

**LCRR 2024 Requirements Webinar: Lead and Copper Rule Revisions –
Preparing for Changes Effective October 16, 2024 – 8/22/24
Webinar Questions & Answers**

- 1. Is the lead action level changing on October 16, 2024?** No, the lead action level remains at 0.015 mg/L.
- 2. Is my lead sample schedule changing on October 16, 2024?** No, the lead sampling requirements, tiers and schedules do not change and remain as described in the 2021 Waterworks Regulations.
- 3. What if my waterworks discovers previously unknown lead service lines (LSLs)?** A change to your Lead and Copper Rule (LCR) tap sample locations may be required. Please discuss this with your field office.
- 4. What happens if the Lead and Copper Rule Improvements (LCRI) is finalized after October 16, 2024?** EPA has emphasized that the LCRI will not be late. VDH ODW has a primacy extension agreement that specifies the activities that VDH ODW will undertake on behalf of EPA. The expectations described in the webinar, the EPA [2021 LCRR Implementation Fact Sheet](#) (April 2024) and ODW's [LCRR-LCRI Implementation Fact Sheet](#) (May 2024) will not change.
- 5. Is my waterworks required to submit a list of schools and child day centers by October 16, 2024, or to provide notification regarding future lead sampling plans at schools and child day centers?** No, the LCRI is changing the requirement for lead sampling at schools and child day centers. According to the draft LCRI, the list of schools and child day centers must be submitted to the State by the compliance date of the LCRI, likely in 2027.
- 6. Should we use “unknown – nonlead” when a line is classified as nonlead based on statistical methods, and is customer notification required for this situation?** You should use “nonlead – other” when service lines are determined to be nonlead via statistical methods or predictive modeling. You have established that they are nonlead with 95% confidence level, but you can't attest to the specific material. Since they are “nonlead,” there is no need for customer notifications.
- 7. For a small NTNC waterworks with only non-lead service lines, what are the requirements related to the service line inventory?** A small NTNC waterworks with only non-lead service lines needs to:
 - a. Complete and submit the service line inventory by October 16, 2024.
 - b. Make the initial inventory publicly available OR provide a written statement that your system has no LSLs, galvanized requiring replacement (GRR), or lead status unknown service lines along with a statement describing the methods you used to make the determination.
- 8. For a community waterworks with only non-lead service lines, what are the requirements related to the service line inventory?** A community waterworks with only non-lead service lines needs to:
 - a. Complete and submit the service line inventory by October 16, 2024.
 - b. Make the initial inventory publicly available OR provide a written statement that your system has no LSLs, GRRs, or lead status unknown service lines along with a statement describing the methods you used to make the determination.

- c. Provide in the Consumer Confidence Report (CCR) the lead and copper 90th percentile concentration of the most recent round(s) of sampling, the number of sampling sites exceeding the action level, and the range of tap sampling results;
 - d. Provide in the CCR a statement that a service line inventory has been prepared and include instructions to access the service line inventory; and
 - e. Provide in the CCR a short informational statement about lead in drinking water and its effects on children using the updated required language.
- 9. Where can we find templates for consumer notification of LSL, GRR and unknown service Lines?** ODW and EPA templates for consumer notification of LSL, GRR, and unknown service lines are found on the [ODW LCRR Guidance](#) webpage, near the bottom.
- 10. If no lead lines are found during lead service line inventory or have ever been found in the history of the system, how can you validate that galvanized lines were never connected to lead?** Refer to the discussion on page 6 of the [ODW Community Service Line Inventory Template Instructions](#) on the [ODW LCRR Guidance](#) webpage.
- 11. Do the requirements of the LCRR on our school, a nontransient noncommunity waterworks, apply to other schools that are served by other waterworks?** The requirement for developing a service line inventory and related activities do not apply to schools that are served by a connection from a larger public water system such as a town, county service authority, or other community waterworks. However, with the Lead and Copper Rule Improvements, we anticipate a requirement for monitoring lead in schools and child day centers beginning after 2027. This requirement is found at 40 CFR 141.92.
- 12. Is a waterworks with only non-lead service lines (i.e., no lead, GRR, and unknown service lines) required to notify new customers?** No, the customer notification is not required for customers served by non-lead service lines.
- 13. Are waterworks required to provide lead testing to customers upon request?** Under normal circumstances, waterworks are not required to provide lead testing upon request. However, if a waterworks exceeds the lead action level, it must offer to sample the tap water of any customer who requests it. The system is not required to pay for collecting or analyzing the sample, nor is the system required to collect and analyze the sample itself. For example, a utility could work with a contact laboratory to obtain lead sample kits and make the kits available at the waterworks' office to customers who request the kits, with the understanding that the customer must pay the laboratory for the analysis and the utility will receive a copy of the results.
- 14. Are waterworks allowed to charge to cover the cost of lead testing?** Yes, waterworks can voluntarily set up a lead testing program where customers can request a lead test, especially for customers with lead, GRR or unknown material service lines. The waterworks may charge a fee to cover the actual cost of the testing.
- 15. Must the notification of lead, GRR or unknown material service line go to both the tenant and the owner?** The waterworks "must inform all persons served by the water system at the service connection with a lead, galvanized requiring replacement, or lead status unknown service line." (40 CFR 141.85 (e)(1)) Therefore, the notification must go to the consumers or tenants at the rental property.

- 16. What is the expectation for notification letters that are returned?** If a lead, GRR or unknown material notification letter is returned undelivered, the waterworks must use another delivery method for the affected service connection. Hand delivery or a door hanger could be used.
- 17. What is the expectation for notification letters where lead, GRR, or unknowns are identified in some or all lines branching off a main line at a multi-building property? This may include institutional properties such as hospitals, private colleges, mobile home parks, etc., where the entire institution or complex is a single customer of the utility, served by a single master meter, and delivering water to multiple structures.** The notice must be provided to persons served by the waterworks at the service connection with a lead, GRR, or lead status unknown service connection by mail or another method approved by the State (40 CFR 141.85 (e)(4)). Where the inventory has identified lead, GRR, or unknowns in branching service lines on the customer side, the waterworks remains obligated to deliver notices to the persons served, rather than to the utility's customer. The options are as appropriate:
- a. Mail delivery directly to premises served.
 - b. Hand delivery (with permission from the utility's customer)
 - c. Work with the utility's customer to deliver the notices to the appropriate premises on behalf of the utility.
- 18. With no lead, GRR, or unknowns - what is the approved method of delivery for a non lead statement in lieu of a public inventory?** Provide in the CCR a statement that a service line inventory has been prepared and include instructions to access the service line inventory.
- 19. Does the Tier 1 Public Notification associated with a lead action level exceedance replace any of the currently required Public Education requirements?** No, the Tier 1 Public Notification associated with a lead action level exceedance does not replace the Public Education requirements. The Public Education requirements, triggered by a lead action level exceedance are due to be completed within 60 days after the end of the tap sampling period in which the exceedance occurred. (40 CFR 141.85 (b)(2))
- 20. We have submitted our service line inventory and its status shows as pending. Is there a plan for reviewing/approving/accepting a service line inventory - will the pending status change?** Field Office staff are just beginning to review and process submitted inventories. The status will change to "accepted" when the Field Office staff have determined that the inventory appears to be complete and meet all requirements. Waterworks will receive an acceptance letter from the Field Office.
- 21. At the time of upload of the inventory, do we need to include any certifications or information related to validations of certain methods? For example, using the build date to classify as non-lead-other.** If you are using statistical methods or predictive modeling, you will need to submit a report to ODW about that process when you are done, before you upload the inventory. Simply using build date, though, is a pre-approved method that does not require a similar report.
- 22. Using build date does not require a report, but it does require the 1% verification. Does that have to be completed by the time of inventory submittal?** Yes, it does. By using build date as a method, you are agreeing to do the 1% corroboration for lines within 24 months of a ban, but you don't have to submit anything separate attesting this. Just make sure you note in the inventory which lines have been corroborated (either by field verification or records review).

- 23. Is there a need for an updated LCR tap sampling pool since the new sampling tiers are not going into effect October 16, 2024?** There is no need for a revision to your sampling pool at this time, unless you find lead or galvanized service lines that you didn't know about before, in which case you should reach out to your field office for instructions.
- 24. What is the required timing for notifying customers of lead tap monitoring results?** Provide the consumer notice as soon as practical, but no later than 30 days after the owner learns of the tap monitoring results. (12VAC5-590-405 (D) (4))
- 25. Must a waterworks replace the galvanized pump that a well pump is hanging from?** No, a pump drop pipe does not meet the definition of a galvanized requiring replacement service line.
- 26. We submitted to VDH a methodology using statistical analysis to complete the inventory. This proposal was accepted. Are we required to complete another report expanding on the methodology prior to uploading the inventory?** Yes, please submit a Statistical Methods Report as described in our *Guidance for Statistical Methods and Predictive Modeling*.
- 27. If a small town (< 1000 connections) visually inspects meter crocks and find no lead lines (95% copper, 4% galvanized, 1% plastic) in the 950 they can gain access to, can the remainder be classified as nonlead-other?** Possibly, yes. Follow our *Guidance for Statistical Methods and Predictive Modeling* and work with your field office in an effort to classify the remaining service lines as “non-lead”.
- 28. Must undeveloped building lots be reported?** If there is no meter, no customer service line and no building served, then there is no service connection and no customer. "Service line" means the pipeline or service pipe between the service connection and the building connection. If and when a building is served, this will become a service line and will get added to the service line inventory.
- 29. Must a demolished structure be reported?** If there is a customer service line connected to the waterworks, yes.
- 30. Must service lines for yard hydrants be reported?** Yes.
- 31. What must the publicly accessible inventory include?** For lead service lines and galvanized requiring replacement service lines, include a location identifier. For lead status unknown service lines, waterworks may, but are not required to, include a location identifier. A best practice is to include the address of each service line along with the material classification for the utility side and the customer side.
- 32. When are the certifications for consumer notifications of lead, GRR and unknown service lines due?** The certification statements are due 30 days following notification completion and no later than July 1.
- 33. Who can submit the inventory in SWIFT?** A waterworks representative may submit the inventory. The waterworks owner may choose to delegate this responsibility to a consultant or contractor.
- 34. For connections we determine will require customer-side service line replacement, how far into the building should the customer line replacement go?** The customer LSL replacement runs from the connection to the utility meter or utility service line to the first shutoff inside the home or building. If there is no shutoff, the plumber should install a shutoff. This is based on the Bipartisan Infrastructure Law (BIL) funding guidance.

- 35. What is the premise plumbing?** The premise plumbing is the plumbing downstream of the customer service line, usually beginning with the first shutoff valve inside the home or building.
- 36. Do the Non-Principal Forgiveness monies come with Davis-Bacon requirements?** Both principal forgiveness and loan funds from the BIL LSL require Davis Bacon wage rates, Build America Buy America (BABA) and other Federal SRF requirements such as procurement etc.
- 37. Are GRR service lines eligible for funding by ODW?** Beginning with the Fiscal Year 2024 funds, the BIL will fund only replacement of lead service lines and GRR confirmed downstream of a lead service line.