



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 14 2017

OFFICE OF WATER

Dear Intergovernmental Association Colleague:

The purpose of this letter is to seek your input on the U.S. Environmental Protection Agency's forthcoming proposed regulatory revisions to the Lead and Copper Rule. The EPA is evaluating potential revisions to the LCR to improve public health protection while ensuring effective implementation. The LCR applies to community water systems and non-transient non-community water systems as defined by the Safe Drinking Water Act. Revisions to the LCR would impact owners and operators of public water systems that must comply with the LCR and primacy agencies that enforce drinking water regulations in their jurisdiction. To that end, we would like to invite you to a meeting to be held at the EPA Headquarters on January 8, 2018, 2:00 p.m. – 4:00 p.m., in room 2123 of the EPA East Building, 1201 Constitution Ave., NW, Washington, DC 20004.

Consultation is requested pursuant to the terms of Executive Order 13132, entitled "Federalism," which 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. Options being considered for the proposed rule may also meet consultation requirements of the Unfunded Mandates Reform Act. Thus, the agency has elected to engage the UMRA stakeholders in the same consultation as there are many overlapping interests between the groups, and a discussion of the proposed rule can be more effectively communicated in a joint meeting.

The agency established the LCR in 1991 to reduce exposure to lead through drinking water. The primary contribution of lead and copper to drinking water is corrosion from service lines and in-home plumbing materials. The LCR 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 corrosion control treatment makes the water less corrosive to lead and copper in plumbing materials.

The LCR established a non-enforceable maximum contaminant level goal of zero for lead. The MCLG for lead is zero because there is no level of exposure to lead that is without risk. As required by the SDWA, the agency developed the LCR to reduce concentrations of lead and copper in drinking water to levels that are as close as feasible to this MCLG.

The LCR applies to all public water systems except those that do not regularly serve at least 25 of the same people at least 6 months of the year. The LCR requires water systems to sample households served by their system and requires systems to take actions to reduce exposure to lead and copper from drinking water. The actions triggered by the LCR monitoring results may include treatment to control

lead and copper corrosion, the replacement of lead service lines, and the dissemination of educational materials to customers.

The agency is currently in the process of evaluating potential regulatory changes to the existing LCR in the areas of tap sampling, corrosion control treatment, transparency and public education, full lead service line replacement and copper. The EPA is requesting your input on options for the proposed regulatory revisions. Additional information can be found at: <https://www.epa.gov/dwreginfo/lead-and-copper-rule>.

Pursuant to this consultation process, the agency is contacting 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, and the Environmental Council of States to request their input on this rulemaking. Additionally, the agency is inviting 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, and the Western Governors' Association to participate in this meeting.

The EPA is requesting your attendance at this meeting to obtain your input on the options under consideration. At the meeting, the agency will present background information on the rulemaking and will answer questions you may have. You will have the opportunity to provide input to the agency during the meeting and may provide written input to the EPA within 60 days after the meeting. Although this initial, in-person briefing is for intergovernmental association staff only, there will be an opportunity for associations to schedule briefings for their memberships following this initial briefing.

Please let us know if you will be able to attend by contacting Andrew Hanson in EPA's Office of Congressional and Intergovernmental Relations at hanson.andrew@epa.gov or 202-564-3664.

If you have questions regarding the rule, you may contact Iliriana Mushkolaj of the Office of Groundwater and Drinking Water at Mushkolaj.Iliriana@epa.gov or 202-564-6877.

Sincerely,



Peter Grevatt, Director
Office of Ground Water and Drinking Water