



February 20, 2023

**Regarding communication outreach to distribution Public Water Systems (PWS) for:  
General requirements summary and lead service line inventory guidance.**

**Lead and Copper Rule Revisions (LCRR)**

For DWB Guidance #1 please visit: [Lead and Copper Program \(nm.gov\)](https://www.nm.gov/lead-and-copper-program)

Lead and Copper Rule Revisions **effective date**: December 16, 2021

Lead and Copper Rule Revisions **compliance date**: October 16, 2024

**Drinking water goal**: to take out as much lead in drinking water as possible.

*Lead and copper enter drinking water primarily through plumbing materials. Exposure to lead and copper may cause health problems ranging from stomach distress to brain damage. The Lead and Copper Rule established a Maximum Contaminant Level Goal (MCLG) of zero for lead. The MCLG is zero because there is no level of exposure to lead that is without risk.*

The U.S. Environmental Protection Agency (EPA) has revised the Lead and Copper Rule that include significant changes that will be new to PWS. The goal of the Lead and Copper Rule Revisions (LCRR) is to improve protections to our communities' lead exposure in drinking water.

**New LCRR Requirements**

1. Complete corrosion control treatment steps.
2. Source water treatment requirements.
- 3. Lead service line replacement requirements. (See attached guidance)**
4. Public education and supplemental monitoring requirements.
5. Monitoring requirements: in tap water, other water quality parameters, and source water.
6. Monitoring for lead in schools and childcare facilities.

**40 CFR 141.80(a)(3)**

*Community water systems and non-transient, non-community water systems must comply with the requirements of this subpart no later than October 16, 2024, except where otherwise specified in [§§ 141.81](#), [141.84](#), [141.85](#), [141.86](#), and [141.90](#), or where an exemption in accordance with [40 CFR part 142, subpart C](#) or [F](#), has been established by the Administrator.*

**40 CFR 141.80(a)(4)**

*Between December 16, 2021, and October 16, 2024, community water systems and non-transient, non-community water systems must comply with [40 CFR 141.80](#) through [141.91](#), as codified on July 1, 2020.*

[eCFR :: 40 CFR Part 141 Subpart I -- Control of Lead and Copper](#)

Water systems must ultimately develop a system-wide lead service line inventory plan, lead service line replacement plan, and a monitoring plan for schools and licensed childcare facilities by October 16, 2024.

This includes:

- **A lead service line inventory-** All water systems must develop an inventory to identify the materials of service lines connected to the public water distribution system and the private lines up to the structure/home/building.

**NOTE: PWS are not responsible for internal structure/home/building pipes/lines. Private line cooperation with the PWS is at the discretion of the owner; however, that property's water line shall then be treated by the PWS as if it had a lead service line until the materials of that line are known.**

- **A lead service line replacement plan-** All water systems with one or more lead, galvanized requiring replacement, or lead status unknown service lines in their distribution system must, by October 16, 2024, submit a lead service line replacement plan to the State in accordance with [§ 141.90\(e\)](#).
- Provide the **operating procedures and plans for replacing lead** goosenecks, pigtails, or connectors.
- **Consumer engagement-** Any water system that plans to replace a lead service line fully or partially must provide notice to the owner.
- Develop a **lead water sampling list** of schools and licensed childcare facilities for sampling.
- Identifying **funding** opportunities applicable to your public water system.
- **Report to demonstrate compliance to State: (1)** lead service line inventory, **(2)** lead line replacement plan, **(3)** sampling plan for schools and childcare facilities.

All these requirements are lengthy and will take time to develop to become compliant. Therefore, it is recommended that public water systems break down the task into achievable goals and keep the pace to complete the required task list.

Remember your public water system's goal is to develop a sustainable plan such that it's always striving towards zero levels of lead and copper in drinking water. How you address each regulatory requirements can look different for different systems; however, the Department is providing some guidance tools that could be useful to your system. In this communication installment we will be focusing on **Lead service line replacement requirements- lead service line inventory** ([40 CFR 141.84\(a\)](#)). The following attachment is lead service line inventory guidance for public water systems based on the regulations provided in [40 CFR 141.84](#) - Lead service line replacement requirements.

**40 CFR § 141.84 Lead service line replacement requirements-**  
**Lead service line inventory guidance.**

***“To know what you know and what you do not know, that is true knowledge.”***

***- Confucius.***

**I. Identifying the materials of service lines connected to the public water distribution system.**

**A. Definitions according to [40 CFR 141.2](#)**

***Lead service line*** means a portion of pipe that is made of lead, which connects the water main to the building inlet. A lead service line may be owned by the water system, owned by the property owner, or both. For the purposes of this subpart, a galvanized service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material. If the only lead piping serving the home is a lead gooseneck, pigtail, or connector, and it is not a galvanized service line that is considered a lead service line the service line is not a lead service line. For purposes of § 141.86(a) only, a galvanized service line is not considered a lead service line.

***Lead status unknown service line*** means a service line that has not been demonstrated to meet or does not meet the SDWA Section 1417 definition of lead free. It is not necessary to physically verify the material composition (for example, copper or plastic) of a service line for its lead status to be identified (e.g., records demonstrating the service line was installed after a municipal, State, or Federal lead ban).

***Partial lead service line replacement*** means replacement of any portion of a lead service line or galvanized service line requiring replacement, as defined in this section, that leaves in service any length of lead service line or galvanized service line requiring replacement upon completion of the work. Partial lead service line replacements are permitted under limited circumstances under § 141.84(d) but do not count toward the mandatory or goal-based lead service line replacement rate.

**B. Make an inventory plan.**

The LCRR requires public water systems to complete a service line inventory that identifies all the service lines of the public water system’s distribution, including private and shared service lines. Once this is established, the second step is to determine the materials of all service lines within its entire distribution inventory.

**NOTE: The inventory must include the material type of both the customer-owned and system-owned portion of the service line (lines that run from the water main up to the home), but it does not include the home's internal plumbing.**

Taking the time to establish an inventory action plan is a great approach to guaranteeing your system addresses all the necessary requirements and ensures that your inventory approach is optimal. Establishing the materials of the service line should be partitioned from least expensive and task intensive to most expensive and task intensive. For example, reviewing in-house existing historical documents that determine location and materials should be considered first, whereas excavation to determine materials should be a well-planned and streamlined action to optimize cost and time. The following are great guideline/resource tools that could help you build your inventory plan/checklist.

The following are useful resources that could help in creating your initial “desktop” inventory plan:

Title	Agency	Topic
<a href="#">Getting Started on an LSL Inventory</a>	<a href="#">LSLR</a>	Lead service line inventory
<a href="#">Preparing an Inventory: Understanding Available Resources</a>	<a href="#">LSLR</a>	Lead service line inventory
<a href="#">Preparing an Inventory: Where Do We Start?</a>	<a href="#">LSLR</a>	Lead service line inventory
<a href="#">Chapter 3: Inventory Planning</a>	<a href="#">EPA</a>	Lead service line inventory
<a href="#">40 CFR 141.84(a)(3)</a> (sources of information list)	<a href="#">CFR</a>	Lead service line inventory
<a href="#">ASDWA Framework Lead Service Line Inventories</a>	<a href="#">ASDWA</a>	Lead service line inventory
<a href="#">Inventory Template-for-CWS-and-NTNC-Systems</a>	<a href="#">ASDWA</a>	Excel lead service line inventory
<a href="#">AWWA: Together, Let's Get the Lead Out - YouTube</a>	<a href="#">AWWA</a>	Lead inventory education
<a href="#">Strategies to Achieve Full Lead Service Line Replacement</a>	<a href="#">EPA</a>	Private lead service line replacement

Taking the time to develop a plan and following your plan will go a long way. Remember that improvements to your system's service lines should be a sustainable long-term goal. Your plan should be a dynamic living document that will help you with this upcoming deadline and any changes and challenges public water systems might face in the future. In addition, water systems should continue to implement strategies to identify and track service line materials in the inventory as they are encountered during its normal operations (e.g., checking service line materials when reading water meters or performing maintenance activities).

**Note: All systems must ultimately develop a publicly accessible inventory of lead service lines, so ensure that is included that in your inventory plan.**

**a) Records analysis**

Checklist for Record Analysis ([40 CFR 141.84\(a\)](#)).

**EXISTING RECORDS (examples)**

*I. Construction and plumbing:*

- ☐ Historical construction and plumbing codes.
- ☐ Construction and plumbing permits.
- ☐ Existing records for construction and plumbing.
- ☐ As-Builts
- ☐ Other documentation that indicates the service line materials used to connect structures to the distribution system.
- ☐ Property records pre-dating 1986 (Congress banned lead service lines in 1986)

*II. All water system:*

- ☐ Historical records.
- ☐ Past inspections.
- ☐ Distribution system maps and drawings.
- ☐ Historical records on each service connection.
- ☐ Meter installation records.
- ☐ Historical capital improvement or master plans.
- ☐ Standard operating procedures.

*III. All inspections and records of the distribution system that indicate the material composition of the service connections that connect a structure to the distribution system.*

*IV. Any resource, information, or identification method provided or required by the State to assess service line materials.*

**IF NO RECORDS ARE AVAILABLE (examples)**

- ☐ Customer Surveys
- ☐ Door to door inspections
- ☐ Material testing
- ☐ Potholing

b) Materials inventory

Here is the EPA form a PWS can fill out and submit to DWB: [Inventory Template FINAL 0.xlsx \(live.com\)](#)

Each service line, or portion of the service line where ownership is split, must be categorized as one of the following materials ([40 CFR 141.84\(a\)\(4\)](#)):

Category	Explanation
<b>Lead</b>	All or a portion of the service line is made of lead.
<b>Galvanized requiring replacement</b>	<ul style="list-style-type: none"><li>• Where a galvanized service line is or was at any time downstream of a lead service line or is currently downstream of a “Lead Status Unknown” service line.</li><li>• If the water system is unable to demonstrate that the galvanized service line was never downstream of a lead service line, it must presume there was an upstream lead service line.</li></ul>
<b>Non-lead</b>	<ul style="list-style-type: none"><li>• Where the service line is determined through an evidence-based record, method, or technique not to be lead or galvanized requiring replacement.</li><li>• The water system may classify the actual material of the service line (<i>i.e.</i>, plastic or copper) as an alternative to classifying it as “Non-lead.”</li></ul>
<b>Lead status unknown</b>	<ul style="list-style-type: none"><li>• Where the service line material is not known to be lead, galvanized requiring replacement, or a non-lead service line, such as where there is no documented evidence supporting material classification.</li><li>• The water system may classify the line as “Unknown” as an alternative to classifying it as “Lead Status Unknown,” however, all requirements that apply to “Lead Status Unknown” service lines must also apply to those classified as “Unknown.”</li><li>• Water systems may elect to provide more information regarding their unknown lines if the inventory clearly distinguishes unknown service lines from those where the material has been verified through records or inspection.</li></ul>

\* The department is requiring that all systems with any lead, galvanized requiring replacement, or lead status unknown service lines submit their Service Line Inventory lists with a location identifier (e.g., address or block), material classification, and verification method for each lead, galvanized requiring replacement, or lead status unknown service line. Here is the EPA guidance for [developing and maintaining a service line inventory](#).

**Note: Verification of a lead status unknown service line as non-lead in the inventory does not count as a service line replacement.**

**Also take into consideration corrosivity characteristics.**

**[§ 141.42 Special monitoring for corrosivity characteristics.](#)**

(d) Community water supply systems shall identify whether the following construction materials are present in their distribution system and report to the State: Lead from piping, solder, caulking, interior lining of distribution mains, alloys, and home plumbing. Copper from piping and alloys, service lines, and home plumbing. Galvanized piping, service lines, and home plumbing. Ferrous piping materials such as cast iron and steel. Asbestos cement pipe.

**C. Submitting your service line inventory to the Department**

**Information needed for Inventory Requirements**

- ✓ **Inventory of all service lines**
- ✓ **Ownership information**
  - ✓ **Materials**
  - ✓ **Size**
- ✓ **Installation dates**

Systems that can verify that their distribution system contains all non-lead service lines must submit a Non-Lead Service Line Inventory form that describes the methods used to make the non-lead service line material determination. There is an EPA [form and guidance](#) that PWS can follow. The Department is also working on a simpler form that will best serve small systems in the state.

Here are some important things to take into consideration.

- **Begin working on the service line inventory as soon as possible as this will require substantial resources and time to complete.**
- Water systems must take steps to **verify** service line materials to ensure a complete and accurate inventory.
- Systems should **verify** as many “lead status unknown” service lines as possible because unknown service lines are treated as lead service lines unless proven otherwise.
- It is important to note that physical verification at all service lines is not required or expected.

- To improve consumer awareness and risk communication, water systems **must make their lead service line inventory available to the public.**
- Systems serving greater than 50,000 people must also make their inventory available online.
- The applicable service line inventory form must be submitted to the Department by October 16, 2024.

**D. Lead service line public water system's goal list pre and post October 16, 2024.**

- ✓ Develop a **service line inventory** by October 16, 2024.
  - Use existing data – step one.
  - Gather new data – step two.
- ✓ Develop a **lead service line replacement plan** by October 16, 2024.
- ✓ Identify the materials of each service line in the system (public or private).
- ✓ Calculate the number of service lines that will need replacements.
- ✓ Make the service line materials inventory publicly accessible.
  - Must include locations.
  - Water systems serving greater than 50,000 people must make their service line inventory available publicly and accessible online.
- ✓ Conduct systematic service line replacements according to the specified requirements in the regulations as soon as it's feasible but must follow replacement plan AFTER October 16, 2024.
- ✓ Submit lead service line inventory and replacement plan to the Drinking Water Bureau before or on October 16, 2024.
- ✓ Follow the lead service line inventory and replacement reporting requirements.
  - Read Lead service line inventory and replacement reporting requirements specified in [40 CFR 141.90\(e\)](#). They are various and you need to become very familiar with them.



This guidance is not a replacement for becoming knowledgeable with the regulations and their language. Remember that your system has full responsibility for becoming familiar with the regulations that apply to your system.

**Code of Federal Regulations:**

**[eCFR :: 40 CFR Part 141 Subpart I -- Control of Lead and Copper](#)**

**FUNDING OPPORTUNITY!**

**Please submit a pre-application to the drinking water state revolving fund (DWSRF) related to the Lead Service Line Replacement funds Bipartisan Infrastructure Law (BIL).**

**[New Mexico Environment Department-Drinking Water State Revolving Fund \(DWSRF\) Pre-Application \(office.com\)](#)**

**For more information about how this funding works go to:**

**[DWSRF infographic-final Mar 2022 updates \(epa.gov\)](#)**

**[Drinking Water State Revolving Fund \(DWSRF\) | US EPA Water Infrastructure Projects and Funding \(nm.gov\)](#)**