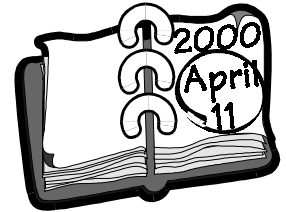




Lead and Copper Rule Minor Revisions Fact Sheet for Tribal Water System Owners and Operators

*We (the EPA) have made minor changes to the Lead and Copper Rule (LCR) that was first published in 1991. These Lead and Copper Rule Minor Revisions (LCRMR) **took effect on April 11, 2000**. The LCRMR do not change the action levels of 0.015 milligrams per liter (mg/L) for lead and 1.3 mg/L for copper. They also do not affect the Rule's basic requirements to optimize corrosion control and, if appropriate, treat source water, deliver public education, and replace lead service lines. In many cases, the revisions reduce your monitoring, reporting, public education, and other requirements.*



What Are the Changes to the Lead and Copper Rule?

The minor revisions to the LCR can be organized into four broad categories:

- ì Demonstrating optimal corrosion control
- í Monitoring and reporting
- î Public education
- ï Lead service line replacement

In this fact sheet, we have identified in each category the revisions that are more stringent than the 1991 Rule. We have also identified those revisions which may reduce your monitoring and reporting requirements, as well as revisions that simply clarify the requirements in the original Rule. You were required to begin following the requirements of the LCRMR on April 11, 2000.

Throughout this fact sheet, we refer to your “regulating entity.” For most Tribal systems, the regulating entity is the EPA Region currently responsible for overseeing implementation of drinking water regulations at your system(s). For some systems owned and operated by Tribes, the regulating entity is the State, or the proper tribal regulating agency, if the Tribe has received primacy for the drinking water program.



This fact sheet summarizes your requirements. For the exact detailed requirements, refer to:

Federal Register, Vol. 65, No. 8. Drinking Water Regulations; Maximum Contaminant Level Goals and National Primary Drinking Water Regulations for Lead and Copper; Final Rule; (Wed., Jan 12, 2000)

Revisions to Requirements for Demonstrating Optimal Corrosion Control

The following LCRMR provision clarify the requirements of the 1991 LCR

If you have installed corrosion control treatment but are not required to conduct water quality parameter (WQP) monitoring, you must continue to properly operate and maintain corrosion control treatment at all times.

The LCRMR change the procedure for assessing compliance with optimal water quality parameters (OWQPs) as follows:

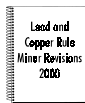


Procedure Under The Original Lead and Copper Rule of 1991

Daily values are not used to determine compliance.

You are out of compliance if ***at any time*** the results of any WQP sample are below the minimum value or outside the range of values designated by your regulating entity.

You are allowed to take a confirmation sample within 3 days of the original sample. If you collect a confirmation sample, the results of the original sample and the confirmation sample are averaged to determine compliance.



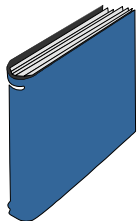
Procedure Under The Lead and Copper Rule Minor Revisions

“Daily values” are now used to determine compliance. Daily values are the sample results for each WQP and are calculated for each WQP at each sampling location. They are based on the sampling frequency for that WQP and sampling point.

You are only out of compliance if you have an “excursion” for more than a total of 9 days during a 6-month period. An excursion is any “daily value” for a WQP that is below the minimum value or outside the range of OWQPs set by your regulating entity.

Compliance determinations are always based on a 6-month period, regardless of your monitoring schedule (e.g., daily, biweekly, semi-annually, annually, triennially) or whether the sample is from an entry point or tap.

Confirmation samples are no longer used. You must report the results of all samples collected during the 6-month period.



For more information on this new OWQP compliance procedure, refer to:

How to Determine Compliance with Optimal Water Quality Parameters as Revised by the Lead and Copper Rule Minor Revisions, February 2001, EPA 815-R-99-019.

Revisions to Monitoring and Reporting Requirements

The following LCRMR provisions clarify the requirements of the 1991 LCR



Procedure Under The Original Lead and Copper Rule of 1991

The LCR is unclear that if you do not have enough "high-risk" sites (i.e., Tier 1, 2, or 3 sites) that you are still required to collect the minimum number of tap samples.

The LCR does not specify which sites to use for reduced lead and copper tap monitoring.

The LCR does not require you to notify your regulating entity if you change your treatment or add a new source.



Procedure Under The Lead and Copper Rule Minor Revisions

If you do not have enough Tier 1, 2, or 3 sites, you must use representative sites to meet minimum sampling requirements. A site is representative if its plumbing is similar to that of other sites in your system.

If you are on reduced lead and copper tap monitoring (i.e., monitor less frequently than every 6 months), you must collect from sites that are representative of the ones you used during standard monitoring. (*Your regulating entity may specify where to collect these samples.*)

If you are on reduced lead and copper tap monitoring, you must notify your regulating entity in writing no later than 60 days after changing treatment or adding a new source.

Changes That May Reduce Your Monitoring Requirements



Procedure Under The Original Lead and Copper Rule of 1991

You are required to conduct reduced lead and copper monitoring only during the months of June through September.

You are required to collect first-draw lead and copper samples, regardless of whether you have enough taps that can supply first-draw samples.

You are required to conduct 3 consecutive years of lead and copper tap monitoring before reducing your monitoring frequency to once every 3 years (triennial).

Before being allowed to conduct triennial WQP tap monitoring, you must be in compliance with your OWQPs for at least 6 consecutive years.



Procedure Under The Lead and Copper Rule Minor Revisions

Your regulating entity may allow you to conduct reduced lead and copper monitoring during months other than June through September.

If you are either a non-transient non-community water system (NTNCWS), or a community water system (CWS) that operates 24 hours a day, *such as a prison or hospital*, and you do not have enough taps that can supply first-draw lead and copper samples, you may collect samples from the taps that have the longest standing times.

You can reduce the frequency with which you conduct lead and copper tap water monitoring to once every 3 years after monitoring for only 2 consecutive, 6-month monitoring periods, if your 90th percentile levels are # 0.005 mg/L for lead and # 0.65 mg/L for copper. (*This is also known as accelerated reduced tap monitoring.*)

You may proceed to triennial WQP tap monitoring if you are also eligible for accelerated reduced lead and copper tap water monitoring and you meet your OWQPs for 2 consecutive monitoring periods.

Changes That May Reduce Your Monitoring Requirements



Procedure Under The Original Lead and Copper Rule of 1991

Sample invalidation is not allowed.

Monitoring waivers are not allowed.

You are required to collect WQP samples at ***all*** of your entry points.

If you exceed an action level but are not required to install source water treatment, you are not allowed to reduce the frequency with which you collect source water samples.



Procedure Under The Lead and Copper Rule Minor Revisions

You can ask your regulating entity to invalidate lead and copper tap water samples if the samples meet ***at least one*** of the criteria below and you provide documentation that supports your request:

- There is a laboratory error;
- The sample was damaged in transit;
- Your regulating entity determines that the sample was taken from an inappropriate site; and/or
- Your regulating entity believes the sample was subject to tampering.

Note: *If you do not have enough valid samples after your regulating entity invalidates your sample(s), you must collect enough replacement samples to meet the minimum sampling requirements.*

You may request a 9-year monitoring waiver for lead and/or copper tap monitoring if:

- C you serve 3,300 or fewer persons;
- C your 90th percentile levels are # 0.005 mg/L for lead and/or # 0.65 mg/L for copper; and
- C your plumbing materials meet certain criteria that indicate negligible risk from lead and/or copper exposure.

You may limit biweekly WQP entry point monitoring to representative locations if:

- C you are a ground water system; and
- C you can demonstrate that these sites are representative of your system's water quality conditions.

You may conduct source water monitoring on a reduced schedule even though you exceed an action level, ***if***:

- C your source water levels are # 0.005 mg/L for lead and # 0.65 mg/L for copper; and
- C your regulating entity has determined that source water treatment is unnecessary.



For more information on monitoring waivers, refer to:

Monitoring Waivers under The Lead and Copper Rule Minor Revisions for Systems Serving 3,300 or Fewer People, April 2000, EPA 815-R-99-021.

Changes That May Reduce Your Reporting Requirements

1. You may no longer be required to calculate and report your 90th percentile lead and copper levels if:
 - C your regulating entity has notified you that it will perform this calculation;
 - C you provided your sampling results and sampling site information to your regulating entity no later than the date specified by your regulating entity (*Note: this date will be sometime before the end of the monitoring period*); and
 - C your regulating entity gave you the results of the 90th percentile calculation before the end of the monitoring period.
 2. You are no longer required to submit certifications that you followed proper sampling procedures or that homeowners collected samples after receiving proper instructions.
 3. You are no longer required to provide justifications if your sampling pool contains Tier 2 or Tier 3 sites or an insufficient number of sites served by lead service lines (LSLs).
 4. You are no longer required to request in writing your regulating entity's permission to monitor for lead and copper on a reduced schedule after you meet your OWQPs. (*You still must **receive written approval** from your regulating entity before you begin reduced monitoring.*)
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↑ Revisions to Public Education Requirements

Change That Require Earlier Reporting of Your Public Education Performance



Procedure Under The Original Lead and Copper Rule of 1991

You are required to submit a letter to your regulating entity demonstrating that you met your public education requirements. This letter is due by December 31 of the year in which you performed public education.

As part of your annual compliance letter, you are required to provide a list of newspapers, radio stations, TV stations, and organizations to which you provided public education during the year.



Procedure Under The Lead and Copper Rule Minor Revisions

You must submit a letter to your regulating entity demonstrating that you met your public education requirements within 10 days after *each* period in which these tasks were required. This means that if you are required to deliver public service announcements (PSAs) every 6 months, you must submit two letters per year.

Your regulating entity may allow you to forego resubmitting the list of organizations and facilities to which you provided public education materials if you certify that this list is no different than the previous distribution list you provided to your regulating entity.

Changes That May Reduce Your Public Education Requirements



Procedure Under The Original Lead and Copper Rule of 1991



Procedure Under The Lead and Copper Rule Minor Revisions

Mandatory Public Education Language

You are required to include information about LSLs, even if your system has no LSLs.

You are not allowed to modify language regarding the availability of building permits and consumer access to these records.

All CWSs and NTNCWSs are required to use the same language provided by EPA.

You can delete references to LSLs in your public education materials if you have no LSLs and you obtain approval from your regulating entity.

If you are a CWS, you can modify public education language regarding building permit availability and consumer access to these records, if those documents are not available. You must have permission from your regulating entity to modify this language.

If you are a NTNCWS, you may use alternative mandatory public education language that is more suited to your type of system.

If you are a certain type of CWS, such as a prison or hospital, whose residents cannot make their own plumbing improvements and are not billed separately for water, you can use the alternative mandatory public education language provided for NTNCWSs. *(Your regulating entity may require you to obtain approval.)*

Distribution of Public Education Materials

If you are a CWS, you must enclose your public education materials in your customers' regular water bills.

All CWSs are required to:

- provide public service announcements to radio and TV stations semi-annually;
- notify the public via newspapers;
- distribute pamphlets to all facilities; and organizations that provide the public with health and/or educational services.

If you are a NTNCWS, you can only post information and distribute pamphlets; you cannot use e-mail to distribute public education information.

All CWSs are required to:

- C Insert notices in the water bill;
- C Submit information to newspapers;
- C Distribute pamphlets; and
- C Broadcast information via TV and radio.

If you are a CWS, you can mail public education materials separately from your bill.

If you are a CWS that serves 3,300 or fewer persons, you:

- no longer have to provide public service announcements to radio and TV stations;
- no longer have to notify the public via newspapers.*
- can limit distribution of pamphlets to facilities primarily serving pregnant women and children, unless your regulating entity requires you to make a broader distribution.*

**If you serve 501 to 3,300 persons, you first must have approval from your regulating entity.*

If you are an NTNCWS, you can use internal e-mail systems instead of using printed materials to distribute public education materials, as long as this achieves at least the same coverage.

If you are a certain type of CWS, such as a prison or hospital, whose residents cannot make their own plumbing improvements and are not billed separately for water, you can follow the NTNCWS public education delivery requirements. *(Your regulating entity may require you to obtain approval.)*

Revisions to Lead Service Line Replacement Requirements

Changes to Partial Lead Service Line (LSL) Replacement Requirements

The following table shows how the LCRMR have changed your requirements if you do not own the entire LSL and you only replace that portion of the LSL that you own (also known as partial LSL replacement). Unless prohibited by local or State law, the LCRMR still require you to offer to replace the building owner's portion of the line at his/her expense.



Procedure Under The Original Lead and Copper Rule of 1991

There is no specific required deadline to provide notification of partial replacement.

For each resident served by a partially replaced line, you must offer to collect and analyze a ***first-flush tap sample***, after you complete the partial replacement. This sample is collected at the tap of each resident that accepts your offer.

If resident(s) accept your offer, you must collect the sample(s) and report results to the resident(s) within 14 days following the partial line replacement.

You must report the sample results to residents.

You are not required to report any information to your regulating entity that demonstrates that you met your partial LSL requirements.

The 1991 rule does not specify how to notify users that you are replacing a portion of a line and of the sample results.



Procedure Under The Lead and Copper Rule Minor Revisions

You must notify residents at least 45 days before partial replacement that lead levels may increase temporarily following the replacement and provide guidance on the measures they can take to minimize exposure to lead. If your line replacement is in conjunction with emergency repairs, however, your regulating entity may allow a shorter time frame for this notification.

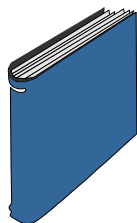
You must collect at your expense ***one*** representative service line sample for each replaced LSL within 72 hours of removing the line. You are not required to collect samples for each affected resident.

You must collect the sample within 72 hours of completing the partial replacement and report the results within 3 business days of receiving the results.

You must report to the building owner(s) and the resident(s) served by the partially replaced line.

You also must submit these monitoring results to your regulating entity within the first 10 days of the month following that in which you receive the results. However, the LCRMR give regulating entities the option to modify reporting requirements, so you need to check with your regulating entity to be sure of your specific requirements.

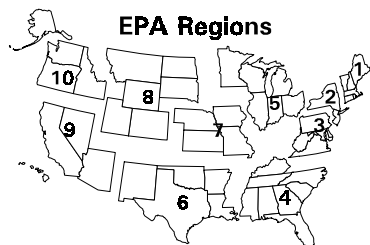
You must notify residents by mail. However, for multi-family dwellings you can post the notification in a conspicuous common-use area of the building.



For more information on partial lead service line notification and reporting requirements, refer to:

Notification and Reporting Requirements for Partial Lead Service Line Replacement under the Lead and Copper Rule, April 2000, EPA 815-R-99-022.

Where Can I Obtain More Information About the LCRMR?

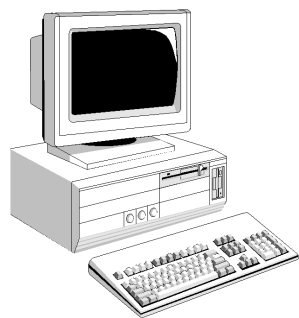


k EPA Regional Office k

You can contact the EPA Region responsible for implementing the Safe Drinking Water Act for your system. A list of contacts in each EPA Regional office is provided on the next page.

N Other Guidance Documents N

Lead and Copper Rule: Minor Revisions Compared to the 1991 Rule (EPA 816-R-00-009). This document compares the regulatory language of the LCRMR against the LCR.



You can obtain any of the guidance documents listed in this fact sheet from the Safe Drinking Water Hotline, the Water Resource Center (202-260-7786 or e-mail at center.water.resource@epa.gov), or the Office of Ground Water and Drinking Water web page at www.epa.gov/safewater/standards.html.



G Safe Drinking Water Hotline G

You can call the **SAFE DRINKING WATER HOTLINE** at 1-800-426-4791. It is open Monday through Friday, 9:00 a.m. to 5:30 p.m., ET, excluding Federal holidays. The Hotline can provide you with a list of other documents that pertain to the LCR and to the minor revisions.

PWSS Program: Regional Indian Land Coordinators

EPA REGION	ADDRESS	PWSS DI CONTACT	PHONE #	FAX #
Region 1	EPA Region 1, (CCT) 1 Congress St., Suite 1100 Boston, MA 02114-2023	Mark Sceery Ellie Kwong Chris Ryan	(617) 918-1505 (617) 918-1592 (617) 918-1567	(617) 918-1505
Region 2	EPA Region 2 290 Broadway, 24th Floor New York, NY 10007-1866	Gerard McKenna	(212) 637-3838	(212) 637-3887
Region 4	EPA Region 4 61 Forsythe St, SW, 15 th Flr Atlanta, GA 30303-8960	Fred Hunter	(404) 562-9477	(404) 562-9439
Region 5	EPA Region 5 (WD-15J) 77 W. Jackson Blvd Chicago, IL 60604-3507	Mary Morgan Denis L. Baker Chuck Pycha	(312) 886-6201 (616) 271-7492 (312) 886-0259	(312) 886-6171 (616) 271-3576 see Mary's
Region 6	EPA Region 6 (6WQ-SD) 1445 Ross Ave, Suite 1200 Dallas, TX 75202-2733	Blake Atkins	(214) 665-2297	(214) 665-2191
Region 7	EPA Region 7 Mailcode:(PWSSWWPD) 901 N. Fifth St. Kansas City, KS 66101	Talva Hayes Elizabeth Murtagh-Yaw	(913) 551-7416 (913) 551-7440	(913) 551-7765
Region 8	EPA Region 8 (8P-W-MS) 999 18th St, Suite 500 Denver, CO 80202-2466	Gary Carlson Terry Griffith Tsegaye Hailu	(303) 312-6269 (303) 312-6153 (303) 312-6273	(303) 312-6131
Region 9	EPA Region 9 (WTR-6) 75 Hawthorne St San Francisco, CA 94105	Su Cox (N & C. CA) Kevin Ryan (E. AZ) Roger Yates (NV, Owens Valley/E. CA, Tohono O'odham Nat.) Danny Collier (Navajo) Helen McKinley (S. CA) Karl Banks (W. AZ & Lower Colorado River)	(415) 744-1855 (415) 744-2052 (415) 744-1843 (415) 744-1856 (415) 744-1943 (415) 744-1849	(415) 744-1235
Region 10	EPA Region 10 (OW-136) 1200 Sixth Avenue Seattle, WA 98101	Craig Paulsen	(206) 553-4350	(206) 553-0165

NOTE: Bold type indicates lead contact for EPA Region, excluding EPA Region 9.