



Lead and Copper Rule Improvements (LCRI) 101

Rule Overview and Key Provisions

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Presentation Outline:

- Presentation Purpose
- Rule Promulgation Timeline
- Lead and Copper Rule Revisions (LCRR)
- Current Processes
- Lead and Copper Rule Improvements (LCRI)
- Resources
- Q&A

Presentation Purpose

- Learn how past and future rules intersect
- Explain LCRR requirements
- Highlight additional reminders related to LCR compliance
- Summarize what's to come with the LCRI
- Share resources from TCEQ and EPA

To learn about the future, let's talk about the past

Timeline of Rule Promulgation

Promulgation
dates:

1991 -
LCR

2000 -
LCR
minor rev.

2007-
LCR short
term rev.

2021 -
LCRR

2024 -
LCRI

Compliance dates:

October 16, 2024 -
LCRR

November 1, 2027 -
LCRI

Proposed Rule → Promulgated (Finalized) Rule → (+3YRs) Compliance Date for Rule

LCRR To LCRI Transition

What happens in the time between October 16, 2024, and the compliance date of the LCRI on November 1, 2027?

- **30 TAC § 290.117 Regulation of Lead and Copper**
 - Continue to follow the current LCR rules in addition to the 3 provisions of the LCRR
 - 40 CFR 141.80(a)(4)

What's new as of October 16, 2024

LCRR Requirements (1)

- Initial lead service line inventory (due October 16, 2024)
- Public notice requirements
 - Deliver to customers with known or potential lead service lines within 30 days of inventory submission
 - Tier 1 notice (within 24-hours of a 90th percentile Lead Action Level Exceedance)

LCRR Requirements (2)

Initial Lead Service Line Inventory (LSI)

§141.84(a) *Lead service line inventory.* All water systems must develop an inventory to identify the materials of service lines connected to the public water distribution system.

Service lines must be categorized in the following manner:

- Lead
- Galvanized Requiring Replacement (GRR)
- Lead Status Unknown
- Non-Lead

LCRR Requirements (3)

Notification of Known or Potential Lead Service Line

§141.80(g)(4) Any water system with lead service lines, galvanized requiring replacement or lead status unknown service lines in their inventory as specified in § 141.84(a) shall inform all consumers with a lead service line, galvanized requiring replacement or a lead status unknown service line in accordance with § 141.85(e).

LCRR Requirements (4)

Tier 1 Public Notice for Lead Action Level Exceedance (ALE)

§141.31(d)(2) For Tier 1 notices for a **lead** action level exceedance, public water systems must provide a copy of any Tier 1 notice to the Administrator and the head of the primacy agency as soon as practicable, but not later than 24 hours after the public water system learns of the violation or exceedance

Additional Service Line Inventory Information

- Overall Classification of a Service Line
- Records
- Making the Inventory Accessible
- How to Submit a Service Line Inventory

Overall Classification of a Service Line

Table 1: Classification of Entire Service Line When Ownership is Split.

System-Owned Portion	Customer-Owned Portion	Classification for Entire Service Line
Lead	Lead	Lead
Lead	Galvanized	Lead
Lead	Non-lead	Lead
Lead	Lead Status Unknown	Lead
Non-lead	Lead	Lead
Lead Status Unknown	Lead	Lead
Galvanized	Lead	Lead
Non-lead, but system is unable to demonstrate it was not previously Lead	Galvanized	Galvanized Requiring Replacement
Lead Status Unknown	Galvanized	Galvanized Requiring Replacement
Non-lead and never previously lead	Non-lead, specifically galvanized pipe material	Non-lead
Non-lead	Non-lead, material other than galvanized	Non-lead
Lead Status Unknown	Non-lead	Lead Status Unknown
Non-lead	Lead Status Unknown	Lead Status Unknown
Lead Status Unknown	Lead Status Unknown	Lead Status Unknown

Source: Modified from Exhibit 2-3 of Guidance for Developing and Maintaining a Service Line Inventory (USEPA, 2022).

Records

40 CFR 141.84(a)(3) - A water system must use any information on lead and galvanized iron or steel that it has identified when conducting the inventory of service lines in its distribution system for the initial inventory. The water system must also review the sources of information listed below to identify service line materials for the initial inventory.

- All construction and plumbing codes, permits, and existing records or other documentation which indicates the service line materials used to connect structures to the distribution system.
- All water system records, including distribution system maps and drawings, historical records on each service connection, meter installation records, historical capital improvement or master plans, and standard operating procedures.
- All inspections and records of the distribution system that indicate the material composition of the service connections that connect a structure to the distribution system.
- Any resource, information, or identification method provided or required by the State to assess service line materials.

Making the Inventory Accessible

40 CFR141.84(a)(8) The service line materials inventory must be publicly accessible.

- The inventory must include a location identifier, such as a street address, block, intersection, or landmark, associated with each lead service line and galvanized requiring replacement service line. Water systems may, but are not required to, include a locational identifier for lead status unknown service lines or list the exact address of each service line.
- Water systems serving greater than 50,000 persons must make the publicly accessible inventory available online.
- When a water system has no lead, galvanized requiring replacement, or lead status unknown service lines (regardless of ownership) in its inventory, it may comply by using a written statement, declaring that the distribution system has no lead service lines or galvanized requiring replacement service lines. The statement must include a general description of all applicable sources used to make this determination.

How to Submit a Service Line Inventory

- Submit via TCEQ LSLI online portal using GEC SWIFT Submittals
 - Registration Link
 - Training Video
 - Guidance Documents

<https://www.tceq.texas.gov/drinkingwater/chemicals/lcrr>

What's new as of October 30, 2024

LCRI Requirements

- Baseline Inventory
- Lead Service Line Replacement
- Tiering Structure
- Sampling Changes
- Lowered Action Level for Lead
- Public Notice and Education
- Distribution System and Site Assessment
- Schools and Child Care Facility Testing

Key Provisions of the LCRI ⁽¹⁾

Lead Service Line Inventories

- Baseline inventory (includes connectors)
 - By LCRI compliance deadline
 - Updated annually
 - Create a replacement plan
 - Identify unknown SL materials
- Inventory validation (of subset of non-lead service lines)
 - 3 Years before 10 yr. deadline (or deferred deadline)
 - Required for non-lead lines identified by method other than:
 - Records review (listed in rule)
 - Two-point inspection

Key Provisions of the LCRI (2)

100% Lead Service Line Replacement

- Most water systems must replace LSLs within a 10 yr. deadline

Deadline deferment criteria

- > 100,000 lead/GRR - 10,000 per year
- > 39 lead/GRR per 1,000 household

Replacement requirements

- Fully replace lead and GRR

Key Provisions of the LCRI (3)

Improving Tap Sampling

- Updated Sampling Plan with revised Tiering Criteria
- 1st and 5th liter samples at sites with LSL
(Use the highest value to determine compliance)

Key Provisions of the LCRI (4)

Lowering the Lead Action Level

- Eliminate LCRR trigger level
- Lower action level from 15 µg/L to 10 µg/L
- ALE requirements
 - Inform the public
 - Take action to reduce lead exposure
 - Concurrently work to replace all LSLs
 - Install or adjust CCT

Key Provisions of the LCRI (5)

Deferment of OCCT and Re-Optimized OCCT Processes

- If removal of 100% of lead and GRR service lines can be replaced at 20% per year over 5 years

Key Provisions of the LCRI (6)

Strengthening Protections to Reduce Exposure

- Multiple ALE systems
 - Conduct additional outreach
 - Make filters available to all consumers

Key Provisions of the LCRI (7)

Improved Public Education Requirements

- Updated content and delivery frequency
- Proactive messaging about lead in drinking water

Key Provisions of the LCRI (8)

Lead Testing in Schools and Child Care Facilities

All CWSs must offer to monitor for lead at:

- Facilities constructed before, or did not have full plumbing replacement before, January 1, 2014
- Are not served by a lead, GRR, or an unknown service line

Must conduct public education and outreach activities

Resources

- TCEQ LCRR and LCRI Webpage:
<https://www.tceq.texas.gov/drinkingwater/chemicals/lcrr>
- EPA's Lead and Copper Rule Implementation Tools:
<https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools>
- EPA's Lead and Copper Rule Improvements Webpage:
<https://www.epa.gov/ground-water-and-drinking-water/lead-and-copper-rule-improvements>

Questions?

