



Fact Sheet

USEPA Lead and Copper Rule Revisions

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 141 and 142

[EPA-HQ-OW-2017-0300; FRL-10019-23-OW] RIN 2040-AF15

National Primary Drinking Water

Regulations: Lead and Copper Rule Revisions:

<https://www.epa.gov/ground-water-and-drinking-water/final-revisions-lead-and-copper-rule>

Published on January 15, 2021, U.S. Environmental Protection Agency (EPA) finalized the first major update to the Lead and Copper Rule (LCR or Rule) in nearly 30 years. EPA's new Lead and Copper Rule Revisions (LCRR) strengthen every aspect of the LCR to better protect communities and children in elementary schools and childcare facilities from the risks of lead exposure. The new Rule will get the lead out of our nation's drinking water and empower communities through information. Over the next three years, the LCRR will require community and non-transient non-community water systems throughout the United States to conduct an inventory of service lines and determine the material of those lines and fittings. The majority of the LCRR requirements are currently scheduled to go into effect January 2024. The LCRR is scheduled to become effective on June 17, 2021, however the EPA is proposing to delay implementation until December 16, 2021. The public comment period for the LCRR ended on April 12, 2021 and EPA is now determining whether to extend the effective and compliance dates.

Background

In California, **Senate Bill 1398** (2016) and subsequent additions in **Senate Bill 427** (2017), updated the California Health and Safety Code to require only community water systems to conduct an inventory of lead user service lines by July 1, 2018 and submit the user service line data to the State Water Board. As demonstrated in the diagram below, the California definition of a "user service line" is the portion of the service line and fittings that are owned by the water system, from the water main to the meter. In most cases, the homeowner owns the portion of the service line that extends from the water meter to the building inlet.

In contrast to the California definition, the **LCRR define** "service line" as a pipe, including the water meter, which connects the water main to the building inlet. A service line may be owned by the water system, owned by the property owner, or both. The LCRR require all community and non-transient non-community water systems to complete **an inventory of service lines, regardless of ownership, by January 16, 2024**¹. Under the LCRR, water systems will need to determine if any portion of the service line and its fittings are: lead, galvanized, non-lead, or lead

¹ If the EPA extends the LCRR effective date to December 16, 2021, then it will likely extend the inventory compliance deadline to September 16, 2024.



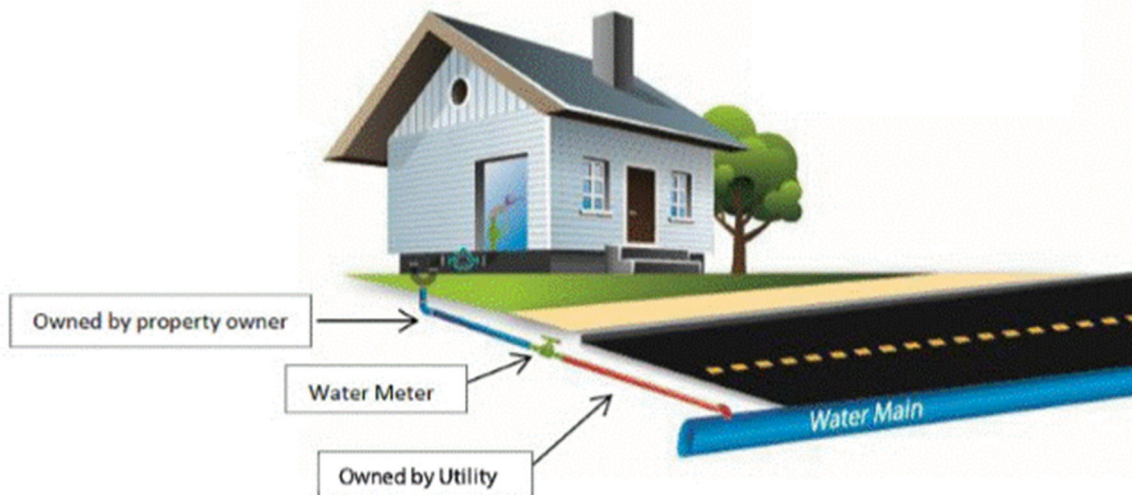
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

STATE WATER RESOURCES CONTROL BOARD

1001 I Street, Sacramento, CA 95814 • Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 • www.waterboards.ca.gov



status unknown. A water system may want to collect more specific data on the type of material, such as copper, plastic or steel.



NOTE: Under SB 427 and previous California regulations, the sections of the service line titled “Owned by Utility” and the “Water Meter” are included in California’s definition of a “service line.” The EPA’s new LCRR expands the definition of “service line” to also include “Owned by property owner” such that the entire line, regardless of ownership, is required to be included in a water system’s inventory.

Community water systems in California have already submitted service line inventories that include the portions of the service line from the Water Main to the Water Meter. The State Water Board intends to start collecting the additional data for the remainder of the entire “service line,” as defined by the LCRR, in the electronic annual report. Under the EPA’s LCRR, community water systems in California **will need to inventory the privately-owned portion (“Owned by property owner”) of the service line over the next three years.** Though the EPA is still currently taking public comment on its LCRR, and revisions may still happen to the LCR, its requirements regarding inventories will likely remain unchanged. California will update its regulations on required inventories so that they are consistent with the LCRR.

Moving Forward

Next Steps for water systems:

The LCRR specifically provides the following requirements to water systems to create an inventory:

A water system must use any information on lead and galvanized iron or steel that it has identified when conducting the inventory of service lines in its distribution system. The water system service line material must be categorized with the following: lead, galvanized, non-lead (including copper, plastic, or steel) or lead status unknown.

The water system must also review the sources of information listed below to identify service line materials for the inventory. The water system may use other sources of information not listed below, if approved by the State.

- 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.
- 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.

To comply with the LCRR, the State Water Board suggests starting with an evaluation of your system's records. The water system should then consider investigating County and City construction and plumbing codes, going back as far as the beginning of your water system's construction. Interviewing County and City building inspectors would also provide valuable information. Additionally, interviewing local building contractors and plumbers to determine what type of pipe is constructed in various parts of your distribution system is an option. Please document all evaluations and interviews. Other types of identification methods currently used are scratch testing and eddy currents. Predictive modeling has also shown success in various systems.

If you are a community water system with an approved replacement plan, you will need to continue to replace the water-system-owned lead pipes, lead fittings and unknown user service lines in addition to inventorying the remainder of the entire "service line," as defined by the LCRR.

Non-Transient Non-Community water systems will need to develop an inventory of all pipe and fittings material distributing water from the source of supply to the building inlets.

Helpful information sites:

American Water Works Association (AWWA) held a webinar on what the LCRR rule changes mean for water systems in January 2021. It's free and available online here: [W210128 Final Lead and Copper Rule Revisions | GoToStage.com](#).

The Lead Service Line Replacement Collaborative is working on updating its website based on the LCRR changes. Their website is a great resource: [Preparing a Lead Service Line Inventory - LSLR Collaborative \(lslr-collaborative.org\)](#). Please note that this does not reflect rule-specific requirements at this time.

(These Facts were last updated on April 20, 2021)