

Addressing Lead in Drinking Water

The Minnesota Department of Health (MDH) protects people’s health by implementing strategic safeguards that protect drinking water from source to tap. Under this mission, MDH conducts regulatory activities related to lead in drinking water under the Lead and Copper Rule and the upcoming implementation of the Lead and Copper Rule Revision (LCRR) of the Safe Drinking Water Act (SDWA) and the [Lead in School Drinking Water law, Sec. 121A.335 MN Statutes](https://www.revisor.mn.gov/statutes/cite/121A.335), (<https://www.revisor.mn.gov/statutes/cite/121A.335>). This information summarizes current activities related to lead in drinking water.

The SDWA LCRR is currently under a 60 day hold with the current federal administration, and as a result, there could be revisions to the final rule as published and implementation dates. Information will be updated on the MDH website as it is available.

Overview of Lead and Copper Rule Revisions

In January 2021, the U.S. Environmental Protection Agency (EPA) published the LCRR. The revisions will go into effect on January 16, 2024.

The LCRR requires Community Water Systems (CWSs) to generate an inventory detailing the materials of their water service lines throughout their distribution system, in addition to a replacement plan that identifies how they will replace all of the LSLs over time, and how funding will be allocated. Once they identify LSLs, CPWSs must notify all of their residents who are being served by LSLs.

Once the rule revisions are enforced in 2024, 1) the LSL replacement plan will be activated by the new lower lead trigger level incorporated in the revisions, 2) CWS ‘Find-and-Fix’ monitoring will be implemented and 3) CWSs will be required to provide distribution outreach to their consumers, in addition to CPWS education to schools and childcare facilities.

The LCRR

1. **LSL Replacement Plan** will be activated by the new lower lead trigger level of 10 parts per billion (ppb). This trigger will require systems to take preemptive action to try to correct any issues within the system causing high lead levels, before the system as a

whole exceeds the higher lead action level of 15 ppb.

2. **CPWS ‘Find-and-Fix’** monitoring: Upon an individual sample measure above the lead action level, PWSs must notify their respective customers within 24 hours (a practice MDH already follows) and collect additional samples to determine if there are any issues in controlling and maintaining lead and copper action levels.
3. **CPWS Distribution Outreach**, which includes information about LSLs in use; provision of filters and educational materials; and public outreach activities and education to customers with LSLs.

Lead Services Line (LSL) Inventories and Funding

Legislative changes made in 2020 allow the Drinking Water Revolving Fund (DWRf) to provide a 50 percent grant to cities for replacement of privately owned LSLs. Of the four CWSs that applied for DWRf funding last year, two - St Paul Regional Water Services and Royalton - are currently planning to move forward with a project this year.

Many CWSs do not know the type of materials used for the private portion of the service line. As more water systems start to inventory their service lines, MDH expects a spike in demand for grants. Rulemaking that would assign priority points to LSL replacement projects would provide more consistent funding through DWRf.

Schools/Childcare Facilities and Lead

As part of the LCRR, CWSs will have to provide test results and educational materials to schools/childcare facilities that choose to participate. The testing is designed to encourage schools/childcare facilities to develop their own testing plans and actions to address lead in drinking water. Minnesota schools are already required to conduct lead testing that is more stringent than the LCRR.

MDH will be coordinating additional testing in schools under a federal Water Infrastructure Improvements for the Nation grant. This grant allows states to provide sample kits and laboratory analysis for schools/childcare facilities that choose to participate. In

return, these schools/childcare facilities must sample at all taps used for drinking water/food preparation following EPA and state guidance.

In addition, schools/childcare facilities must make their results available to the public. These results will also be reviewed by MDH and technical assistance provided as needed for follow-up actions. If lead is found, schools/childcare facilities must take action to reduce lead. In Minnesota, enrollment for this grant starts in 2021 for testing (not mitigation). Learn more at [Lead in Drinking Water](https://www.health.state.mn.us/communities/environment/water/contaminants/lead.html) (<https://www.health.state.mn.us/communities/environment/water/contaminants/lead.html>)

MN State Law: Lead in School Drinking Water

- Requires public and charter schools to conduct testing once every five years at all taps used for preparing food or drinking water.
- Requires schools take action following the MDH/MDE Model Plan or EPA 3Ts for testing.
- Requires schools to notify parents of the availability of results. Schools have the option of delivery method.
- State of MN does not have requirements for licensed childcare providers to test for lead.

Learn more at [Drinking Water in Schools](https://www.health.state.mn.us/communities/environment/water/schools.htm) (<https://www.health.state.mn.us/communities/environment/water/schools.htm>).

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MDH Efforts

MDH is working to assist PWSs with reducing lead in drinking water exposure on several fronts:

Funding – MDH provides funding for testing through the Water Infrastructure Improvements Grant and continues to look for additional options for removing LSLs with existing funding sources.

Effective Communication – To ensure an effective and streamlined implementation of the LCRR, MDH is communicating regularly with CWSs through a variety of communication channels, including regular emails, a Frequently Asked Questions (FAQ) page on the MDH website, and informational webinars.

Assessing costs and benefits of addressing lead in drinking water – MDH wrote a report in collaboration with the University of Minnesota in response to a legislative and Clean Water Council request. [Lead in Minnesota Water \(PDF\)](https://www.health.state.mn.us/communities/environment/water/docs/leadreport.pdf) (<https://www.health.state.mn.us/communities/environment/water/docs/leadreport.pdf>)

Technical Assistance – MDH is moving to contract with a provider to supplement our current technical assistance program to help CWSs start development of their updated LSL inventories and replacement plans.

Infrastructure Mapping Tool - MDH is exploring creating and hosting a public map based tool with external partners that would help to meet LCRR requirements.

Efficient Approach – MDH is working to revise and increase data management, logistics, and staffing to implement the LCRR. MDH will coordinate implementation with work under other programs, such as state school testing requirements.

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