

Lead in Drinking Water Workgroup Meeting - Minutes

January 23, 2023 2:00 pm

Zoom virtual meeting

[Meeting recording link](#)

Workgroup Member Attendance:

Alicia Jacobs, Kentucky Division of Water (DOW), Chair
Amy Stoffer, NKWD/KY-TN AWWA, Chair
Greg Heitzman, Bluewater Kentucky
Jennifer Burt, Kentucky Department of Public Health (DPH)
Mike Gardner, Bowling Green Municipal Utilities
Sarah Gaddis, DOW
Brad Montgomery, CDM Smith
Emily Fritz, Louisville Water Co. (LWC)

Absent Workgroup Members:

Tom Rockaway, University of Louisville
Obe Cox, Carroll County Water District
Jacob Northington, Paducah Water Works
Justin Sensabaugh, Kentucky American Water Company

Other Attendees:

Elizabeth Dowling, DOW	Kay Sanborn, AWWA
Pete Goodmann, LWC	Ethan Givan, DOW
Chris Bobay, LWC	David Billings, Frankfort Plant Board (FPB)
Carole Catalfo, DOW	Amber Agee, DPH
Maggie Mahan-Neal, RCAP	Sharmista Dutta, FPB
Gabe Tanner, DOW	Daren Thompson, Lebanon Water
Arianna Lageman, KRWA	Lindsey Rehtin, NKWD
James Bates, LWC	Christy T., BGMU
Jordan Basham, LWC	Carrollton Utilities (no name provided)
Johnathan Moor, NKWD	Cortni Edwards, DOW
Robin Kinney, KDE	Robin Hartman, EEC
Mary Carol Wagner, NKWD	Scott Young, KRWA
Russell Neal, DOW	Julia Harrod, DOW
Ameerah Palacios, HDR	Donna McNeil, KWRRI
Sandy Williams, KIA	Phone-in: 502-533-9572
Roy Gray, RCAP	

Call to order: 14:02, Amy Stoffer

Motion to approve minutes from October 31, 2022 meeting: Jordan Basham. Second: Brad Montgomery.
No changes requested.

Subgroup report-outs:

Small systems (Maggie Mahan, maggie@kapky.org):

- **Action Items:** Subgroup is developing a template and a guidance document:

- Service line inventory work order – template currently being sent to small systems for feedback and testing
- Guidance document on acceptable amount of verification to document material of a SL
- Next subgroup meeting: 3/28/23 10:00 am EST

Service Line Inventory and Replacement (Chris Bobay, cbobay@louisvillewater.com)

- The workgroup is hosting a second workshop “For utilities, by utilities” about the service line inventory process on January 26, 2023 at Frankfort Plant Board. Lunch is hosted by ElectroScan, and a demonstration on their Swordfish product will occur after lunch. CEUs are provided, organized by RCAP. The November 7 workshop was well-attended and well-received, leading to the call for this one and a 3rd one, being planned for eastern Kentucky. 63 people are registered to attend the January 26 workshop. Someone from the EPA Cincinnati office will also present (this is a change from the November 7 workshop).
 - **Action item:** finalize planning for 3rd workshop
- This workgroup is going to start focusing on LSL replacement planning
- Next subgroup meeting: 2/6/23, 1:00 pm EST

Communications and Public Education subgroup (Cortni Edwards, cortni.edwards@ky.gov)

- Template for customer communications about LCRR and SL inventory now available on [DOW web page](#) (see LCRR tab) and advertised in Drinking Water Wednesday email.
- **Action item:** Subgroup is working on packet(s) for water systems about communications requirements of LCRR, and developing a communications plan

Corrosion Control subgroup (Brad Montgomery, montgomeryb@cdmsmith.com):

- Team started looking over basics of new CCT requirements
- Discussion about potential changes with LCRI – group will proceed cautiously, but changes to CCT requirements in LCRI are not expected to be drastic
 - **Action Item:** LiDW co-chairs recommend that this subgroup proceed with guidance and interpretation of LCRR CCT requirements

Funding/Financing subgroup (Jordan Basham, jbasham@louisvillewater.com):

- No work since October workgroup meeting
- **Action Item:** Suggestions were put forth that this group begin working on:
 - Resources and guidance for funding private-side service line replacements
 - Funding components of LSL replacement plans (re: 40 CFR 141.84(b)(7); 40 CFR 141.85(a)(1)(vii); and 40 CFR 141.85(e)(3)(i))

School/Daycare subgroup (Emily Fritz, efritz@lwcky.com):

- Subgroup will meet in the next 2 weeks.
- Starting to review notes from initial LiDW work group
- Focus on identifying groups to contact; communication strategies; sampling procedures; tracking refusals and non-responses
- Will collect materials already developed by others in subgroup

- KDE has website listing each school, by county
 - Not discussed at meeting: DOW provided this website resource to water systems in a Drinking Water Wednesday email

Procedures subgroup (Mary Carol Wagner, mwagner@nkywater.org):

- Plan to meet within next 2 weeks.
- **Action item:** coordinate with SL Inventory and Replacement subgroup to create guidance/resource document about flushing associated with SL replacements

Regulations and Legislative subgroup (Alicia Jacobs, Alicia.jacobs@ky.gov; Carole Catalfo):

- Have not met yet
- Nothing new to report

DWSRF / Call for Projects Update (Sandy Williams and Russell Neal)

- Call for Projects closed December 16, 2022
- Over twice as many DWSRF requests for projects as last year
 - Surprising, considering there were other funds available (ARPA/Cleaner Water); likely because of additional BIL funds available.
- KIA working on revised definition of disadvantaged community
 - New definition may apply to current list of projects, if possible
 - Discussion about whether this will require a regulatory change over LCRR; SW cited 200 KAR 17:070: Definition of disadvantaged can be set in each year's intended use plan (IUP). Utilities should look to the release of the IUP.
- DOW in process of reviewing projects submitted and getting questions asked/clarification from water systems and ADDs.
- Preliminary count: 77 lead-related projects; total requests ~ \$106 million
 - LSL SRF allocation from BIL ~ \$46.7 million
- Short discussion about Kentucky primacy – DOW considering submitting a request for an extension for primacy to EPA (primacy gives Kentucky authority to enforce the federal regulation).

General discussion:

- Question: Which agency ranks the SRF projects?
 - DOW looks at median household income (MHI) as criteria for fund forgiveness ranking. Details can be found in the [DWSRF Priority Guidance document](#).
 - Points given to disadvantaged communities, as defined in the DWSRF Priority Guidance document, will not change; these points help determine whether a project will be prioritized for receiving DWSRF. However, KIA may change the definition of 'disadvantaged community' related to setting the interest rate or applying loan forgiveness between now and the time funds are released to utilities. KIA is considering using MHI as only one component of the definition of 'disadvantaged community,' and will be considering other factors in this definition.

- Question: Have there been any comments from water systems about the service line inventory template or pre-review option that the SL inventory subgroup provided?
 - Many water systems have taken advantage of the pre-review option, and DOW has responded to all requests so far. There have been a wide range of questions in those requests.
 - KRWA has taken the Excel service line inventory template and worked with Lebanon Water to create an ArcGIS Online option. At least 60 water systems are using the ArcGIS version so far, and KRWA will also host very small systems on their own platform. DOW does not know how many systems might use the Excel version yet.
- Question: Is there any guidance (or is anyone working on creating guidance) about flushing water lines after replacement?
 - Several options were mentioned in the meeting. The Procedures subgroup and the Service Line Inventory/Replacement subgroup will work together on this.

Next meeting date set for **April 17, 2023, 2:00 pm EST.**

Motion to adjourn: Jordan Basham; second: Alicia Jacobs