

## Lead in Drinking Water Workgroup Meeting - Minutes

October 31, 2022 2:00 pm

Zoom virtual meeting

### 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)  
Jacob Northington, Paducah Water Works  
Justin Sensabaugh, Kentucky American Water Company

### Absent Workgroup Members:

Tom Rockaway, University of Louisville  
Obe Cox, Carroll County Water District

### Other Attendees:

Elizabeth Dowling, DOW	Ross Guffey, HDR
Pete Goodmann, LWC	Ameerah Palacios, HDR
Chris Bobay, LWC	D. Willis, Carrollton Utilities
Carole Catalfo, DOW	Sandy Williams, KIA
Maggie Mahan, RCAP	Roy Gray, RCAP
Gabe Tanner, DOW	Kay Sanborn, AWWA
Arianna Lageman, KRWA	Ethan Givan, DOW
James Bates, LWC	Taylor Rosenhagen, LWC
Jordan Basham, LWC	David Billings, FPB
Johnathan Moor, NKWD	Amber Agee, DPH
Robin Kinney, KDE	Sharmista Dutta, FPB
Mary Carol Wagner, NKWD	Daren Thompson, Lebanon Water
Russell Neal, DOW	Lindsey Rehtin, NKWD

Call to order: 14:01, Amy Stoffer

Motion to approve minutes from August 22, 2022 meeting: Greg Heitzman. Second: Jennifer Burt. No changes requested.

Subgroup report-outs:

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

- a letter was mailed to small systems with introductory information about LCRR, focusing on the service line inventory. The letter was also provided via email to all water systems' administrative contacts.
- The next work for this group is to develop two templates and a guidance document:

- Template for water system to document when a resident refuses to participate in the SL inventory and/or to have their LSL replaced
- Template for water systems to use when doing routine maintenance, to record SL material on a regular basis
- Guidance document on acceptable amount of verification to document material of a SL
- Next subgroup meeting: 11/22

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

- Submitted a list of recommendations at the August meeting. Since then, met with KIA and DOW to discuss
- Request that any other requests be submitted to Jordan Basham or other funding subgroup members
- No further work planned at this time

Communications and Public Education subgroup (Cortni Edwards, [cortni.edwards@ky.gov](mailto:cortni.edwards@ky.gov) (absent; summary presented by Alicia Jacobs)

- October 12 was most recent meeting.
- Cortni Edwards is subgroup lead
- Next meeting: December 7, 10:00 am
- Discussed mentorship/toolbox options
- Flow chart about communication requirements of LCRR and a draft letter to public were presented; still in draft form
- Working on idea to create TikTok videos, with assistance from EEC communications staff

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

- Starting plan to kick off meetings
- Need a small system representative on subgroup – Daren Thompson (Lebanon Water) volunteered
  - Requirements are different for small systems in LCRR (small system flexibility)
- Short discussion on potential for changes in LCRI – look for EPA presentation

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

- Subgroup has not met yet. Louisville Water Company is developing some materials by EOY that they will share with subgroup to initiate conversation.
- KDE has website listing each school, by county
- DOW discussed WIIN grant progress and how it relates to general LCRR requirements for schools
  - WIIN grant in KY is focused on elementary schools built before 2014, trying to emphasize older school buildings and disadvantaged communities
  - PWS encouraged to engage with schools served
  - Current fund is for lead testing only; EPA may offer funds and guidance for mitigation efforts in future

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

- Recommend to start meeting early 2023

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

- Have not met yet
- Questions about privacy, regarding public access to addresses listed in service line inventory: DOW still investigating; seems to be primarily of a local issue (i.e., no known state regulatory limitation, but may be local limits). Guidance on this should be one goal for this subgroup.
  - Locational information sent to DOW would be available to the public through an Open Records Request
- Discussion of what impacts there may be if location of LSLs is shared publicly: real estate disclosures, real estate sales, lending/loans
  - Also discussed whether loan approvals will be tied to presence of lead, and whether those decisions could be made by using sub-standard water testing kits.

Service Line Inventory and Replacement (Chris Bobay, [cbobay@louisvillewater.com](mailto:cbobay@louisvillewater.com))

- The workgroup has organized a workshop “For utilities, by utilities” about the service line inventory process (including communicating with customers) on November 7, 2022 at Bowling Green Municipal Utilities’ office. Lunch is hosted by ElectroScan, and a demonstration on their Swordfish product will occur after lunch. CEUs are provided, organized by RCAP.

SRF / Call for Projects Update (Russell Neal)

- Call for Projects opened early October; goes to December 16, 2022
- ADDs were trained last week on priority guidance document
- Projects are being actively uploaded on WRIS site
- KIA working to make revisions to Assistance Agreement documents to accommodate LSL replacements

General discussion:

- Concern about League of Cities guidance advising water systems not to replace privately-owned service lines for liability concerns; DOW is investigating
- EPA announcement: calling for comments/suggestions on LCRI until December 13, 2022. DOW/EEC not planning to provide comments at this time.
  - Considerations include: action level changes, LSL replacement rate/timing
  - DOW is open to hearing concerns/comments from water systems

Next meeting date: January 23, 2023

Motion to adjourn: Brad Montgomery; second: Alicia Jacobs