

Development of the Strategic Plan for Targeted Outreach to Populations Affected by Lead

**Water Infrastructure Improvements for the Nation
(WIIN) Act**

Safe Drinking Water Act 1414 (c)(5)

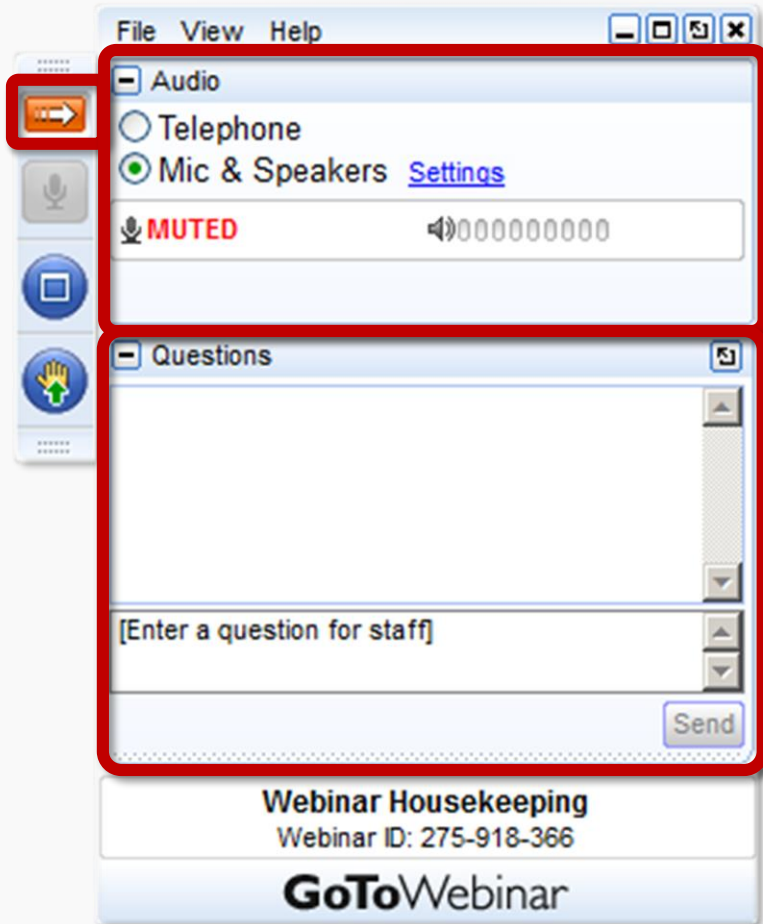
May 3, 2017

3:00-4:00pm Eastern



Disclaimer

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Poll 1: How many participants are in the room?

- a. 1
- b. 2
- c. 3
- d. 4
- e. 5 or more



Poll 2: What is your affiliation?

- a. U.S. EPA
- b. State Government
- c. Water System
- d. Water Association and TA Providers
- e. Other



Poll 3: Did you attend the first WIIN strategic plan webinar, hosted on March 23rd?

- a. Yes
- b. No



Agenda

- Brief Overview of WIIN Act Requirements
- Overview of Comments and Questions Received Regarding the Draft Strategic Plan
- Question and Answer Session
- Discussion of the Second Draft of the Strategic Plan
- Wrap-up and Next Steps
- Question and Answer Session



Review of WIIN Act, SDWA 1414 (c)(5): Exceedance of Lead Level at Households

James Hogan, Project Lead



Development of Strategic Plan

- The WIIN Act requires EPA to develop a strategic plan
- The purpose of the strategic plan is to ensure targeted information is provided to households affected by lead (affected households)
- The strategic plan development must be done in collaboration with primacy agencies and owner/operators of public water system (PWS)
- Deadline for development of the strategic plan is 180 days after enactment - June 14, 2017



Requirements for the Strategic Plan

- The strategic plan will discuss the method by which EPA, states, and the public water system will ensure that specific information is communicated to affected households.
- This information shall provide:
 1. The potential adverse effects of lead on human health,
 2. The steps that the public water system is taking to mitigate the concentration of lead, and
 3. The necessity of seeking alternative water supplies until the concentration of lead is mitigated.



Overview of Comments and Questions Received Regarding the Draft Strategic Plan

Victoria Banks, Project Lead



Summary of commenters and comment category

- Affiliation
 - 2 cities
 - 2 counties/regional
 - 7 states
 - 2 stakeholder groups
 - 2 EPA regions
- Most popular comment category
 - Data collection, validity, and methods
 - Method of notification
 - Timeframes



Are these LCR compliance samples?

- No. The WIIN Act does not include samples collected for the purpose of complying with the federal Lead and Cooper Rule.
- In WIIN, the source of the samples is someone other than a state or public water system.
- Therefore, these would not be samples use for compliance or for 90th percentile calculation.
- However, if a follow-up sample is taken by the PWS and the home meets the tiering criteria (is a high risk site), those would be included.



Are these samples included in the consumer confidence report?

- In WIIN, the source of the samples is someone other than a state or public water system.
- 40 CFR 141.153(d)(3), the data included in the CCR must be from required compliance samples.
- However, 141.153(h)(5) notes the system may include additional information as they deem necessary.



How would a residence in a transient PWS be handled?

- Transient non-community water system means a non-community water system that does not regularly serve at least 25 of the same persons over six months per year.
- These are public water system that provides water in a place such as a gas station or campground.
- This will most likely not include households.



What about a multifamily home?

- Multifamily homes are households and therefore those results would trigger the WIIN steps.
- The information should be directed to the affected consumers, e.g. current occupants/renters.
- If the occupants are not the property owners, the PWS should also send a copy of the information to the owner or property manager.



Are different sampling techniques and stagnation times taken into account?

- Such information, if provided with the results that EPA receives, will be communicated to the state and the PWS, however the WIIN Act does not require this information.
- EPA has updated our template to gather information on the analytical methods and other sampling procedures to capture as much information as possible to best inform the water system when EPA forwards results.



What if the PWS does not disseminate the information and the state chooses to do it for them?

- EPA is aware of many situations, especially for smaller systems, where the state steps in to assist PWS by disseminating information or assisting with public education.
- Since water systems and states continue to work together and the goal is to get the homeowner the information, we feel it is acceptable for the state to disseminate on behalf of the public water system.



Under WIIN, will the PWS receive a violation/penalties if it does not disseminate information to the affected households on time?

- The WIIN Act does not provide for violations or penalties, rather it calls for an increasing level of notification from the PWS to the Governor and the EPA Administrator if notification is not provided.



Questions?



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Discussion of Revisions to the Second Draft of the Strategic Plan

James Hogan, Project Lead



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Safe Drinking Water Act 1414(c)(5) Data Submission Form
For Exceedance of Lead Level at Household(s)

This form is to be completed when EPA receives sampling data from a source other than a state or PWS. The purpose is to collect information so EPA can send it to the PWS/state so they can disseminate required information to the household and take any follow-up steps.

Contact Information

1. Name of contact providing the information:	2. EPA Contact Reviewing the Information:
1A. Contact Email:	2A. EPA Contact Email:
1B. Contact Phone Number:	2B. EPA Contact Phone Number:
1C. Contact Address:	

Household Information

3. Enter the sample address below.		
3A. Street house & Number:		
3B. City or Town:	3C. State:	3D. Zip Code:
4. Describe the reason for the sample collection (e.g., received consumer notice that water system exceeded lead action level, nearby school conducted sampling and I wanted to check my water):		
5. Indicate the type of household where the sample was collected (e.g., single family, multifamily home, apartment complex):		6. Enter the age of the building/home:
7. Is the household occupied? <input type="checkbox"/> Yes <input type="checkbox"/> No		7A. If not, how long has it been unoccupied?
8. Enter contact information for the resident or owner/property manager (if a rental property) below.		
8A. Name of Contact:		8B. Contact Email:

Data Collection Form

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9. Address (If different from Contact Information section above):	
9B. Address (If different from Contact Information section above):	8D. Address (If different from Contact Information section above):

10. Public Water System:

Plumbing Information

11. Pipe material from which you sampled (e.g., lead, copper, plastic, PEX):	
12. Changes to the household plumbing (e.g., replaced pipes, fixed leak):	
13. Did you have a point of use (POU)/point of entry (POE) water treatment system? No <input type="checkbox"/> Unknown	
14. Type of treatment (e.g., reverse osmosis, water softener, etc.):	12B. If yes, was the water filter bypassed when the sample was collected? <input type="checkbox"/> Yes <input type="checkbox"/> No

Sample Collection Information

15. Date and time of the sample collection:	14. Where was the sample collected? (e.g., kitchen, bathroom, drinking fountain):
16. Sampling protocols that you followed (e.g., first draw, flush, stagnation period, etc.):	
17. How did you store your sampling container?	
18. How did you preserve the sample after collection (e.g., immediately sealed containers, kept in room temperature, sent samples to lab in timely manner, etc.):	

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Analytical Results Information

19. Laboratory name and address:	
20. Information for the laboratory that is analyzing the sample below.	
19A. Laboratory name:	18C. Contact Email:
19B. Laboratory address:	18E. Contact Address:
19C. EPA certified for lead analysis? <input type="checkbox"/> Yes <input type="checkbox"/> No	20. What analytical method did the laboratory use to analyze the sample?
19D. Laboratory hold time?	22. Is there a copy of the laboratory report? <input type="checkbox"/> Yes <input type="checkbox"/> No



Data Validity and Methods

EPA received conflicting comments on the what methods constitute “accepted methods or best available methods”

- Multiple commenters suggested that only those methods used to comply with the LCR should be considered.
- Others commented that a broader range of methods should be considered as “best available” methods.
- Others also noted that presence absence test kits from a local hardware store should not be allowed.



Data Validity and Methods

EPA received conflicting comments on the what methods constitute “accepted methods or best available methods”

- EPA agrees that presence absence test do not meet this standard as they do not indicated if a sample is above the lead action level.
- EPA also agrees that EPA approved methods constitute “accepted methods”.
- EPA will make its determination on “best available” on a case by case basis.



Timeframe

EPA received general comments on the timeframes suggested throughout the Draft Strategic Plan.

- At Step 1, EPA will review the submitted data as soon as practicable.
- EPA will take into account the number of households affected and the responsiveness of the person submitting the information.
- When this review is completed EPA will disseminate by the close of the next business day. ²⁵



Timeframe

EPA received comments about using system size as a criteria for timeline

- One commenter suggested that timeframes be developed to account for system size and type and suggested timeframes.
- However, multiple commenters recommended PWS size and capacity not be included as factors in determining the timeframe within which the PWSs must disseminate.
- This has been removed from the strategic plan as a criterion for timeline as the key factor is the number of affected households, not systems size.



Timeframe

EPA received comments that the timeline should consider method of delivery

- Timelines for the PWS to provide the required information will be determined on a case-by-case basis, and consider the number of households to be notified.
- Delivery will be determined based on the date of dissemination, not when the homeowner receives the information.



Methods of Notification

EPA received various comments on methods for notifying the affected household.

- Step 3 has been updated to reflect the suggested methods. Information may be delivered to the household(s) by:
 - email (with confirmation request or follow-up recommended)
 - regular or certified mail
 - hand-delivered
- The information should be directed to the affected consumers, e.g. current occupants/renters. Notifying other relevant parties, such as the property owner for a rented house, can also be provided.



Notice to the Affected Household

For households where the public water system's 90th percentile level is below the action level and the public water system becomes aware of a household's lead sample result that is greater than 15 ppb

Important Information About Your Drinking Water

Lead Sample Results for Your Home

Dear [Consumer's Name],

EPA has received information regarding a lead sample of drinking water taken at your home. This sample was collected by [sampler information] on [sample date]. The sample shows lead levels that are greater than the lead action level of 15 ppb. However, the 90th percentile value for our water system is below the lead action level. [Water System] strongly urges you to take the steps listed on the next page to reduce your exposure to lead in drinking water.

The following table shows the results of the water sample:

Sample Collected	Lab Results Received	Lead Test Results	Action Level at 90 th Percentile Level	MCLG
[Date]	[Date]	[x] ppb	15 ppb	0 ppb

What Does This Mean?

Drinking water that is tested for lead is compared to standards set by the U.S. Environmental Protection Agency (EPA). These standards include:

- **90th percentile value:** The value that separates the bottom 90 percent of sample results from the top 10 percent. Utilities must ensure that 90 percent of the lead samples collected for compliance are below the action level for lead.
- **Action Level:** The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow. Under the authority of the Safe Drinking Water Act, the EPA set the action level for lead in drinking water at 15 ppb. Water systems are required to act if the sample results are greater than 15 ppb in more 10 percent of the samples collected for compliance.
- **Maximum Contaminant Level Goal (MCLG):** The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety. MCLGs are set low enough that drinking water is safe even if its contaminant levels are slightly above the MCLG. Because lead may pose serious health risks, the EPA set an MCLG of 0 ppb for lead.



State Authority

EPA received mixed reactions on involvement and role of the state in disseminating information.

- EPA has revised Step 3 – Dissemination of Information by the Public Water System
 - “The state primacy agency may disseminate the required information on behalf of the water system.”
 - This matches the flow diagram, Figure 1.



Confirmation Template

Safe Drinking Water Act 1414(c)(5) Exceedance of Lead Level at Households Information Delivery Confirmation

Public Water System Name: _____

Point of contact: _____ Phone: _____

Date PWS received data and information: _____

Date information was distributed to affected household(s): _____

Deadline to disseminate the information: _____

Delivery method (check all that apply):

Mail Certified mail Hand delivery Email

Other (e.g. posting): _____

Required information (SDWA 1414(c)(5)(C):

- Explanation of potential adverse human health effects
- Steps the PWS is taking to mitigate the concentration of lead
- The necessity of seeking alternative water supplies

The public water system indicated above hereby affirms that the required information listed above has been provided to the affected household(s) within the timeline assigned.

Signature of owner or operator

Date

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Wrap-Up & Next Steps

Maria Lopez Carbo, Chief



Wrap-Up

- We recognize that EPA, states, and public water systems already collaborate to notify the public.
- We appreciate the comments we received on the first draft of the strategic plan; your comments significantly improved the document.
- During this presentation we highlighted these comments and our approach to address them to ensure the effectiveness of this strategic plan.
- EPA looks forward to any additional feedback you may have on this second draft strategic plan.



Next Steps

- Project website: <https://www.epa.gov/dwreginfo/strategic-plan-targeted-outreach-populations-affected-lead>
- Second Draft Strategic Plan will be available on the website
- Questions/comments can be sent to:
WIINStrategicPlan@epa.gov
 - Please submit comments on second draft by: Friday, May 12th



WIIN Strategic Plan Timeline 2017

May 3rd	<ul style="list-style-type: none">• Host second webinar meeting with stakeholders.• Initiate second one-week comment period
Late May	<ul style="list-style-type: none">• Incorporate final edits and finalize the strategic plan.
Early June	<ul style="list-style-type: none">• Post final strategic plan to EPA webpage.• Contact the stakeholders and provide them with the link.• Host additional public webinars to discuss implementation
June 14th	<ul style="list-style-type: none">• EPA must complete the strategic plan.
TBD	<ul style="list-style-type: none">• Roll out webinar



Questions?

