

February 5, 2024

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

**Re: National Primary Drinking Water Regulations: Proposed Lead and Copper Rule Improvements
Docket No. EPA-HQ-OW-2022-0801**

Dear Docket,

Since 1973, the Rural Community Assistance Partnership (RCAP) Incorporated has helped build capacity for and facilitated access to the most basic necessities in rural communities: clean, safe, and affordable drinking water and wastewater services. RCAP uses a locally driven approach in every state and territory to address various needs in rural and tribal communities, driven by a network of regional non-profit partners, who provide hands-on technical assistance under the Safe Drinking Water Act (SDWA) and conduct in-person training on a variety of technical and regulatory topics as it relates to safe drinking water and sanitary wastewater disposal.

RCAP appreciates the opportunity to provide comments to the U.S. Environmental Protection Agency (EPA) on the proposed Lead and Copper Rule Improvements (LCRI). RCAP commends EPA throughout the last two decades for making updates to the regulation, for its focus on developing a better understanding of the challenging health effects of lead and copper on human health, and for modernizing the rule to match the demands of the 21st Century.

We believe these improvements are a crucial step forward in safeguarding public health and addressing environmental concerns. The proposed enhancements underscore the agency's commitment to ensuring the safety of our drinking water by imposing enhanced regulations like reducing the action level for lead in drinking water. By focusing on reducing the concentration of this harmful metal in our drinking water, EPA aims to protect vulnerable populations, especially children and pregnant women, from the adverse health effects associated with lead exposure. The proposed improvements also include measures to speed up the replacement of lead pipes and enhance water monitoring and testing protocols. The EPA's proactive steps demonstrate a commendable dedication to advancing the well-being of communities across the nation and fostering a cleaner and healthier environment for generations to come. However, RCAP believes that rural water utilities may face unique challenges in complying with the proposed Lead and Copper Rule Improvements.

Based upon RCAP's more than four decades of experience assisting small community drinking water systems to comply with SDWA regulations and state drinking water requirements, we offer the following recommendations and comments on the new LCRI released in November 2023:

1. Aging Infrastructure:

- Many small rural water systems have outdated infrastructure, including pipes and plumbing materials that contribute to lead and copper leaching, making any new reduction to the action level difficult to manage or reach.

2. Limited Financial Resources:

- Small rural communities often struggle with limited finances, which makes it difficult for them to invest in the necessary upgrades and improvements needed to reduce lead levels in their water systems. Moreover, additional expenses for locating legacy pipes and conducting community outreach can further strain their finances.

3. Lack of Technical Expertise:

- Limited access to specialized technical knowledge and expertise may hinder small rural water systems from implementing effective lead reduction strategies.

4. Inadequate Monitoring and Testing:

- Limited resources may result in insufficient monitoring and testing, leading to delayed detection of elevated lead levels and difficulty in addressing the issue promptly once detected.

5. Community Awareness:

- Continued awareness and education in small communities about the risks of lead exposure will be required for successful lead reduction efforts.

6. Geographic Isolation:

- Rural locations may be geographically isolated, leading to challenges in accessing and transporting the necessary materials and equipment required for the additional suggested lead reduction measures.

7. Population Decline:

- Small rural communities may experience population decline, resulting in fewer consumers to share the financial burden of necessary improvements for lead reduction.

8. Limited Regulatory Compliance Resources:

- Smaller water systems may struggle to allocate resources for navigating and complying with additional EPA regulations, including National Primary Drinking Water Regulations for lead and copper.

9. Seasonal Variations:

- Seasonal changes, such as temperature fluctuations, can impact water chemistry and contribute to variations in lead and copper levels, making consistent mitigation more challenging for small water systems with fewer resources.

10. Inadequate Corrosion Control:

- Lack of effective corrosion control measures can exacerbate the leaching of lead and copper from pipes and plumbing fixtures.

11. Insufficient Data Management:

- Small water systems often lack proper data management systems, which makes it difficult to track and analyze both legacy pipe and water quality data over time. This hinders effective decision-making concerning the prioritization of improvements for lead reduction.

12. Limited Access to Funding Programs:

- Small rural water systems already face challenges in accessing federal and state funding programs aimed at assisting with infrastructure improvements for lead reduction. Creating a lower action level and new legacy pipe guidelines will make it more challenging to compete with larger systems for SRF funds.


13. Limited Area to contractual resources:

- Small water systems in rural areas struggle to find contractors to develop infrastructure projects, due to the scope of the work and the cost of the projects, Across the nation, contractors are in high demand with pipeline replacement projects for large systems. Small utilities are unable to compete for and attract their services. Locating legacy pipes will add to the burden and competition for contractors, which will further increase costs.

RCAP appreciates the opportunity to comment on the important proposed LCRI and we stand ready and willing to assist small community drinking water systems to comply with the requirements under the improved rule. RCAP and our network partners have the technical capability, training, and resources to assist small systems in compliance with this new regulation as well as assistance in the newly required development of lead service line (LSL) inventories.

If you have any questions about these comments or would like RCAP to provide additional input on the rule improvements, please feel free to email me at omorales-pate@rcap.org or give me a call at (575) 640-3386.

Sincerely,



Olga Morales Pate
 Chief Executive Officer
 Rural Community Assistance Partnership Incorporated

Cc: Radhika Fox – EPA OW
 Jennifer McLain – EPA OGWDW