Lead in Drinking Water Workgroup Meeting - Minutes

November 8, 2021 2:00 pm
GoTo 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
Tom Rockaway, University of Louisville

Absent Workgroup Members:
Jacob Northington, Paducah Water Works
Emily Fritz, Louisville Water Co.
Obe Cox, Carroll County Water District
Justin Sensabaugh, Kentucky American Water Company

Other Attendees:
Elizabeth Danks, DOW
Pete Goodmann, Louisville Water
Autumn Young, Louisville Water
Chris Bobay, Louisville Water
Carole Catalfo, DOW
Spencer Bruce, Louisville Water
Maggie Mahan, RCAP
Todd Ritter, KRWA
Gabe Tanner, DOW
Arianna Lageman, KRWA
James Bates, Louisville Water
Jordan Basham, Louisville Water
Johnathan Moor, NKWD
Kim Padgett, RCAP
Larry Taylor, EEC
CJW (Unknown)
Donna McNeil, UK
Christopher Cannon, UI Water
Robin Kinney, KDE
Mary Carol Wagner, NKWD
Carey Johnson, DOW
Gary Larimore, KRWA
Russell Neal
Ross Guffey, HDR

1. **Call to order:** The meeting of the Kentucky Lead in Drinking Water Workgroup was started at 2:00 pm by co-chair Amy Stoffer. The Agenda for the meeting and the Minutes of the June 7, 2021 meeting were presented and approved. A roll call of members was conducted.

2. **Introductions:** No new attendees were noted.

3. **Minutes:** Greg Heitzman made a motion to approve the minutes from the last meeting on June 7, 2021 and Alicia Jacobs seconded the approval. There were no comments or modifications requested, and all voted to approve.

4. **Review of Ground Rules:** Review of amended ground rules: minor changes included “co-chairs” to all places that had listed “chair,” addition of allowances for telecomm meetings and voting by phone, and changing to allow more than 5 people in a subgroup. Some discussion about whether voting by phone was permissible during a public meeting, and it was decided that 1) due to the committee’s function as an advisory committee (not making binding decisions), and 2) as long as the
person identifies themselves before voting, then voting by phone would be acceptable. Amended
Ground Rules approved by Greg Heitzman and seconded by Mike Gardner.

5. **Organizational Structure**: Subgroup membership modified; some additions to members made.
   “Reporting” moved to Regulatory/Legislative subgroup and removed from Public
   Education/Notification subgroup.

6. **EPA Update**: From A. Jacobs: no updates from EPA. DOW has been involved in an EPA LCR
   workgroup, and AJ has emailed, but there are no updates or guidelines provided by EPA. There was
   an ASDWA meeting on LCR two weeks ago; Brian Smith from Region 4 indicated everything will stay
   the same as current rule revisions, but no confirmation. M. Mahan asks how PWS will submit lead
   service line inventories - to state, or to EPA? DOW does not know, and has not developed a plan for
   accepting LSL inventory documents. A. Jacobs mentioned question about recycling/disposing of lead
   lines that are removed; no guidance has been provided on disposal of these lines. Q: will the
   compliance date still be Sept, 2024? Yes, as far as DOW knows.

7. **Group Discussion**:
   Subgroups: when will they start meeting? Probably not until final rule is out. Subgroups should be
   reading the current format/wording of LCRR and get familiar with their sections. Look for areas of
   ambiguity and state flexibility to discuss and plan. Louisville Water Company stated their inventory team
   was expecting guidance by the end of the year, so they can begin to compare what they have completed
   and what still needs doing. M. Gardner stated Bowling Green also concerned. Mention of what the funds
   in the new infrastructure act just passed in Congress can be used for: LSL replacement, lead testing and
   remediation in schools. At least 49% of funding must be grants or forgivable loans. G. Heitzman's group
   recommending state-wide lead service line inventory. If there were state coordination/guidance, KY
   could maximize funding from federal government.
   Russ Neal: DOW currently closing out 2021 drinking water needs survey. 70 systems were selected to
   participate in the needs survey, which takes an assessment of the following water infrastructure: main
to meter, meter to premise plumbing, lead connectors, goosenecks, etc. Federal LSL monies will be
   based on data in the needs survey, according to EPA. Only half of systems DOW contacted participated
   in the needs survey, and this resulted in only a “handful” of LSL replacement needs identified. This
   means that Kentucky may not get as much funding as we’d like; plus, KY is competing with states like MI,
   PA, and NY that can show greater need.
   Further discussion that in the past, it has taken a long time to make survey results available, which
   decreases their use in decision-making; however, in this case, EPA is enforcing a more rigid,
   Congressionally-enforced timeline. State should work with industry associations et al. for assistance in
   collecting data. Maybe ARPA funding can help add rigor to the needs survey effort.

8. **Next meeting**: January 10, 2022, 2-3 pm (note: after the meeting concluded, the meeting time was
   changed to 11:00 am on January 10).