used for compliance.

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Corrosion Control Treatment Requirements

- Optimal corrosion control treatment options:
  - Alkalinity and pH adjustment
  - The addition of an orthophosphate or silicate-based corrosion inhibitor
    - *any phosphate inhibitor must be orthophosphate*
    - *Polyphosphates can no longer be used for CCT*

- Water quality parameter (WQP) monitoring
  - WQP's include pH, Alkalinity, Orthophosphate or Silicate
  - PWS's with CCT will have a routine WQP monitoring schedule. This includes having established OWQP values
  - ALE's in selection of CCT and follow up evaluation.

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Small System Compliance Flexibility

- Applies to small community water systems serving 3,300 or fewer persons and all non-transient, non-community water systems

- Allows system more flexibility if an ALE occurs in lieu of CCT requirements. Water systems can select from the following two additional compliance options
  - replacement of all lead-bearing plumbing materials.
  - Provision and maintenance of Point of Use (POU) treatment (filters)

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Distribution System and Site Assessment

This is for at any tap sample site that exceeds 0.010 mg/L. Not an ALE, but single exceedances

(1) Site assessment

- Requires all systems to collect follow up samples within 30 days of receiving the sampling results. These follow-up samples may use different sample volumes or different sample collection procedures to assess the source of elevated lead levels.
- Systems with CCT: collect an additional WQP sample at/near the high site within 5 days of learning of the lead results

(2) Evaluate results and system treatment recommendation.

- Water systems must evaluate the results of the sampling to determine if either localized or centralized adjustment of the OCCT or other distribution system actions are necessary and submit the recommendation to the State within six months after the end of the tap sampling period
- Systems that identify a fix that is out of their control, such as premise plumbing, must provide documentation to DEQ

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Notification and Public Education

- System must deliver Consumer Notice of lead and copper water monitoring results within three days of the system receiving the results
- A water system with lead, GRR, or unknown service lines must deliver public education materials to persons with a lead, GRR, or unknown service line no later than 30 days of completion of the baseline inventory.
- Repeat the notification no later than 30 days after the deadline for each annual update to the service line inventory until the entire service connection is no longer a lead, GRR, or unknown status
- Notification due to a disturbance to a service line that is known to or may potentially contain lead as soon as possible, but not to exceed 24 hours following the disturbance.
- If the disturbance of a lead, GRR, or unknown service line results from the replacement, the water system must provide the person served at the service connection with PE and a pitcher filter or point-of-use device to reduce lead, instructions to use the filter, and six months of filter replacement cartridges.
- All community water systems that fail to meet the minimum replacement rate for mandatory service line replacement as required must conduct outreach activities.

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Lead Sampling in Schools and Childcare Facilities

Community Water Systems will:

- Develop a list of schools/childcare facilities in service area – November 1, 2027
- For the first 5 years: sample 20% of elementary & middle schools and 20% of childcare facilities each year
- After one round (5 years) of sampling, systems sample on request at elementary schools and childcare facilities
- Systems must sample secondary schools (high schools) on request
- 5 samples/school and 2 samples/childcare facility using 250 ml sample bottle.
- Since MT has a state requirement for all accredited K-12 schools to sample for Lead, Community Systems will get a waiver for the schools covered by the state program.

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LSL Replacement Requirements

- Mandatory full-service line replacement plan/program for all systems.
- All CWSs and NTNCWSs with one or more lead, GRR, or unknown service line in their inventory must replace LSLs and GRR service lines under their control in 10 years.
- Systems must replace service lines at a minimum average annual rate of 10 percent calculated on a rolling 3-year period
- Systems must conduct reasonable efforts (at least 4 attempts by 2 methods) to engage property owners about full-service line replacement
- If a system conducts a partial service line replacement, it must offer to replace the remaining portion of the service line not owned under their control

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LSL Replacement "Under Control"

- Under the LCRi, a service line or lead connector is "under control" of a system wherever the system has access (e.g., legal access, physical access) to conduct full service line replacement or replacement of the lead connector.
- Where a water system does not have access to conduct full service line replacement, the system is not required by the LCRi to replace the line, but the system must document the reasons why the system does not have access and submit it to the State.
- The system is required to make a "reasonable effort" to obtain property owner consent.
- A reasonable effort must include at least 4 attempts to engage the property owner using at least 2 different methods of communication.
- The system must make further attempts to gain access to replace the service line when there is a change in property ownership.
- Systems can't say we don't own so therefore we cant control!

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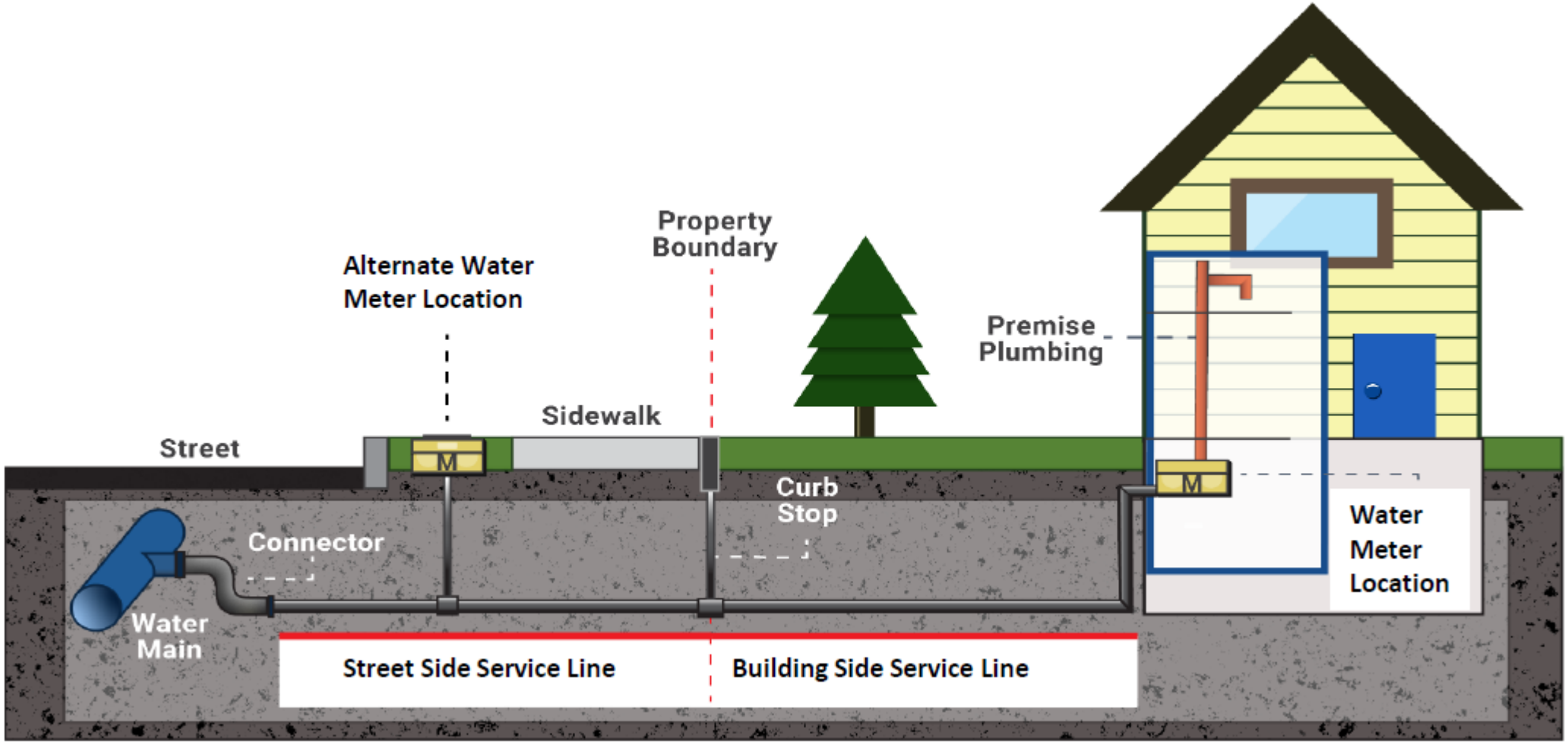
Lead Service Line (LSL)



SRF - Lead Service Line Funding

- MT currently has over $20 million available to assist systems with removing LSLs.
  - Can not apply for more funding until this is spent down.
- Loan/Loan Forgiveness Program (interest rate of 1.5%)
- Funding will be dispersed through State Revolving Fund Process.
- Have to complete a Project Priority Survey Form to be eligible for the Loan/Loan Forgiveness (submit at anytime)
- If a system qualifies for forgiveness, they are eligible for up to 60% forgiveness up to a maximum of $2 million. % forgiveness may change based on need and availability.

LSL Funding

Examples of eligible projects:

- Complete removal of lead service lines (public and privately owned portion) or service lines made of galvanized iron or galvanized steel (that are currently or have previously been downstream of lead components) and replacement with a pipe that meets the requirements established under 40 CFR 143 and which complies with state and local plumbing codes and or building codes.

- Removal of lead or galvanized goosenecks, pigtails, and connectors, and replacement with an acceptable material that meets the requirements established under 40 CFR 143 and which complies with state and local plumbing codes and or building codes.

- Replacement of curb stops, curb stop boxes, and other service line items that are removed as part of full LSLR.

- Restoration of a site where the removal of landscaping, sidewalks, driveways, etc. was necessary to replace the lead service line.

- Permit fees if the fees are normal, required, and specific to the LSLR. It is recommended that communities waive these fees.

- Temporary pitcher filters or point-of-use (POU) devices certified to reduce lead during or for a short time period after LSLR projects.

- Development or updating of lead service line inventories, including locating and mapping lead service lines.
    - Methods of investigation to develop inventories could include visual observation, water quality sampling (non-compliance), excavation, vacuum or hydro-excavation, statistical analysis, or other emerging technologies.

- Planning and design for infrastructure projects listed above.

- Non-routine lead sampling (if not for compliance purposes) as part of a LSLR project.

Any Questions?

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Lead and Copper Rule Website
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Lead Service Line Inventories Replacement Planning and Technical Assistance

COMMERCE

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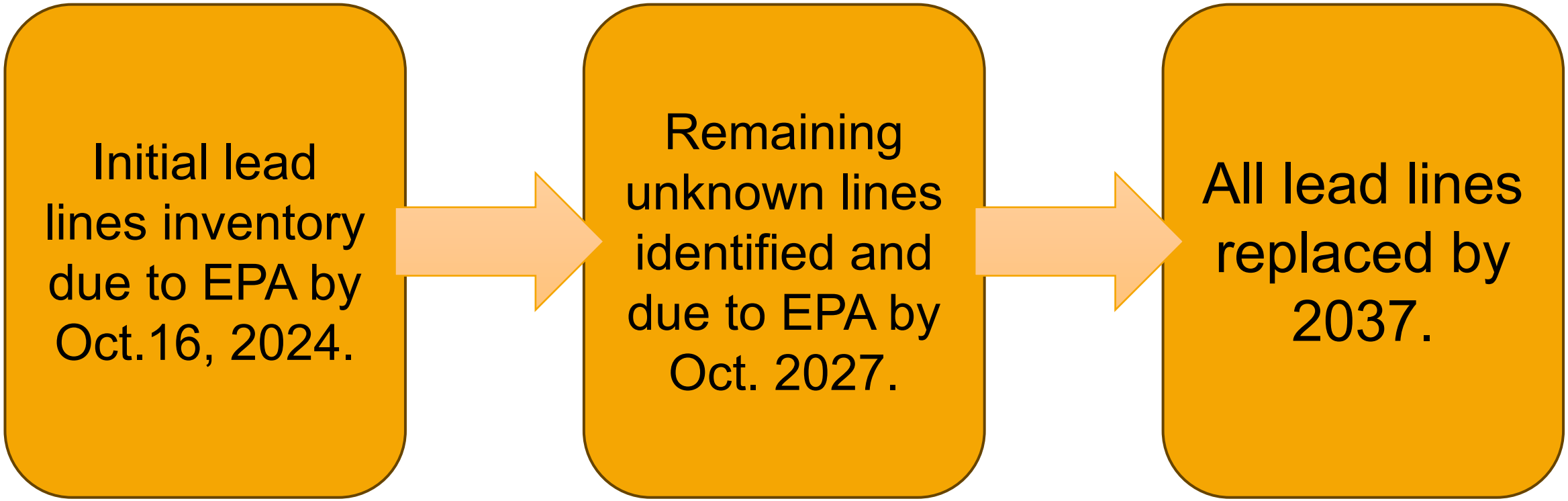
Timeline for Lead Service Lines



Technical Assistance Eligibility

- Community and non-transient non-community public water systems.
- Public Water Systems that submitted their own inventory are eligible for limited assistance.

Technical Assistance Eligibility

- Federally owned systems are NOT eligible for technical assistance.

Submitting Initial Inventory

- Our service providers can:
  - Review records
  - Perform community outreach
  - Carry out field work to obtain inventory data
- Our service providers will assist in submitting the initial inventory through EPA/DEQ.

Identifying Unknowns

- Our procured service providers will be assigned to help identify unknown lines on the system's behalf.
- Methods to identify lines:
  - Submit surveys to homeowners;
  - Visual inspection of lines;
  - Renting vac trucks to daylight lines to identify; and
  - Water testing.

Replacement Planning

- A procured service provider can:
  - Review the completed inventory.
  - Create EPA required planning documents.
  - Prepare documents such as a lead lines focused professional engineering report.
- DEQ is developing the Replacement Plan template that is required by the EPA.

Technical Assistance Limits

- Initial Inventory Process – Approved in 100-hour maximum increments.
- Unknown ID/Replacement Planning-hours/funds capped at 150 hours/$22,500 ($150/hr rate x 150 hours).

Funding Cap Example

- A system may use a portion of their capped $22,500 in funds to rent a VAC truck for unknown ID; however, the VAC truck cost and the service provider hourly rate together CANNOT exceed the cap of $22,500.

How to Apply

- For the initial inventory, systems will submit the application through our Service Now website.
- For Unknown ID/Replacement Planning, please reach out to our team at Commerce for assistance.

Contact Information

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