

Staff Response to Written Public Comments

Proposed Emergency Regulations for the Lead and Copper Rule Improvements (LCRI)

No	Commenter	Summary of Comments	Response to Comments
1	Association of California Water Agencies	The commenter expressed support for the State Water Resource Control Board Division of Drinking Water (DDW) staff's approach to adopt the federal LCRI into the California Code of Regulations through emergency regulations.	DDW thanks the commenter for their support.
2	Alameda County Water District	The commenter recommends the State Water Board provide exemptions or waivers to community water systems for child care lead sampling due to sampling already being conducted under an existing State program.	DDW staff are evaluating a waiver process for community water systems that have conducted lead sampling at child care centers in compliance with Assembly Bill 2370 (AB 2370).
		The commenter recommends the State Water Board consider water affordability to be strongly weighed when identifying funding sources for the implementation of new requirements under LCRI and Assembly Bill 1096 (AB 1096).	DDW staff have informed the Division of Financial Assistance of this comment. Funding is available to community water systems and non-profit non-community systems to complete lead service line identification and replacement. For more information, please refer to the Lead Service Line Replacement Funding Program webpage .

3	California Municipal Utilities Association	The commenter requests that DDW provide certainty that waivers will be granted for child care center sampling conducted in compliance with AB 2370 and California Department of Social Services Provider Information Notice (PIN) 21-21-CCP; establish a clear, standardized waiver process; and explicitly state in the proposed CA LCRI that monitoring conducted pursuant to AB 2370 satisfies LCRI monitoring requirements for covered facilities.	DDW staff are evaluating a waiver process for community water systems that have conducted lead sampling at child care centers in compliance with AB 2370. The waiver process may be outlined in the AB 1096 Policy Handbook. The proposed regulation text cannot be modified to be more stringent or materially different from the federal LCRI language, as required under the emergency adoption authority pursuant to Health and Safety Code section 116365.03.
		The commenter recommends that DDW revise the proposed CA LCRI and implementation guidance to clearly establish that schools and child care facilities are responsible for initiating participation and providing facility-specific information, while water utilities are responsible for conducting testing and responding to participating facilities in a timely manner.	The proposed regulation text cannot be modified to be more stringent or materially different from the federal LCRI language, as required under the emergency adoption authority pursuant to Health and Safety Code section 116365.03. Regular rulemaking in the future may occur to incorporate California-specific enhancements.
		The commenter recommends that the final regulation clearly distinguishes between water	The proposed regulation text cannot be modified to be more stringent or

		system responsibilities and property owner responsibilities and confirms that sampling results attributable to premise plumbing do not create an obligation for water utilities to retest, remediate, replace, or otherwise manage customer-owned plumbing located downstream of the meter.	materially different from the federal LCRI language, as required under the emergency adoption authority pursuant to Health and Safety Code section 116365.03. Regular rulemaking in the future may occur to incorporate California-specific enhancements.
		The commenter supports the inclusion of section 64770, "Small Water System Compliance Flexibility," in the proposed CA LCRI; appreciates the use of explicit compliance dates throughout the proposed regulation; and supports DDW's development of a tool to identify schools and child care facilities within a water system's service area.	DDW thanks the commenter for their support and feedback.