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**WORKING GROUP ON THE PUBLIC EDUCATION REQUIREMENTS OF
THE LEAD AND COPPER RULE**

**RECOMMENDATIONS TO THE
NATIONAL DRINKING WATER ADVISORY COUNCIL**

MAY 2006

1 **Working Group on Public Education (WGPE) Recommendations to the**
2 **National Drinking Water Advisory Council (NDWAC)**

3
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Section 1. Executive Summary

The Lead and Copper Rule (LCR) requires systems that exceed the action level to complete a number of steps, which include delivering public education to alert the public of the exceedance and provide information on steps customers can take to reduce their risk. To ensure that at-risk populations are receiving the necessary information to protect themselves from exposure to lead, EPA is reviewing the public education requirements of the LCR.

To support their work on revisions to public education requirements of the LCR, EPA sought to establish an advisory group under the National Drinking Water Advisory Council (NDWAC). On June 1, 2005, the NDWAC voted on and approved the formation of a Working Group (WGPE) to provide recommendations on the Public Education Requirements of the Lead and Copper Rule. EPA selected 16 members to represent small, medium, and large utilities; consumers; regulators; public health, and risk communication experts. Three full members of the NDWAC joined the WGPE to facilitate the flow of information between the two groups.

WGPE members agreed to consider the mandatory public education language under the LCR, and, as time and resources permitted, risk communication issues more broadly. The WGPE agreed to operate by consensus, which was defined as “all can live with the recommendation.” Members met in plenary four times in Washington, DC: October 5-6, 2005; December 15-16, 2005; February 1-2, 2006; and April 19-20, 2006. Members also participated in numerous phone calls to advance draft documents. The WGPE was supported by a team of EPA staff and RESOLVE facilitators. All work group meetings were open to the public.

The WGPE’s recommendations differ in a number of ways from current LCR public education requirements. The WGPE proposes:

- Changing the mandatory content of written public education materials, delivery requirements, and timing for systems to complete all required activities after a lead action level exceedance;
- Giving water systems more flexibility in the language or content of written materials, so they may tailor the public education message to their community and situation;
- Changing delivery requirements in a number of ways to better reach at-risk populations, such as requiring water systems to send written materials to additional community organizations;
- Requiring systems to do several additional public education activities but allowing them to pick from a list of activities in order to do what is most effective for their community;
- Requiring systems to maintain communication with consumers throughout the lead action level exceedance by including information with every water bill, providing two press releases a year, and for larger systems, including information on their Web site;
- Allowing primacy agencies to give water systems more time to complete the additional activities and deliver lead education information with water bills, if requested in advance;
- Using the Public Notification Rule (PNR) as a model of required language, required topics, and templates; and
- Changing the Consumer Confidence Report (CCR) requirements to ensure consumers are aware of concerns about lead in drinking water.

Given the substantial benefit to improving lead education, the WGPE urges EPA and primacy

1 agencies to adopt these revisions to the public education requirements as soon as feasible. The
2 WGPE also urges EPA and primacy agencies to use administrative flexibility to allow utilities
3 the option of using the new materials even before the effective date of the regulation.
4

Section 2. Introduction

2.1 Convening and Membership of the WGPE

The Lead and Copper Rule (LCR) requires systems that exceed the lead action level to complete a number of steps, which include delivering public education to alert the public of the lead exceedance and provide information on steps customers can take to reduce their risk. To ensure that at-risk populations are receiving the necessary information to protect themselves from exposure to lead in drinking water, EPA is reviewing the public education requirements of the LCR. (For more on EPA's short-term revisions, please see section 3.2.1.)

To support their work on revisions to the public education requirements of the LCR, EPA sought to establish an advisory group under the National Drinking Water Advisory Council (NDWAC). The NDWAC was established under the Safe Drinking Water Act, as amended (42 U.S.C. 300f et seq.), and provides practical and independent advice, consultation, and recommendations to the Agency on the activities, functions, and policies related to the implementation of the Safe Drinking Water Act. On June 1, 2005, the NDWAC voted on and approved the formation of a Working Group on Public Education (WGPE) to provide recommendations on the Public Education Requirements of the Lead and Copper Rule.

EPA issued a request for nominations for working group members on July 22, 2005. WGPE members were selected based on the expertise and experience needed to provide balanced advice to the NDWAC, and hence to EPA, on issues related to public education under the LCR as well as risk communication in general. Individuals were chosen to represent small, medium, and large utilities; consumers; regulators; public health; and risk communication experts. Three WGPE members are full members of the NDWAC in order to facilitate the flow of information between the two groups.¹

Membership of the work group is as follows:

Brenda Afzal, Community Health Specialist, University of Maryland School of Nursing,
Baltimore, MD

Yone Akagi, Regulatory Compliance Supervisor, Portland Water Bureau, Portland, OR

Jeanne Bailey, Public Affairs Officer, Fairfax Water, Fairfax, VA

Ron Bergman, Chief, Drinking Water Protection Branch, Office of Ground Water and Drinking
Water, US EPA, Washington, DC

Steve Drda, Lead and Copper Rule Manager, Public Drinking Water Program, Nebraska
Department of Health and Human Services, Lincoln, NE

Stephen Estes-Smargiassi, Director of Planning, Massachusetts Water Resources Authority,
Boston, MA

Gregg L. Grunenfelder (NDWAC member), Assistant Secretary, Division of Environmental
Health, Washington State Department of Health, Olympia, WA

¹ A fourth WGPE member, Lynn Thorp, was also a NDWAC member at the start of the WGPE process; she has since completed her term.

- 1 Ed Hallock, Program Administrator, Delaware Office of Drinking Water, Dover, DE
- 2 Linda Caleb Hazel, Consumer and Educator, Jamaica, NY
- 3 Kathy Moriarty, Assistant General Manager, Bangor Water District, Bangor, ME
- 4 Shelley Nolan, Water Training Specialist, Montana Rural Water, Havre, MT
- 5 Lisa Ragain, Research Associate, Department of Environmental and Occupational Health,
6 School of Public Health and Health Services, George Washington University, Portland, OR
- 7 Perialwar Regunathan (NDWAC member), Regunathan & Associates, Inc., Wheaton, IL
- 8 Blanca Surgeon (NDWAC member), Rural Development Specialist, Rural Community
9 Assistance Corporation, Santa Fe, NM
- 10 Lynn Thorp, National Programs Coordinator, Clean Water Fund, Washington, DC
- 11 Bob Vincent, Environmental Administrator, Bureau of Water Programs, Florida Department of
12 Health, Tallahassee, FL

13

14 **2.2 WGPE Charge**

15 The charge for the WGPE is to (1) Review the current public education requirements on lead in
16 drinking water to find and define the need for improvements and make recommendations to the
17 full NDWAC accordingly; (2) develop language for communicating the risk of lead in drinking
18 water and a suggested response to the public; and (3) define the delivery means to the public.
19 The NDWAC established a target date of May 2006 to complete these tasks.

20

21 The WGPE members agreed with this charge and further defined their goals by agreeing on the
22 following mission to guide their work on drafting recommendations:

23

24 The Lead and Copper Working Group on Public Education (WGPE) will consider the
25 mandatory public education program under the Lead and Copper Rule (LCR), and, as
26 time and resources permit, risk communication issues more broadly. The short-term
27 goal of the group is to develop recommendations to revise the mandatory public
28 education program. This may include the development of recommendations on:
29 guiding principles for revising the program; required topics; mandatory and
30 recommended language; guidance; ways to communicate differential risk, including
31 exposure or vulnerabilities, posed by a lead Action Level Exceedance (ALE); and
32 effective ways to communicate with the consumer, including actions the consumer
33 can take to reduce potential exposure and/or risk.

34

35 As time and resources allow, the group could also consider the broader issue of how
36 to communicate health risks to the public. The working group may suggest products
37 which could help utilities communicate with the public, areas for additional research
38 or guidance, or ways to deliver complicated health information in an easy to
39 understand message that will motivate individuals to act to reduce their risk. Upon
40 completion of its review, the Working Group will develop a written recommendation
41 to the NDWAC.

42

43 **2.3 Summary of the WGPE Deliberation Process**

44 WGPE members met in plenary four times in Washington, DC: October 5-6, 2005; December
45 15-16, 2005; February 1-2, 2006; and April 19-20, 2006. Members also participated in numerous
46 conference calls to advance draft documents. The WGPE was supported by a team of EPA staff
47 and RESOLVE facilitators. All work group meetings were open to the public.

1
2 The WGPE agreed to operate by consensus, which was defined as “all can live with the
3 recommendation.” Preliminary WGPE drafts were drafted by individuals or small groups and
4 reviewed by phone or in-person at meetings. Agreement on final products, however, required
5 consensus of all members.

6
7 After the WGPE completed its charge and reached full consensus on its final report, the group
8 made recommendations to the full NDWAC.

Section 3. Importance of Public Education on Lead in Drinking Water

3.1 Background on Lead Exposure

Human exposure to lead has long been an important public health issue. The 1991 Lead and Copper Rule (LCR) is intended to reduce health risks associated with potential exposure to lead in drinking water. Exposure to lead may cause neurological impairment, altered physical development and blood chemistry, and adverse effects on the cardiovascular system. According to health experts, exposure to even small amounts of lead poses a potentially significant health risk, especially in infants and young children. For infants and children, exposure to high levels of lead in drinking water can result in delays in physical or mental development. Although the main sources of exposure to lead are ingesting paint chips and lead-contaminated dust, EPA estimates that 10 to 20 % of human exposure to lead may come from lead in drinking water. Infants who consume mostly formula mixed with tap water can receive 40 to 60 % of their exposure to lead from drinking water.

To regulate lead in drinking water, EPA established a public health goal (known as a MCLG or Maximum Contaminant Level Goal) for lead of zero. In setting enforceable standards (known as MCL or Maximum Contaminant Levels), the agency must also consider economics and available technology. Lead presents an additional regulatory challenge because its source is frequently from home plumbing, which a water system does not control. Further, while some contaminants like arsenic have predictive models on exposure and the lifetime risk of cancer, comparable risk assessment evaluations are not available for lead.

Thus, rather than setting a maximum contaminant level (MCL) for lead, EPA instituted an action level. The action level approach was chosen because water systems do not control many of the sources of lead. Understanding that zero is the public health goal, EPA sought to identify an effective treatment technique and a treatment level at which as much lead as possible could be kept out of drinking water, while also making the program feasible and cost-effective for water systems nationwide. As with all standards setting, EPA had to estimate the cost of the regulation at a particular level and justify the cost of contaminant reduction at that level.

To establish the action level, EPA reviewed information from representative water systems, efficacy of different treatment technologies, and cost effectiveness of these technologies.² EPA identified the action level of 15 µg/L because they expected this was a standard that water systems should be able to maintain through an effective corrosion control program.

As of January 1997, all large systems (serving over 50,000 consumers) must have installed state-approved optimal corrosion control treatment (CCT). EPA also requires monitoring to ensure that the treatment technique is effectively implemented. If more than 10% of household tap samples exceed 15 µg/L, different actions are triggered, depending on the size of the water system. In small systems, an exceedance triggers a requirement for installation of optimized

² EPA gathered data from 39 medium-sized water systems. Approximately 96% of these systems were able to keep in the 90th percentile in the range of 10-20 µg/L. Thus, EPA concluded that 15 µg/L represented the feasible level for public water systems.

1 CCT, and perhaps additional steps. Large systems must optimize CCT and take other steps such
2 as replacement of lead service lines.

3
4 In addition to these steps aimed at reducing the corrosivity of water that reaches household taps,
5 exceeding the action level triggers a public education requirement. Public education on lead in
6 drinking water is important because its source is on both sides of the consumer-utility interface.
7 If CCT does not reduce lead levels below the action level, consumers may need to flush and/or
8 filter their water and take other steps to reduce their exposure.

9
10 Public education is an essential part of the LCR because when the water system is not able to
11 prevent all lead from entering drinking water, the consumer can act to reduce exposure. The
12 Public Education (PE) program under the LCR is vital in protecting consumers from exposure to
13 lead in their drinking water.

14 15 **3.2 Background on the Lead and Copper Rule Public Education Requirements**

16 **3.2.1 EPA's Short-Term Revisions of the LCR**

17 The purpose of the Lead and Copper Rule (LCR) is to reduce potential health risks associated
18 with lead by protecting populations from exposure to lead in drinking water. Recent high
19 profile reports of elevated drinking water lead levels in the District of Columbia prompted
20 EPA to initiate a comprehensive national review of the LCR to evaluate the implementation
21 and effectiveness of the rule. The purpose of the review was to ascertain

- 22 • whether elevated drinking water lead levels were a national problem;
- 23 • if a large percentage of the population received water that exceeded the lead action
24 level;
- 25 • if a significant number of systems failed to meet the action level;
- 26 • how well the existing LCR worked to reduce drinking water lead levels; and
- 27 • if the rule is currently being effectively implemented, especially with respect to
28 monitoring and public education requirements.

29
30 EPA's comprehensive review consisted of several elements, including a series of workshops
31 designed to solicit issues, comments, and suggestions from stakeholders on particular issues;
32 a review of data to evaluate the effectiveness of the LCR; and a review of the LCR
33 implementation by States and water utilities. As a result of this multi-part review, EPA
34 identified seven targeted rule changes intended to strengthen the implementation of the LCR
35 in the areas of monitoring, customer awareness, and lead service line replacement in the
36 short-term. Some of the regulatory changes identified in EPA's review are meant to clarify
37 provisions that have generated some confusion on the part of water utilities, while other
38 provisions reconsider LCR requirements in light of the recent experiences in the District of
39 Columbia. The short-term changes will be proposed in 2006 and are expected to provide
40 more effective protection of public health through the reduction in lead exposure.

41
42 In its review of the LCR, EPA also identified several regulatory changes that will be
43 considered as part of more comprehensive changes to the LCR. These considerations are
44 longer-term as they require additional data collection, research, analysis, and stakeholder
45 involvement to support decisions. The working group believes that the short-term revisions

1 represent an appropriate and timely vehicle for EPA to implement the public education
2 recommendations of the WGPE.
3

4 **3.2.2 EPA's Decision to Modify Public Education Requirements**

5 When conducting the national review of the LCR, EPA heard from a variety of stakeholders
6 that the public education requirements of the rule were not as effective as needed. Specific
7 observations were that the PE program is difficult to implement, includes language that is
8 confusing to the public, and uses delivery methods that may not reach all consumers,
9 especially at-risk populations. Many stakeholders felt EPA needed to make improvements to
10 the public education program to ensure the public is informed, empowered and motivated to
11 act to reduce their exposure to lead in drinking water. While different parties all agreed that
12 the public education requirements should be updated, they did not agree on how to
13 accomplish this change. The NDWAC created a working group to assist EPA and make
14 recommendations about how to improve public education to ensure consumers have the
15 information required to limit their exposure to lead in drinking water. The WGPE believes
16 that its recommendations can and should be implemented as soon as feasible.

Section 4: WGPE Recommendations

4.1 Principles of Successful Public Education Programs, Regulations, and Guidance

In addressing environmental factors which may pose a risk to people's health there is a growing expectation from the public that information is shared in a timely and effective way. This allows people to make personal decisions to minimize risks while the issues are being considered and addressed in a comprehensive way by the responsible public and private entities involved.

Contaminants like lead present particular challenges in communicating health information in a clear and understandable manner. Lead exposures can come from multiple sources and may cause a broad range of health effects, sometimes taking years to manifest themselves. In addition, lead levels vary so that water system monitoring may not be representative of the lead levels for all consumers. More importantly, the relative contribution and health impacts of lead from drinking water vary with an individual's age, water consumption habits, and other individual circumstances.

Today, we recognize that effectively communicating health risk information goes well beyond the simple dissemination of data and fact sheets. Effectively communicating information to meet the growing expectations of the public requires clear, thoughtful, well formulated information to be delivered in a manner that meets the needs of our diverse communities. These efforts should not only address our critical health protection goals, but will also have a significant influence on the public's trust and confidence in the entities involved. Education of the public on all the risks of lead is a multi-entity responsibility with specific roles for federal, state, and local health organizations. However, water systems can and should play an important role in that comprehensive effort. The WGPE identified the following key principles the Group felt water utilities should use in all lead public education efforts. EPA should also use these principles in considering and developing modifications in the requirements and guidelines for the lead education component of the Lead and Copper Rule. Additionally, these principles could apply to other public education initiatives.

A public education program on lead in drinking water is successful if the message:

1. Is timely.
2. Is concise and clear.
3. Meets the communication needs of diverse populations.
4. Is compelling and encourages the public to take action to reduce exposure.
5. Communicates risk from all sources and methods of exposure, while focused on drinking water.
6. Is effective and revised based on evaluation.

Public Education requirements and guidance should:

7. Direct and assist the utility to accomplish 1-6 above.
8. Provide flexibility for local situations—not all information has to be in every communication piece.
9. Equip utilities with tools they need to communicate to consumers.
10. Equip utilities with tools to explain the difference between the action level and health risk level.

1 11. Consider different sizes and types of systems.

2 12. Offer multiple communication methods.

4 **4.2 Expedited Implementation of Public Education Requirements**

5 Given the substantial benefit to improving lead education, WGPE urges EPA and primacy
6 agencies to adopt these revisions to the public education requirements as soon as feasible. The
7 WGPE also urges EPA and primacy agencies to use administrative flexibility to allow utilities
8 the option of using the new materials even before the effective date of the regulation.

9 10 **4.3 Recommended Changes to the LCR: Mandatory and Suggested Language, Utility** 11 **Instructions, and Delivery Methods for Public Education Materials**

12 The WGPE recommends altering the current required language in the Lead and Copper Rule and
13 giving utilities suggested language for completing their public education materials. They
14 recommend that EPA create a set of Utility Instructions, to include mandatory and recommended
15 language, delivery methods, and other suggestions for utilities to carry out their public education
16 programs.

17
18 The WGPE has developed these recommendations in a template format. Please see Attachment
19 A for Utility Instructions developed by the WGPE, including recommendations on new
20 mandatory language and delivery methods.

21 22 **4.4 Recommendations to Encourage Continuous Public Education on Lead in Drinking** 23 **Water, Including CCR Modifications**

24 Currently, public water systems engage in public education about lead under the Lead and
25 Copper Rule (LCR) and Consumer Confidence Report (CCR) rules. When 10% or more of
26 homes sampled for compliance exceed the action level, the LCR requires distribution of a
27 brochure on lead and other actions to increase consumer awareness. The CCR rule requires
28 communicating lead levels and sources of lead whenever lead is observed by the water system. It
29 also includes specific additional language when either 5 or 10% of compliance samples are
30 above the action level. The WGPE is concerned that these requirements do not assure that
31 consumers receive sufficient information and believes that consumers need to understand health
32 effects associated with lead, that lead levels can vary from home to home, that lead in drinking
33 water is primarily from home plumbing, that they can take steps to reduce their exposure, and
34 where they can go to get more information. This situation is unique to lead (and copper) among
35 contaminants regulated under the Safe Drinking Water Act in that the source of exposure is
36 primarily outside the control of the public water system. The WGPE recommends the following:

- 37 1. All PWS should be encouraged to voluntarily develop and implement a lead public
38 education program to inform their consumers of the risks lead poses, especially to
39 vulnerable populations and the potential actions that they can be take to reduce such
40 risks.
- 41 2. The CCR rule requirements be modified, as described in Attachment B: Information
42 Recommended for Inclusion in Consumer Confidence Report. The WGPE is
43 recommending modified language for those systems over the action level and for those

1 systems with over 5% of samples above the action level and new language for all other
2 systems detecting lead.

- 3
4 3. EPA should pursue enhanced public education efforts aimed at reducing exposure to lead
5 as described in the attached recommendations for Section 6 of the WGPE's report.
6

7 **4.5 LCR Guidance Recommendations**

8 The following suggestions provide recommendations and approaches for EPA to include in
9 guidance manuals. Some may also be appropriate for waterworks and professional associations
10 to act on.
11

12 **4.5.1 Language Bank**

13 One provision in the current LCR is that utilities must engage in public education and
14 notifications to populations that do not speak English as their primary language. This type of
15 information is crucial for reaching many of the most vulnerable populations. Public
16 education and notification in other languages needs to be addressed. EPA should develop and
17 support a bank of required and recommended templates in languages other than English.
18 Many utilities have developed language-specific materials, and EPA could facilitate the
19 collection and distribution of such materials. Utilities would have a substantial resource to
20 draw on for this effort. Additionally, EPA could work to expand this effort for required and
21 recommended language in other rules, such as the CCR and PNR.
22

23 **4.5.2 Unusual Circumstances**

24 The WGPE recognizes that there may be unusual circumstances which may require efforts
25 beyond or different than those normally mandated by the LCR PE requirements. The WGPE
26 recommends that EPA guidance to state primacy agencies explicitly provide sufficient
27 flexibility for states to address any unusual education challenges or circumstances particular
28 to individual water systems. This might include identifying appropriate steps to take when
29 lead action level exceedances result from numerous compliance monitoring samples
30 containing very high lead levels.
31

32 **4.5.3 Partnering with the Community**

33 Creating and sustaining collaborative partnerships in the community supports and promotes
34 utility public education efforts and notification approaches. Several examples of community
35 based lead educations programs exist. In addition, there is a large body of research and
36 recommendations for community partnering specific to the water industry. EPA, utilities,
37 professional organizations, public health agencies and primacy agencies should use these
38 tools to advance partnerships at the national, state and local level.
39

40 **4.5.4 Partnering with Public Health Officials**

41 Collaborating with public health officials is crucial to developing an effective public
42 education and notification effort. In addition to working with water-specific sections of the
43 state and local health agencies, working with maternal and child health, community health
44 and other sections of health agencies can assist in developing materials and outreach efforts

1 in consultation with specific populations. Additionally, working throughout many divisions
2 of a health agency can integrate lead and general drinking water concerns into a holistic
3 water education program. It also is essential to remember that public health extends beyond
4 agencies and into universities and community based organizations.
5

6 **4.5.5 Working with the Media**

7 Working with the media is essential to a successful public education and notification
8 program. Though press releases and notifications are mandatory, working beyond the
9 elementary steps enhances the effectiveness and value of a utilities effort. Attachment C
10 provides additional, utility's specific steps for working with the media.
11

12 **4.5.6 Special Resources for Small Systems and Others Responding to an Action Level** 13 **Exceedance**

14 The WGPE recommends the following items be included in EPA guidance in a prominent
15 location designated for small systems and in general guidance for all systems.
16

- 17 1. Checklist of required Public Education steps and deadlines.
- 18 2. Flow diagram showing sequence of necessary and optional decisions, steps, and
19 deadlines in preparing and executing a Public Education program. (See Attachment D
20 for a small systems example.)
- 21 3. Examples or templates of materials intended for specific Public Education purposes
22 (i.e. public service announcement scripts, letters to health care providers or public
23 health officials, ads for print media, etc.)
- 24 4. Question-and-Answer sheet of likely questions to be asked by water users, the media,
25 or general public to assist water system personnel in answering such questions. The
26 WGPE recommends that EPA develop a template addressing the following kinds of
27 questions:
 - 28 • Why is there lead in my drinking water?
 - 29 • What is the water system doing about it?
 - 30 • What can I do to make my water safe to drink?
 - 31 • What will lead do to me or my family?
 - 32 • Does boiling water remove lead?
 - 33 • If I boil water for making formula, will it increase or remove lead?
 - 34 • Why can't I use hot water from the tap for drinking, cooking, or making baby
35 formula?
 - 36 • Will my filter remove lead?
 - 37 • My neighbors got their water tested and found lead. Is my water safe/are my
38 test results accurate?
 - 39 • Can I get my water tested for lead?
 - 40 • Where can I get more information on lead?
 - 41 • What do you mean when you say the Action Level has been exceeded?
 - 42 • Is there anything else I can do beyond flushing my tap or buying bottled
43 water?

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5. Advice to water system operator to immediately inform the water system’s decision-making authority (Board, Mayor, Owner, etc.) of the situation and requirements for Public Education.
 6. Advice to the water system to designate a specific contact person to answer questions resulting from the lead exceedance and public education efforts.
 7. Advice to the water system to disseminate follow-up information to the public when the system returns to compliance.

4.5.7 Communication During Lead Service Line Replacement Programs

Lead service line replacement can be the most visible portion of a lead abatement program. This portion of a lead reduction program provides an opportunity to educate consumers. The WGPE recommends that EPA develop guidance to utilities on enhancing communication efforts specifically tailored to lead service line replacement. Utilities may want to consider training field personnel on working with customers.

Section 5: Overview of Recommendations and How They Differ from Current Requirements

The public education requirements the WGPE is recommending differ in a number of ways from the current requirements of the LCR. The recommendations still require water systems to complete the public education requirement after a lead action level exceedance but change the mandatory content of written materials, delivery requirements, and timing of when systems must complete all required activities. They also change the requirements for the language or content of written materials, giving water systems more flexibility to tailor the public education message to their community and situation. In addition, the recommendations change the delivery requirements in a number of ways. Water systems will be required to send written materials to additional organizations in an attempt to better reach at-risk populations. The recommendations also require the systems to do several additional activities but allow them to pick from a list of activities in order to do what is most effective for their community. The WGPE proposes to require water systems maintain communication with consumers throughout the lead action level exceedance by including information with every water bill, providing two press releases a year, and for larger systems, including information on their Web site. WGPE recommendations allow primacy agencies to give water systems more time to complete the additional activities and deliver lead education information with water bills. Finally, the WGPE proposes to include changes to the Consumer Confidence Report to ensure consumers are aware of concerns about lead in drinking water.

5.1 Changes to the Mandatory Text of the Written Materials

The recommendations require that systems continue to deliver written materials to all customers as well as a number of key organizations. However, WGPE is proposing to change the content of the required written materials. Currently, §141.85 requires written materials to include mandatory language consisting of over 1,800 words describing health effects, lead in drinking water, steps to reduce exposure, and how to obtain additional information. Under the recommendations, the mandatory language would be much shorter and easier to understand. The mandatory language would address essential topics such as the opening statement and health effects language. Community Water Systems and Non-Transient Non-Community Water Systems would still be required to provide information on other topics, but the system may either use suggested language or their own words to explain these topics. The WGPE recognizes that small systems do not have the resources to create their own language for the required topics, so they suggest EPA provide language in guidance that systems can use to explain all of the required topics in the regulation. The WGPE used the Public Notification Rule as a model of the use of required language, required topics, and templates.

5.2 Changes to Reach At-risk Populations

The WGPE recommends adding organizations to the list of recipients of the public education materials in order to increase the likelihood that the most vulnerable populations will receive the information they need to reduce their exposure to lead in drinking water. The WGPE proposes to add licensed childcare centers, preschools, Obstetricians-Gynecologists and Midwives to the current list of organizations that a system must deliver information. In addition, WGPE is proposing a new requirement that systems include a cover letter with the printed materials that

1 they send to these organizations to explain the importance of sharing this information with their
 2 customers/patients. This recommendation is designed to help ensure that the information reaches
 3 non-bill paying customers.

4
 5 While it is important for this information to get to all of these organizations, WGPE believes that
 6 the local health agencies play an important role in making sure consumers who are most
 7 vulnerable receive the information they need to reduce their exposure to lead in drinking water.
 8 In order to make sure the local health agencies know about the lead action level exceedance,
 9 WGPE suggests requiring that systems directly contact (e.g., phone, in person, etc.) the local
 10 health agency rather than simply delivering brochures to this organization. By directly contacting
 11 the local health agency, utilities can enlist the health agency’s support in disseminating
 12 information on lead in drinking water and the steps that vulnerable populations can take to
 13 reduce their exposure.

14
 15 In addition to using organizations to disseminate information to at-risk populations, WGPE is
 16 also proposing that systems complete additional activities from a list of options. System, state,
 17 and consumer representatives on the WGPE all agreed that what works in one community does
 18 not always work best in another community. In order to make the public education as effective as
 19 possible, WGPE proposes giving systems some flexibility in how they deliver their public
 20 education materials. The list of additional activities that systems can choose from includes:

21

Categories	Example Activities
Public Service Announcements	Radio and Television PSAs
Paid Advertisements	Newspaper, transit, or movie theater ads
Display Information in Public Areas	Community and health centers Local sporting events Grocery store Laundromat bulletin boards Libraries Faith-based organizations
Internet	Community listservs Utility Website (if serving <100,000) Post on local government websites Fax network
Public Meetings	Town hall meetings PTA meetings
Delivery to Every Household	Doorknob hangers, mailing to all consumers
Individual Contact with Customers (targeted contact)	Phone trees Calls to individual consumers/households Targeted Mailing to at-risk populations
Provide Materials Directly to Multi-family Homes	
Other Methods Approved by the Primacy Agency	

22

1 The recommendations require that systems serving 3,300 people or above be required to do three
2 additional public education activities from one, two, or three of these general categories. Systems
3 serving 3,300 or fewer individuals must do one additional activity from this list.
4

5 **5.3 Changes to Help Systems Maintain Communication with Consumers throughout the** 6 **Exceedance**

7 In order to ensure continued contact with consumers, WGPE suggests requiring systems include
8 information in or on the water bill as long as there is an exceedance of the lead action level.
9 WGPE recognizes that this requirement can be difficult for some systems that are unable to print
10 messages on their bills, so there is a provision to allow systems to work with their primacy
11 agency to deliver this information in a different way.
12

13 Another way that WGPE's recommendations encourage continuous communication with
14 consumers is by requiring systems with a population greater than 100,000 to put the public
15 education information on their Web site until the system tests below the lead action level.
16

17 Currently, systems that exceed the lead action level must issue a press release. WGPE suggests
18 requiring systems distribute two press releases per year in order to ensure systems are
19 maintaining communication with their customers. The systems must send the press releases to
20 the major newspapers and TV and radio stations which serve the population served by the water
21 system. This is another way to reach consumers who do not receive water bills. In response to
22 concerns about small systems' ability to complete this requirement, primacy agencies can waive
23 the press release requirement if there are no media outlets that serve the population served by the
24 system. In addition, WGPE suggests moving the requirement for medium and large systems to
25 provide two Public Service Announcements (PSA) per year to the list of additional outreach
26 activities.
27

28 **5.4 Changes to the Required Timing of Completion of Public Education Requirements**

29 While WGPE recommendations would still require systems to complete most of their public
30 education in 60 days, there is increased flexibility for the primacy agency to allow longer periods
31 of time for completion of the lead education statement printed on or with water bills and the
32 additional activities from the list of options. This ensures systems choose the most effective
33 public education program rather than the fastest.
34

35 **5.5 Changes to Consumer Confidence Reports**

36 The WGPE suggests modifications to the CCR rule to address two concerns: that lead exposures
37 may be taking place even though the action level is not exceeded and that consumers are not
38 getting sufficient information. Under current regulations, systems must include information on
39 lead levels and sources of lead whenever lead is observed. Specific additional language is
40 required in the case of an exceedance and when 5% of compliance samples are above the action
41 level.
42

43 The WGPE developed a new informational statement for the CCR for use in two conditions:

- 44 1) Systems that Exceed the Action Level (10% or More of Compliance Monitoring
- 45 Samples Above Action Level of 15 ppb).

1 2) Systems that don't exceed the Action Level but have Any Observed Compliance
2 Monitoring Samples above the Detection Level (1 ppb)

3
4 The newly developed language is intended to help consumers understand the health effects
5 associated with lead, that lead levels can vary from home to home, that lead in drinking water is
6 primarily from home plumbing, that they can take steps to reduce their exposure, and where to
7 get more information.

8
9

Section 6: WGPE Recommendations on Related Issues

Below are recommendations on topics the WGPE feels to be important to public education efforts but which are not within the Lead and Copper Rule public education regulations (Section 141.85) or guidance.

6.1 Ongoing Public Education Efforts

Human exposure to lead has long been an important public health issue and has been associated with a wide range of health effects as described earlier in this report. Significant progress has been made over the past several years in reducing exposures to lead through actions such as banning the production and use of leaded gasoline and lead based paint, as well as implementation of the Lead and Copper Rule to reduce exposures to lead from drinking water. The WGPE believes the recommendations to enhance the Lead and Copper Rule requirements contained in this report will further the progress to reduce human exposures to lead.

In addition to the recommended Lead and Copper Rule enhancements described in this report, the WGPE recommends that additional efforts, as described below, be taken to provide broad public information on lead, the sources of lead, and steps people can take to further reduce their exposures to lead. By implementing these recommended efforts, the WGPE believes we can continue the trend to reduce the adverse health effects of lead in this country.

1) The WGPE recommends that EPA collaboratively work with Centers for Disease Control (CDC) to enhance public education efforts on the health hazards of lead and the steps the public can take to limit their exposures to all sources of lead. EPA and CDC should work together to encourage health agencies – principally through the Association of State and Territorial Health Officials and the National Association of County and City Health Officials - to continue to emphasize and reinvigorate as necessary their overall lead education programs and to ensure that the potential exposure from lead in drinking water is an appropriate and integral component of their efforts.

2) The WGPE recommends that EPA and Primacy Agencies encourage water utilities to collaborate with their local health jurisdictions in appropriate broad lead education efforts focusing on all exposure routes, even when lead levels in drinking water are below the current Action Level as defined in the federal Lead and Copper Rule.

3) The WGPE recommends that EPA develop a model public education insert for potential inclusion with water utility billing statements that provides basic information on health risks associated with lead and how consumers can best minimize their exposure to all sources of lead. This model insert should be appropriate for use by water utilities when no exceedance of the current Action Level for lead in drinking water has occurred.

6.2 Providing Sample Results

The WGPE supports EPA's proposed regulatory change to require that utilities provide

1 consumers with the results of any regulatory compliance samples taken in their homes in a
2 timely manner and at no cost. The WGPE encourages EPA to provide a template transmittal
3 letter to communicate results.

4 5 **6.3 Evaluating Public Education and Outreach Programs Beyond the LCR**

6 Public education and outreach is a major component of the Safe Drinking Water Act and is
7 practiced by many utilities in compliance efforts beyond the Lead and Copper Rule. Effective
8 public education is an important aspect of communication between utilities and consumers.
9 Conducting a public education and outreach program can be expensive and time consuming.
10 It is important that the utilities know the effectiveness of such programs. The WGPE
11 recommends that EPA develop a guidance document to help utilities measure and/or evaluate
12 the effectiveness of their public education and outreach programs.

13
14 A guidance document “Evaluating Public Education and Outreach Programs” should address
15 whether (see Section 4.1.2, Principles):

- 16 • information is clear, understandable, and timely
- 17 • the information reached the intended public
- 18 • information conveyed information adequately to the intended audience
- 19 • information was what the public wanted/needed
- 20 • the message had an effect on behavior

21 This guidance will assist utilities to effectively deliver messages to the public and track or
22 measure the effectiveness of their education and outreach efforts so they can focus their time
23 and resources in the right approach. The information from evaluations conducted by different
24 utilities can be incorporated into future guidance documents such as updates to the LCR
25 Public Education Guidance.

26 27 **6.4 Lead in Plumbing Fixtures**

28 Under the provisions of the Safe Drinking Water Act, brass water service parts (meters,
29 valves, elbows, tail pieces, and other lead-containing plumbing components) are defined as
30 being “lead free” if they contain less than 8% lead. Likewise, end-use brass plumbing
31 fixtures such as faucets can contain up to 8% lead, so long as they meet certain NSF 61
32 standards.³ These fixtures containing lead can leach lead into the drinking water under certain
33 conditions. The WGPE recommends EPA pursue a more stringent definition and standard for
34 “lead free” (based on reexamination of both lead content of these materials and the protocols
35 for determining leaching potential) so that potential for exposures to lead in drinking water
36 can be minimized in the future. For steps in this direction the WGPE recommends:

- 37
38 • EPA publish a list of currently available low lead water service parts that utilities can
39 use to minimize potential exposures to lead [i.e. those fixtures containing no more

³ NSF Standard 61/ANSI Standard 61 - *Drinking Water System Components* establishes minimum requirements for the control of potential adverse human health effects from products that contact drinking water. NSF/ANSI Standard 61 includes criteria for testing and evaluating products to ensure they do not leach contaminants into the water that would be a health concern. See www.nsf.org for more information.

- 1 than 0.25% lead, or other fixtures that leach little lead (i.e. complying with the
2 California Safe Drinking Water and Toxic Enforcement Act of 1986, 25249.5)].
- 3 • EPA publish and maintain a list of end-use fixtures (e.g. faucets) that consumers can
4 reliably expect to minimize potential exposures to lead (i.e. these fixtures meet the
5 more stringent California Safe Drinking Water and Toxic Enforcement Act of 1986,
6 25249.5).
 - 7 • EPA prioritize research on low lead fixtures to address the following issues which are
8 currently perceived as potential barriers to the broader use of such fixtures:
 - 9 ○ Life cycle and manufacturing performance of new alternative materials
 - 10 ○ Performance, durability, and leaching results from any new alternative
11 materials
 - 12 ○ Potential health affects from alternative materials
 - 13 • EPA pursue stronger compliance to NSF 61 standard by requiring ALL products in
14 substantial contact with drinking water to meet a national standard relative to the
15 potential leaching of lead. Concurrently, EPA should explore, in consultation with
16 NSF and other stakeholders, whether or not revisions are needed to NSF 60/61, to
17 ensure that products perform adequately in a full range of actual drinking water
18 conditions. This is particularly important for fixtures likely to be used in schools and
19 child care facilities.
 - 20 • That unless and until there are national changes in the amount of lead allowed to be
21 present in or to be leaching from brass plumbing fixtures as discussed above, EPA
22 develop a national program, modeled on the Energy Star program, for low lead
23 fixtures. The program would develop a labeling brand for low lead fixtures, establish
24 criteria for low lead fixtures modeled after the California Safe Drinking Water and
25 Toxic Enforcement Act of 1986 or Lead Contamination Control Act-type standards,
26 and develop model memoranda of understanding for manufactures of common “end
27 use fixtures” (i.e. faucets, fountains etc) which would allow them to use the labeling
28 brand when producing products which meet the strictest standards for lead leaching.
29 Further, EPA should develop a national information campaign to be mounted in
30 cooperation with manufactures, health authorities and water systems to market the
31 low lead labeling brand and inform the public that there are fixtures available that
32 present a lower risk of exposing the consumer to lead in drinking water.

33
34

6.5 Lead Service Lines

35 Under the Lead and Copper Rule, water utilities may be required to replace lead service lines
36 if test results exceed the action level after installing corrosion control and/or source water
37 treatment. Many have questioned the effectiveness of lead service line replacement
38 programs, and there is little conclusive information on the extent to which replacing lead
39 service lines lowers lead levels at the tap. To further examine the issue, the WGPE supports

1 the recommendations made by the US Government Accountability Office as referenced
2 below:⁴

3
4 “USEPA collect and analyze data on the impact of lead service line
5 replacement on lead levels and conduct other research, as appropriate,
6 to assess the effectiveness of lead line replacement programs and
7 whether additional regulation or guidance may be warranted.”
8

9 **6.6 Health Effects Research**

10 EPA’s ongoing research and determination of health effects of lead in drinking water, which
11 would determine a health advisory (BOB and BRENDA), needs to be expedited to inform the
12 public education process and to answer baseline questions consistently raised by the public,
13 utilities, agencies, and health providers.
14

15 **6.7 Risk Communication**

16 The WGPE recommendations are based on the expertise of its members. As EPA develops
17 its lead public education program, the WGPE recommends that EPA use the existing and
18 developing risk communication literature and data to inform the program. Additionally,
19 evaluation of the Public Education program should use risk communication methodology to
20 determine the effectiveness of these recommendations. Further, the WGPE acknowledges
21 that additional research is needed to more effectively communicate.

22 As EPA conducts research, the WGPE recommends they consider the following:

23 *Peer-Reviewed Literature*

- 24 • Models of lead education and outreach efforts.
- 25 • Health education efforts on environmental issues, such as asthma, targeted to
26 similar populations.
- 27 • Environmental health evaluation methods in the peer-reviewed literature.
28

29 *Grey Literature*

30 Grey literature is the body of valuable materials not found in official peer-reviewed literature.
31 However, many of the organizations that produce these materials evaluate their effectiveness.
32 Banks of literature exist or are under development on some environmental health topics.
33

34 *Evaluation*

35 Drinking water communication efforts within many portions of the Safe Drinking Water Act
36 (SDWA) have not been formally evaluated. EPA should support a comprehensive evaluation
37 of PN/PE language and materials as new rules take effect. Information analyzed from the
38 literature reviews referenced above could then be incorporated to further inform guidance
39 and utility efforts. Materials should also be evaluated for literacy level.
40

⁴ “EPA Should Strengthen the Ongoing Efforts to Ensure that Consumers are Protected from Lead Contamination,” GAO, January 2006, GAO-06-148.

1 *Risk Perception/Risk Communication/Linguistics*

2 This type of research will provide information on specific vulnerable populations, their
3 practices and preferences. Methods for conducting this type of research include interviews,
4 focus groups and mental modeling. Linguistics has its own methodology for assessing
5 communication that would greatly enhance drinking water public education and notification
6 efforts.

7
8 *Case Studies*

9 Case studies are a useful tool for providing insight into the elements that make a particular
10 effort successful. For the water sector, the peer to peer aspect of a case study could assist in
11 incorporating successful elements of other utility education and outreach efforts. EPA should
12 develop case studies of utility efforts.

13
14 *Future Collaborations*

15 Using water sector and public health experience, as well as information from the literature
16 reviews and case studies, EPA should work with partners within the agency, the federal
17 sector, state and local agencies and public groups to identify collaborations for public
18 education.

1 **Attachment A. Draft Instructions for Utility Who Must Send Out Public Education After**
2 **Action Level Exceedance**

3
4 If you (the water system) have a Lead Action Level Exceedance, you must send out a notice to
5 your customers to inform them about the issue within 60 days of the exceedance. Below is an
6 explanation of exactly what must be in this notice, including delivery methods, mandatory topics,
7 and language. In addition to these instructions, attached is a template that includes all of the
8 mandatory topics and language. If you have any questions about what is required, please contact
9 your primacy agency.

10
11
12 **DELIVERY OF PUBLIC EDUCATION MATERIALS**

13
14 **Timing**

15 If a water system has a Lead Action Level Exceedance, they must complete the required methods
16 of delivery (listed below) to inform customers of the issue within 60 days of the exceedance.
17

18 In the case of a continued lead exceedance, a community water system shall repeat all required
19 tasks every 12 months. In addition, a community water system shall post material on a publicly
20 accessible internet site (if population is greater than 100,000) and provide information on or in
21 each water bill (items A.3 and A.5) so long as system exceeds the action level. The system must
22 also distribute press releases (item A.4) twice annually on a schedule agreed upon with the state
23 primacy agency.
24

25 **A. Required Methods of Delivery for CWSs**

- 26 1) Deliver required printed material, for example in a brochure, pamphlet, or other printed
27 format, to all bill paying customers.
28 2) Make good faith effort to reach all customers who are most at risk by making the
29 information in the brochure available to the list of prioritized
30 organizations/facilities/providers (*see next page for list*), along with a cover letter or
31 direct contact, explaining health risks and encouraging distribution
32 a. Directly contact local public health agency, as identified by primacy agency, by
33 phone or in-person.
34 b. CWS serving 3300 or fewer persons can limit distribution of printed materials to
35 the list of prioritized organizations/facilities/ providers served by the system that
36 are most likely to be visited regularly by pregnant women and children, unless it
37 is notified by the State in writing that it must make a broader distribution.
38 3) Post required public education material on publicly accessible internet site if system
39 serves a population >100,000.
40 4) Submit press release to newspaper, television, or radio stations with the largest audiences
41 that serve the community served by the water system. The Primacy Agency may waive
42 this requirement for systems serving 3300 or fewer persons as long as system distributes
43 notices to every household served by the system.
44
45

5) Provide information on or in each water bill as long as the system exceeds the AL for lead. *Message: [Insert name of water system] found high levels of lead in drinking water in some homes. Lead can cause serious health problems. For more information please call [water system] [or visit www.website].* Message or delivery mechanism can be modified in consultation with primacy agency.

6) CWS must undertake additional public education:

In addition to 1-5 above, systems that serve over 3,300 persons must implement at least **three** activities from one or more categories from the list below. In addition to 1-5 above, CWS serving 3,300 or fewer persons must implement at least **one** activity from the list below. All systems are encouraged to implement additional PE activities.

Categories	Example Activities
Public Service Announcements	Radio and Television PSAs
Paid Advertisements	Newspaper, transit, or movie theater ads
Display Information in Public Areas	Community and health centers Local sporting events Grocery store, Laundromat bulletin boards Libraries Faith-based organizations
Internet	Community listservs Utility Website (if serving <100,000) Post on local government websites Fax network
Public Meetings	Town hall meetings PTA meetings
Delivery to Every Household	Doorknob hangers, mailing to all consumers
Individual Contact with Customers (targeted contact)	Phone trees Calls to individual consumers/households Targeted Mailing to at-risk populations
Provide Materials Directly to Multi-family Homes	
Other Methods Approved by the Primacy Agency	

The primacy agency can allow activities in A.5 and A.6 to extend beyond the 60-day requirement if needed for implementation purposes; however, this extension must be approved in writing by the primacy agency in advance of the 60-day deadline.

B. Required Methods of Delivery for NTNCWSs

1) NTNCWSs must deliver the public education materials by posting informational posters on lead in drinking water in a public place or common area in each of the buildings served by the system; and distribute informational pamphlets and/or brochures on lead in drinking water to each person served by the non-transient non-community water system. The State may allow the systems to utilize electronic

1 transmission in lieu of /or combined with printed materials as long as it achieves at
2 least the same coverage.
3

4 **Organizations/Facilities/Providers for utilities to target to reach sensitive populations**

5 A water system with a lead action level exceedance is **REQUIRED** to deliver brochures and/or
6 posters to the local offices of the required list of organizations/facilities/providers. EPA suggests
7 that the water system also make the information available to these
8 organizations/facilities/providers in a poster format. In addition, EPA encourages water systems
9 to deliver brochures and/or posters to as many of the list of suggested
10 organizations/facilities/providers as possible.
11

12 **A. Required to Deliver Brochure to the Following Organizations/Facilities/Providers:**

- 13 ■ Local Public Health Agencies – MUST BE DIRECT CONTACT (phone calls, face-to-face,
14 etc). Local public health agencies may provide specific contact list of additional community
15 based organizations serving targeted populations.
- 16 ■ Public/private Schools or School Boards
- 17 ■ Licensed childcare centers
- 18 ■ Pre-schools: public and private
- 19 ■ WIC/Head Starts
- 20 ■ Public/Private Hospitals and clinics
- 21 ■ Pediatricians
- 22 ■ OBGYNs/ Midwives
- 23 ■ Family planning clinics
- 24 ■ Local welfare agencies

25
26 **B. Recommended to Deliver Brochure to the Following Organizations/Facilities/Providers**
27 **(for inclusion in guidance):**

- 28 ■ Groups which reach at risk populations – Women of child bearing age and children 6 and
29 under
 - 30 ○ Maternity Programs/ Birthing Classes
 - 31 ○ Teen parent programs
 - 32 ○ Parents and teacher organizations
 - 33 ○ Parent support organizations
 - 34 ○ Women’s shelters
 - 35 ○ Family Practice, General Physicians, and Nurse Practitioners
 - 36 ○ Institutes of higher education
 - 37 ○ Local nonprofit health groups
 - 38
39 ■ Groups which reach non-bill payers
 - 40 ○ Citizen Assistance offices in City/County buildings (lobby, brochure racks)
 - 41 ○ Health insurance providers
 - 42 ○ Postings in outlets accepting WIC and other government funding for goods and
43 services.
 - 44 ○ Low income/ HUD housing
 - 45 ○ Community Based Organizations (soup kitchens, faith-based groups, etc.)
- 46

1 Additional Notes to EPA:

2 Guidance should assist utilities to develop an integrated approach when developing a public
3 education program.

4 Wherever possible, EPA should provide a template (e.g., TV ad, etc) that can be adapted with
5 more specifics by utilities.

6
7 **CONTENT OF THE PUBLIC EDUCATION NOTICE**

8 **Your notice must include the topic areas in bold below.** *Anything in italics under each topic*
9 *area is required language* while anything in regular text must be covered but you may use either
10 EPA's suggested language or your own words to cover that subject. Please note that, in your
11 printed materials, EPA is not requiring the use of the italic font.

12
13 Your notice **MUST** begin with the following opening statement (though you have the option to
14 include a title of the pamphlet or brochure of your choosing):

15
16 ***IMPORTANT INFORMATION ABOUT LEAD IN YOUR DRINKING WATER***

17 *[Insert name of water system] found high levels of lead in drinking water in some homes. Lead*
18 *can cause serious health problems, especially for pregnant women and children 6 years and*
19 *under. Please read this notice closely to see what you can do to reduce lead in your drinking*
20 *water.*

21
22 **Required Topics (NOTE: All required topic section headers – in bold italic – are**
23 **mandatory.)**

24 1) Your notice must include the topic “**Health Effects of Lead**” and the exact wording in italics
25 below.

26
27 ***Health Effects of Lead***

28
29 **NOTE: The WGPE recommends “Health Effects of Lead” as a required topic, and that the**
30 **health effects language (to be drafted by EPA) be mandatory for this notice. The WGPE**
31 **was not able to review specific language drafted by EPA for this notice, nor did the group**
32 **draft its own consensus language. They encourage EPA to include language on vulnerable**
33 **populations (e.g. pregnant women, children 6 and under, and the elderly) in this language.**
34

35 2) You must include the topic “**Sources of Lead,**” and you must cover the following bullet
36 points under this topic. You may use the EPA suggested language below or modify it to meet
37 your local systems circumstances. For instance you do not have to mention lead service lines if
38 your water system does not have any in the distribution system.

39
40 ***Sources of Lead***

- 41
- 42 • What is lead?
 - 43 • How does lead enter the drinking water?
 - 44 • Where does the lead in drinking water come from? Include information on home
45 plumbing and service lines that may contain lead.
 - What are other important sources of lead in addition to drinking water?

1 Use of the EPA suggested language below would be responsive to the required topics on lead
2 sources. Below is an example integrating the answers to each of the four required topics listed
3 above.

4
5 Lead is a common metal found in the environment. Drinking water is one possible source of lead
6 exposure. The main sources of lead exposure are lead-based paint and lead-contaminated dust or
7 soil. However, lead can be in some soil, dust, and certain types of pottery, pewter, food, and
8 cosmetics. Other sources include exposure in the work place and exposure from certain hobbies
9 (lead can be carried on clothing or shoes).

10
11 [Utility should develop specific language describing condition of the community's source water
12 – e.g., “The source water from XX Reservoir does not contain lead” or “Smallville does not have
13 any lead in its sourcewater or water mains in the street.”] When water is in contact with pipes,
14 (refer to service lines), and plumbing containing lead for several hours, the lead may enter
15 drinking water. Homes built before 1986 are more likely to have plumbing containing lead. New
16 homes may also have lead: even “lead-free” plumbing may contain some lead.

17
18 EPA estimates that 10 to 20 percent of a person's potential exposure to lead may come from
19 drinking water. Infants who consume mostly formula mixed with lead-containing water can
20 receive 40 to 60 percent of their exposure to lead from drinking water.

21
22 Don't forget about other sources of lead such as lead paint, lead dust and lead in soil. Wash your
23 children's hands and toys often as they can come into contact with dirt and dust containing lead.

24
25
26 3) Your notice must include the topic “**Steps you can take to reduce your exposure to lead in**
27 **your water.**” You need to cover the bullet points below within this section. You can cover these
28 bullets using your own language or the EPA language suggested below.

29 30 **What should I do?**

31 ***Steps you can take to reduce your exposure to lead in your water***

32
33 You must include a recommendation on running the water to flush out the lead. EPA suggests
34 the following language:

- 35 • Run your water for 15-30 seconds or until it becomes cold or reaches a steady
36 temperature before using it for drinking or cooking, if it hasn't been used for several
37 hours. This flushes lead-containing water from the pipes.

38
39 A water system may include a different flushing time in the public education
40 notice if there is representative data that indicate a different flushing time would
41 better reduce lead exposure and the State approves the wording.

42
43 Also, your system may want to consider the weather conditions in your area and
44 whether or not the instruction to wait until the water is cold is appropriate for your
45 area. If it is too warm for water to turn cold, you may want to suggest a consumer
46 flush the water for 15-30 seconds or until it becomes a steady temperature.

1
2 You must explain concerns with using hot water and specifically caution against the use of hot
3 water for baby formula. EPA suggests the following language:

- 4 • Do not cook with or drink water from the hot water tap; lead dissolves more easily into
5 hot water.
- 6 • Do not use water from the hot water tap to make baby formula.

7
8 You must tell consumers that boiling water does not reduce lead levels. EPA suggests the
9 following language:

- 10 • Do not boil your water to remove lead. Boiling water will not reduce lead.

11
12 You must discuss other options consumers can take to reduce exposure to lead in drinking water,
13 such as alternative sources or treatment of water.

- 14 • You may want to consider purchasing bottled water or a water filter. Read the package to
15 be sure the filter is approved to reduce lead or contact NSF International at 1(800) NSF-
16 8010 or www.nsf.org for information on performance standards for water filters.

17
18 You must tell consumers how to get their water tested.

19 EPA suggests the following language:

- 20 • Call us at number below to find out how to get your water tested for lead.

21
22 You might want to have a separate brochure or info on your web site with
23 information on sampling tap water. Does your system provide this service for free
24 or at a cost? Which labs are certified and do lead testing in your area? Suggest
25 how the testing should be done to get accurate results.

- 26 • Learn about other ways to reduce your exposure – see contact information below.

27
28 You must discuss lead in plumbing fixtures. EPA suggests the following language:

- 29 • New brass faucets, fittings, and valves, including those advertised as “lead-free,” may
30 contribute lead to drinking water. The law currently allows end-use brass fixtures, such as
31 faucets, with up to 8% lead to be labeled as “lead free.” Consumers should be aware of
32 this when choosing fixtures and take appropriate precautions.

33
34 Note to NDWAC: While it would be valuable to have a requirement discussing this difference
35 between low lead and lead free, it is not possible at this point to provide specific recommended
36 language. We recommend that EPA develop guidelines to help consumers choose fixtures. (See
37 recommendations in Section 6.4, Lead in Plumbing Fixtures.)

38
39 4) In your notice, you must discuss why lead levels are high and **what is being done** to reduce
40 them. You should discuss each of the bulleted topics below if they apply to your system’s
41 circumstances.

42
43 ***What happened? What is being done?***

- 44 • Why are there high levels of lead in my drinking water (if known)?
- 45 • What are you (the water system) doing to reduce the lead levels in homes in this area?

- 1 • Does your system still have lead service lines? How can a consumer find out if their
- 2 home has one? Is there a program to replace it? Any special incentives?
- 3 • Your system may also want to provide information on the history of lead levels in tap
- 4 samples: have they declined substantially over time? Have they been low and risen
- 5 recently? Is there a known reason for any change?
- 6

7 5) Your notice must include utility contact information including a phone number and EPA
8 contact information in the mandatory language italicized below so a consumer can easily find
9 more information about lead in drinking water. In addition we recommend including the
10 system's website as well as the phone number and website for your primacy agency
11 (environmental or health department). If you have a local lead program, include their contact
12 information as well.

13
14 ***For more information***

- 15
- 16 • *Call us at [INSERT NUMBER,]. For more information on reducing lead exposure around*
- 17 *your home and the health effects of lead, visit EPA's website at www.epa.gov/lead, call*
- 18 *the National Lead Information Center at 1-800-424-LEAD, or contact your health care*
- 19 *provider.*
- 20

21 You must include the name of your system and the date that the info is being distributed, along
22 with the state water system ID, somewhere on the notice.

23 This notice is being sent to you by [system]. State Water System ID#: _____. Date
24 distributed:

25
26 To be added (as guidance):

27 Section on Suggested Layout of Brochure. One idea was that utilities use graphics which
28 reinforce the message to catch the attention of households with individuals particularly
29 vulnerable to lead, such as pregnant women, infants, children, or the elderly.

Attachment A. MINORITY REPORT

Note: Minority language is in red underlined, Arial text: page 5 (lines 38-39) and page 6 (lines 22-23)

If you (the water system) have a Lead Action Level Exceedance, you must send out a notice to your customers to inform them about the issue within 60 days of the exceedance. Below is an explanation of exactly what must be in this notice, including delivery methods, mandatory topics, and language. In addition to these instructions, attached is a template that includes all of the mandatory topics and language. If you have any questions about what is required, please contact your primacy agency.

DELIVERY OF PUBLIC EDUCATION MATERIALS

Timing

If a water system has a Lead Action Level Exceedance, they must complete the required methods of delivery (listed below) to inform customers of the issue within 60 days of the exceedance.

In the case of a continued lead exceedance, a community water system shall repeat all required tasks every 12 months. In addition, a community water system shall post material on a publicly accessible internet site (if population is greater than 100,000) and provide information on or in each water bill (items A.3 and A.5) so long as system exceeds the action level. The system must also distribute press releases (item A.4) twice annually on a schedule agreed upon with the state primacy agency.

A. Required Methods of Delivery for CWSs

- 1) Deliver required printed material, for example in a brochure, pamphlet, or other printed format, to all bill paying customers.
- 2) Make good faith effort to reach all customers who are most at risk by making the information in the brochure available to the list of prioritized organizations/facilities/providers (*see next page for list*), along with a cover letter or direct contact, explaining health risks and encouraging distribution
 - a. Directly contact local public health agency, as identified by primacy agency, by phone or in-person.
 - b. CWS serving 3300 or fewer persons can limit distribution of printed materials to the list of prioritized organizations/facilities/ providers served by the system that are most likely to be visited regularly by pregnant women and children, unless it is notified by the State in writing that it must make a broader distribution.
- 3) Post required public education material on publicly accessible internet site if system serves a population >100,000.
- 4) Submit press release to newspaper, television, or radio stations with the largest audiences that serve the community served by the water system. The Primacy Agency may waive this requirement for systems serving 3300 or fewer persons as long as system distributes notices to every household served by the system.

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5) Provide information on or in each water bill as long as the system exceeds the AL for lead. *Message: [Insert name of water system] found high levels of lead in drinking water in some homes. Lead can cause serious health problems. For more information please call [water system] [or visit www.website].* Message or delivery mechanism can be modified in consultation with primacy agency.

6) CWS must undertake additional public education:

In addition to 1-5 above, systems that serve over 3,300 persons must implement at least **three** activities from one or more categories from the list below. In addition to 1-5 above, CWS serving 3,300 or fewer persons must implement at least **one** activity from the list below. All systems are encouraged to implement additional PE activities.

Categories	Example Activities
Public Service Announcements	Radio and Television PSAs
Paid Advertisements	Newspaper, transit, or movie theater ads
Display Information in Public Areas	Community and health centers Local sporting events Grocery store, Laundromat bulletin boards Libraries Faith-based organizations
Internet	Community listservs Utility Website (if serving <100,000) Post on local government websites Fax network
Public Meetings	Town hall meetings PTA meetings
Delivery to Every Household	Doorknob hangers, mailing to all consumers
Individual Contact with Customers (targeted contact)	Phone trees Calls to individual consumers/households Targeted Mailing to at-risk populations
Provide Materials Directly to Multi-family Homes	
Other Methods Approved by the Primacy Agency	

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The primacy agency can allow activities in A.5 and A.6 to extend beyond the 60-day requirement if needed for implementation purposes; however, this extension must be approved in writing by the primacy agency in advance of the 60-day deadline.

B. Required Methods of Delivery for NTNCWSs

- 1) NTNCWSs must deliver the public education materials by posting informational posters on lead in drinking water in a public place or common area in each of the buildings served by the system; and distribute informational pamphlets and/or

1 brochures on lead in drinking water to each person served by the non-transient non-
2 community water system. The State may allow the systems to utilize electronic
3 transmission in lieu of /or combined with printed materials as long as it achieves at
4 least the same coverage.
5

6 **Organizations/Facilities/Providers for utilities to target to reach sensitive populations**

7 A water system with a lead action level exceedance is **REQUIRED** to deliver brochures and/or
8 posters to the local offices of the required list of organizations/facilities/providers. EPA suggests
9 that the water system also make the information available to these
10 organizations/facilities/providers in a poster format. In addition, EPA encourages water systems
11 to deliver brochures and/or posters to as many of the list of suggested
12 organizations/facilities/providers as possible.
13

14 **A. Required to Deliver Brochure to the Following Organizations/Facilities/Providers:**

- 15 ■ Local Public Health Agencies – MUST BE DIRECT CONTACT (phone calls, face-to-face,
16 etc). Local public health agencies may provide specific contact list of additional community
17 based organizations serving targeted populations.
- 18 ■ Public/private Schools or School Boards
- 19 ■ Licensed childcare centers
- 20 ■ Pre-schools: public and private
- 21 ■ WIC/Head Starts
- 22 ■ Public/Private Hospitals and clinics
- 23 ■ Pediatricians
- 24 ■ OBGYNs/ Midwives
- 25 ■ Family planning clinics
- 26 ■ Local welfare agencies
27

28 **B. Recommended to Deliver Brochure to the Following Organizations/Facilities/Providers**
29 **(for inclusion in guidance):**

- 30 ■ Groups which reach at risk populations – Women of child bearing age and children 6 and
31 under
 - 32 ○ Maternity Programs/ Birthing Classes
 - 33 ○ Teen parent programs
 - 34 ○ Parents and teacher organizations
 - 35 ○ Parent support organizations
 - 36 ○ Women’s shelters
 - 37 ○ Family Practice, General Physicians, and Nurse Practitioners
 - 38 ○ Institutes of higher education
 - 39 ○ Local nonprofit health groups
40
- 41 ■ Groups which reach non-bill payers
 - 42 ○ Citizen Assistance offices in City/County buildings (lobby, brochure racks)
 - 43 ○ Health insurance providers
 - 44 ○ Postings in outlets accepting WIC and other government funding for goods and
45 services.
 - 46 ○ Low income/ HUD housing

- Community Based Organizations (soup kitchens, faith-based groups, etc.)

Additional Notes to EPA:

Guidance should assist utilities to develop an integrated approach when developing a public education program.

Wherever possible, EPA should provide a template (e.g., tv ad, etc) that can be adapted with more specifics by utilities.

CONTENT OF THE PUBLIC EDUCATION NOTICE

Your notice must include the topic areas in bold below. *Anything in italics under each topic area is required language* while anything in regular text must be covered but you may use either EPA's suggested language or your own words to cover that subject. Please note that, in your printed materials, EPA is not requiring the use of the italic font.

Your notice **MUST** begin with the following opening statement (though you have the option to include a title of the pamphlet or brochure of your choosing):

IMPORTANT INFORMATION ABOUT LEAD IN YOUR DRINKING WATER

[Insert name of water system] found high levels of lead in drinking water in some homes. Lead can cause serious health problems, especially for pregnant women and children 6 years and under. Please read this notice closely to see what you can do to reduce lead in your drinking water.

Required Topics (NOTE: All required topic section headers – in bold italic – are mandatory.)

1) Your notice must include the topic “**Health Effects of Lead**” and the exact wording in italics below.

Health Effects of Lead

NOTE: The WGPE recommends “Health Effects of Lead” as a required topic, and that the health effects language (to be drafted by EPA) be mandatory for this notice. The WGPE was not able to review specific language drafted by EPA for this notice, nor did the group draft its own consensus language. They encourage EPA to include language on vulnerable populations (e.g. pregnant women, children 6 and under, and the elderly) in this language.

2) You must include the topic “**Sources of Lead,**” and you must cover the following bullet points under this topic. You may use the EPA suggested language below or modify it to meet your local systems circumstances. For instance you do not have to mention lead service lines if your water system does not have any in the distribution system.

Sources of Lead

- What is lead?
- How does lead enter the drinking water?

- Where does the lead in drinking water come from? Include information on home plumbing and service lines that may contain lead.
- What are other important sources of lead in addition to drinking water?

Use of the EPA suggested language below would be responsive to the required topics on lead sources. Below is an example integrating the answers to each of the four required topics listed above.

Lead is a common metal found in the environment. Drinking water is one possible source of lead exposure. The main sources of lead exposure are lead-based paint and lead-contaminated dust or soil. However, lead can be in some soil, dust, and certain types of pottery, pewter, food, and cosmetics. Other sources include exposure in the work place and exposure from certain hobbies (lead can be carried on clothing or shoes).

[Utility should develop specific language describing condition of the community's source water – e.g., “The source water from XX Reservoir does not contain lead” or “Smallville does not have any lead in its sourcewater or water mains in the street.”] When water is in contact with pipes, (refer to service lines), and plumbing containing lead for several hours, the lead may enter drinking water. Homes built before 1986 are more likely to have plumbing containing lead. New homes may also have lead: even “lead-free” plumbing may contain some lead.

EPA estimates that 10 to 20 percent of a person's potential exposure to lead may come from drinking water. Infants who consume mostly formula mixed with lead-containing water can receive 40 to 60 percent of their exposure to lead from drinking water.

Don't forget about other sources of lead such as lead paint, lead dust and lead in soil. Wash your children's hands and toys often as they can come into contact with dirt and dust containing lead.

3) Your notice must include the topic “**Steps you can take to reduce your exposure to lead in your water.**” You need to cover the bullet points below within this section. You can cover these bullets using your own language or the EPA language suggested below.

What should I do?

Steps you can take to reduce your exposure to lead in your water

Families with pregnant women, infants or children should be cautioned to take most of these steps.

You must include a recommendation on running the water to flush out the lead. EPA suggests the following language:

- Run your water for 15-30 seconds or until it becomes cold or reaches a steady temperature before using it for drinking or cooking, if it hasn't been used for several hours. This flushes lead-containing water from the pipes.

1 A water system may include a different flushing time in the public education
2 notice if there is representative data that indicate a different flushing time would
3 better reduce lead exposure and the State approves the wording.
4

5 Also, your system may want to consider the weather conditions in your area and
6 whether or not the instruction to wait until the water is cold is appropriate for your
7 area. If it is too warm for water to turn cold, you may want to suggest a consumer
8 flush the water for 15-30 seconds or until it becomes a steady temperature.
9

10 You must explain concerns with using hot water and specifically caution against the use of hot
11 water for baby formula. EPA suggests the following language:

- 12 • Do not cook with or drink water from the hot water tap; lead dissolves more easily into
13 hot water.
- 14 • Do not use water from the hot water tap to make baby formula.
15

16 You must tell consumers that boiling water does not reduce lead levels. EPA suggests the
17 following language:

- 18 • Do not boil your water to remove lead. Boiling water will not reduce lead.
19

20 You must discuss other options consumers can take to reduce exposure to lead in drinking water,
21 such as alternative sources or treatment of water.

- 22 • You may want to consider purchasing bottled water or a water filter, especially if there
23 are pregnant women, infants, or children in the household. Read the package to be
24 sure the filter is approved to reduce lead or contact NSF International at 1(800) NSF-
25 8010 or www.nsf.org for information on performance standards for water filters.
26

27 You must tell consumers how to get their water tested.

28 EPA suggests the following language:

- 29 • Call us at number below to find out how to get your water tested for lead.
30

31 You might want to have a separate brochure or info on your web site with
32 information on sampling tap water. Does your system provide this service for free
33 or at a cost? Which labs are certified and do lead testing in your area? Suggest
34 how the testing should be done to get accurate results.

- 35 • Learn about other ways to reduce your exposure – see contact information below.
36

37 You must discuss lead in plumbing fixtures. EPA suggests the following language:

- 38 • New brass faucets, fittings, and valves, including those advertised as “lead-free,” may
39 contribute lead to drinking water. The law currently allows end-use brass fixtures, such as
40 faucets, with up to 8% lead to be labeled as “lead free.” Consumers should be aware of
41 this when choosing fixtures and take appropriate precautions.
42

43 Note to NDWAC: While it would be valuable to have a requirement discussing this difference
44 between low lead and lead free, it is not possible at this point to provide specific recommended
45 language. We recommend that EPA develop guidelines to help consumers choose fixtures. (See
46 recommendations in Section 6.4, Lead in Plumbing Fixtures.)

1
2 4) In your notice, you must discuss why lead levels are high and **what is being done** to reduce
3 them. You should discuss each of the bulleted topics below if they apply to your system's
4 circumstances.

5
6 ***What happened? What is being done?***

- 7
- 8 • Why are there high levels of lead in my drinking water (if known)?
 - 9 • What are you (the water system) doing to reduce the lead levels in homes in this area?
 - 10 • Does your system still have lead service lines? How can a consumer find out if their
11 home has one? Is there a program to replace it? Any special incentives?
 - 12 • Your system may also want to provide information on the history of lead levels in tap
13 samples: have they declined substantially over time? Have they been low and risen
14 recently? Is there a known reason for any change?

15 5) Your notice must include utility contact information including a phone number and EPA
16 contact information in the mandatory language italicized below so a consumer can easily find
17 more information about lead in drinking water. In addition we recommend including the
18 system's website as well as the phone number and website for your primacy agency
19 (environmental or health department). If you have a local lead program, include their contact
20 information as well.

21
22 ***For more information***

- 23
- 24 • *Call us at [INSERT NUMBER,]. For more information on reducing lead exposure around
25 your home and the health effects of lead, visit EPA's website at www.epa.gov/lead, call
26 the National Lead Information Center at 1-800-424-LEAD, or contact your health care
27 provider.*

28
29 You must include the name of your system and the date that the info is being distributed, along
30 with the state water system ID, somewhere on the notice.

31 This notice is being sent to you by [system]. State Water System ID#: _____. Date
32 distributed:

33
34 To be added (as guidance):

35 Section on Suggested Layout of Brochure. One idea was that utilities use graphics which
36 reinforce the message to catch the attention of households with individuals particularly
37 vulnerable to lead, such as pregnant women, infants, children, or the elderly.

1 **Attachment B. Information Recommended for Inclusion in Consumer Confidence Report**

2
3
4 **Condition 1: Systems that Exceed the Action Level (10% or More of Compliance**
5 **Monitoring Samples Above Action Level of 15 ppb).**

6
7 In addition to LCR public education and public notification requirements, items 1-7 must be
8 addressed. (Items 2-7 are currently required under the CCR. Item 1 is modified.) The CCR must:

- 9
10 1. Include a short informational statement about lead in drinking water:

11 “Our system exceeded the lead action level. It is possible that there may be high lead levels
12 in your home as a result of materials in your home plumbing. Lead can cause serious health
13 problems, especially for pregnant women and children 6 and under. If you are concerned
14 about high lead levels in your home’s water, run your water for 15-30 seconds or until it
15 becomes cold [or reaches a steady temperature]¹, and have your water tested. Additional
16 information is available from the National Lead Information Center at 1-800-424-LEAD.”

17 OR a utility may write its own educational statement, but only in consultation with the
18 Primacy Agency.

- 19 2. Be distributed annually to all customers.
20 3. Include lead 90th percentile result for the most recent round of sampling. *[not intended to*
21 *change other CCR reporting requirements]*
22 4. Identify exceedance in table.
23 5. Include the number of locations that exceeded the lead action level.
24 6. Define the action level.² *(see footnote for proposed definition)*
25 7. Identify sources of lead.

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¹ Able to tailor to local circumstances.

² NOTE: The WGPE recommends that the definition of “action level,” a required component of the CCR, be changed to be more understandable to the public. The intent of the draft definition, below, is to explain that action levels are a trigger for action and are not intended to be directly related to a specific health outcome. The WGPE recommends that EPA create a definition with this intent in mind, though they recognize that the agency may choose to modify the following language:

“An action level is a concentration of a contaminant which if exceeded triggers treatment or other requirements which a water system must follow. An action level is a trigger for action and is not intended to indicate an adverse health level.”

1 **Condition 2: Systems that Do Not Exceed the Action Level but have Any Observed**
2 **Compliance Monitoring Samples above the Detection Level (1 ppb)³**
3

4 Items 1-6 must be addressed. (Items 2-6 are currently required under the CCR. Item 1 is
5 modified.) The CCR must:

- 6
- 7 1. Include a short informational statement about lead in drinking water:
8 “While our system did not exceed the lead action level as shown in the table, it is possible
9 that there may be high lead levels in your home as a result of materials in your home
10 plumbing. Lead can cause serious health problems, especially for pregnant women and
11 children 6 and under. If you are concerned about high lead levels in your home’s water, run
12 your water for 15-30 seconds or until it becomes cold [or reaches a steady temperature] ⁴,
13 and have your water tested. Additional information is available from the National Lead
14 Information Center at 1-800-424-LEAD.”

15 OR a utility may write its own educational statement, but only in consultation with the
16 Primacy Agency.

- 17 2. Be distributed annually to all customers.
18 3. Include lead 90th percentile result for the most recent round of sampling.
19 4. Include the number of locations that exceeded the lead action level.
20 5. Define the action level.
21 6. Identify sources of lead.
22
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³ For Condition 2, the WGPE is recommending modified language for those systems over the action level and for those systems with over 5% of samples above the action level and new language for all other systems detecting lead.

⁴ Able to tailor to local circumstances.

1 **Attachment B. MINORITY REPORT**
2

3 *Note: Minority language is in red underlined, Arial text on page 1 (lines 17-19) and page 2*
4 *(lines 13-15).*

5
6 **Condition 1: Systems that Exceed the Action Level (10% or More of Compliance**
7 **Monitoring Samples Above Action Level of 15 ppb).**
8

9 In addition to LCR public education and public notification requirements, items 1-7 must be
10 addressed. (Items 2-7 are currently required under the CCR. Item 1 is modified.) The CCR must:
11

- 12 1. Include a short informational statement about lead in drinking water:

13 “Our system exceeded the lead action level. It is possible that there may be high lead levels
14 in your home as a result of materials in your home plumbing. Lead can cause serious health
15 problems, especially for pregnant women and children 6 and under. If you are concerned
16 about high lead levels in your home’s water, run your water for 15-30 seconds or until it
17 becomes cold [or reaches a steady temperature] ¹, and have your water tested. If pregnant
18 women, infants, or young children are in the household, consider using bottled
19 water or a certified water filter until advised otherwise by health authorities.
20 Additional information is available from the National Lead Information Center at 1-800-
21 424-LEAD.”

22 OR a utility may write its own educational statement, but only in consultation with the
23 Primacy Agency.

- 24 2. Be distributed annually to all customers.
25 3. Include lead 90th percentile result for the most recent round of sampling. *[not intended to*
26 *change other CCR reporting requirements]*
27 4. Identify exceedance in table.
28 5. Include the number of locations that exceeded the lead action level.
29 6. Define the action level.² *(see footnote for proposed definition)*
30 7. Identify sources of lead.
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¹ Able to tailor to local circumstances.

² NOTE: The WGPE recommends that the definition of “action level,” a required component of the CCR, be changed to be more understandable to the public. The intent of the draft definition, below, is to explain that action levels are a trigger for action and are not intended to be directly related to a specific health outcome. The WGPE recommends that EPA create a definition with this intent in mind, though they recognize that the agency may choose to modify the following language:

“An action level is a concentration of a contaminant which if exceeded triggers treatment or other requirements which a water system must follow. An action level is a trigger for action and is not intended to indicate an adverse health level.”

1 **Condition 2: Systems that Do Not Exceed the Action Level but have Any Observed**
2 **Compliance Monitoring Samples above the Detection Level (1 ppb)³**
3

4 Items 1-6 must be addressed. (Items 2-6 are currently required under the CCR. Item 1 is
5 modified.) The CCR must:

- 6
- 7 1. Include a short informational statement about lead in drinking water:
8 “While our system did not exceed the lead action level as shown in the table, it is possible
9 that there may be high lead levels in your home as a result of materials in your home
10 plumbing. Lead can cause serious health problems, especially for pregnant women and
11 children 6 and under. If you are concerned about high lead levels in your home’s water, run
12 your water for 15-30 seconds or until it becomes cold [or reaches a steady temperature] ⁴,
13 and have your water tested. If pregnant women, infants, or young children are in the
14 household, consider using bottled water or a certified water filter until advised
15 otherwise by health authorities. Additional information is available from the National
16 Lead Information Center at 1-800-424-LEAD.”

17 OR a utility may write its own educational statement, but only in consultation with the
18 Primacy Agency.

- 19 2. Be distributed annually to all customers.
 - 20 3. Include lead 90th percentile result for the most recent round of sampling.
 - 21 4. Include the number of locations that exceeded the lead action level.
 - 22 5. Define the action level.
 - 23 6. Identify sources of lead.
- 24
25
26

³ For Condition 2, the WGPE is recommending modified language for those systems over the action level and for those systems with over 5% of samples above the action level and new language for all other systems detecting lead.

⁴ Able to tailor to local circumstances.

1 **Attachment C. Working with the Media**

2
3 The WGPE recommends that EPA provide utilities with guidance on working with the
4 media to communicate with the public. Example recommendations include:

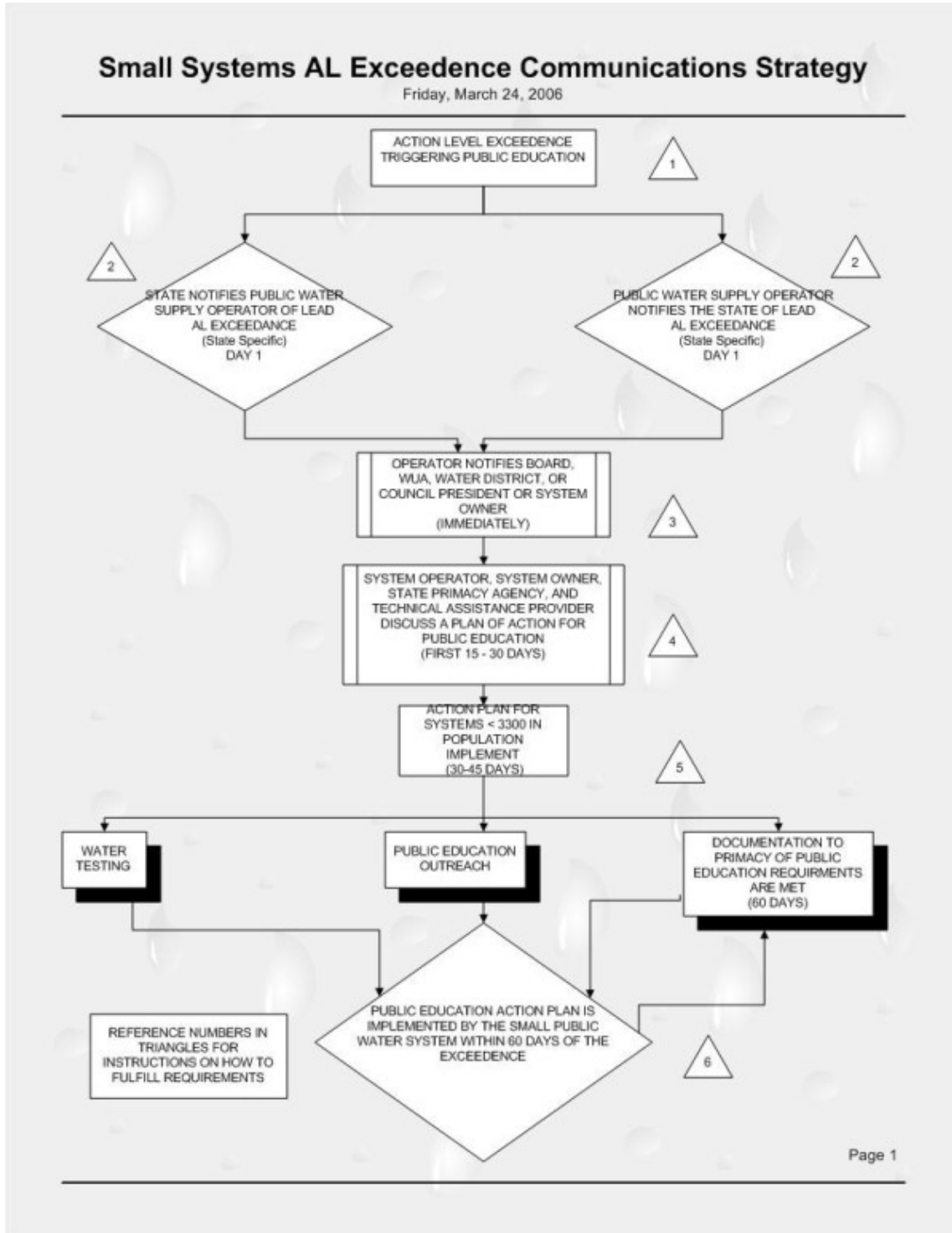
5
6 **Normal Operating Procedures**

- 7 1. Designate a spokesperson that has been trained in media relations.
8 2. Identify spokespeople in the community.
9 3. Establish media and communication protocols. All media inquiries should be
10 directed to the spokesperson.
11 4. Develop and maintain a relationship with the local media (print and television and
12 radio).
13 a. Meet with local editors of both small and large publications and discuss
14 your mission and goals and brief them on water issues in your area.
15 b. Meet with reporters who are handling water, health or environmental
16 issues.
17 c. Meet with local radio and television/cable news producers.
18 d. Invite the media to your utility for a tour (if appropriate to your utility's
19 policy).
20 e. Give positive feedback. When the media "gets it right" tell them!
21 f. Talk regularly with the media – don't wait until a crisis.
22 5. Develop and maintain relationships with the local/state public health agency.
23
24

25 **Crisis Management**

- 26 1. Designate a spokesperson that has been trained in media relations.
27 2. Develop messages in coordination with primacy and public health agencies.
28 a. The message should tell the consumer what the problem is and what they
29 can do about it.
30 3. Be transparent
31 4. Control the message by being proactive, not reactive.
32 5. Create a timely, comprehensive and honest press release and brief the press.
33 6. Talk to the media on a regular basis during the crisis.
34 a. Provide current, accurate information
35 b. Provide alternative sources (public health agencies, scientific sources, ...)
36 c. Develop a list of experts to go to in times of crisis.
37 d. Don't use jargon.
38 e. Don't get mad.
39 f. Never say "no comment."
40 g. Never say "no," "not," "never," "nothing," "none."
41 h. Anticipate questions. Know the answers. Know what you want to say
42 ahead of time.
43 7. Your message should be updated on a regular basis (this is dictated by the
44 situation – it could be hourly, daily).
45 8. Evaluate your efforts after the crisis is over.

Attachment D. Example flowcharts to assist small systems. (This is meant as an example of what the WGPE recommends EPA provide as part of their revised guidance to small systems. In its flowcharts, EPA should distinguish between steps which are mandatory and those which are guidance.)



(Instructions on the following page refer to numbered triangles on page 1, above.) Instructions should distinguish between required and suggested steps and should be consistent with the regulation.

1. Your recent round of lead testing results has been analyzed and calculated using the 90th percentile and are in exceedance of the Action Level.
2. If your state computes the 90th percentile, then they will notify the system upon discovering the exceedance. If your water system is responsible for computing the 90th percentile, you must notify the state regulatory authority that your recent round of lead samples is in exceedance of the lead action level.
3. The operator or person in charge is responsible for notifying the decision maker (owner or president of the system) by phone or in person of the exceedance upon notice by the primacy agency or calculating all sample results for the 90th percentile.
4. The system operator or responsible person in charge should consult with the owner or board president, the state primacy agency, and or their technical assistance provider for assistance in implementing an effective education program.
5. A plan of action or effective public education program should be decided upon in consultation with the primacy agency and system owner or board president. A spokesperson or contact person for the community should also be appointed to answer any questions that may arise from a lead exceedance situation.
6. An effective public education action plan must be implemented within 60 days of the exceedance. It should include three categories of requirements. These are:
 1. Providing public education information on lead
 2. Offering water testing to the people you serve, if requested
 3. Providing documentation to the state that shows you met your public education requirements.

An effective plan should also include

1. Who is the designated spokesperson?
2. Who will be in contact with the primacy agency?
3. Who will be notified of the exceedance?
 - a. Required
 - i. At Risk Groups
 - b. Additional Outreach
4. How will you notify the consumer?
 - a. Door to Door
 - b. Separate mailed brochure or template
 - c. Monthly bill
 - d. Newspaper Notice
5. Who will do consumer sampling if requested?
6. What lab should they be sent to?
7. What alternatives will you recommend to the consumer temporarily?

- a. Bottled Water
- b. Flushing methods
- c. Lead Filters

Below are additional flow charts of the three categories of requirements for an effective communications plan to simplify the process.

