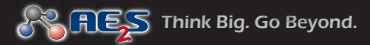


# The Update

November 2007



## *Collection of Information for Minnesota Wastewater Infrastructure Funding Program*

*The Minnesota Public Facilities Authority (PFA) is collecting information on wastewater projects that are eligible for financial assistance from the Wastewater Infrastructure Funding (WIF) program.*

*The information will be included in a report to be submitted to the Minnesota Legislature in February 2008. The WIF program provides supplemental funding for high cost projects on the Minnesota Pollution Control Agency's (MPCA) Project Priority List (PPL). Municipalities interested in seeking WIF funds must provide a completed worksheet to their PFA loan officer by November 21, 2007. The worksheet was mailed to municipalities with projects on the MPCA's PPL. Worksheets from projects not listed on the 2008 PPL will be accepted and included in the report; however, projects must be listed on the PPL to be eligible to receive WIF funds. The worksheet is also available online at [www.deed.state.mn.us/community/assistance.pfa.htm](http://www.deed.state.mn.us/community/assistance.pfa.htm). Also available on the PFA web page is the 2008 Intended Use Plan for the Clean Water Revolving Fund, which includes the complete 2008 PPL as an appendix.*

*For more information, please contact Jeff Freeman at the Minnesota Public Facilities Authority at 651-259-7465 or by email at [jeff.freeman@state.mn.us](mailto:jeff.freeman@state.mn.us).* ■

**L**ast month, *The Update* reported that revisions to the Lead and Copper Rule (LCR) were published on September 25, 2007. These minor revisions, referred to as LCRMR, streamlined the requirements of the LCR, promoted consistent national implementation, and reduced the reporting burden to affected entities. In addition, the revisions addressed the areas of optimal corrosion control demonstration, lead service line replacement requirements, public education requirements, monitoring requirements, analytical methods, reporting and record keeping requirements, and special primacy considerations.

## Summary of Lead and Copper Rule Revisions

The LCRMR does not amend the portion of the regulations related to copper. The LCRMR also did not change the action level of 0.015 milligrams per liter (mg/L) for lead, the Maximum Contaminant Level Goal (MCLG), or the rule's basic requirements. The LCRMR included eight components, as listed below. The rule, which is effective on December 10, 2007, applies to community water systems and non-transient non-community water systems.

- Clarification of the Minimum Number of Samples Required: While the proposed revisions maintained that five samples per monitoring period is the minimum number of samples required for systems serving 100 people or fewer, the final revisions included a provision that allows water systems with fewer than five taps for human consumption to collect one sample per tap.
- Definitions for Compliance and Monitoring Periods: The term "compliance period" has been clarified as a three-year calendar period within a nine-year compliance cycle, and the term "monitoring period" has been clarified as the specific period in which systems must conduct monitoring (e.g. June – September).
- Reduced Monitoring Criteria: The LCRMR includes a revision that will disallow water systems that exceed the lead action level from initiating or remaining on a reduced lead and copper monitoring schedule based solely on the results of their water quality parameter monitoring. The Environmental Protection Agency (EPA) is making this change because it believes that reduced monitoring should only be permitted where it has been demonstrated that corrosion control treatment is both effective and reliable. Compliance with water quality parameters alone may not always indicate that corrosion control is effective.
- Advanced Notification and Approval Requirements for Water Systems that Intend to Make Any Long-Term Change in Water Treatment or Add a New Source of Water: The LCRMR requires water systems to obtain prior approval by the primacy agency to add a new source of water or make any long-term change in water treatment process prior to implementation. The regulatory language allows as much time as needed for water systems and respective primacy agencies to consult before making these changes.
- Notification Requirement: The EPA has added a new notification requirement to the LCR for water systems to provide testing results to consumers who

(continued on back)

## Chemical Security Survey Being Conducted

Members of Congress are contemplating new legislation to regulate protection of hazardous chemicals at drinking water and wastewater facilities or to mandate that utilities adopt non-chlorine gas treatment technologies. To advocate the position of choice for local utilities, the American Water Works Association (AWWA), along with several other water sector associations, is conducting a survey regarding the type of practices and measures that have been implemented to mitigate the potential misuse of hazardous materials.

AWWA has argued that local utilities are best suited to decide how to treat water, but without data to demonstrate the industry's record, this position is difficult to defend.

The survey can be found at <http://www.surveymonkey.com/s.aspx?sm=GQqZmEbKHX8AaPG2fXJI2fcA3d3d>. AWWA is encouraging all of its utility members to complete this survey. ■

## (Lead and Copper Rule Revisions from first page)

occupy homes or buildings that are part of the utility's monitoring program. EPA also added a reporting requirement for systems to certify they have completed this new consumer notification requirement.

- **Public Education Requirements:** The LCRMR includes a provision that water systems must submit public education language for primacy agency review and approval at the option of the primacy agency. Generally, EPA is retaining the delivery requirements as proposed, but has made modifications to address challenges with water system jurisdiction and delivery of materials. EPA is requiring that all systems have a simple informational statement about lead in their Consumer Confidence Report because the actual level of lead exposure for drinking water varies between individual homes and levels detected by the system for compliance. Therefore, the report would not necessarily reflect the risk faced by consumers. EPA also realizes there are situations where the most vulnerable populations may be exposed to elevated levels of lead for many months before being notified. Additionally, the informational sheet simplifies compliance tracking and enforcement of this requirement.
- **Reevaluation of Lead Service Lines Deemed Replaced Through Testing:** EPA is requiring water systems to reevaluate lead service lines classified as "replaced through testing" if they resume lead service line replacement programs. This will only apply to a system that had (1) initiated a lead service line replacement program, then (2) discontinued the program, and then (3) subsequently resumed the program. When resuming the program, the system will have to reconsider for replacement any lead service lines previously deemed replaced. The maximum replacement schedule of 15 years still applies.

For more information on the LCRMR, visit <http://www.epa.gov/safewater/lcrmr/#2007>. ■

TEMP--RETURN SERVICE REQUESTED

**PRESORTED**  
First Class Mail  
U.S. Postage PAID  
Graton, ND 58237  
Permit No. 13

Offices in:  
Grand Forks, ND  
Bismarck, ND  
Williston, ND  
Fargo, ND  
Moorhead, MN  
Brainerd, MN  
Minneapolis, MN  
[www.ae2s.com](http://www.ae2s.com)

Advanced Engineering and Environmental Services, Inc. (AE2S)  
2016 Washington Street South  
Grand Forks, ND 58201