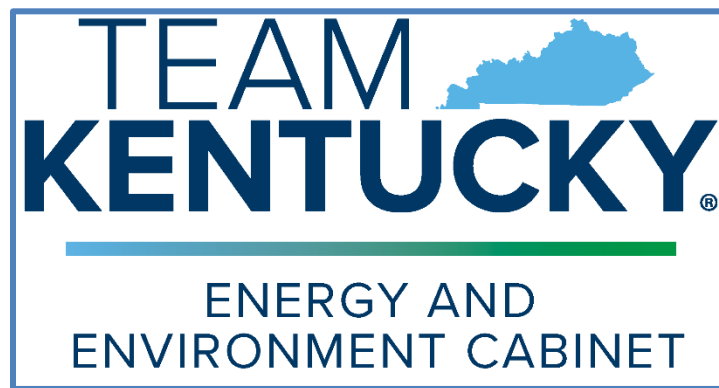


Commonwealth of Kentucky

2026 TRIENNIAL REPORT TO THE GOVERNOR

Federal Fiscal Years 2024 – 2026

Drinking Water Capacity Development Program for Kentucky Public Drinking Water Systems



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Executive Summary

The 2026 Triennial Report to the Governor on Kentucky's Drinking Water System Capacity Development Program (CD Program) for public drinking water systems (PWS) summarizes activities conducted by the Division of Water (the Division) during federal fiscal years (FFY) 2024 through 2026. Capacity Development is a state effort to evaluate water system Technical, Managerial, and Financial (TMF) capacity and to help PWS meet Safe Drinking Water Act (SDWA) objectives. TMF capacity refers to the expertise and capability of PWS to deliver safe and reliable drinking water, not to be misinterpreted as the permitted design capacity of water treatment or distribution infrastructure. This report fulfills Kentucky's obligation mandated under section 1420(c)(3) of the SDWA to report the status of the CD Program to the Governor every three years, by September 30th.

The Public Service Commission has jurisdiction over the TMF expertise of water districts, water associations, and investor-owned water utilities. However, these water systems do not encompass all PWS in Kentucky. The Division maintains primacy with the United States Environmental Protection Agency (USEPA) to enforce federal drinking water regulations over all PWS in Kentucky. Kentucky has 425 PWS that provide water for more than 5 million people, including both Kentucky residents and tourists. These systems are divided into the following categories:

- Community: a PWS that serves at least 15 service connections used by year-round residents or regularly supplies water to at least 25 year-round residents;
- Non-transient, non-community: a PWS that regularly provides water to an average of 25 or more people at least 60 days a year; or
- Transient, non-community: a PWS that is not a community system and provides water to at least 25 people for more than 6 months per year.

The Division conducts the Drinking Water Sanitary Survey (Sanitary Survey) to evaluate every PWS's TMF capacity, or capability, to meet SDWA objectives. The Sanitary Survey evaluates a PWS's source water, treatment, distribution, finished water storage, pumps and controls, data verification, management, finances, and operation, at

all community PWS and non-community PWS. The majority of the Managerial and Financial criteria used to determine PWS capacity is not regulated under the SDWA, however, the Sanitary Survey provides vital information to determine PWS short- and long-term resiliency and sustainability needs to meet the SDWA objectives.

As of the date of this report, approximately 19.5 percent of Kentucky's community PWS demonstrate sufficient TMF capacity to meet SDWA objectives. The remaining community PWS lacked capacity from one or more criteria identified in Kentucky's Drinking Water Capacity Development Strategy (CD Strategy). Of those community PWS with insufficient capacity, asset management was the main lacking criteria, with approximately 60 percent of all community PWS reporting no asset management program. The majority of small and medium community PWS (PWS serving less than 100,000) have insufficient TMF capacity; 87 percent and 64 percent, respectively.

The primary obstacles community PWS faced during this reporting period were aging infrastructure and limited capacity to make upgrades or improvements; navigating changing regulatory requirements such as the lead and copper rule revisions; finding solutions to emerging contaminants such as per- and polyfluoroalkyl (PFAS) contaminants; and natural disasters including drought, floods, and tornadoes. The Division relied on and improved several tools to provide support to community PWS to help overcome these obstacles, which are described in the body of this report.

Annually, there are hundreds of on-site technical assistance visits to community PWS by Division staff. Between FFY 2024 and 2026, 502 community PWS were assisted through the Division's partnership with Kentucky Rural Water Association. The contract with Great Lakes Rural Community Assistance Program in 2025, was able to provide assistance to 46 systems. Over 31 community PWS enrolled in the disinfectant byproduct (DBP) Area Wide Optimization Program (AWOP) with another 86 enrolled in the microbial program which helps improve finished water quality with minimal infrastructure upgrades.

I. Drinking Water Capacity Development Program Overview

It is the responsibility of the Division's CD Program, in conformance with Section 1420(a), (c), and Section 1452(a)(3) of the SDWA, to assist PWS in improving and maintaining infrastructure, operations, management, and finances so that they can consistently, and affordably, provide safe, affordable, and reliable drinking water. Implementation of the program also ensures that Kentucky receives the full monetary benefit of the Drinking Water State Revolving Fund (DWSRF). The DWSRF is a financial assistance program to help local PWS and states achieve the health protection objectives of the SDWA through investments in drinking water capital infrastructure.

The 1996 SDWA Amendments created several requirements and programs designed to assist PWS. One of main results was the creation of CD Strategy and the Drinking Water CD Program that would implement this strategy. This CD Program was developed to provide a flexible framework which would allow states and water systems to work together to ensure that systems acquire and maintain TMF capacity. The CD Program was also intended to be interrelated with the DWSRF and is required to receive the full benefit of the DWSRF.

Kentucky's CD Strategy describes the methodology for identifying and prioritizing the PWS most in need of improving TMF capacity. It draws attention to factors that encourage, and impede, capacity development and how the Division will assist PWS in complying with the SDWA. The CD Strategy identifies partners and stakeholders available to help PWS develop and enhance capacity, or capability, and encourages development of implementation of asset management planning.

TMF capacity is assessed using the Sanitary Survey at all 374 community PWS every three years, and at all 51 non-community PWS every five years, pursuant to the SDWA. The benefits of the Sanitary Survey are:

- It provides an in-depth evaluation of PWS source water, treatment, distribution, finished water storage, pumps and controls, data verification, management, finance, and operation, according to the SDWA.

- It assists PWS in understanding areas in need of improvement for compliance with state and federal regulations. However, the majority of the TMF criteria used to determine PWS capacity is not regulated under the SDWA or by the state.
- It helps PWS understand their capacity development needs and access to federal funding.

II. Drinking Water Capacity Development Program Implementation

The assessment of TMF capacity for PWS is completed simultaneously with the Sanitary Survey. Technical capacity is demonstrated through adequate source water, treatment, distribution, and technical knowledge. Managerial capacity is demonstrated through adequate planning, communication mechanisms, and business practices. Financial capacity is demonstrated by annual and capital budgets, proper revenue, debt coverage, and audits.

In 2023, the Division moved away from static survey forms and began utilizing ArcGIS Survey 123 to conduct Sanitary Surveys and analyzing historic data. ArcGIS Survey 123 enhances the Division's ability to manage, extract, and analyze data. Previous data extraction and analysis methods were time-consuming and labor intensive. At the time of this report, the Division has transferred historic Sanitary Survey data as far back as 2017. This allows a comparison between the current three-year cycle of community PWS Sanitary Surveys (from FFY 2024 to current) to the two previous three-year cycle of surveys (FFY 2018 – 2020, and FFY 2021-2023). Since non-community PWS are set on a five-year survey cycle, only one set of data is currently available to assess.

Community Public Water Systems

Since FFY 2024, 19.5% of community PWS have demonstrated sufficient TMF capacity to meet the SDWA objectives. The majority of community PWS exhibit insufficient TMF in one or more areas of criteria in Kentucky's CD Development Strategy (Figure 1). An analysis of community PWS responses indicates that TMF capacity is related to a lack of asset management planning, financial planning, emergency response planning, operational documentation, and tracking water loss (Figure 2). Figure 3 provides an overall view of state-wide TMF capacity of all community PWS.

Figure 1: Comparison of community PWS current and previous three year Sanitary Survey cycle Technical (T), Managerial (M), and Financial (F) capacity

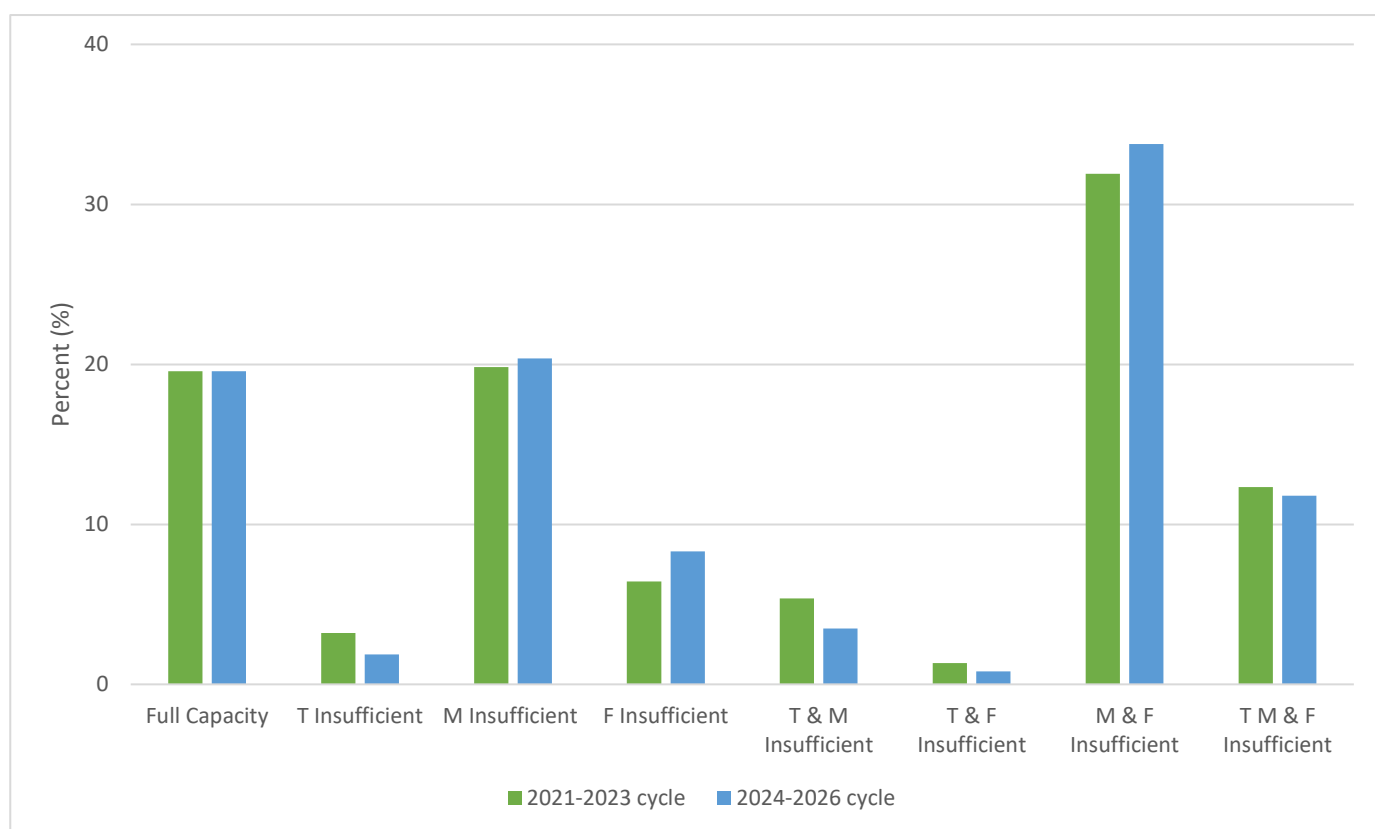


Figure 2: Analysis of negative community PWS responses to criteria questions used to determine TMF capacity

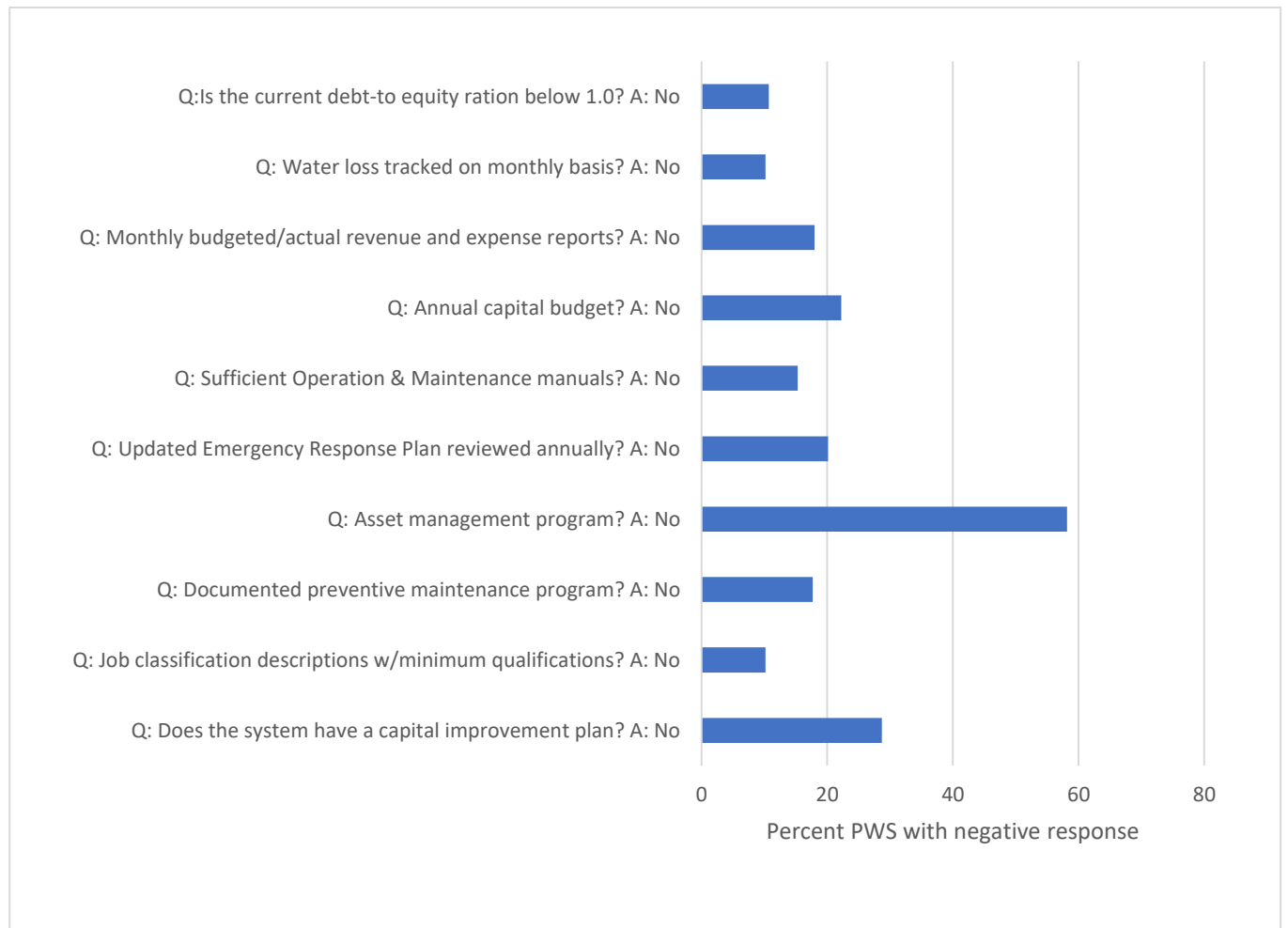
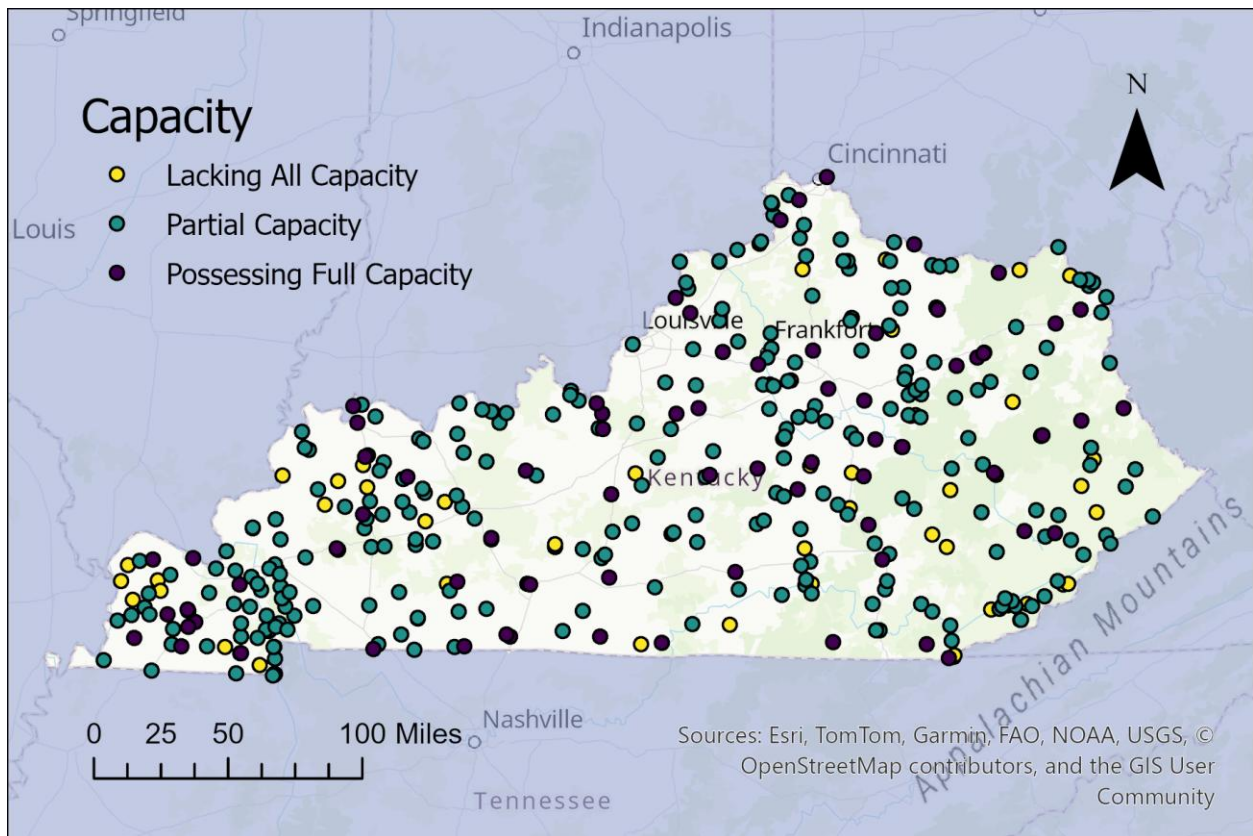
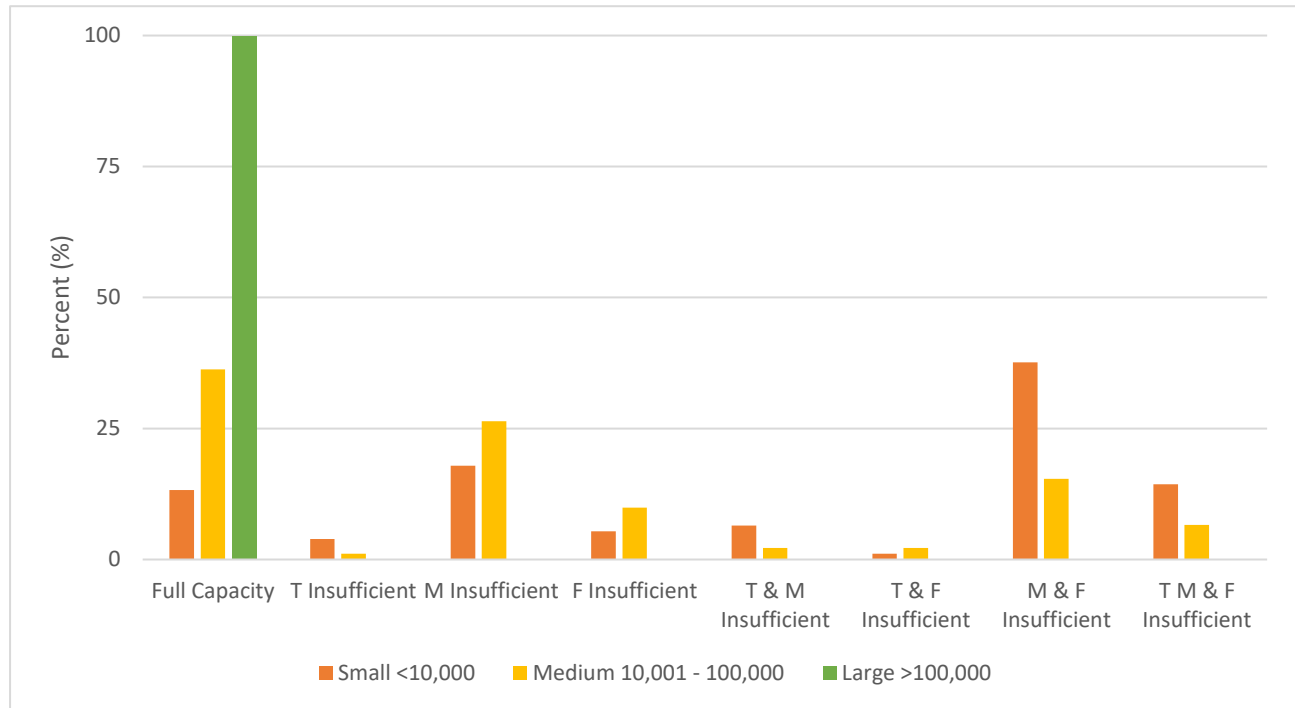


Figure 3: Community PWS with full, partial and insufficient TMF capacity



Breaking down the TMF capacity of community PWS by population size, 100 percent of large systems (PWS serving a population above 100,000) demonstrated sufficient TMF capacity as opposed to only 36 percent of medium (PWS serving a population between 10,001 and 100,000) and 13 percent of small systems (PWS serving a population 10,000 and below) (Figure 4).

Figure 4: Community PWS Capacity by Population Served



Non-community Public Water Systems

Seven percent of non-community PWS demonstrated sufficient TMF capacity while ninety-three were insufficient (Figure 5). Unlike the community systems, Sanitary Surveys are conducted for non-community systems every five years. Currently the CD Program staff are re-evaluating the interpretation of the CD Strategy and how those capacity determining questions are applied to non-community systems as there is a consensus that the capacity assigned to non-community systems is not accurate. For example, a Federally operated ground water system for a campground would be found to be lacking Managerial capacity if they did not have an asset management plan. A system of this nature would also be considered lacking for not tracking water loss using an industry standard method. Typically, these types of systems are small and do not track water loss in a traditionally accepted manner since they are normally unmetered and the water is often used for internal processes. Figure 6 below demonstrates the elements that typically resulted in insufficient capacity.

Figure 5: Non-Community Capacities for FFY 2022 to FFY 2026

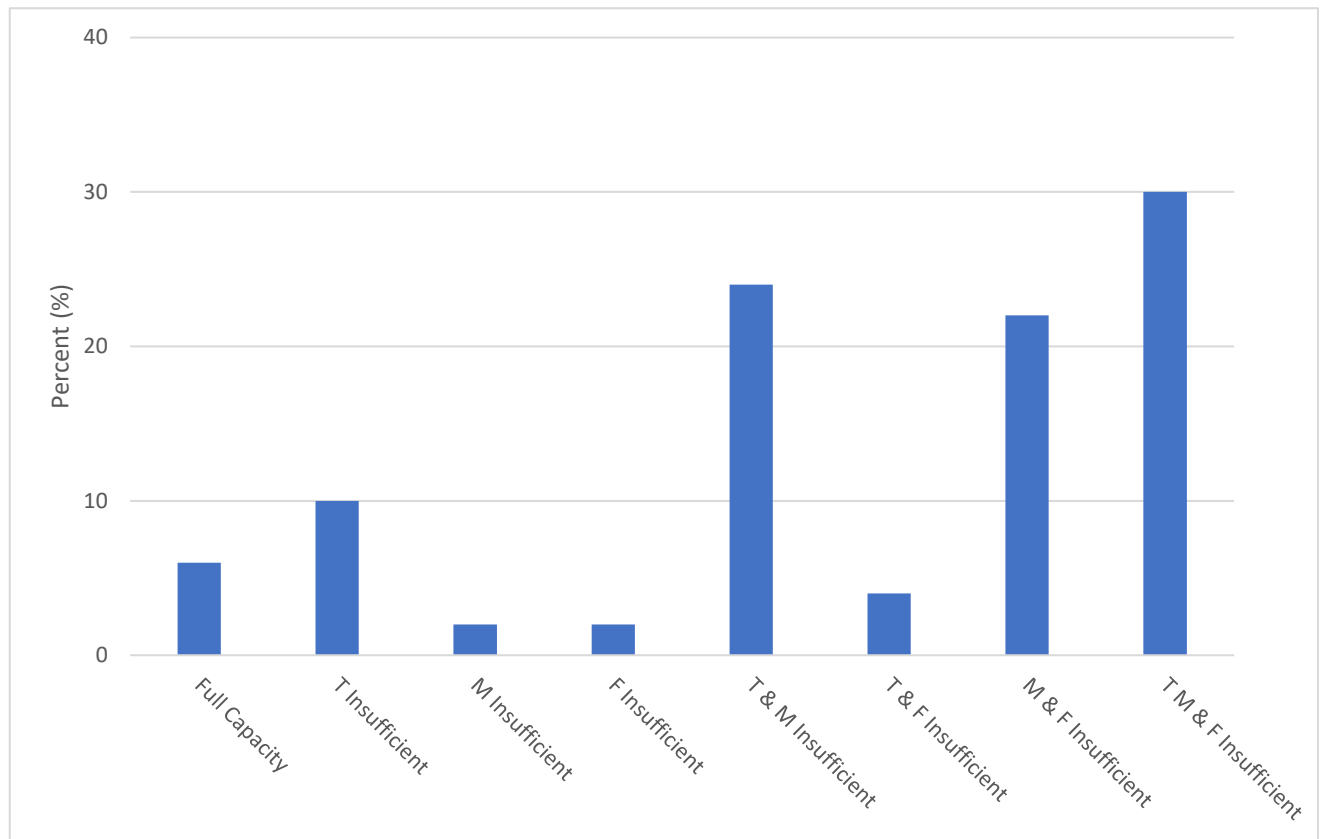
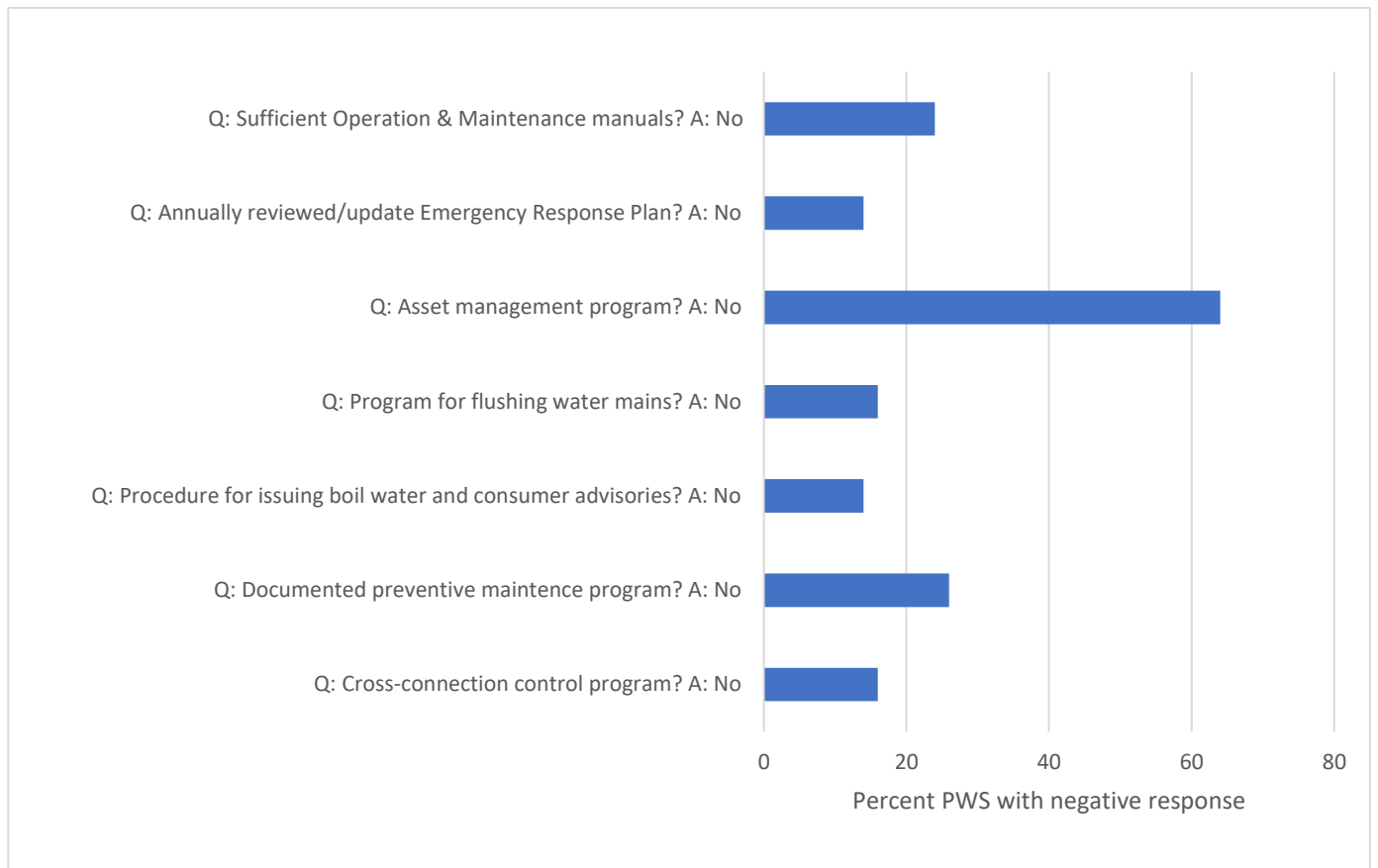


Figure 6: Analysis of Non-Community PWS responses to criteria used to determine capacity



III. Improving Public Water System Technical, Managerial, and Financial Capacity

Congress appropriates funding to the DWSRF which is then awarded by the USEPA to each state based upon results of the most recent Drinking Water Infrastructure Needs Survey and Assessment. States are required to provide a 20% match and have the option of taking a variety of set-asides to advance objectives of the SDWA. Kentucky continues to dedicate these funds to support capacity development through investments in capital infrastructure, technical assistance, source water protection, drinking water contaminant testing, and building stakeholder partnerships to support small and disadvantaged PWS. Program administration funds support the Division personnel who track DWSRF loan projects from initiation to completion. The PWS supervision grant funds support Division personnel, drinking water laboratory certification auditors, and source water testing for contaminants such as harmful algal blooms. State and Local assistance funds support PWS technical assistance provided by Division personnel and contractually through the Kentucky Rural Water Association.

DWSRF Infrastructure Investments

The Division and Kentucky Infrastructure Authority (KIA) co-administer the DWSRF, which provides low interest loans to communities for infrastructure projects. Since State Fiscal Year (SFY) 2024, 41 communities received nearly \$200 million to improve drinking water infrastructure. Projects that received funding represent investments in regionalization, rehabilitation, and construction of new water treatment facilities, replacement of inadequate and aging water lines, tanks, and extending service to residents. Of particular note, the Infrastructure Investment and Jobs Act (IIJA) expanded DWSRF funding and was aimed at lead service lines and emerging contaminants. This temporary expansion contributed over \$77 million (Figure 7) to improve the health and safety of the citizens of Kentucky.

Figure 7: DWSRF Infrastructure Investments from SFY 2024 through SFY 2026

Approved Projects	Total Project Amount	KIA Loan Amount	Fund
SFY 2024			
Barkley Lake Water District	\$4,055,104	\$3,678,453	DWSRF Base
City of Providence	\$2,600,000	\$2,600,000	
City of Springfield	\$3,105,500	\$2,894,924	
Larue Co. Water District	\$1,692,500	\$1,692,500	
City of Danville	\$1,240,000	\$1,240,000	Supplemental Capitalization
City of Lebanon	\$18,444,400	\$15,071,745	
City of Springfield	\$4,227,500	\$4,227,500	
City of South Shore	\$10,382,805	\$8,590,500	Emerging Contaminants
Martin County Water District	\$299,250	\$299,250	Lead Service Line
City of Paintsville	\$535,645	\$418,000	
Southern Water and Sewer District	\$247,575	\$247,575	
City of Prestonsburg	\$416,250	\$416,250	
City of Pikeville	\$245,901	\$119,902	
Ohio County Water District	\$185,000	\$184,719	
City of Ashland	\$874,130	\$874,130	
Mountain Water District	\$435,720	\$435,720	
Grayson County Water District	\$220,000	\$220,000	
Rowan Water Association	\$100,000	\$100,000	
City of Danville	\$214,000	\$214,000	
Bath County Water District	\$100,000	\$100,000	
City of Grayson	\$450,000	\$450,000	
Western Pulaski Co. Water District	\$275,000	\$275,000	
City of Owensboro	\$1,000,000	\$1,000,000	
City of Maysville	\$227,500	\$227,500	
City of Hardinsburg	\$120,000	\$120,000	
TOTALS	\$51,693,780	\$45,697,668	

Approved Projects	Total Project Amount	KIA Loan Amount	Fund
SFY 2025			
City of Corbin	\$4,000,000	\$2,923,968	DWSRF Base
Logan-Todd Regional Water Commission	\$19,972,746	\$13,471,056	Supplemental Capitalization
Northern Kentucky Water District	\$12,300,000	\$3,305,825	
City of Springfield	\$4,522,000	\$4,522,000	
City of Hopkinsville	\$8,000,000	\$8,000,000	
City of Morganfield	\$7,000,000	\$4,432,924	
Logan-Todd Regional Water Commission	\$19,475,000	\$6,501,690	Emerging Contaminants
City of Morganfield	\$7,000,000	\$2,567,076	
Louisville Water Company	\$40,924,030	\$32,134,730	Lead Service Line
City of Danville	\$3,250,000	\$2,320,394	
City of Princeton	\$600,000	\$600,000	
Northern Kentucky Water District	\$12,300,000	\$5,000,000	
Laurel County Water District #2	\$400,000	\$400,000	
City of Jamestown	\$182,255	\$182,255	
TOTALS	\$139,926,031	\$86,361,918	
SFY 2026			
City of Auburn	\$1,450,000	\$967,785	DWSRF Base
City of Lewisport	\$18,000,000	\$14,017,000	
North Marshall Water District	\$2,405,000	\$2,405,000	
City of Cynthiana	\$14,305,000	\$7,500,000	
Adair County Water District	\$7,835,000	\$7,865,000	
Northern Kentucky Water District	\$4,350,000	\$4,000,000	Supplemental Capitalization
City of Flatwoods	\$373,000	\$373,000	
Ohio County Water District	\$6,196,000	\$6,196,000	
Grayson County Water District	\$7,848,000	\$7,848,000	
Sandy Hook Water District	\$1,035,000	\$835,000	
Nebo Water District	\$2,293,000	\$2,293,000	
City of Lewisport	\$18,000,000	\$3,850,614	Emerging Contaminants
City of Cynthiana	\$14,305,000	\$4,813,268	
City of Auburn	\$1,450,000	\$967,785	Lead Service Line
Northern Kentucky Water District	\$1,000,000	\$600,000	
Big Sandy Water District	\$138,295	\$138,295	
Northern Kentucky Water District	\$4,700,000	\$3,000,000	
TOTALS	\$105,683,295	\$67,669,747	
GRAND TOTALS - COMMITMENTS	\$297,303,106	\$199,729,333	

State and Local Assistance

The Division of Enforcement implements Kentucky's Operator Certification program which is pivotal in building TMF capacity. The program issues certification and provides training to ensure that individuals who operate PWS are qualified and capable of performing their duties. Training focuses primarily on the technical knowledge required to treat water and maintain compliance with the SDWA. The following is a synopsis of drinking water operator certification activities for SFYs 2024 to 2026 (Figure 8).

Figure 8: Drinking water operator certification activities SFY 2024 through 2026

	2024	2025	2026
Active Certifications	2835	2326	2822
In-Person Training Hours Conducted	7.5	6	6
Individuals Trained	50	3	3
Online Training Views	3460	2318	2026
Exams Administered	719	715	519

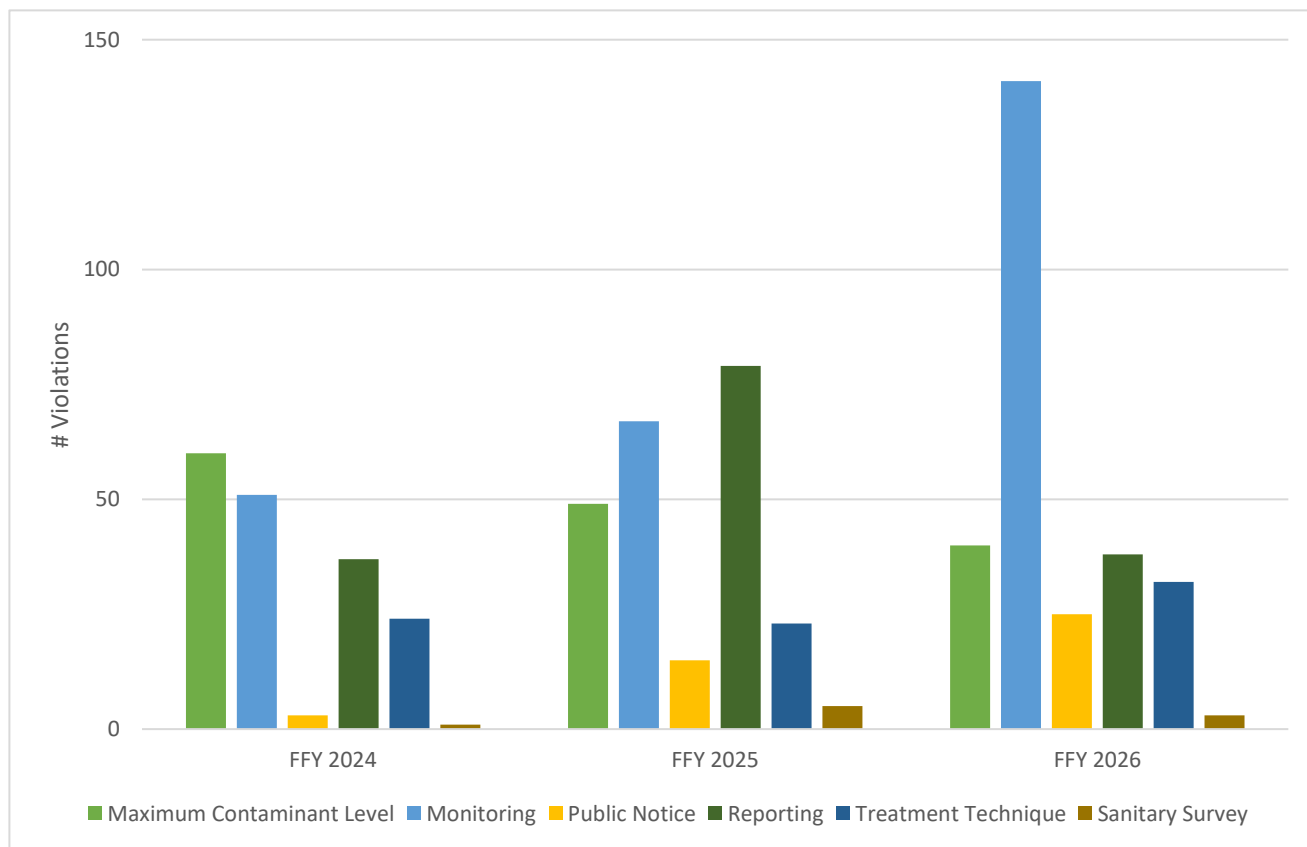
The Operator Certification program continues to focus on providing exams to operators versus in-person training which accounts for why the number of in-person training hours and individuals trained are low compared to online training views. The program offers 125 online training videos for operators at no cost which can be viewed as many times as the operator wants for studying purposes.

The Division dedicates DWSRF set-aside funds for personnel to provide on-site technical assistance to small PWS in need of improving technical capacity. A successful component of technical assistance is the AWOP, which the USEPA developed to provide tools and approaches for PWS to meet water quality goals that are more stringent than SDWA regulations on a long-term basis. Kentucky participates in and incorporates the AWOP into its technical assistance activities by teaching operators problem-solving skills to improve operations. In calendar year 2026, 86 PWS were participating in the microbial

AWOP and 31 were participating in the DBP AWOP. These two programs are part of a voluntary multi-state effort to optimize existing water system facilities to maximize public health protection.

Since FFY 2024, Division personnel have conducted 764 on-site visits to provide comprehensive technical assistance focused on health-based compliance and to address technical capacity deficiencies identified in the Sanitary Survey. Investments in technical assistance continue to have a positive impact on the reduction of SDWA violations (Figure 9).

Figure 9: PWS Violations of the Safe Drinking Water Act by Type from FFY 2024 through 2026



Water Supply

The Division is charged with administering sections of KRS Chapter 151, and state regulations 401 KAR 4:010 and 4:220, which pertain to water resource management, including local and regional water supply planning, water withdrawal permitting and reporting, source water and wellhead protection, and drought monitoring and response. These programs serve to manage the beneficial use of Kentucky's waters and assist and support water resource management and development.

Water Supply Planning

Based on KRS Chapter 151 and Chapter 224A, the Division and KIA developed regulations with the goal of providing water service to every Kentuckian by the year 2020, while encouraging regionalization, consolidation, and the merger of PWS. These initiatives also required the statewide Area Development Districts to coordinate 2020 water management planning councils and to employ water service coordinators to facilitate and implement the water supply planning process.

By 2001, each 2020 water management planning council had developed a long-range water supply plan for each county consistent with the water supply planning requirements. The plans included a water needs forecast for each county in 5-, 10-, 15-, and 20-year increments after the year 2000, a strategy for delivering potable water to unserved and underserved areas of the county and encouraged merger and consolidation of PWS. These plans were last updated in 2003-2004. In 1999, nearly 3.3 million Kentuckians, almost 85 percent of the state's population, received water from 678 PWS (Water-Resource Development: A Strategic Plan, 1999). In the year 2020, more than 4 million Kentuckians, almost 95 percent of the state's population, had access to water from 494 PWS. There are 213 water treatment plants serving Kentucky through nearly 64,000 miles of water distribution lines.

To ensure continued growth of sustainable infrastructure throughout Kentucky, the Division needs to focus on the significant challenges and resource

management decisions involved in ensuring safe, clean, and reliable public drinking water beyond 2020. Through strategic, sustained investment, bold leadership, thoughtful planning, and careful preparation for the needs of the future, we can promote sustainable planning and infrastructure funding for our communities.

Water Withdrawal

Since 1966, the Division has regulated water withdrawals through a permitting and reporting program. Permits or authorizations are required for water withdrawals of 10,000 gallons or more per day from public waters of the Commonwealth, with exemptions for:

- Use of water for agricultural and domestic purposes including irrigation;
- Production of steam generating plants of companies whose retail rates are regulated by the Kentucky Public Service Commission; and
- Water injected underground in conjunction with operations related to oil and gas production.

In accordance with KRS Chapter 151 and 401 KAR 4:010, permits are specific in terms of quantity, time, place, and rate of diversion, transfer, or withdrawal. Programmatic integration, streamlining recording and reporting requirements, and providing guidance for the regulated community is ongoing. Standard Operating Procedures, compliance schedules, and processed permits and authorizations are maintained by the Division. Figure 10 summarizes active permitted withdrawals measured in millions of gallons per day (MGD).

Figure 10: Number of permitted water withdrawals and daily averages in million gallons per day (MGD)

Use Category	2023 (Oct-Dec)	2024	2025	2026 (Jan-Jul)
Water Supplier	248 (566 MGD average)	249 (597 MGD average)	252 (610 MGD average)	249 (610 MGD average)
Industrial	125 (202 MGD average)	128 (210 MGD average)	126 (205 MGD average)	125 (205 MGD average)
Mining (Coal)	91 (12 MGD average)	92 (11 MGD average)	93 (13 MGD average)	93 (10 MGD average)
Mining (Non-coal)	52 (16 MGD average)	53 (16 MGD average)	53 (15 MGD average)	51 (14 MGD average)
Commercial	111 (20 MGD average)	109 (21 MGD average)	110 (14 MGD average)	106 (20 MGD average)
Aquaculture	6 (31 MGD average)	6 (27 MGD average)	5 (27 MGD average)	6 (26 MGD average)
Other	10 (1 MGD average)	11 (1.5 MGD average)	12 (1 MGD average)	10 (1.6 MGD average)
Totals	643 (849 MGD average)	648 (884 MGD average)	651 (886 MGD average)	640 (888 MGD average)

The Division works with the United States Geological Survey to collect water use information that is compiled into a national water-use data system and published every five years. Kentucky has one of the most comprehensive and long-term water withdrawal data programs in the eastern U.S.

Source Water Protection

Source water is raw, untreated water used for current or future public drinking water purposes. Source water protection is a proactive, front-line defense to safeguard, maintain, or improve the quality of drinking water sources, as well as a planning process conducted by local PWS, regional, state, and federal government agencies, to protect

drinking water sources from overuse and contamination. Kentucky's source water assessment and protection efforts have been very successful during this three-year reporting period. The Division has approved approximately 54 source water and wellhead protection plans over the last three years. Additionally, the Division collaborates with the Ohio River Sanitation Commission (ORSANCO) on source water protection initiatives for the Ohio River watershed.

Division personnel continued assisting PWS and other agencies with source water and wellhead protection plan development and implementation, education and outreach, and public meeting facilitation. Programmatic integration, modernizing plan guidance, forms, brochures, checklists, and databases is ongoing.

The Division continued to promote the use of the [Source Water Protection Viewer](#) to view assessments and plans. The Division added a [water conservation page](#) to its website to promote good practices to save water, and released tools to help municipal entities communicate with the public. Resources include basic fact sheets, K-8 educational materials, interactive story maps, and a communication toolkit for local officials. The Division also launched a Water Conservation Week, wherein the Division promotes water conservation actions through social media posts and other outreach.

Division personnel continued to assist with sampling and analyses required for the Kentucky Groundwater Monitoring Network, the Division's ongoing per-and polyfluoroalkyl substances study, and compliance reviews associated with Consumer Confidence Reports. They also provided technical assistance to PWS conducting targeted studies of source water contamination and coordinated data sharing between state agencies and utilities.

Division personnel continued to provide presentations at numerous trainings and meetings, including the Area Development District Water Management Councils, Wastewater & Drinking Water Advisory Workgroup, Source Water Protection Committees and Source Water and Wellhead Protection Plan Public Meetings, U.S. Department of

Agriculture, National Resource Conservation State Technical Committee, Kentucky Interagency Groundwater Monitoring Network, Kentucky Water Resources Research Institute, Kentucky Geological Survey, Kentucky Rural Water Association, U.S. Geological Survey Indiana-Kentucky Water Science Center, 319(h) program education and outreach events, U.S. Environmental Protection Agency Region 4, and Groundwater Protection Council.

Drought Monitoring

The Division continuously [monitors hydrologic and climatic conditions](#) to detect emerging drought conditions, identify the locations and severity of drought, and provide timely and appropriate information to the public. The Division also works with the Kentucky Drought Mitigation Team to issue drought and water shortage watches and warnings in compliance with the [Kentucky Drought Mitigation and Response Plan](#). These efforts are coordinated with the [U.S. Drought Monitor](#), [National Integrated Drought Information System](#), [Midwest Drought Early Warning System](#), and [Kentucky Climate Center](#).

The Division assesses the risk to agriculture and drinking water supplies, as well as to other sectors such as state is part of a 5-year risk assessment that helps inform [The Kentucky Drought Risk Assessment](#) Hazard Mitigation Plan. The Division assesses the risk to agriculture and drinking water supplies, as well as to other sectors such as state-owned buildings, during a drought as required by Kentucky Emergency Management.

Division personnel regularly attend climate and drought conferences, and submit recommendations for both the North Central U.S. Climate and Drought Summary and Outlook and Kentucky Monthly Climate Perspective on Drought and Hydrologic Conditions webinars, co-authored a chapter in the [National Soil Moisture Network](#) Implementation, and produce a monthly [Kentucky Water Resources Report](#) for the state. The Division hosts an online [Drought Viewer](#) and a [Drought Impact Reporter](#), which are interactive tools, on its website to report declared droughts, drought-related conditions and impacts, and water shortage watches and warnings.

Water Shortage Response Planning

The Division is streamlining and modernizing Water Shortage Response planning to provide a framework that assists public drinking water systems in making key water supply management decisions and developing plans to minimize the impacts of water shortages. The plans typically include stages of response related to droughts or other supply shortages to conserve available water supplies, and reduce demand, and supply augmentation options. The planning objectives address the need to preserve essential public services while minimizing adverse effects on public health and safety, community and utility economic activity, environmental resources, and quality of life.

Bathymetry and Pool Level Monitoring

The Division continued to build upon its bathymetry (underwater depth and topography) data collection capabilities to produce robust models of water quantity and availability. Some of these efforts utilized manned watercraft and a drone to collect data and aerial imagery.

IV. Future Activities

Lead and Copper Rule Revisions

The USEPA published revisions to the Lead and Copper Rule in December 2021 and October 2024, with initial compliance deadlines of October 16, 2024, and November 1, 2027, respectively. The Division has worked closely with the Lead in Drinking Water workgroup, which includes meeting regularly with the workgroup's five subgroups (corrosion control; funding/financing and service line replacements; public education; sampling at taps and schools and childcares; and service line inventories) to create guidance and templates, provide workshops, and develop other materials to assist PWS with rule revisions. This rule and its revisions are among the most complex that public drinking water systems have dealt with and include requirements such as increased sample collection, water treatment changes, service line identification and replacement, data and records management requirements, customer communication, communication with schools and childcare centers, and sampling at schools and childcare centers. While preliminary service line inventories indicate that the majority of Kentucky's PWS do not have lead service lines, all PWS have detailed responsibilities required to comply with the rule.

Per-and Polyfluoroalkyl Substances and Emerging Contaminants

The USEPA announced the final National Primary Drinking Water Regulation to establish legally enforceable maximum contaminant levels for six per- and polyfluoroalkyl substances (PFAS) in drinking water on April 10, 2024. The rule became effective on June 25, 2024, and requires public drinking water systems to monitor for six PFAS and, when levels exceed the standards, notify the public and implement measures to reduce the levels of these substances in drinking water. On May 18, 2026, the USEPA announced two proposed rules related to PFAS in drinking water. One proposal would uphold the maximum contaminant levels for PFOA and PFOS and provide drinking water systems with an option to request two additional years to comply with the rule. The second proposal would rescind the maximum contaminant levels established for the other PFAS,

citing legal and procedural concerns. Compliance monitoring under the 2024 PFAS National Primary Drinking Water Regulation is scheduled to begin on April 26, 2027.

Asset Management Planning

Asset management is a process that water utilities use to ensure that planned maintenance and capital assets are repaired, replaced, or upgraded on time and that there is sufficient funding for the utility to do so. Asset management planning is one of the criteria the Division uses to determine Managerial capacity of PWS. The majority of community and non-community PWS do not have an asset management program. To promote implementation of asset management planning at PWS, the Division has allocated greater priority to proposed DWSRF infrastructure projects from PWS that have an asset management program. Technical assistance is provided to PWS by Division personnel and by the Kentucky Rural Water Association to build asset management planning through a contract utilizing DWSRF set-aside funding.

Looking Ahead

In February 2021, the Division began sending regular updates via email to all PWS in Kentucky. This correspondence has been well received by, and generated interest from, PWS operators, who have reached out to the Division with questions and information. The emails have facilitated inventory updates and enhanced data transfers, improved methods to assist PWS with compliance, and increased feedback between operators and the Division. The newsletter has also been critical for communication for the Lead and Copper Rule Revisions (LCRR) and compliance with submittals of initial inventories. The Division shall continue to utilize these “Drinking Water Wednesday” emails and expects them to continue to be an important tool to for keeping PWS up-to-date.

The Division continues to ensure that it maintains primary regulatory responsibility over PWS pursuant to 40 C.F.R. 142, so that compliance can be tailored to Kentucky’s unique needs and challenges. The Division regularly engages drinking water stakeholders through the Kentucky Water Utilities Advisory Committee (KWUAC) to

facilitate discussions regarding future regulations, education, workforce development, new technology, and best practices to promote the value of, and enhance, water resources in the state. The KWUAC also helps promote and support funding of applied research and development in water technology, sustainability, security, water quality, and infrastructure resiliency. The Division and KIA jointly administer the DWSRF and continue to advocate funding to address aging infrastructure through the SRF loan program.

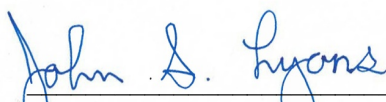
In 2024, House Bill 563 modified KRS Chapter 65 and 224A to promote regionalization and provide direct financial assistance to disadvantaged PWS. The bill creates a forbearance period of three years from associated fines and penalties if a well-operated utility is pursuing regionalization with a TMF capacity deficient utility with existing violations. This can result in either a physical or managerial consolidation. The bill also authorizes the KIA to prioritize funding in support of regionalization during this forbearance period. The bill further authorizes the creation of the Kentucky Water and Wastewater Assistance for Troubled or Economically Restrained Systems (KYWWATERS) fund to be administered through KIA and the General Assembly. It will provide funding for capital and non-capital expenses to disadvantaged PWS as grants, loans, no-interest loans, or forgivable loans in a manner similar to the DWSRF.

V. Recommendations

To continue supporting PWS capacity development, resiliency, and sustainability, the following actions are recommended to be carried out by the Division:

- Develop asset management planning guidance and support as required by the 2018 America's Water Infrastructure Act;
- Encourage regular utility rate reviews and promote rate indexing;
- Utilize DWSRF set-aside funds to support recruitment and training of new drinking water operators;
- Promote technology to support PWS operational decision-making and operations;
- Update drinking water and capacity development data management, including an electronic data collection and submittal system for PWS compliance
- Increase collaboration with Area Development Districts and the KIA to update and enhance the Water Resource Information System;
- Continue collaborative relationships with stakeholders to:
 - Enhance regulatory programs and guidance;
 - Provide resources for best practices;
 - Promote workforce development, education, and process improvement;
 - Continue advocacy and funding for renewing aging water infrastructure through the SRF loan program and other funding sources;
 - Support funding of applied research and development in water technology, sustainability, security, quality, reuse, and infrastructure resiliency; and,
 - Promote and protect water resources.

Recommended By:



John S. Lyons, Secretary
Energy and Environment Cabinet

9/28/2026

Date