

# AWWA statement on LCRI petition

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*The American Water Works Association (AWWA) on Dec. 13, 2024, filed a Petition for Review of the Lead and Copper Rule Improvements (LCRI) in the U.S. Court of Appeals for the District of Columbia Circuit. AWWA CEO David LaFrance released the following statement today.*

"The American Water Works Association shares the U.S. Environmental Protection Agency's (EPA) goal of replacing lead service lines nationwide – in their entirety – as quickly as possible. In fact, AWWA intervened in court in 2021 to *support* the previous Lead and Copper Rule Revisions (LCRR), which required the development and implementation of complete lead service line replacement strategies.

"We are proud of and encouraged by the tremendous progress water utilities are making to identify lead service lines, share that information with households, and overcome the legal and financial barriers to replacement.

"However, the implementation of the LCRI, in its current form, is not feasible. Among AWWA's concerns are:

- AWWA is deeply concerned about the LCRI's approach to lead service lines on private property. The rule requires water systems to replace lead service lines (and galvanized lines requiring replacement under the rule) when the water system controls those lines. The LCRI presumes that a water system "controls" a lead service line when it has "access" to that line. Under the Safe Drinking Water Act, access does not equal control. By attempting to define access and control as one and the same, the LCRI effectively expands the definition of a public water system to include private property and makes water utilities responsible for issues on private property they cannot necessarily address. This interpretation sets a precedent that deserves careful examination.
- The LCRI poses significant affordability challenges, particularly for households that struggle to pay for essential needs. A study sponsored by AWWA shows the cost of replacing lead service lines nationwide could top \$100 billion, and most of these costs will fall to consumers through higher water bills. The LCRI comes on the heels of a recently finalized PFAS rule that will also cost billions of dollars annually. Additional assistance for consumers, particularly those with lower incomes, will be necessary to maintain water affordability.
- The LCRI's requirement to replace all lead service lines (and galvanized lines requiring replacement) by 2037 is not feasible. Many communities will face significant financial, logistical and personnel challenges. The timeframe for replacement must recognize local circumstances and encourage shared responsibility among utilities, government, consumers and other stakeholders.

"Additional observations and concerns are outlined in AWWA's [February 2024 comments](#) on the proposed LCRI. The petition and additional background are available at [awwa.org/lead](http://awwa.org/lead).

"We look forward to working with EPA. We look forward to working in good faith alongside EPA, water systems, environmental advocates, and many other partners to develop a lead rule that protects every community and is feasible and affordable to implement."

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*Established in 1881, the American Water Works Association is the largest nonprofit, scientific and educational association dedicated to managing and treating water, the world's most vital resource. With approximately 50,000 members, AWWA provides solutions to improve public health, protect the environment, strengthen the economy and enhance our quality of life.*



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