



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502
www.deq.idaho.gov

C.L. "Butch" Otter, Governor
John H. Tippetts, Director

March 25, 2016

Mr. Joel Beauvais
Deputy Assistant Administrator, Office of Water
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Ave, Mail Code 4101M
Washington, DC 20460

Subject: Idaho's Implementation of the Lead and Copper Rule

Dear Mr. Beauvais:

Thank you for the opportunity to provide information on Idaho's implementation of the Lead and Copper Rule (LCR). The Idaho Department of Environmental Quality (DEQ) reviewed implementation of the LCR, including the five (5) items requested in your February 29, 2016 letter. DEQ has made and continues to make improvements in ensuring that owners and operators of public water systems deliver water to their customers that meet the requirements in the Idaho Rules for Public Drinking Water Systems. This letter provides DEQ's responses to the five (5) LCR protocol and procedure actions requested in your February 29, 2016 letter.

- 1. Confirm that the state's protocols and procedures for implementing the LCR are fully consistent with the LCR and applicable EPA guidance.**

DEQ confirms that the state's protocols and procedures are consistent with the LCR and relevant EPA guidance. The Idaho Rules for Public Drinking Water Systems (IDAPA 58.01.08.350) incorporate 40 CFR 141.80-91 by reference. DEQ references and utilizes EPA's LCR guidance documents and we are in the process of updating our website with LCR information. DEQ will follow newer guidance that EPA provides as they are released.

- 2. Use relevant EPA guidance on LCR sampling protocols and procedures for optimizing corrosion control.**

DEQ updated the sampling procedures with the recommended instructions from EPA's February 29, 2016 memorandum for sampling protocols. The instructions are posted on our website at: <http://www.deq.idaho.gov/water-quality/drinking-water/pws-monitoring-reporting/contaminants/lead/>.

Regarding optimizing corrosion control, DEQ engineering staff review all engineering plans and specifications submitted by public water system owners and their consultants. DEQ staff utilize the requirements outlined in 40 CFR 141.81 through 141.83 as adopted by reference in

IDAPA 58.01.08.350. Public water system owners and operators as well as DEQ staff utilize relevant EPA guidance documents as necessary such as the Lead and Copper Rule Guidance Manual Volume II: Corrosion Control Treatment (1992) and the Revised Guidance Manual for Selecting Lead and Copper Control Strategies (2003). DEQ looks forward to reviewing and utilizing the updated corrosion control guidance.

3. Post on your agency's public website all state LCR sampling protocols and guidance for identification of Tier 1 sites (at which LCR sampling is required to be conducted).

Sampling protocols and guidance for identification of Tier 1 sample sites are posted on our website at: <http://www.deq.idaho.gov/water-quality/drinking-water/pws-monitoring-reporting/contaminants/lead/>. In addition, DEQ mailed all community and noncommunity nontransient water systems a letter on February 16, 2016 requesting an updated materials survey in accordance with IDAPA 58.01.08.350.07 which incorporates by reference 40 CFR 141.86. A copy of the materials mailed to the public water system owners and operators is enclosed.

4. Work with public water systems – with a priority emphasis on large systems – to increase transparency in implementation of the LCR by posting on their public website and/or on your agency's website:

- a. **The materials inventory that systems were required to complete under the LCR, including the locations of lead service lines, together with any more updated inventory or map of lead service lines and lead plumbing in the system.**

DEQ will work with public water system owners and operators to provide information regarding locations of lead service lines and lead plumbing on their websites. DEQ does not post materials surveys on our website but documents received from public water system owners and operators are available through a public record request.

- b. **LCR compliance sampling results collected by the system, as well as justifications for invalidation of LCR samples.**

Access to all sampling results, including lead and copper compliance sample results, are available on our website at: <http://dww.deq.idaho.gov/IDPDWW/>. Sample invalidation is provided in written justifications to the public water system. Sample invalidations are available through a public records request and DEQ will work with the larger public water systems to post information regarding invalidated samples. Since this is not a requirement, DEQ will suggest that the public water system owner or operator post their lead and copper sample results and any invalidation information.

5. Enhance efforts to ensure that residents promptly receive lead sampling results from their homes, together with clear information on lead risks and how to abate them, and that the general public receives prompt information on high lead levels in drinking water systems.

In accordance with IDAPA 58.01.08.350.06, which incorporates by reference 40 CFR 141.85, all public water systems required to monitor for lead and copper are required to provide individual tap results through a consumer notice within thirty (30) days of receipt of the laboratory results and provide certification to DEQ within three (3) months after the end of the monitoring period. Consumer notice templates and certification forms were recently updated and are available on our website at: <http://www.deq.idaho.gov/water-quality/drinking-water/pws-monitoring-reporting/public-notifications/>. Beginning on or around July 1, 2016, DEQ will use the state's Safe Drinking Water Information System to track receipt of consumer notice certification. DEQ is investigating a method for using our auto-notification telephone and e-mail system to remind operators of this requirement.

Public education and certification are also required following lead action level exceedances in accordance with IDAPA 58.01.08.350.06. The EPA guidance documents for creating public education materials are available through a link on our website. To make the process easier for public water system owners and operators, DEQ is creating template public education documents for both community and noncommunity nontransient water systems. DEQ is also investigating the use of our auto-notification telephone and e-mail system to remind operators of this requirement.

DEQ appreciates the efforts by EPA to provide clarity and guidance on implementation of the LCR. Please contact Jerri Henry at Jerri.Henry@deq.idaho.gov or (208) 373-0471 for more information.

Sincerely,



John H. Tippetts
Director

JHT:BNB:JH:tg

Enclosures

c: Dan Opalski, EPA Region 10 Director of Office of Water and Watersheds
Marie Jennings, EPA Region 10 Drinking Water Unit Manager
Barry N. Burnell, DEQ Water Quality Division Administrator
Jerri Henry, DEQ Drinking Water Program Manager



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C. L. "Butch" Otter, Governor
John H. Tippetts, Director

February 12, 2016

Adrian Dice
Bonners Ferry City Of
Po Box 149
Bonners Ferry, ID 83805

Subject: Lead and Copper Sampling Site Review

Dear Water System Contact:

Amid the rising public concerns of lead in drinking water, the Idaho Department of Environmental Quality (DEQ) requests that all public drinking water system owners and operators review the requirements of the lead and copper regulations including sampling locations, collection methods, and when to contact your local regulating agency. Worksheets are enclosed to assist you with review of your sampling locations. Please review your sampling locations and submit the enclosed certification form to your local regulating agency **no later than July 1, 2016**.

Sampling locations and collection methods must meet the requirements of IDAPA 58.01.08.350.07. The lead and copper rule requires you to sample at locations that may be particularly susceptible to high lead or copper concentrations. A materials evaluation assists in prioritizing sampling sites into tiers. This was previously conducted by most existing systems, but all water system owners and operators should conduct a new materials evaluation since conditions may have changed at the individual sampling sites. The materials evaluation is based on premise plumbing, not solely on the distribution lines maintained by the water system.

Please ensure instructions to homeowners or other sample collectors are clear. All samples must be a "first-draw" sample from a kitchen or bathroom tap where the water has stood in the pipes for at least 6 hours. The practice of "pre-flushing" taps the night prior to collecting samples is not appropriate. Please ensure that sample taps are regularly used, and not abandoned or infrequently used taps. Samples are not allowed to be collected from faucets or homes with filtration or softening systems, which includes point-of-use filters, unless approved by DEQ. Operators must also provide lead sample results to the consumers who occupy the homes or buildings where samples were collected.

As a reminder, in accordance with IDAPA 58.01.08.350.11, water system owners or operators must submit written documentation to DEQ describing any changes in water treatment that would have long-term impacts on water quality and receive approval prior to implementation. Please contact Coeur D Alene Regional Office at 208-769-1422 with any questions or concerns.

Thank you,

A handwritten signature in blue ink, appearing to read "Megan Larson".

Megan Larson
Drinking Water Program Analyst

Enclosures (1)



Lead and Copper Sample Site Selection Form

The Lead and Copper Rule (LCR) requires all community and nontransient, noncommunity water systems to sample at locations that may be particularly susceptible to high lead or copper concentrations in accordance with IDAPA 58.01.08.350.07. The LCR establishes a tiering system for prioritizing sampling sites. A materials evaluation is required to help classify sampling sites into tiers. Most existing water systems conducted this survey in 1992 but will benefit from conducting the survey again as materials may have changed. New water system owners and operators must perform a materials evaluation prior to lead and copper tap monitoring. This form defines the monitoring requirements, tiering system for prioritizing sampling sites, and includes a site selection certification form for submittal to the Department. This form is intended to help with site selection but you are not required to use this form if you can otherwise certify the information.

Table 1: Lead and Copper Tap Monitoring

Size Category	System Size	# of Pb/Cu Tap Sample Sites	
		Standard	Reduced
Large	>100k	100	50
	50,001-100k	60	30
Medium	10,001-50k	60	30
	3,301-10k	40	20
Small*	501-3,300	20	10
	101-500	10	5
	≤ 100	5	5

*Small systems with fewer than 5 drinking water taps may be eligible for further reduced monitoring.

Table 2: Tiering Classification

Tier	Community Water System	Non-Community Water System
Tier 1	<u>Single family residence with:</u> Lead pipes Lead service lines Copper pipes with lead solder installed between 1982 - 1988	<u>Any buildings with:</u> Lead pipes Lead service lines Copper pipes with lead solder installed between 1982 - 1988
Tier 2	<u>Buildings or multi-family residences with:</u> Lead pipes Lead service lines Copper pipes with lead solder installed between 1982 - 1988	<u>Any buildings with:</u> Copper pipes with lead solder installed before 1983
Tier 3	<u>Single family residence with:</u> Copper pipes with lead solder installed before 1983	<u>Not Applicable</u>

*Any water system that cannot complete its sampling at sites that meet the applicable tier criteria must complete sampling at representative sites throughout the distribution system.

Materials Survey Results and Site Selection Certification

PWS ID: PWS Name:
 Population: # of Sites Needed: *Based on standard monitoring from Table 1.

Table 3: Plumbing Material				
Type of Structure	Interior Premise Plumbing			Distribution System
	Lead Pipe	Copper w/ Lead Solder 1982-1988	Copper w/ Lead Solder <1983	Lead Service Lines (LSL)
	# of Service Connections			# of Service Connections
Single Family Residence (SFR)				
Multi-family Residence (MFR)				
Public or Commercial Building (BLDG)				
TOTAL	Tier 1	Tier 1 or 2	Tier 2 or 3	Tier 1 or 2

Please use Table 4 or attach the materials survey worksheet to provide the addresses of the selected sampling sites in accordance with IDAPA 58.01.08.350.07. Only Tier 1 and LSL sites should be selected for monitoring. If you cannot locate enough Tier 1 sites to meet your monitoring requirements, Tier 2 sites may be selected. Tier 3 sites should only be selected after exhausting all Tier 1 and 2 sites. The form will expand if used electronically. Sampling sites with point-of-entry or point-of-use tap filtration treatment may not be used unless approved by the Department.

Table 4: Sampling Site Addresses	
Tier 1 sampling site addresses:	
Tier 2 sampling site addresses:	
Tier 3 sampling site addresses:	
LSL sampling site addresses:	

Materials survey worksheet enclosed.

I hereby affirm I have reviewed the sampling sites and the requirements stipulated above are met.

Signature: _____ Printed Name: _____

Title: _____ Date: _____

Conducting a Materials Evaluation Survey

To identify sites that are susceptible to high lead or copper concentrations, you should survey all records documenting the materials used to construct and repair your distribution system and buildings connected to your system. Relevant information may be attained through the following sources:

- Plumbing codes
- Plumbing permits
- Distribution maps and drawings
- Inspection and maintenance records
- Meter installation records
- Permit files
- Existing water quality data
- Interviews with personnel and inspectors
- Community surveys

Tier 1 sites should be identified first. DEQ recommends you locate more sites than required in case a volunteer drops out of the sampling pool. If lead service lines are present, at least half of your samples must be from taps served by lead service lines. If you cannot locate enough Tier 1 sites to meet your monitoring requirements, Tier 2 sites should be identified. If there are insufficient Tier 1 and Tier 2 sites, Tier 3 sites may be used. Representative sites must be used if you cannot collect enough samples from tiered sites.

The selected sampling sites must be used in all subsequent monitoring periods. If you cannot gain access to an original sampling site, you must collect a tap sample from another site which meets the same tiering criteria as the original site and you must report any sampling site changes when submitting samples.

Please use the Materials Survey Worksheet form to document your materials survey investigation results.

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