

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