

Lead and Copper Rule/Drinking Water: December 14th U.S. Environmental Protection Agency Letter Seeking Input on Potential Revisions



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The United States Environmental Protection Agency (“EPA”) Office of Water is circulating a December 14th letter to stakeholders seeking input on potential revisions to the Lead and Copper Rule (“LCR”).

EPA’s letter states that it is:

...evaluating potential revisions to the LCR to improve public health protection while ensuring effective implementation.

EPA initially promulgated in 1991 a regulation to control lead and copper in drinking water. The LCR has been revised in a number of instances since the initial rule. The LCR applies to community water systems and non-transient non-community water systems as defined by the Safe Drinking Water Act.

EPA states that it is requesting consultation regarding potential revisions pursuant to the terms of the Trump Administration’s Executive Order 13132. This Executive Order directs federal agencies to consult with elected state and local government officials, or their representative national organizations, when developing regulations and policies that impose substantial compliance costs on state and local governments.

EPA notes that the LCR currently requires water systems to implement a treatment technique (corrosion control) that is designed to reduce lead and copper in tap water to the extent feasible. The LCR established a non-enforceable maximum contaminant level goal of zero for lead. It requires water systems to sample households served by their systems and to take actions to reduce exposure to lead and copper from drinking water. Such actions may include:

- Treatment to control lead and copper corrosion
- Replacement of lead service lines
- Dissemination of educational materials to customers

The LCR applies to all public water systems except those that do not regularly serve at least 25 of the same people at least six months of the year.

The agency is inviting stakeholders to a meeting on January 8th as referenced in the [attached letter](#). Further, it is notifying a number of organizations such as:

- The National Governors’ Association
- The National Conference of State Legislatures,

- The Council of State Governments
- The National League of Cities
- The U.S. Conference of Mayors
- The National Association of Counties,
- The International City County Management Association,
- The National Association of Towns and Townships
- The County Executives of America
- The Environmental Council of States
- The Association of State Drinking Water Administrators
- The Association of Metropolitan Water Agencies
- The National Rural Water Association
- The American Water Works Association
- The American Public Works Association
- The National School Board Association
- The American Association of School Administrators
- The Western Governors' Association

The agency is also requesting input on options for proposed regulatory revisions and related information can be found at <https://www.epa.gov/dwreginfo/lead-and-copper-rule>.