

## Lead and Copper Rule Revisions (LCRR) Frequently Asked Questions (FAQs)

These Frequently Asked Questions (FAQs) address the parts of the 2021 Lead and Copper Rule Revisions (LCRR) that EPA has proposed to keep starting October 16, 2024. The FAQs only reflect federal requirements for these provisions. Your State<sup>1</sup> may have additional regulatory requirements.

### General 2021 Lead and Copper Rule Revisions (LCRR)

#### *What requirements of the LCRR is EPA proposing to retain?*

EPA is proposing to keep the LCRR October 16, 2024, compliance date for the initial inventory, notification of service line material, Tier 1 public notification of a lead action level exceedance, and associated reporting requirements. Please see sections below for the FAQs specific to each of these requirements.

#### *What systems do LCRR requirements apply to?*

All community water systems (CWS) and non-transient non-community water systems (NTNCWS) must comply with these requirements.

#### *When do water systems have to comply with the retained LCRR requirements?*

Under EPA's new proposal as well as existing rules, water systems must comply with the following 2021 LCRR requirements beginning **October 16, 2024**:

### Initial Service Line Inventory

#### *What are the initial service line inventory requirements?*

All CWSs and NTNCWSs must complete and submit an initial service line inventory to their State<sup>1</sup> by October 16, 2024. The inventory must include all service lines connected to the public water distribution system regardless of ownership status. Each service line must be characterized as lead, galvanized requiring replacement, lead status unknown (or unknown), or non-lead using approved sources (noted below).

The service line inventory must also be publicly accessible, and the publicly accessible inventory must include locations for lead and galvanized requiring replacement service lines. Water systems serving greater than 50,000 persons must make the publicly accessible inventory available online. EPA's *Guidance for Developing and Maintaining a Service Line Inventory* provides details on these requirements.

#### *What are the required information sources for water systems to use to develop the initial inventory?*

To identify service line materials, water systems must use information identified through previous materials identification and review the following sources of information:

- 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.

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<sup>1</sup> "State" for purposes of this document means the agency of the State or Tribal government which has jurisdiction over public water systems. During any period when a State or Tribal government does not have primary enforcement responsibility pursuant to section 1413 of the Act, the term "State" means the Regional Administrator, U.S. Environmental Protection Agency. [40 CFR 141.2]

- 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.

While not required by the EPA, water systems may use other sources for the inventory, if approved by the State. Please contact your State for any specific information or guidelines they may have on service line inventories. Additionally, information regarding identification methods is available in EPA's [Guidance for Developing and Maintaining a Service Line Inventory](#).

### ***What are the requirements for water systems whose service lines are all non-lead?***

Water systems that have all non-lead service lines must still prepare an initial service line inventory and submit it to their State. However, to comply with the requirement for a publicly accessible inventory these systems may use a written statement, instead of an inventory, declaring that the distribution system has no lead lines, galvanized requiring replacement lines, or unknown lines. The statement must include a general description of the applicable sources used to make this determination. If in the future, the water system finds a lead service line, the system must notify the State within 30 days of discovery and submit an updated inventory on a schedule established with their State.

### ***Where can I find more information on how to create an initial service line inventory?***

EPA's [Guidance for Developing and Maintaining a Service Line Inventory](#), [Small Entity Compliance Guide](#), and [Fact Sheet for Developing and Maintaining a Service Line Inventory](#) provide helpful information to help systems with their service line inventory. You can also find a [template for completion of the inventory here](#).

### ***Is funding available to help water systems complete an initial service line inventory?***

To help communities identify potential federal funding for service line inventories and lead service line replacement, EPA provided this [Funding Sources Guide for Service Line Inventories](#). You may request technical assistance for your community through EPA's [Water TA request form](#). Additionally, your State may have additional funding and assistance programs. For more information on assistance with identifying and replacing your lead service lines visit: <https://www.epa.gov/ground-water-and-drinking-water/lead-service-lines>.

### ***Are predictive models acceptable as sources for the LCRR initial service line inventory requirement?***

If approved by the state, the rule does allow water systems to use "other sources." The EPA's [Guidance for Developing and Maintaining a Service Line Inventory](#) discusses predictive modeling as a method that some water systems have found effective in identifying service line materials. Your State may have specific guidelines for predictive modeling.

### ***Is there a maximum percentage of unknown service lines a water system can submit as part of its initial service line inventory?***

No. EPA has not set a maximum percentage of unknown service lines a water system can include in its initial service line inventory. However, EPA discourages systems from submitting inventories to states with all unknowns. EPA's [inventory guidance](#) provides a strategy to prioritize unknown lines most likely

to be lead for identification. Please see frequently asked questions below related to this notification requirement.

### ***Are all service lines, including fire suppression service lines, required to be included in the initial service line inventory?***

Systems must include all service lines in their inventories, regardless of the actual or intended use. These include, for example, service lines with non-potable applications such as fire suppression or those designated for emergency. These service lines could be repurposed in the future for a potable or non-emergency use. Water systems must also include in their inventory service lines connected to vacant or abandoned buildings, even if they are unoccupied and the water service is turned off.

## **Lead Action Level Exceedance (ALE) Tier 1 Public Notice (PN)**

### ***What are the requirements to conduct Tier 1 Public Notice (PN) following a lead action level exceedance (ALE)?***

Water systems that exceed the lead action level are required to provide public notification to persons served as soon as practical but no more than 24 hours after learning of the exceedance. EPA refers to this type of public notification as “Tier 1”. Water systems must also consult with their State and provide a copy of the notice to the State and EPA within 24 hours after learning of the exceedance. See EPA’s [Public Notification website](#) for more information. EPA has developed a [template](#) that water systems can use to draft Tier 1 PN for a lead ALE.

### ***When does the 24-hour clock start for a Lead Action Level Exceedance (ALE) Tier 1 PN?***

Water systems must provide public notification as soon as practical but no more than 24 hours after learning of the lead ALE.

### ***Do water systems have to submit a certification within 10 days of completing the Tier 1 PN for a lead ALE?***

Yes, water systems must submit a certification to their State within 10 days of completing the 24-hour Tier 1 PN requirements. For additional information regarding specific State guidelines and formats for submission of this certification, please contact your State. Note, this certification requirement is in addition to the requirement that water systems provide a copy of the Tier 1 notice to EPA and the head of the primacy agency as soon as practicable, but not later than 24 hours after the system learns of the lead ALE.

### ***Is a lead action level exceedance (ALE) a violation?***

No, an exceedance of the lead action level is not a violation. If the lead action level is exceeded in more than ten percent of tap water samples collected during any monitoring period (i.e., if the 90th percentile level is greater than the action level), a water system must take certain actions such as issuing Tier 1 PN, public education, optimizing corrosion control treatment, and, in some cases, replacing lead service lines.

## **Public Education for Known or Potential Lead Service Lines (LSLs)**

### ***What are the Public Education requirements for Known or Potential LSLs?***

Water systems must provide information to all persons served at service connections with lead, galvanized requiring replacement, or lead status unknown service lines within 30 days of completion of

their initial service line inventory. This will provide awareness and education to residents about their service line material and steps they can take to reduce their exposure to lead in drinking water.

### ***What is the delivery timeline for this Public Education for Known or Potential LSLs?***

A water system must provide the initial notification within 30 days of completion of their initial service line inventory. For purposes of the initial inventory, EPA will treat the compliance date of October 16, 2024, as the start date for calculating the 30-day deadline for providing notification to persons served by a lead, galvanized requiring replacement, or lead status unknown line because this is also the deadline for systems to submit the inventory to the State. However, EPA does encourage water systems to provide these notifications earlier to educate their consumers. Water systems must also provide the notice at the initiation of service for new customers. This requirement applies beginning October 16, 2024. Water systems must repeat notification on an annual basis until the entire service connection is no longer lead, galvanized requirement replacement, or unknown.

### ***What do water systems report to the State for this requirement?***

Annually by July 1, the water system must demonstrate to the State that it delivered these service line notifications for the previous calendar year. The water system must provide a copy of the notification and information materials to the State. For additional information regarding specific State guidelines and formats for submission of this certification, please contact your State.

### ***What are the content requirements for the Notification of Known or Potential LSLs?***

The specific content requirements vary depending on whether the service line is lead, GRR, or unknown. All notifications must include an explanation of the health effects of lead, a statement that service line material is either lead, galvanized requiring replacement, or unknown, and steps individuals can take to reduce lead exposure in drinking water. For a confirmed lead or galvanized requiring replacement, the notice must also include information on opportunities to replace the service line. For an unknown service line, the notice must include information on opportunities to verify the material of the service line. See 40 C.F.R. section 141.84(e)(3) for the complete list of specific requirements.

### ***What resources are available to assist systems with these notifications?***

EPA is developing templates that water systems may use for the notifications of a known or potential LSL. EPA expects to have these templates available in spring 2024 and plans to post them on EPA's website at <https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools>.