FACT SHEET

EPA's Proposed Lead and Copper Rule Improvements
November 2023

On November 30, 2023, EPA announced the proposed Lead and Copper Rule Improvements (LCRI) to reduce lead in drinking water that can irreparably harm children and adults and disproportionately impacts those living in disadvantaged communities. The science is clear, there is no safe level of lead exposure. In adults, lead can cause increased blood pressure, heart disease, decreased kidney function, and cancer. In children, it can severely harm mental and physical development, slowing down learning and damaging the brain.

The use of lead pipes was banned in the 1980s, yet there are over 9 million lead service lines delivering water to families in neighborhoods across America. These lead pipes have been hidden underground for decades and pose an ever-present risk to the health and wellbeing of Americans. These lead pipes remain disproportionately concentrated in low-income and people of color communities.

Proposed Lead and Copper Rule Improvements

The proposed LCRI represents a major advancement in protecting children and adults from lead in drinking water. These advancements are grounded in the science and existing practices utilized by drinking water systems. Key provisions in the proposal, include:

- **Achieving 100% Lead Pipe Replacement within 10 years.** When lead service lines are present, they represent the greatest source of lead exposure in drinking water. The proposed LCRI would require the vast majority of water systems to replace lead services lines within 10 years.
    - While corrosion control can be effective at reducing lead exposure, removing lead pipes provides even greater public health protection by eliminating the key source of lead and minimizing the impacts of poor treatment decisions that have occurred in the past.
    - **This is achievable.** Cities like Newark, NJ; Benton Harbor, MI; and Green Bay, WI replaced their lead service lines in less than 10 years and other systems like Detroit, MI; Saint Paul, MN; and Wheaton, IL have committed to a 10-year or less replacement timeline.

- **Locating Legacy Lead Pipes.** Knowing where lead pipes are is critical to replacing them efficiently and equitably. Water systems are currently required to provide an initial inventory of their lead service lines in the Fall of 2024. Under the proposed LCRI, all water systems would be required to regularly update their inventories, create a service line replacement plan, and identify the materials of all service lines of unknown material. This information will be critical to communities, water systems, states, tribes, and EPA in efficiently and equitably replacing lead pipes.

- **Improving Tap Sampling.** The proposed LCRI would make key changes to drinking water sampling requirements, informed by best practices already being deployed by leading states like Michigan. Water systems would be required to collect first liter and fifth liter samples at sites with lead service lines and use the higher of the two values when determining compliance with the rule.

- **Lowering the Lead Action Level.** EPA is proposing to lower the lead action level from 15 µg/L to 10 µg/L. When a water system's lead sampling exceeds the action level, the system would be required to inform

the public and take action to reduce lead exposure while concurrently working to replace all lead pipes. For example, the system would install or adjust corrosion control treatment to reduce lead that leaches into drinking water.
    - Based on robust stakeholder input, EPA's proposal would also **eliminate the existing rule's Trigger Level** to simplify implementation.

- **Strengthening Protections to Reduce Exposure.** Water systems with multiple lead action level exceedances would be required to conduct additional outreach to customers and make filters available to all consumers. The filters must be certified to reduce lead.

Taken together, these provisions in the proposed LCRI would reduce complexity, streamline implementation, and strengthen public health protections.

EPA's Actions to Reduce Lead in Drinking Water

EPA is taking a comprehensive approach to getting the lead out, using our statutory authority under the Safe Drinking Water Act, historic funding for water projects through the Bipartisan Infrastructure Law, technical assistance for underserved communities, and practical implementation tools to help local municipalities. Together, these actions will achieve President Biden's vision of removing all lead pipes across the country.

- **Regulatory Framework.** EPA's proposed LCRI follow the science and EPA's authority under the Safe Drinking Water Act to strengthen regulatory requirements to address lead in drinking water.

- **Funding.** Bipartisan Infrastructure Law provides $50 billion to support upgrades to the nation's drinking water and wastewater infrastructure. This includes $15 billion dedicated to lead service line replacement and $11.7 billion of general Drinking Water State Revolving Funds that can also be used for lead service line replacement.

- **Technical Assistance.** EPA's water technical assistance (WaterTA), including the recently launched "Get the Lead Out" Initiative, helps communities identify lead services lines, develop replacement plans, and apply for funding to get the lead out.

- **Practical Implementation Tools.** Through training, tools, webinars, and case studies, EPA provides support to drinking water systems to reduce lead exposure.

Whole of Government Approach

Through its Lead Pipe and Paint Action Plan, the Biden-Harris Administration has made accelerating lead service line replacement a top priority. Under this Whole of Government Approach, 10 federal agencies are advancing over 15 new actions assuring the federal government is marshalling every resource to make rapid progress towards 100% lead pipe replacement. EPA's actions, including the LCRI, are setting the nation on the course to solve for a legacy problem, a problem we can solve by getting the lead out.

Public Input and Participation

EPA welcomes public input as part of the regulatory development process. EPA invites members of the public to review the proposed LCRI and supporting information and provide written comments at www.regulations.gov, Docket ID Number: EPA-HQ-OW-2022-0801. Follow the online instructions for submitting written comments. Comments must be submitted to the public docket during the 60-day public comment period.

EPA will consider all public comments in informing the development of the final regulation. For more information and instructions on how to submit written comments to the public docket, visit: https://www.epa.gov/dockets/commenting-epa-dockets.

EPA will also hold a virtual public hearing on January 16, 2024, at which the public will be invited to provide EPA with verbal comments. For more information on the public hearing and how to provide EPA with verbal and written comments, visit https://www.epa.gov/ground-water-and-drinking-water/lead-and-copper-rule-improvements.

Disclaimer: This document is being provided for informational purposes only to assist members of the public, States, Tribes, and/or public water systems in reviewing and commenting on the package for the proposed LCRI. In the event that there are any differences, conflicts, or errors between this document and the content included in the package for the proposed LCRI, including the preamble and proposed regulatory text, States, Tribes, and/or public water systems should refer to the rule package. The LCRI is only a proposed rule and the content discussed herein about the proposed LCRI is subject to change before a final LCRI is promulgated. This document does not impose any new legally binding requirements on EPA, States, Tribes, or the regulated community. Further, this document does not confer legal rights or impose legal obligations on any member of the public. In the event of a conflict between the discussion in this fact sheet and any statute or promulgated regulation, the statute and any promulgated regulations are controlling.