

Kentucky Lead Workgroup Meeting
January 9, 2020
10:00 AM to 12 Noon EST
Kentucky Division of Water
Room 316
300 Sower Blvd
Frankfort, Kentucky

Workgroup Member Attendance:

Greg Heitzman, Bluewater Kentucky, Chair
Amber Agee, Kentucky Department of Health (for Jennifer Burt)
Emily Fritz, LWC
Mike Gardner, Bowling Green Municipal Utilities
Alicia Jacobs, Manager, Drinking Water Branch KYDOW
Brad Montgomery, GRW Engineering/ACEC-KY
Ron Lovan, Northern Kentucky Water
Bill Robertson, Paducah Water Works (via phone)
Rengao Song, LWC

Absent Workgroup Members:

Obe Cox, Carroll County Water District
Tom Rockaway, PhD, University of Louisville
Justin Sensabaugh, Kentucky American Water Company

Other Attendees:

Sean Alteri – DEP
Ken Baker, BGMU
Chris Bobay – Louisville Water
Spencer Bruce – Louisville Water
Caroline Chan, KYDOW
Sarah Gaddis, KYDOW
Julia Harrod, KYDOW
Robin Hartman, Office of Commissioner
Kelleé Husband, KYDOW
Amy Kramer, NKWD/KY-TN AWWA
Gary Larimore, KRWA
Arianna Lageman, KRWA
Maggie Mahan, KY RCAP
Melissa Melton - RCAP (via phone)
Russ Neal, KYDOW
Kim Padgett, KY RCAP
Todd Ritter, KRWA
Russ Rose, Oldham County Water District

Kay Sanborn – KY-TN AWWA (via phone)

Gabe Tanner, KYDOW

Mary Carol Wagner, Northern Kentucky Water District

- 1. Call to Order** - The meeting of the Kentucky Lead Workgroup was called to order at 10:07 AM by Chair Greg Heitzman. The Agenda for the meeting and the Minutes of the December 19th meeting were distributed among attendees. The Chair announced that a Public Notice was made for the meeting and the meeting is open to the public. A roll call of members was conducted, and a quorum was confirmed. Several members joined by conference call. A sign-in sheet was circulated.
- 2. Introductions** – Chair Heitzman asked the members and guests in attendance and on the phone to introduce themselves. No one was present from the general public.
- 3. Minutes** – The minutes of the December 19, 2019 meeting were reviewed, and one addition was reported to add Melissa Melton (RCAP), who participated by phone. The minutes, with this addition, were approved by consensus.
- 4. Report from Workgroup Chair** – Chair Heitzman advised that national AWWA has prepared recommendations for the proposed Lead and Copper Rule and they are currently being reviewed by the AWWA Committee, and Greg will provide the recommendations to the Ky Lead Workgroup as soon as they are available for public review.

Greg asked Amber Agee to report on the current Kentucky regulations to address public health issues in Kentucky schools. She provided copies of *KRS 211.180 on Public Health, 902 KAR 45.150 Public Water Supply and 815 KAR Chapter 20 on Plumbing Codes*. These regulations can be used if necessary, for remedial or corrective action to address lead in schools. In addition, the Workgroup members discussed the following:

- the pros/cons for additional state regulations for lead (none proposed at this time),
- the costs for lead testing in schools,
- the need for lead educational materials for schools, educators, parents and the media,
- the need to review regulations, policies and practices of other states,
- the need for a collaborative approach to address lead in water, involving utilities, school, administrators, public health officials, regulators, and the state plumbing associations.

- 5. Reports from Sub-teams** – An Excel spreadsheet template was prepared by the sub-teams and copies were distributed to attendees and projected on the screen for members to see. The draft sub-team reports were reviewed by the sub-team leaders as follows:

Lead Inventory/Asset: Bill Robertson (by phone) advised that he updated a few points for clarification in the inventory spreadsheet and the workgroup members had no additions.

Schools: Emily Fritz reviewed the schools spreadsheet of concerns and recommendations. Input was provided on several items and Emily will update the spreadsheet with the schools sub-team. The following items were discussed:

- clarification that the proposed regulation requires testing of all K-12 schools (public and private) and daycares for lead in drinking water,
- the challenge in getting school participation for lead testing and how to document non-participation,
- the need for an educational program on the need for testing to school administrators,
- regulations requiring schools to be tested, rather than utilities being responsible for school testing,
- recommendation for a minimum of 5 samples per school, and flexibility in regulation to accommodate size of school, number of fixtures, etc.,
- the method of sample collection and the time of collection (early morning before school starts),
- the need for standard protocol and guidance for sampling,
- the need for results reported to local and state health department,
- the need for educational materials for school administrators and parents.

Sampling/Public Notice: Mary Carol reviewed the sampling spreadsheet with concerns and recommendations. Input was provided on several items and Mary Carol will update with her sub-team. The following items were discussed:

- support the use of wide mouth bottle for sampling,
- agreement on the use of first liter sampling, versus five liter sampling,
- removal of Tier 1 sampling for locations where the utility has replaced the lead service line, but the homeowner has not removed the private portion of the lead service line,
- reduced lead monitoring schedule should be 1 year instead of 6 months.

Water Treatment: Rengao Song advised the treatment spreadsheet recommendations have been reviewed. References to the CFR need to be added and Chris Bobay advised he will work get any final input from the treatment sub-team on concerns and recommendations. Workgroup members had no additions to the draft recommendations.

Communications: Greg advised he will work with the sub-team members and ask Kelley Dearing Smith to assist with final review of the recommendations.

6. General Discussion and Next Steps:

Greg will work with each sub-team leader to take the sub-team recommendations in the spreadsheet and formulate a draft document of consolidated recommendations. Alicia advised the Kentucky Environmental Protection Cabinet would like to see the final recommendations before the end of January, to provide adequate time for review before submitting final state comments to EPA. The Workgroup recommendations will be forwarded prior to the next meeting for review, and the

next meeting will be used to review and finalize recommendations for use by state agencies, water utilities and water industry associations for preparing recommendations to EPA by the February 12, 2020 deadline.

- 7. Public Comment Period** – No public comments.
- 8. Next Meeting** – Next meeting is planned for Thursday, January 23, 2020 10:00 AM – 12:00 PM
- 9. Adjourn** – meeting adjourned at approximately 11:50 AM.

DRAFT