

## **Lead in Drinking Water Workgroup Meeting - Minutes**

July 31, 2024 10:00 am EST

Hybrid format- In person at 300 Sower Blvd. and Zoom virtual meeting

### **Recording of meeting:**

[Meeting Recording Link](#)

Meeting Recording Passcode: 9##e4wPG

### **Workgroup Member Attendance:**

Alicia Jacobs, KY DOW

Mary Carol Wagner, NKWD

Jennifer Burt, KDE

Jacob Northington, PWW

Doug Kimbler, BGMU

Tom Rockaway, U of L

Emily Fritz, LWC

Brad Montgomery, American Engineers, Inc. (AEI)

Maggie Neal

### **Absent Workgroup Members:**

William Davis, Carrollton Utilities

Sarah Gaddis, KY DOW

Justin Sensabaugh, KY American Water

### **Other Attendees:**

Ethan Givan

Eileen Miller

Cortni Edwards

Julia Harrod

Tekoyia Brown

Scott Young

Tyler Gaylon

Michael Caulley

Kay Sanborn

Bob Money

Carole C.

Arianna Lageman

Elizabeth Gafford

Chris Bobay

Donna McNeil

Jim Tackett

Sara Sgantas

Benjamin Hamm

Shelley Lowe

James Noel

Lindsey Rehtin

Christy Twyman

John Moor

Amber Agee

Abbey Osborne

Sharmista Dutta

Derrick Willis

Jordan Basham

Daren Thompson

Peter Goodman

Russell Neal

Steve Cole

D. Lambert

Shika Uppala

Byron Gary

The minutes from January 29, 2024 meeting were approved by Maggie Neal. (seconded by Alicia Jacobs)  
The only correction was an update to Maggie Neal's name and contact information.

The minutes from April 29, 2024 were approved by Maggie Neal. (seconded by Derrick Willis)

### **Summary of Communications Subgroup Meeting and Request for ideas/collaboration:**

Reminder to utilities that templates are available on DOW website for the customer notifications for the three required types of service lines (GRR, Lead, Unknown) as well as the template certification document. This LCRR required communication will be due NLT 30 days following completion of initial service line inventory.

Suggested that systems communicate with the labs they use to coordinate sample results for lead samples. Coordination should include when sample results can be sent to a utility (No Fridays) and that all sample results should be sent in one batch. This will help utilities best prepare for a 24 hr. PN should an ALE occur.

Communications and Public Outreach Subgroup are looking for input/examples/templates on the following topics:

1. Communication timeline planning template
2. Frequently asked questions from customers or other stakeholders
  - a. The Subgroup is trying to create a quick fact sheet of typical questions a PWS might receive and general responses they can give.
3. Positive messaging ideas that PWS or other stakeholders (city officials, county officials, public health, etc.) can use to encourage customers to report their SL type and get replacements as necessary
4. Looking for PWS that are willing to share their ideas/lessons learned with others for LSL replacements, experience with SRF projects, etc.

Please send any recommendations, suggestions, or templates to [Eileen.miller@ky.gov](mailto:Eileen.miller@ky.gov).

- Chris Bobay from LWC invites anyone attending the [KY-TN Water Professionals Conference](#) in September to attend the workshop (Lessons Learned from LCRR Implementation) on Wednesday, September 11 from 0830-1200. LWC will be moderating the workshop and Q&A session. If you have any printed materials available that you would like to provide as examples for the workshop- send to Chris Bobay, [cbobay@louisvillewater.com](mailto:cbobay@louisvillewater.com).

### **Subgroup Open Discussion Period:**

#### **Corrosion Control Treatment:**

- Subgroup has no report out. Stand ready to provide assistance with facts and SOPs when the time comes. Group will meet after finalization of LCRI to discuss any future CCT implementation needs.

## Service Line Inventories:

- Customer Surveys:
  - Bill credits working for some - Carrollton Utilities recently sent out a mailer offering a credit off the water bill if the customer reports their service line type. Received 175 back within 2 days and wished they had sent them out sooner.
  - Lack of responses could speak to the level of distrust of water systems from some customers and a lack of understanding/education of why it is important. Could also be due to an overwhelming number of communications the average customer gets from not just their utilities, but all other entities.
  - Customer surveys may have misidentification which will require PWS to put eyes on more lines; recommend collecting photos when feasible.
- Number of connections may be a significant number change for some systems due to locations that have one meter but may have multiple service lines past the meter (mobile home park, campgrounds, etc.). Will this be an issue when the initial inventory is turned in?
  - DOW says that the number of connections a utility has reported in SDWIS is the minimum number that should be on their inventory. A system is responsible for doing their due diligence and certifying the inventory when they report it.
- There is still some confusion among some utilities about what is supposed to be on the inventory.
  - All connections must be reported. Even if a service line was put in after 2014 – it must be on the inventory – even if the Utility knows the service line is not lead – it must be on the inventory
  - Is the highest tap sampling result necessary for the inventory to be considered “complete” when submitted in October. – No. Some columns of the Service Line Inventory Template are only there to assist water systems with compiling data that will help with later requirements (creating sampling plans and replacements plans) – refer to instruction page for what is required for initial inventory submission.
  - Unknowns ARE allowed to be on the initial inventory – however the inventory should not be 100% unknowns.
  - If a utility has questions – they should contact Cortni Edwards or Elizabeth Dowling prior to submitting their inventory. [Cortni.edwards@ky.gov](mailto:Cortni.edwards@ky.gov) or [Elizabeth.dowling@ky.gov](mailto:Elizabeth.dowling@ky.gov)
- Lack of assistance from PVAs has been seen in some areas. They do not have the resources to assist utilities. Can sometimes offer access to their web base (for a fee) which sometimes does not have enough detail for utilities to make a determination of SL type.
- Plumbers Associations
  - Some have good relationships with plumbers who are helping report the SL type when they are in homes across the service area.
  - Some utilities have had no luck working with local plumbers, or it is a limited capacity.
  - LWC is getting a good response from plumbers – they are currently competing for work replacing service lines. The word is getting out to the local plumbers so they are reporting the service line types in the home they work in, hoping to win a bid from LWC to replace the line I the home.

- Customer Notifications:
  - LWC suggests sending out notification letters in waves if you have a lot of lead, GRR, or unknowns. If you anticipate getting a response from those customers – sending in waves will allow you to respond without being overwhelmed.

#### **Sampling- Tap, Schools, Childcare Centers:**

- Sampling plan, sampling using the new sampling protocol, and sampling at schools/childcares is delayed (NOT due October 2024) – more details will come out with LCRI
  - If a PWS is scheduled for their three-year lead and copper testing during 2025, they would sample in 2025 using the same protocol as they normally do.
  - Starting in 2025 – if there is an ALE above 15 ppb, PWS will be required to do a tier 1 public notice within 24 hrs. after learning about the exceedance, and notify DOW within 24 hours
  - New trigger level of 10 ppb and potential decrease of the action level down to 10 ppb is still unclear until final LCRI is published.
- DOW is creating a guidance document that has a full list of Public Schools and licensed childcares in the state. This document is intended to help utilities create their list of schools/childcares with as much information in one place as possible.
- State has a free program for public schools and licensed childcare facilities to have their drinking water tested for lead.
  - All water systems can encourage their schools/ childcare facilities to sign up for this program and that data will count for compliance when the new requirements go in affect.
  - Contact Eileen Miller if you have questions about the program or general school/childcare sampling questions. [Eileen.miller@ky.gov](mailto:Eileen.miller@ky.gov)

#### **Service Line Replacement and Funding:**

- Two committees were merged, and JD Sloan from Louisville water will be new lead for this subcommittee.
- Group will meet soon, if anyone is interested in being a part of this group- please contact JD Sloan. [jsloan@louisvillewater.com](mailto:jsloan@louisvillewater.com)
- Replacement plans are not due in October 2024; delayed due to LCRI

#### **Communications and Public Outreach:**

- Timing your communications is key
  - Do not send out communications until you have the resources available to respond
- Think about communication options outside letters, emails, and bill inserts
  - NKWD has a full page in the local “What’s Happening” Magazine talking about the service line replacement program. – Local magazines could reach a different audience.
  - Targeting different audiences with different approaches – some older generations may not have social media or email, but may watch local TV news networks or listen to radio
    - NKWD contacted a local web-based print media who came out and interviewed staff. Thinks there is interest at the local stations to help spread the word and do a quick story.

- Ask if anyone had reached out to local NPR stations. – NKWD did a local NPR interview with Greater Cincinnati Water Works, and got a small amount of feedback from that outreach
- Could consider mass text options (not emergency alert system) but other targeted mass text messages to customers.
- DOW will look into more statewide options
- KRWA asks if the state / Division of Water can do some statewide outreach that will target a wider audience. This will assist some of the smaller utility systems who do not have the manpower to communicate or provide public outreach to their customers. – Alicia Jacobs says Division of Water has pushed up a request to have some statewide media highlights, but that DOW needs to follow up and try to get this pushed through.

#### **SRF Project Updates:**

- We are in year 3 of 5 bipartisan infrastructure law with the additional funding for lead.
  - Year One - money is committed
  - Year Two - projects are still actively being taken and approved by KIA board (5.1 million of the 19 million committed)
  - Year Three – 12 projects that are going to receive loan invitations (invitations have not gone out yet, but hoping to send them out by end of August)
- Funding was decreased after year one due to results of the drinking water needs survey. The Division was able to update the lead portion of the survey in 2022 which increased funding by 5.5 million dollars for this current funding cycle and for the next two remaining funding cycles.
- Some states did not use all their funding during year one and turned that funding back in. Other states now have the opportunity to receive some of this funding.
  - To be eligible for some of this funding KIA submitted the latest intended use plan for Federal fiscal year 2025. This was the latest group of projects that were ranked and prioritized.
  - Some states had to turn the money back in based on not being able to show a need for the funding whether that was due to updates on the drinking water needs survey or they did not have projects available and ready to be funded. This is why it is important to have projects in the queue to show the need and opportunity to spend the funding.
- State is hoping to see a change in requested projects from inventory-based to replacement-based for the last two years. This will help to demonstrate KY's need for the funding as well.
- RCAP stated it is hard to line up funding for replacements properly when utilities are still trying to complete their inventories.
  - EPA stated that communities should be submitting projects regardless of whether they know where the lead is. Request the funding, and if you end up not needing it, give it back and maybe someone else will use it.

#### **EPA Updates:**

- EPA has stated LCRI will be published by October 15, 2024.
- EPA has created new templates and fact sheets for customer notifications.  
<https://www.epa.gov/dwreginfo/lead-and-copper-rule-implementation-tools>

- EPA has asked DOW to submit a list of which systems have not submitted an inventory at all NLT December 15, 2024 and a preliminary list of which systems submitted incomplete inventories or who will potentially be out of compliance NLT February 15, 2025.
  - DOW will contact systems prior to submitting the “potential out of compliance” list to EPA. If systems do not respond to DOW, then there is nothing the state can do once the list is submitted.

#### **Primacy Updates:**

- All new rules require that the DOW submit an updated primacy agreement to EPA.
- DOW put in an extension request in November 2023 that was approved in March 2024 for primacy.
  - DOW only has interim primacy for LCRR requirements due in October
    - Can issue violations as usual but must report unresolved violations to EPA within 60 days.
    - Formal enforcement must go through EPA, and not the state (so if inventories are not complete in October- system will be dealing with EPA directly, not the state)

#### **General Comments/Discussion:**

Division of Water has created a Teams page for members of the subgroups and committee members. This is intended to be a place to collaborate on documents, share materials and examples.

Contact [Elizabeth.Dowling@ky.gov](mailto:Elizabeth.Dowling@ky.gov) to be added to the Division of Water email list for “Drinking Water Wednesday”. This is a weekly newsletter with updates, guidance, tips, and more from Division of Water on different drinking water topics.

Next meeting: potentially **November 20, 2024 at 10:00 am EST**. It will be a hybrid meeting (in-person at 300 Sower in Frankfort and virtual via Zoom). If needed, this meeting date will be pushed back based on the official publication date of LCRI.