

**Drinking Water Advisory Council
Lead in Drinking Water Workgroup (LIDW)
Location: Kentucky Division of Water Office
300 Sower Blvd, Frankfort KY
Draft Meeting Minutes
August 16, 2017**

In attendance: Jennifer Burt (DPH), Obe Cox (CCW), Tom Gabbard (DOW), Mike Gardner (BGMU), Greg Heitzman, Chair (BWK), Ron Lovan (NKYW), Bill Robertson (PWWKY), Thomas Rockaway (U of L), Justin Sensabaugh (KYAW)

Liaisons: Kay Sanborn (KYTN-AWWA)

Absent: Rengao Song (LWC), Brad Montgomery (ACEC), Brian Thomas (MWD)

Division of Water (DOW): Claude Carothers, Sarah Gaddis, Todd Ritter, Joe Uliasz

Public Attendees: Amber Agee (DPH), S. Morgan Faulkner (KYOAG-ORI), Justin McNeil (KYOAG-ORI), Melissa Melton (RCAP), David Shehee (KYAW), Mike West (EEC/OGC)

The meeting began at 1:45 pm

Call Meeting to Order and Roll Call of Membership – Greg Heitzman

Members and public attendees introduced themselves, Mr. Heitzman confirmed the quorum.

Approve Minutes of March 15, 2017 – Greg Heitzman

The Workgroup approved the March meeting minutes by consensus.

Update from KDOW and EPA on Lead Regulatory Changes – Tom Gabbard

There is much speculation on the revisions to the Lead and Copper Rule, however no updates have been released yet to the states. The EPA Region 4 Directors Meeting will convene September 19th in Atlanta. Therefore it may be to the advantage of the Workgroup to reschedule the September meeting after the EPA meeting.

Update on Lead Session at Water Professional Conference in Lexington – Greg Heitzman

Six Lead topics from Workgroup were presented at the AWWA KY-TN Water Professional Conference in Lexington on July 11. The feedback from the conference panel discussion was encouraging and no concerns on the recommendations were reported. The discussion included the various venues to disseminate information and recommendations of the Lead Workgroup.

Review Draft Primary Recommendations – Greg Heitzman and Sub-team Members.

- The Workgroup reviewed the draft Primary Recommendations presented at the AWWA WPC conference on July 11, 2017 and made minor revisions as follows:
 - DOW will define “utility” in the Utility Recommendations Section
 - Corrosion Control language in 2.1 should mirror 1.1 language
 - Revise 2.1 responsible parties to include Drinking Water Utilities and KDOW
 - Revise 2.5 responsible parties to include Drinking Water Utilities with assistance from KRWA, AWWA.
 - 4.3 will be revised to include the AWWA Standard on Lead Service Lines, due to be published in late 2017. The AWWA Board has tentatively approved the new Standard.
- The Workgroup noted the recommendations are not in priority order, but are grouped by constituency (agency, utility, industry associations, etc.)
- The Workgroup discussed the importance of the timing of a release of the Workgroup recommendations after full vetting and response from EPA on any planned changes to the Lead and Copper Rule.
- The recommendations will be submitted to the Drinking Water Advisory Council for review.
- Once the Workgroup and Drinking Water Advisory Council finalize the recommendations, Kentucky DOW will review the recommendations and then proceed with the decision making process for any proposed changes in the administration of the Lead and Copper Rule.

In addition to reviewing the Primary Recommendations, the Workgroup reviewed a set of Supplementary Recommendations provided by Mr. Heitzman. The Supplementary Recommendations were collected from sub-team reports or from individuals serving on the Workgroup. The Supplementary Recommendations were not included in the AWWA WPC presentation on July 11, 2017. The following observations and actions are directed to the Supplementary Recommendations:

1. The Workgroup recommended not including a recommendation on specific identification and location of Lead service lines in the Kentucky Water Resource Information System (WRIS), (Supplementary Recommendation #1) due to the practicality of locating Lead service lines, the absence of reliable information on both public and private Lead service lines, and the ability to maintain an accurate, up to date, record in the WRIS.

2. The Workgroup discussed that it is premature to recommend a State law for a homeowner to disclose the presence of lead service lines when selling a home (Supplementary Recommendation #2). The Workgroup discussed:
 - a. Monitoring what other states are doing regarding disclosure of Lead sources in homes.
 - b. Research current federal disclosure requirements for Lead and what other groups (i.e. Health Departments) are doing regarding household Lead abatement.
 - c. Recognize the term “lead” must be defined, to include sources beyond lead pipe and plumbing fixtures, including paint, hobbies, etc.
 - d. Utilize existing information (pamphlets and websites) available from US EPA, Consumer Products Safety Commission, Center for Disease Control, local Health Departments, etc. to educate homeowners on the risks of lead in the home.
 - e. Followup with the Kentucky Real Estate Association to determine if additional educational information on Lead in homes should be developed and disseminated.
3. The Kentucky Department of Public Health supports the practice that utilities notify their local Health Department when the EPA Action Level (15 parts per billion or higher) is detected at schools and daycares (Supplementary Recommendation #3). Currently North Carolina has established a policy to notify the local health department if a Lead Action Level (15 ppb) is exceeded for a school or daycare (once the sample results are verified by the State). Workgroup members agreed that this notification is a good practice. This recommendation will be added to the Primary Recommendation list.
4. The Workgroup discussed the benefits of blood lead testing for all children at age 12 and 24 months (Supplementary Recommendation #4). The Kentucky Health Department recommends this practice and this recommendation will be added to the Primary Recommendation list.
5. The Workgroup discussed the benefits of financial assistance for Lead abatement in homes, including Lead service lines, Lead plumbing fixtures, Lead paint and other source of Lead (Supplementary Recommendation #5 and #7). This recommendation will be added to the Primary Recommendation list.
6. KDOW supports creating a website regarding information and best practices for managing lead, including health impacts, regulatory requirements, best practices and recommendations of the Lead Workgroup (Supplementary Recommendation #6). This recommendation will be added to the Primary Recommendation list.
7. The Workgroup discussed the benefits of partnering with school systems and daycares for testing, education and replacement of lead plumbing in school facilities. Louisville and other utilities have developed best practice models that can be

- followed (Supplementary Recommendation #8). This recommendation will be added to the Primary Recommendation list.
8. The Workgroup discussed a peer review program or certification process for managing lead in drinking water (Supplementary Recommendation #8). The EPA Partnership with Safe Water distribution certification program is being reviewed to include elements for managing lead in drinking water. The Workgroup discussed monitoring that development, rather than implementing a state-wide program, therefore there is no recommendation at this time.
 9. The Workgroup discussed the need for continued research to determine the best sampling methods for Lead compliance monitoring (Supplementary Recommendation #10). This recommendation will be added to the Primary Recommendation list.

Review Assignments for Drafting Sections of Report Next Steps – Greg Heitzman

Mr. Heitzman advised he would update the changes to the Final Recommendations and add the Supplementary Recommendations as discussed and bring the full set of recommendations to the next meeting for review and final approval.

Mr. Heitzman also reminded the Sub-teams to begin to draft their sections for the final report, using the provided MS Word template.

The next meeting will be scheduled after the September 19 EPA Region 4 Directors Meeting, in order to obtain input from EPA.

Open Discussion for Workgroup

This report and group wrap up is targeted for completion in the 1st quarter of 2018

Public Comment Period

There were no comments from public attendees

Next Workgroup Meeting

After September 27, 2017.