

WATERWORKS ADVISORY COMMITTEE MEETING AGENDA

Libbie Mill Library, 2100 Libbie Lake East St., Henrico, VA 23230

September 24, 2026; 9:30 AM to 12:30 PM

Subject	Time (Estimated)
Welcome • Welcome and establish quorum – Dwayne Roadcap	9:30 – 9:35 AM
Waterworks Advisory Committee Administrative Matters • Introduction and review of agenda items – Chair David Van Gelder • Review and adoption of minutes from June meeting – Grant Kronenberg	9:35 – 9:40 AM
ODW Staffing and Budget • Status update on staffing including new position hiring – Dwayne Roadcap • Federal funding update – Dwayne Roadcap • State budget update – Dwayne Roadcap	9:40 – 10:00 AM
Drought Update • Update on drought impact and information gathering – Dwayne Roadcap	10:00 – 10:10 AM
Two-Hour Reporting Update • Frequency of reports and waterworks communications – Dwayne Roadcap	10:10 – 10:25 AM
Lead and Copper Rule • Lead and Copper Rule Revisions and Lead and Copper Rule Improvements Update – Bob Edelman	10:25 – 10:45 AM
Consumer Confidence Report • Consumer Confidence Report Rule Revisions Update – Bob Edelman	10:45 – 10:55 AM

PFAS • PFAS update including regulatory adoption – Bailey Davis	10:55 – 11:25 AM
Regulations • Regulations update – Jane Nunn	11:25 – 11:30 AM
Data and Permitting • Data and permitting update – Aaron Moses	11:30 – 11:35 AM
Compliance, Enforcement and Policy Update • Annual Compliance Report – Grant Kronenberg • Serious violators and enforcement actions update – Grant Kronenberg	11:35 – 11:50 AM
Open Discussion	11:50 AM – 12:10 PM
Public Comment Period	12:10 – 12:15 PM
Other Business • Planned upcoming meeting dates	12:15 – 12:20 PM

The method by which the Waterworks Advisory Committee chooses to meet shall not be changed unless the Waterworks Advisory Committee provides a new meeting notice in accordance with Code of Virginia § 2.2-3707.

Information and Protocol for Joining the Meeting Electronically

Access to the meeting can be achieved via computer, phone or mobile device with the meeting link below:

If accessing via a mobile device, you will need to download the WebEx Meet app prior to joining the meeting.
<https://vdhoep.webex.com/vdhoep/j.php?MTID=m35789628edb01ef3f8e39c462eca9441>

When joining the meeting, please use the meeting number and password below:

Meeting number (access code): 2868 539 5765

Meeting Password: UZt27VMspY8

You can use your computer audio or join via telephone by calling [1-844-992-4726](tel:1-844-992-4726) United States Toll Free.

Please log into the meeting at least 10 minutes before the meeting begins.

If you have problems logging in or if there is any interruption in transmission, please call Katie Saltee at 405-612-5949.

Please sign into the meeting and identify yourself so we can verify that you are attending the meeting.

After you have identified yourself, please mute your phone to reduce any unwanted noise.

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Waterworks Advisory Committee Meeting Minutes

Electronic Meeting via WebEx

Thursday, June 18, 2026, 9:30 a.m.

Members Present: David Van Gelder (Chair), Water Operator; Geneva Hudgins, VA AWWA; Mitch Rieley, VA SERCAP; Tom Fauber, VA ABPA; W. Weedon Cloe, III, DEQ; Shane Wyatt, DCLS; Skip Harper, Virginia Plumbing and Mechanical Inspectors Association; Mark Estes, VRWA; Isabelle Stitt-Fredericks, VA Health Catalyst; Mark Titcomb, VWWA; Christopher Pomeroy, Virginia Municipal Drinking Water Association; Jesse L. Royall, Jr., Community Waterworks Owners; Michelle Caruthers, VWEA; Ivy Ozmon, HRPDC; Caleb Taylor, VML.

Members Absent: Ignatius Mutoti, VSPE; Andrea Wortzel, Mission H2O.

Stakeholders and Public: Online attendees included: Callie Guy, Christian & Barton, LLP; Stephanie Collins; G Shaw.

Virginia Department of Health (VDH) Staff: Bailey Davis, Grant Kronenberg, Aaron Moses, Jane Nunn, Katie Sallee, Jarrett Talley, Anthony Hess, Dan Horne, James Reynolds, Jeremy Hull, and Linda Botts.

Welcome and Establish Quorum

The Waterworks Advisory Committee (WAC) met with a virtual quorum over Webex on Thursday, June 18, 2026, 9:30 a.m. WAC Chair David Van Gelder presided over the meeting.

Mr. Van Gelder called the meeting to order at approximately 9:31 a.m. The WAC members and VDH staff introduced themselves.

Grant Kronenberg introduced a new member of the WAC, Mitch Rieley with SERCAP. Mr. Rieley introduced himself.

Review and Adoption of Meeting Minutes of March 2026 Meeting

Grant Kronenberg briefly reviewed the meeting minutes from the WAC's March 2026 meeting. A motion was made and seconded to approve the meeting minutes as drafted, and the WAC unanimously approved the March 2026 meeting minutes. Ignatius Mutoti and Andrea Wortzel were absent from the meeting and therefore did not vote.

ODW Staffing and Budget

Mr. Kronenberg provided an update on staffing and budget for the Office of Drinking Water (ODW). He stated that currently there are 24 vacancies.

He noted that ODW is currently advertising both Emergency Services positions as both are currently vacant. He stated that ODW leadership is hoping to fill one in the near term. He also noted that ODW has hired 14 new staff since the last WAC meeting.

Mr. Kronenberg discussed ODW's vacancy and turnover rates. He stated that ODW's annual turnover rate is about 10%. He stated that ODW is moving forward on hiring 16 new positions that were funded last year. He also said that positions of note that have been hired in the central

office are a senior procurement officer, sampling verification program manager, policy analyst, and source water coordinator.

Mr. Kronenberg updated the WAC on the Bipartisan Infrastructure Law (BIL) funding and an upcoming funding cliff. He noted that House Appropriations advanced a bill that would fund DWSRF with \$5.3 million for 2027.

He noted that ODW would be left with about \$1.6 million for operations from this amount, when ODW has been using about \$11 million from the Fiscal Year 2026 BIL General Supplemental fund for operations. He noted that federal PWSS funding has additional funding for operations, but it is not enough to cover the decrease in total operating funds. He also said that the President's budget has no funding for PWSS, but ODW expects to receive some PWSS funding. He stated that about half of ODW's workforce is paid through federal grant funding leading to significant concern about strain on resources.

Jesse Royall asked what the exact expected drop in funding is, and the total operations budget. Mr. Kronenberg answered that \$10 million is the expected decrease and that the operations budget is about \$17 million. Mr. Royal asked if by July 1, 2027, ODW will only have \$7 million to operate on if nothing changes. Mr. Kronenberg stated that ODW has received additional state funding. He stated that the totals stated today are for ODW operations including staff and staff support and that funding to waterworks is separate. Mr. Kronenberg reiterated this is based on an estimate of federal funding that will be received.

Anthony Hess stated there is a delay and that 2026 grant will fund Fiscal Year 2027. He stated ODW is expecting DWSRF will continue current funding through July 30, 2027, which is when ODW will experience the funding cliff. Mr. Kronenberg stated that we have some methods to extend funding for a short time.

Mr. Kronenberg also addressed state funding. He stated that budget negotiations are ongoing, which includes \$50 million for infrastructure projects which is directed toward certain projects. \$20 million will be for City of Richmond. This requirement includes a work group that VDH participates in and that ODW will be heavily involved in discussing how to use the funding.

Mr. Kronenberg stated that additional state funding in the budget proposal for ODW operations totals \$1.9 million, starting July 1, 2027. He mentioned that ODW has identified potential ways to close the funding gap. One possibility is that ODW could transfer some positions that are federally funded positions to state General Funds instead.

Lastly, he noted that amendments to waterworks operations fees are currently pending in Secretary's office. He stated that the amendments would result in \$142,000 in additional funding, which is less than two full-time employees. He stated that currently only nine community waterworks benefit from the fee cap.

Lead and Copper Rule

Bailey Davis provided an update on the Lead and Copper Rule Revisions (LCRR) and the Lead and Copper Rule Improvements (LCRI). He reviewed the deadline for the baseline inventory, service line replacement plan, and school notifications.

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Mr. Davis stated that before the deadline of November 1, 2027, waterworks should be identifying unknown service lines, gathering service line material information, and identifying connectors as lead, unknown, non-lead, and locations with no connectors.

He defined connections again under the LCRI as a short segment of piping not exceeding three feet that can be bent and is typically used for connections from the water main in the street to the service line. It is not considered part of the service line, so it does not make the service line lead or galvanized requiring replacement (GRR).

He also presented the Lead Service Line (LSL) replacement plan and noted that a template is available on the ODW website. He discussed requirements for testing drinking water for lead in schools and childcare facilities. He reviewed requirements and notification guidelines.

Michelle Caruthers noted that at a certain point every service line was reviewed and a spreadsheet created. She asked if waterworks would need to go back out and look at connectors. She noted that some waterworks would have to pay contractors to go look at service connectors. Mr. Davis said he will send this question to Bob Edelman to clarify.

Mr. Davis posed the question, what information is needed/missing and what training is needed and when?

Skip Harper suggested communications with local building departments when replacing lines from the structure to the water meter. He suggested reaching out with city building officials to find out if permits are needed for replacement projects. He noted that some projects may entail replacing lead lines all the way to a house and stated the Uniform Statewide Building Code requires permits when changing water service which also may apply here. He wondered if city officials may waive permits if there's enough of them needing to be replaced.

Michelle Caruthers stated that all waterworks will need detailed training and examples of how it will impact what they do today and what they will need to do after November 1st. She requested detailed training be presented and suggested that Water Jam may be a good time to do this. She also suggested reviewing case studies or hosting a round table discussion.

Mr. Davis encouraged people to go to the website for new information.

Chris Pomeroy stated that he would ask the Virginia Municipal Drinking Water Association and suggested that ODW could present at its August 4th meeting.

Mr. Davis also discussed revisions to the requirements for the Consumer Confidence Report (CCR) Rule. Beginning in 2027, waterworks serving 10,000 people or more must deliver two CCRs per year. Waterworks serving 50,000 or more people must post its current year's report on the internet and any waterworks posting their CCR on the internet must maintain its availability for at least three years. A new requirement is in translation and accessibility, and he emphasized that waterworks would need to plan for this requirement.

Mr. Davis posed the same questions for the WAC regarding LCRR – what information is needed and what training is needed.

Mr. Davis stated again that there is a lot of information on the website for review as well.

PFAS Update

Mr. Davis provided a PFAS update.

He gave an overview of the timeline of changes to the PFAS rule, starting with the initial challenge from the AWWA and AMWA in October of 2024 because prior to publication, there was no public comment period provided.

On September 11, 2025, EPA filed a motion to partially vacate the PFAS rule. This follows EPA's plan to vacate the maximum contaminant level (MCL) and the maximum contaminant level goal (MCLG) for PFHxS, PFNA, HFPO-DA (Gen-X) and the Hazard Index, so EPA would only regulate PFOS and PFOA.

Mr. Davis said that in May, EPA published its intention to rescind the regulations, however they are in place until then. ODW is following the current requirement until there is a final rule adopted.

In the meantime, there are interim control measures, and at least two actions from a list of six have been requested for exemption. Those requests go to the EPA initially. He noted that ODW will not have primacy by the time this extension is required. When primacy is converted to Virginia, they will be able to determine whether they individually allow for exemptions of this nature. He also stated that Virginia waterworks regulations adopted the exemptions when they were written.

He noted that the deadline will be on April 26, 2027. He reviewed requirements for waterworks and the implementation timeline following that deadline. He also reviewed requirements for waterworks following the results of initial monitoring.

Michelle Caruthers asked if it is the intent of Virginia, if primacy is granted, to grant exemptions as EPA recommends. Mr. Davis said that is the case, and that there may be some state-level requirements.

Mr. Davis reviewed ODW's program for small water systems (serving less than 10,000 people) to collect samples and do initial monitoring at no cost. There are 1,186 eligible waterworks for this program and so far 829 are enrolled. Currently, 185 samples have been analyzed. Twelve of those systems sampled above the MCL and 38 sampled above trigger level. Mr. Davis displayed a map of samples that have been analyzed so far and noted that we are seeing more exceedances immediately to the west of I-95.

Michelle Caruthers asked about insight on why more exceedances are west of 95. Mr. Davis said there is still study being done, but so far the understanding is that the geology associated with the area, for example karst geography and split rock aquifers, makes a different impact than the Eastern Shore, which pulls from deep water aquifers. He stated that industry and manufacturing in the area also makes an impact, for example, larger populations mean more opportunities for a PFAS infiltration.

Mr. Davis noted that ODW sends information to EPA on a quarterly basis. EPA takes that information and annually reviews and prioritizes based on population and other factors. Ms. Caruthers asked about non-point source evaluation. Mr. Davis stated that is being analyzed by DEQ and directed her there for more information on non-point sources.

Cybersecurity Tabletop Exercise Update

Mr. Kronenberg gave an update on ODW's cybersecurity tabletop exercise. The tabletop exercise was a point of interest in a survey distributed to waterworks.

ODW held two regional exercises. After the meetings, staff did outreach within ODW's Richmond and Southeast Virginia field offices to gather information on how to improve the exercises. After the Richmond exercise, feedback stated that the focus should stay on cybersecurity longer. This was implemented during the Southeast Virginia Field Office exercise and feedback was positive.

A third exercise was scheduled in southwest Virginia but was canceled due to low registration.

Jarrett Talley stated a meeting was held with the Danville and Abingdon field offices directors and the Virginia Department of Emergency Management to plan future exercises. The understanding is the planned exercise had low registration due to the distance from most waterworks. The team plans to split the training into two locations to make them more regionally accessible. One will be in Abingdon and one in Danville. They are thinking that the exercises will be planned for late September for Abingdon and early October for Danville.

Regulations Update

Jane Nunn gave an update on the Waterworks Regulations.

Ms. Nunn stated that ODW is in the process of submitting several packages to the Commissioner's office or the EPA for review, and that there have not been any changes since the last update. The PFAS primacy package is on hold until the court case is settled. An extension request has been submitted for implementation of the PFAS Rule until May of 2028.

She also stated that LCRR/LCRI amendments have not yet been sent to the EPA for formal review but will be submitted by Monday. She noted that she hopes to start VDH's internal process and have primacy approved by EPA by the October deadline.

Lastly, she noted that the CCR3 Primacy package was submitted to EPA in April and an extension request, per EPA's recommendation, was submitted in May.

She also outlined the work on Waterworks Regulations. She noted that the Office of the Commissioner (OCOM) has approved the Notice of Intended Regulatory Action, and it's been sent to the Department of Planning and Budget for review, and after review will be posted to Town Hall for public comment.

She also noted that the CCR3 Final Exempt regulatory package is currently at the Governor's Office for review. The LCRR/LCRI Final Exempt regulatory package will be submitted to OCOM following EPA's informal review; likely in early August 2026. And lastly, the PFAS Final Exempt regulatory package is on hold pending outcome of EPA's federal court case.

Michelle Caruthers requested an update on what was included in the NOIRA package.

Ms. Nunn stated that the NOIRA package had remote monitoring and temporary operator license waiver changes. It also included regulatory reduction per Executive Order 19, which included changes to a lot of design regulations. It also includes some stylistic changes. Part 2 of the

regulations also changed wording for clarification, but changes were minimal to remain compliant with the federal regulations.

Compliance and Enforcement Update

Grant Kronenberg introduced Linda Botts, a new policy analyst with the Division of Compliance, Enforcement and Policy. She started in late April and will be assisting with developing new internal policies and improving existing guidance documents.

Mr. Kronenberg then gave an update on the issuance of reporting violations. He noted that 12 systems are currently considered to be serious violators by the EPA due to their ETT score. He noted that the ETT score lags the real-time violations, and at this point three of the systems are back in compliance, under an order, or no longer qualify as a waterworks. Five systems have substantially reduced their number of violations. One system recently received a consent order.

Mr. Kronenberg stated that 25 warning letters were issued in February as part of the most recent quarterly batch, which is increased from the prior quarter. ODW entered into three consent orders with waterworks owners since the last WAC meeting. He noted that the main driver in this recent quarter is that the end of the year included the end of annual monitoring periods for nitrate/nitrite as well as triennial and six-year monitoring requirements that required violations.

Open Discussion

Michelle Caruthers began the discussion by requesting more information on operator classification. She noted that there were two regulations from July of 2024 regarding remote monitoring and proposed operator classifications, which were meant to solve the difficulty of hiring Class 1 operators. She asked how many waivers VDH is giving and how long is it taking waterworks to get operators hired.

Mr. Kronenberg stated that ODW has received two to three potential licensed operator waiver candidates, but that they applied outside of the timeframe to qualify per the statute. Therefore, ODW has not granted any licensed operator waivers so far. He also noted that ODW has received one remote monitoring plan which is currently under consideration. He stated that he had expected to see more when the statute went into place.

David Van Gelder asked for more information on the progress of 2-hour reporting initiative.

Mr. Kronenberg answered that he will bring an update on data from two-hour reports to the next WAC meeting. He noted that at the last meeting they had discussed over-reporting of events by waterworks and that has decreased as ODW sent out more messaging with better explanations of what needs to be reported. He stated that the Director of ODW, Dwayne Roadcap, fields two-hour reports and notifies field offices, and that last week had several reports over a two-day span. Mr. Kronenberg stated that ODW has not issued any violations for failure to report.

Mr. Van Gelder asked if the initiative has made a positive impact, and Mr. Kronenberg confirmed that it has.

Chris Pomeroy asked if ODW has any formal or informal guidance on supporting small waterworks in volunteering to acquire a system for purposes of improving services locally.

Jarrett Talley answered that ODW has an equitable access to drinking water fund of \$200,000 per project. The fund is meant to be a stopgap for operations and maintenance funding for when

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a receiving utility is taking on a waterworks. He noted that the fund can be spent on operations cost, operating time, compliance sampling, utility bills, emergency line breaks, and deferred maintenance. He stated that it can pay for labor costs for installation of new meters.

Mr. Talley also noted that ODW has the Small Projects Engineering Services (SPES) grants. Small Project Engineering Services (SPES) are grants to small (population less than 10,000) community and nonprofit nontransient noncommunity waterworks. ODW has \$200,000 per year, split between two procured engineering firms. ODW handles the SPES on a task order basis, and caps each task order around \$20,000. Ultimately, that breaks down to about 10 individual projects per year funded through SPES.

Anthony Hess noted that ODW also has Planning and Design grants which max out at \$45,000 per project. Typical projects include preliminary engineering reports, plans and specifications, and hydraulic models. Each eligible PWSID can apply up to three times per year to be funded up to twice. ODW typically awards 8 planning grants per year.

Mr. Kronenberg stated that ODW does not have anything in the enforcement manual addressing how to handle situations with a new owner, but that the policy on equitable access to drinking water is on Town Hall. He noted that, to comply with compliance enforcement, if violations are ongoing they will still need to be addressed by the new owner. He noted that ODW would understand that the new owner has taken over system in need of work and would approach their continued work on it with understanding that it will take some time to address the issues. He also noted that the new owner is not responsible for old violations unless it is endemic to the waterworks itself, such as reliability issues and dilapidated infrastructure. He stated that they could meet to discuss and create a corrective action plan, and possibly provide that equitable access funding.

Ivy Ozman requested information on natural occurring fluoride levels that exceed the MCL. She noted that she had received copies of letters for private systems regarding fluoride exceedances, and asked if there are any collaborative projects with ODW to address those exceedances.

Mr. Kronenberg stated that staff will discuss internally developing some guidance. He noted that there are several waterworks in SEVFO who are under consent orders because they have intractable fluoride. He noted that treatment options are generally too expensive and sometimes there is not another available source. He confirmed the only requirement is to continue giving public notice.

Public Comment

None.

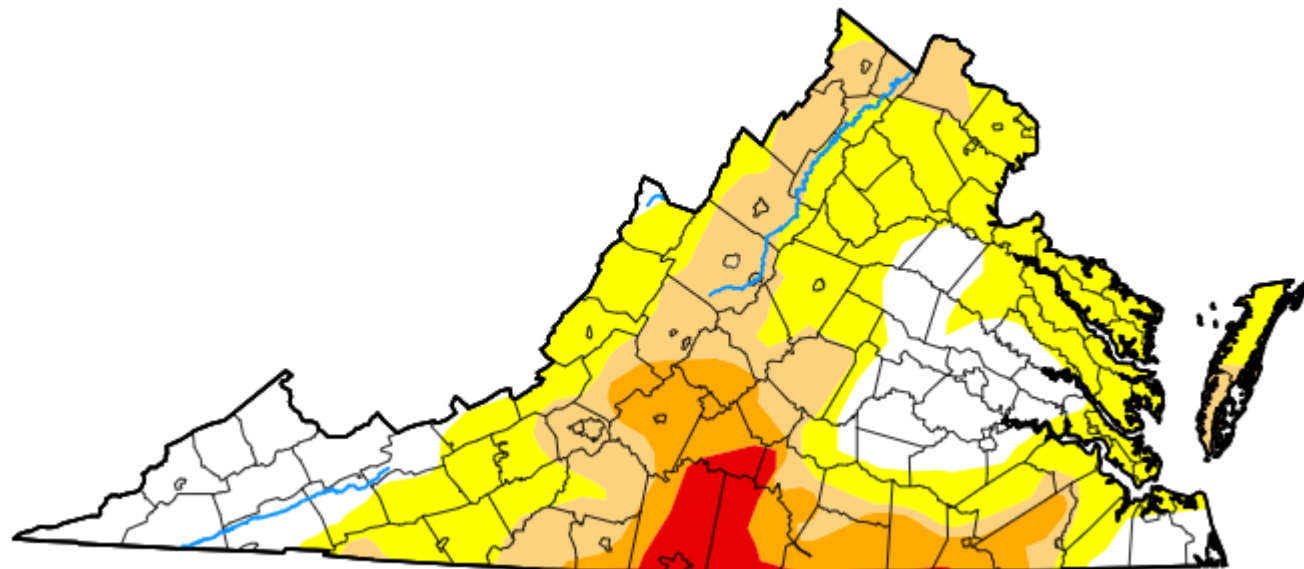
Other Business

Mr. Kronenberg stated that the next WAC meeting still needs to be scheduled and that Katie Sallee will reach out to members with a poll. He also noted that the meeting will be held in-person at a Henrico County library location.

Mr. Van Gelder adjourned the meeting at approximately 11:34.

Current Virginia Drought Conditions

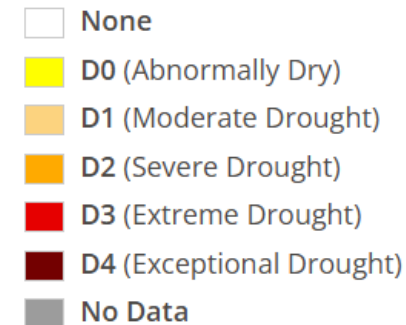
- The State of Virginia is currently facing challenging drought conditions, with approximately 75% of the land area being in a state of drought conditions*
- Approximately 7,446,446 Virginians are served by Community Water Systems



Map released: Thurs. September 10, 2026

Data valid: September 8, 2026 at 8 a.m. EDT

Intensity

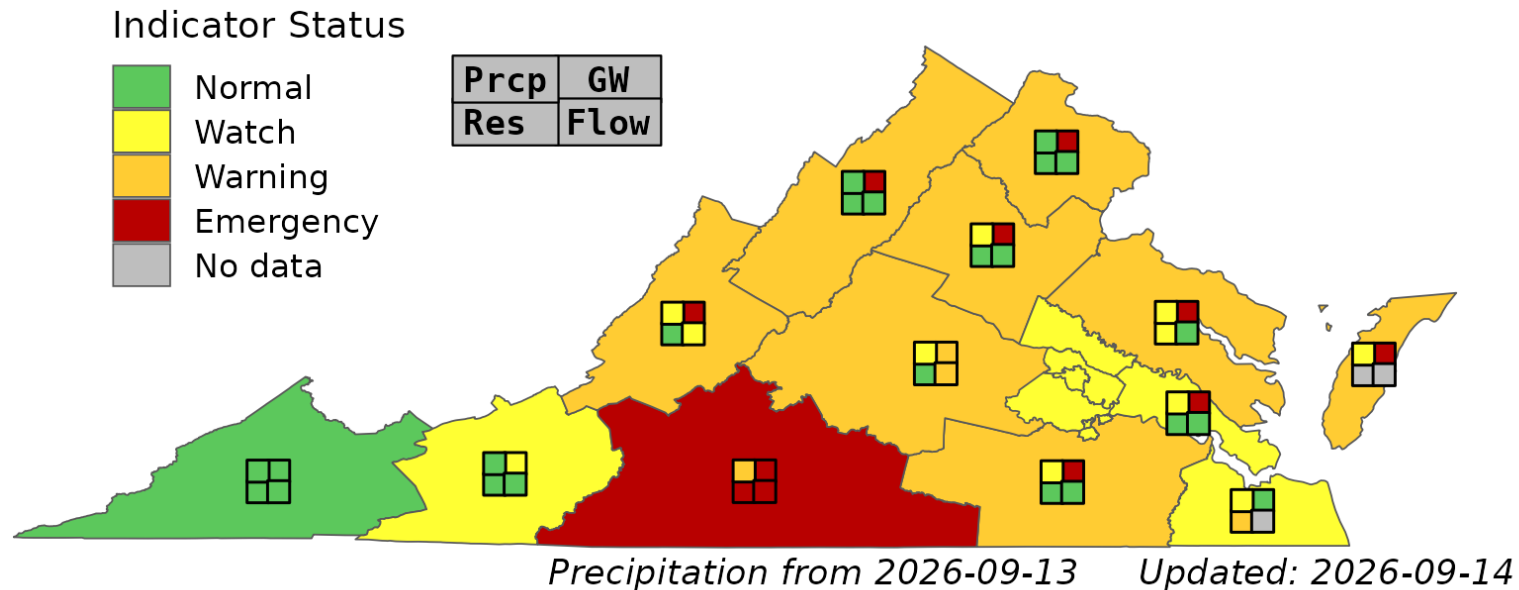


*As of September 14, 2026

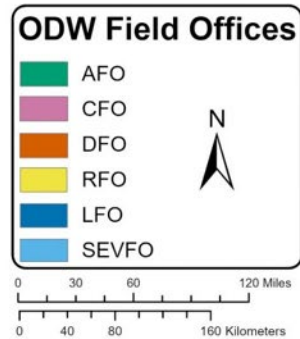
Image source: US Drought Monitor

The Virginia Drought Monitoring Task Force (DMTF)

- Responsible for making recommendations for Drought Stage declarations.
- VDH's Office of Drinking Water collaborates with the Virginia Department of Environmental Quality, the Virginia Department of Emergency Management, Virginia Department of Agriculture and Consumer Services, The Virginia Department of Wildlife Resources, The Virginia Department of Forestry, National Oceanic and Atmospheric Administration, The U.S. Army Corps of Engineers, the U.S. Department of Agriculture, and Virginia Tech



ODW in the Field



Office of Drinking Water

www.vdh.virginia.gov/odw

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The mission of the Office of Drinking Water is to protect public health by ensuring that all people in Virginia have access to an adequate supply of affordable, safe drinking water that meets federal and state drinking water standards.



The Role of Field Offices:

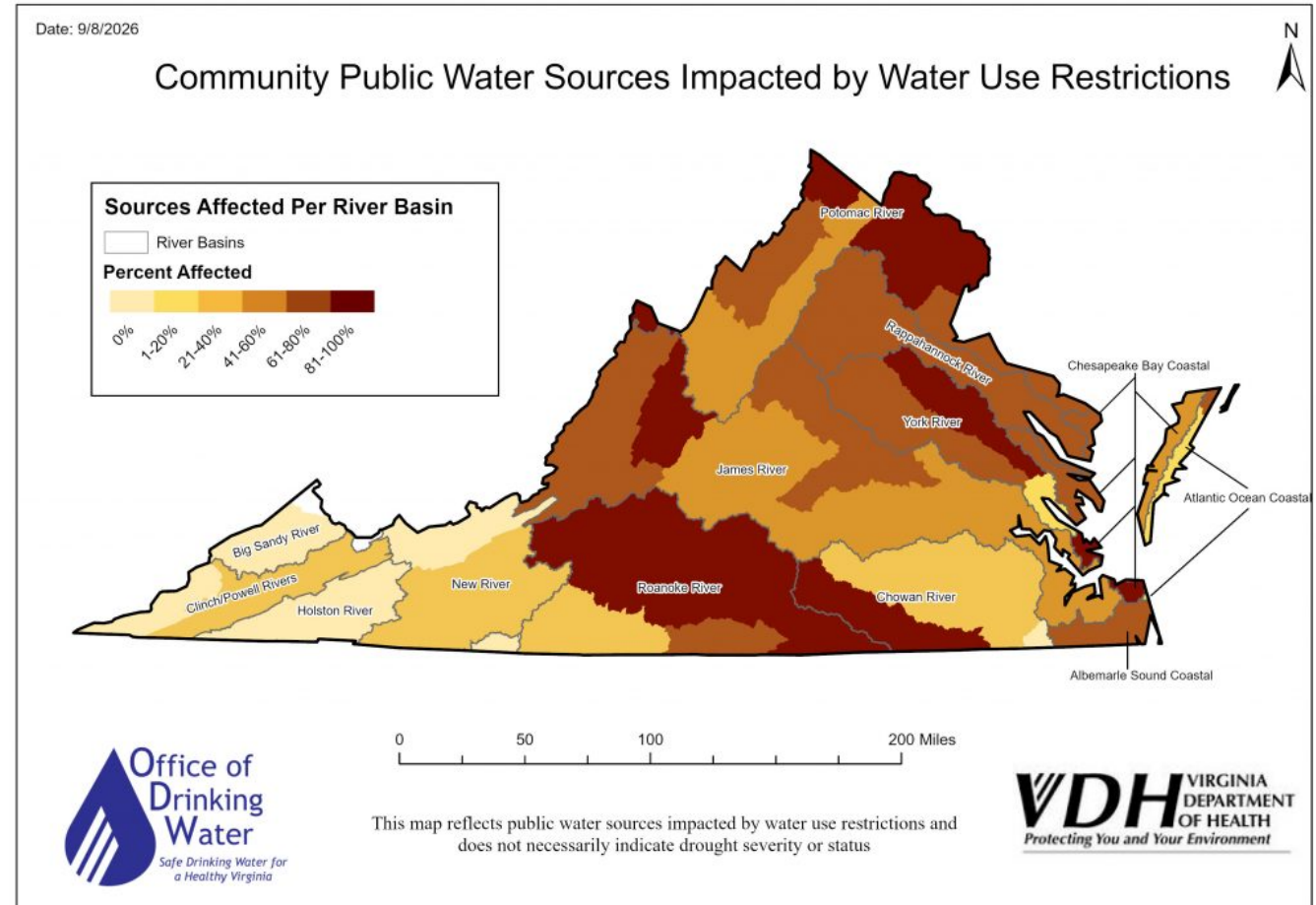
- Field offices update information for waterworks in their regions
- Monitor waterworks in their regions that may be at higher risk of disruption to operations
- Requires consistent effort, research and outreach

Water Restrictions and Conservation Efforts

ODW regulates about 2,860 waterworks throughout Virginia, including approximately 1,056 community water systems.

Our field offices provides technical assistance with the waterworks on any planned or implemented water use restrictions.

The map shows where the biggest impacts to community systems are concentrated



Water Restrictions and Conservation Efforts - Cont.

2026 DROUGHT DASHBOARD

Water Use Restrictions in Community Waterworks*

Summary of Community Water Systems with Conservation Measures in Place				
Type of Conservation	Number of Systems	Percent of Total Systems	Population Impacted	Percent of Total Population
Mandatory Conservation Measures in Place	44	4.17%	53,127	0.71%
Voluntary Conservation Measures in Place	395	37.41%	2,622,955	35.22%
Public Education	87	8.24%	1,104,455	14.83%
Systems with Conservation Measures	526	49.81%	3,780,537	50.77%
Total Community Water Systems	1,056		7,446,446	

System Types Impacted	Number of Systems
Surface Water (SW, SWP)	96
Ground Water (GW, GU, GUP)	430
Total Systems Impacted:	526

Resources and Contacts

[Drought Conservation Status Summary](#)

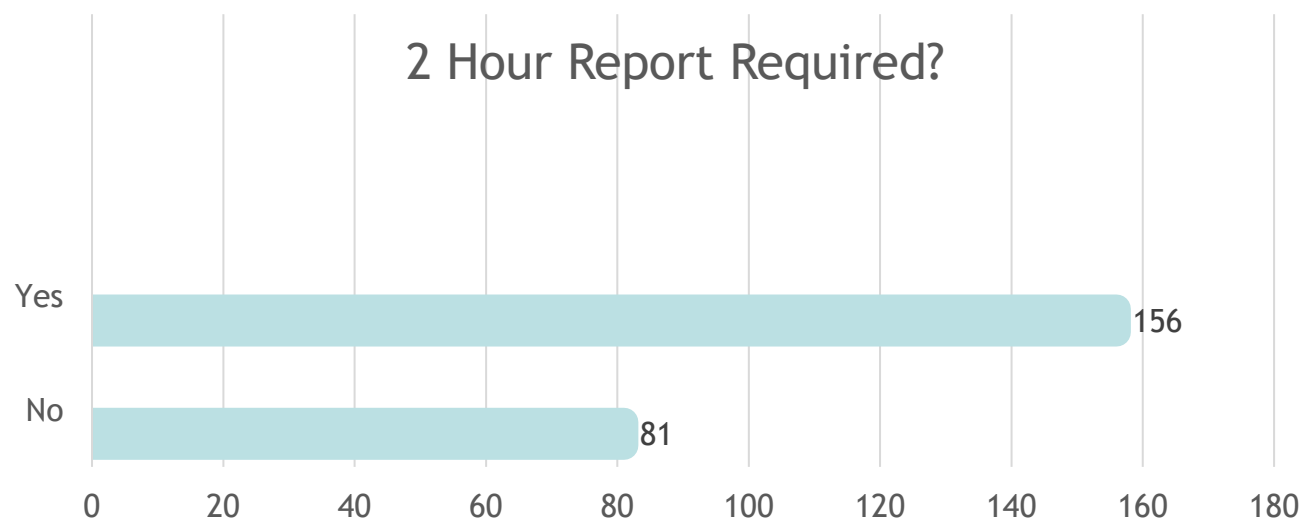
[Current Water Use Restrictions Lists](#)

[VDH Office of Drinking Water Homepage](#)

[VDH ODW Drought Monitoring Landing Page](#)

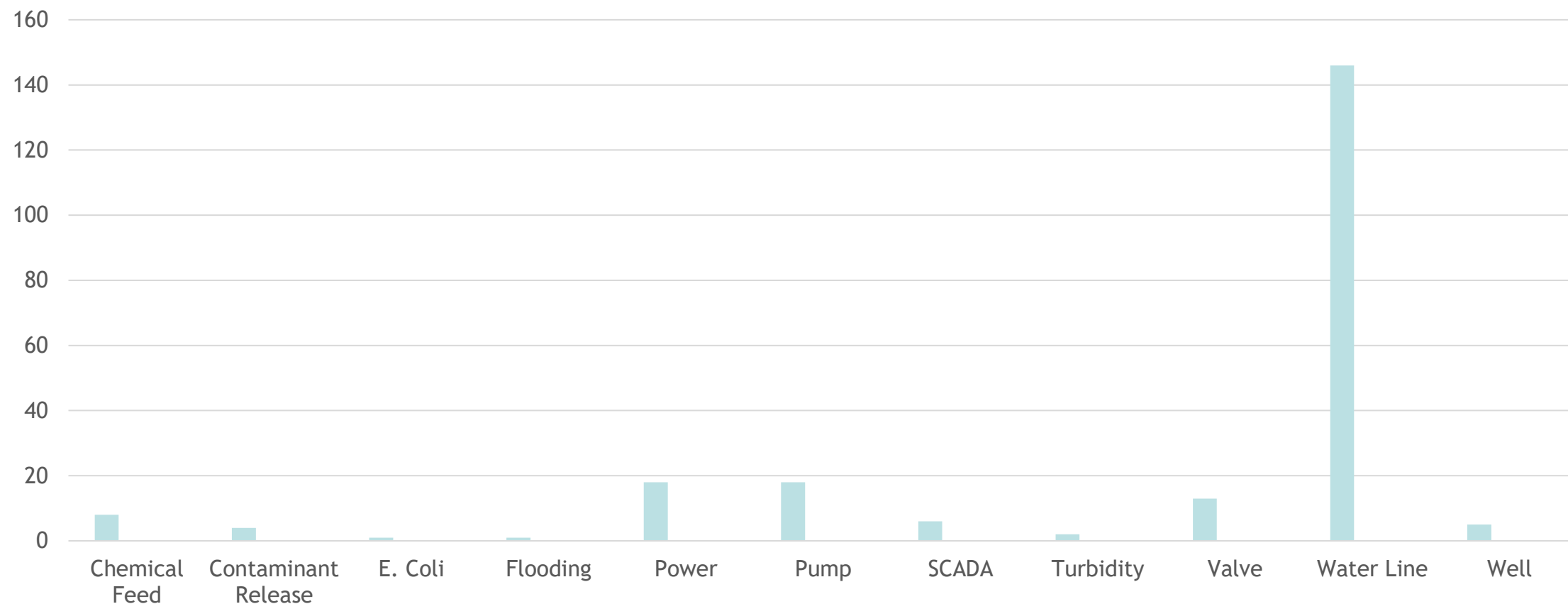
[DEQ Drought Webpage](#)

Total 2-Hour Reports Received

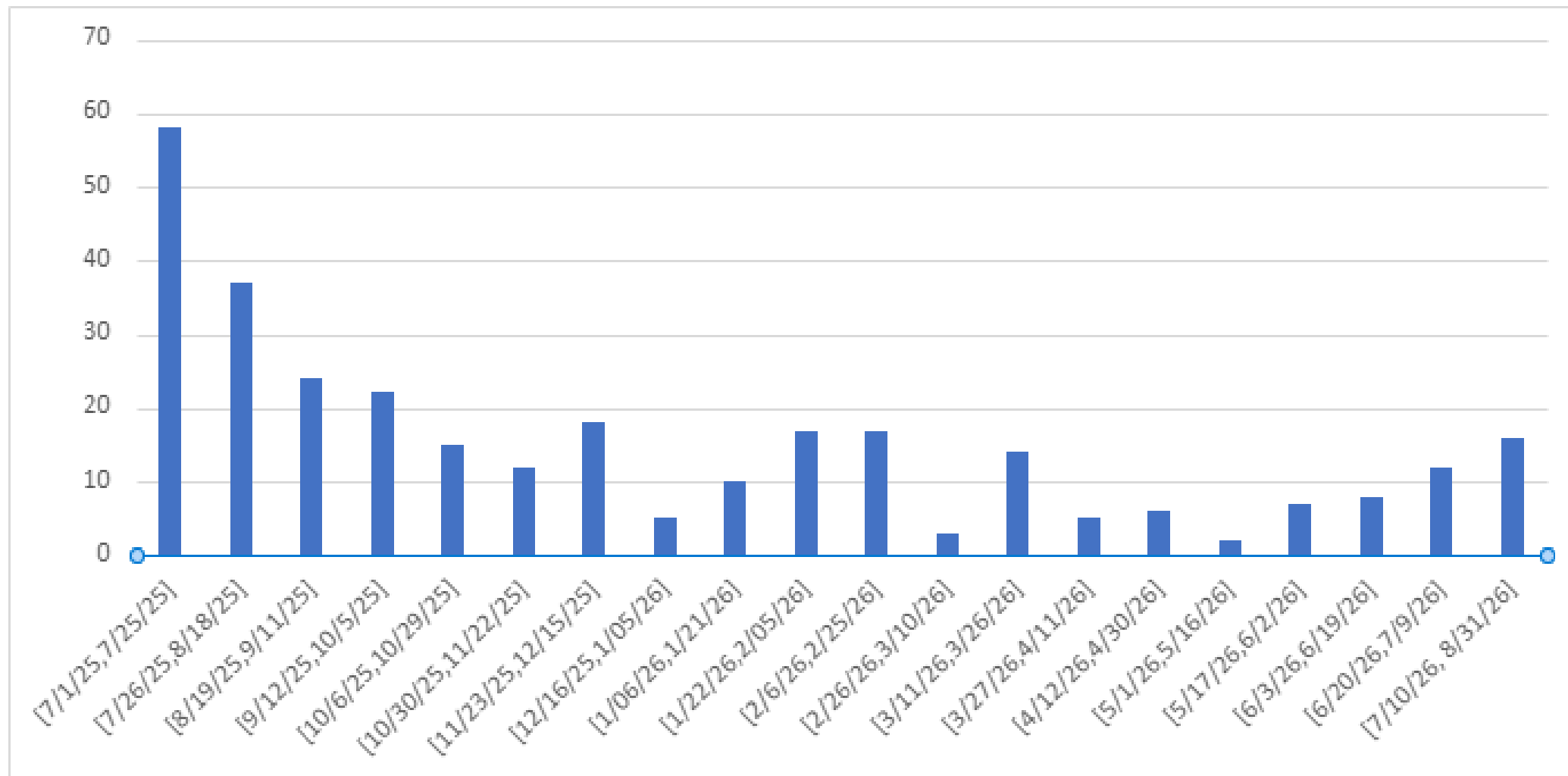


- 237 Total 2-Hour reports (since 8/01/25)
 - 156 met the 2-hour criteria
 - 81 did not meet 2-hour criteria

2-Hour Reports - Causes



Report Trends Over Time



Lead and Copper Rule Improvements (LCRI) Consumer Confidence Report Rule Revisions (CCR3)

Robert D. Edelman, PE
Director, Division of Technical Services

September 24, 2026



Upcoming Requirements and Deadlines - Summary

November 1, 2027
Submit

- Baseline Inventory
- Service Line Replacement Plan
- List of Schools and Licensed Child Day Centers

November 1, 2027
Begin

- Notify Schools and Licensed Child Day Centers
- Sample at Schools and Licensed Child Day Centers
- Service Line Disturbances: Notify customers with LSL, GRR, or unknown SLs
- Offer to sample for customers who request lead testing

Before LCR Monitoring

- Submit updated LCR Sampling Plan

Within 3 business days
of receipt

- Share sample results with customer

Baseline Service Line Inventory

All C and NTNC Waterworks
must submit a Baseline SL
Inventory

Submit by **November 1, 2027**

- Applies to all Community and NTNC Waterworks
- Submit through SWIFT Submittals beginning January 1, 2027
- Update to Initial Service Line Inventory (LCRR)

New Requirements

Connector material documentation

- Document material when a connector is present
- Connectors updated as encountered in the field or identified in records

Street address must be used when available

Connectors Classifications

Lead

Connector is made of lead

Unknown

Connector exists but material is not known

Non-Lead

Connector determined through an evidence-based record, method, or technique not to be made of lead

No
Connector

No connector at the location



Service Line Replacement Plan

- Due November 1, 2027
- Required for any waterworks with any lead, GRR or unknown service lines.
- Template is available on the LCRR/LCRI Guidance webpage
- <https://www.vdh.virginia.gov/drinking-water/lcrr-guidance/>

Service Line Replacement Plan Elements

1. Identify Unknowns
2. SL Replacement SOP
3. A communication strategy for customers with LSLs or GRRs
4. Customer flushing procedure
5. SL replacement prioritization strategy
6. Funding strategy
7. A communication strategy to inform about the SL replacement program.
8. Identify laws & regulations
9. Identify any lead-lined galvanized service lines

VDH's Objective: Public Health Protection

VDH's objective is **Public Health Protection**.

Therefore, VDH's objective becomes **ensuring that all Virginia LSLs and GRRs are replaced**. Full replacements.

The best/most effective way for getting LSLs and GRRs replaced is to:

- Make it free to the homeowner
- Do it for them

Removing Barriers to Customer-Side LSL Replacements

1. Waterworks needs to offer to replace entire LSL
2. Typically, the customer owns the SL on their property
3. SL is under waterworks control when waterworks has access to replace SL

Legal Access

Not described in LCRI = WW needs to figure this out for their community

- State, local laws, and agreements

Physical Access

Typically granted by the property owner

Removing Barriers to Customer-Side Lead Service Line Replacements

Distribution

<https://doi.org/10.1002/opfl.70060>

Sandra Kutzing is a senior vice president and the lead and copper strategy leader, CDM Smith (<https://cdmsmith.com>), Edison, N.J. Kristin Epstein is the northeastern US Lead and Copper Rule coordinator, CDM Smith, Edison, N.J.

Water systems aiming to comply with the Lead and Copper Rule Improvements must fully replace utility- and customer-owned lead service lines, but access to private property can be challenging. Fortunately, a range of tools and strategies are available to help utilities advance full replacement programs that include customer-owned lead service lines.

BY SANDRA KUTZING AND KRISTIN EPSTEIN

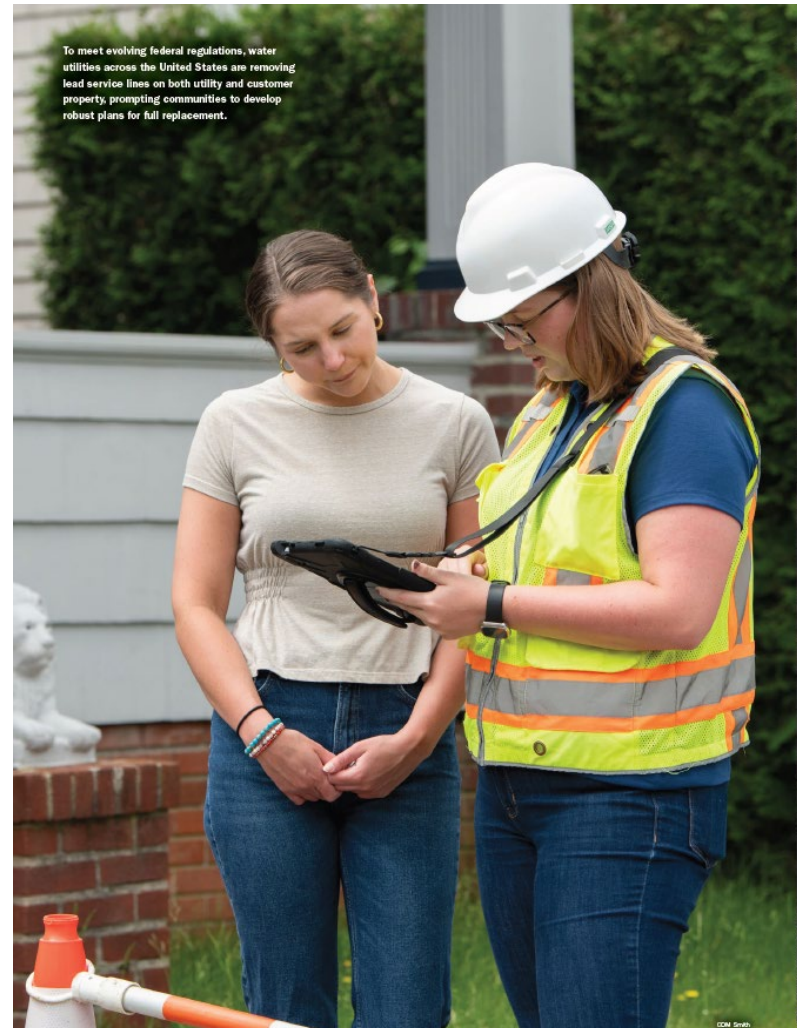
REMOVING BARRIERS TO CUSTOMER-SIDE LEAD SERVICE LINE REPLACEMENTS

IN RESPONSE to the US Environmental Protection Agency (EPA) Lead and Copper Rule Improvements (LCRI), the development of a service line replacement plan (SLRP) is a requirement for water systems across the United States. The LCRI represents a significant update to the original Lead and Copper Rule, which is aimed at enhancing public health protection by reducing lead and copper levels in drinking water. The improvements introduce more stringent requirements for water systems.

Examples include service line inventories that require identification of all service line materials, both on the utility-owned side and customer-owned sides. Other requirements include full replacement of lead and galvanized requiring replacement (GRR) service lines as well as enhanced sampling protocols to better capture potential lead exposure from drinking water in high-risk categories.

Water systems in which part or all the service line is owned by private customers face challenges

To meet evolving federal regulations, water utilities across the United States are removing lead service lines on both utility and customer property, prompting communities to develop robust plans for full replacement.



Systems that must conduct standard monitoring

Beginning **January 1, 2028**, the following must conduct standard monitoring:

- Systems with lead service lines
- Systems with GRR service lines
- Systems that exceed the revised lead action level of 0.010 mg/L
- Systems that exceed the copper action level of 1.3 mg/L

Exception: Waterworks that follow the LCRI tap sampling protocols prior to November 1, 2027.

Preparing for Tap Sampling

By the start of the first lead and copper monitoring period under LCRI, submit an updated sampling plan.

- A pool of tap sampling sites from the highest tier available
- A list of water quality parameter (WQP) entry point and distribution system sampling locations

Sample Site Tier	Community Waterworks	CWS Tier Sites
Tier 1	Single-family structures (SFS) with premise plumbing made of lead and/or served by an LSL.	Single-family structures
Tier 2	Buildings, including multiple-family residences, with premise plumbing made of lead and/or served by an LSL.	Buildings including multiple family residences
Tier 3	SFS served by a lead connector. SFS served by a galvanized service line or containing galvanized premise plumbing identified as ever having been downstream of an LSL.	Single-family structures
Tier 4	SFS that contain copper premise plumbing with lead solder installed before the effective date of the State's applicable lead ban.	Single-family structures
Tier 5	Sites that are representative of sites throughout the distribution system. A representative site is a site in which the plumbing materials used at that site would be commonly found at other sites served by the water system.	Sites = no restriction

Sampling for Compliance: First and Fifth Liter Sampling



Required by LCRI at:

- Tier 1 sites (Single family residences with LSLs)
- Tier 2 sites (Buildings, including multiple-family residences, with premise plumbing made of lead and/or served by an LSL)

Analyze first liter sample for lead and copper.

Analyze fifth liter sample for lead.

- 5 1-L Wide-mouth bottles - no bags
- Minimum 6-hour stagnation period prior to sample collection
- Acidify sample containers up to 14 days after sample collection
- Sample remains in the original container following acidification for the method-specified period of time.

Templates for Sampling Instructions will be provided by ODW/EPA

List of Schools and Child Care Facilities

Due by November 1, 2027

“Annual Period” begins November 1, 2027

Applies to all **Community Waterworks**

Develop and maintain a list of schools and child care facilities

ODW will provide a template

Public Education and lead monitoring requirements applicable to:



System Type	Applicability	Schools and child care facilities served by the water system:
CWS	YES	Were constructed and did not have full plumbing replacement <i>before</i> January 1, 2014*
CWS	YES	Are served by a lead, GRR, or an unknown service line
CWS	NO	Were constructed or had full plumbing replacement on or after January 1, 2014, <u>and</u> are not served by a lead, GRR, or an unknown service line
NTNCWS	NO	N/A

List of Schools and Child Care Facilities ²

Step 1. Identify all schools and licensed child care facilities that the water system serves.

Step 2. Determine which facilities are eligible for sampling based on plumbing age and service line material.



Facilities with plumbing installed on/after January 1, 2014, AND non-lead service lines are excluded from sampling and Public Education requirements.

Required to Include	Not Required (Optional) to Include
• Elementary schools (both public and private) • Secondary schools (both public and private) • Schools that include both elementary and secondary school grades (both public and private) • Licensed child care facilities	• Post-secondary schools (e.g., trade schools, universities) • Schools or child care facilities that are PWSs. • Schools or child care facilities that are solely supplied by private wells. • Unlicensed child care facilities

Lead Sampling in Schools and Child Care Facilities

	Schools	Child Care Facilities
Frequency	<u>Elementary Schools</u>: 20 percent minimum each year for first 5 years starting on November 1, 2027 <u>Secondary Schools</u>: On request only	20 percent minimum each year for the first 5 years starting on November 1, 2027, then on request
Number of Samples	5 samples	2 samples
Location	• 2 samples at drinking water fountains, • 1 sample at kitchen faucet used for food or drink preparation, • 1 classroom faucet or other outlet used for drinking, and • 1 nurse's office faucet, as available	• 1 at drinking water fountain and • 1 at kitchen faucet used for food or drink preparation, or 1 classroom faucet or other outlet used for drinking
Protocol	250-mL first-draw samples from a cold water tap after an 8- to 18-hours stagnation period	250-mL first-draw samples from a cold water tap after an 8- to 18-hours stagnation period

School and Child Care Centers - Sampling Waivers Conducted 1/1/2021 through 11/1/2027

Most likely waivers in Virginia:

1. Locally funded sampling that meets 3Ts protocol and LCRI sample locations.
2. Sampling under the **VDH School and Child Care Lead Testing and Reduction Grant Program** supported by the Water Infrastructure Improvements for the Nation Act (WIIN). Meets 3Ts guidance and LCRI sample locations.

See the EPA waiver checklist



3Ts for Reducing Lead in Drinking Water
in Schools and Child Care Facilities
A Training, Testing, and Taking Action Approach
Revised Manual



School and Child Care Centers - Sampling Waivers Conducted 1/1/2021 through 11/1/2027 ¹

- VDH has sampling data for sampling under WIIN grants
- VDH has some (but not all) locally funded sampling data

Plan - VDH will:

- Make data available in public database
- Mark data as compliant with LCRI and eligible for a waiver
- Provide an Excel Spreadsheet template for list of schools and child care centers
- Provide a data portal to manage uploading the list and track waivers issued

Complication:

- EPA must issue the waivers until VDH has primacy

Schools and Child Care Facilities: Public Education



Annually contact **all** schools and child care facilities on list:

- Provide information about health risks from lead in drinking water
- Steps consumer can take to reduce their exposure.

Schools and Child Care Facilities: Notification about Sampling

Facility Type	Timing	Notification Description
Elementary schools Child care facilities	During the first five years after November 1, 2027	▪ Inform facilities that they are eligible to be sampled for lead by the water system ▪ Include a proposed schedule for sampling at the facility; and information about sampling for lead in schools and child care facilities
Elementary schools Child care facilities	Starting in the sixth year after November 1, 2027	▪ Inform facilities that they are eligible to be sampled for lead by the water system on request
Secondary schools	At least once per year starting November 1, 2027	▪ Provide information on how to request sampling for lead at the facility and information about sampling for lead in schools and child care facilities

Consumer Notifications



Notification of Service Line Disturbances

Customers with LSL, GRR, or lead status unknown potentially affected during water-related work.

- Shut off or bypass, reconnecting a SL, vibration
 - Provide public education materials
 - Instructions for flushing
- Replacement of a meter, meter setter or connector, or replacement of a water main where the service line is cut
 - Provide public education materials
 - Instructions for flushing
 - Provide a pitcher filter or POU device certified to meet an ANSI standard to remove lead.

Consumer Notice of Tap Sampling Results

We recently collected drinking water samples to find the amount of lead in our water. The result of this test was within limits.

Our water is safe to drink!

Lead result from your test:

Water System	Anytown
Sample Point	123 Main Street
Sample Collection Date	7/1/2025
Sample Result for Lead	0.001 mg/L
Sample Result for Copper	0.1 mg/L

However, there are steps to reduce exposure to lead in drinking water, including:

- **Run your water before use.** If water hasn't been used for several hours, allow the water to run at the tap for 30 seconds to 2 minutes or until it becomes cold or reaches a steady temperature before using it for drinking or cooking.
- **Use cold water for cooking and preparing baby formula.** Do not cook with or drink water from the hot water tap as lead dissolves more easily into hot water. Do not use water from the hot water tap to make baby formula.
- **Clean your aerator.** Regularly clean your faucet's screen (also known as an aerator). Sediment, debris, and lead particles can collect in your aerator. If lead particles are caught in the aerator, lead can get into your water.

- Provide the Consumer Notice of lead or copper tap sampling results as soon as practicable but no later than **three business days** of learning of the results.
- Applies to both compliance samples and customer-requested samples.

Customer-Requested Sampling



Waterworks must offer to sample for lead in the tap water of any person who requests it if:

- The waterworks has a lead ALE, or
- The consumer is served by a lead, GRR, or lead status unknown SLs.

At homes with lead, GRR, or unknown SLs, use first-and-fifth-liter samples.

LCRR/LCRI Resources and Training

EPA is publishing guidance documents:

[Lead and Copper Rule Improvements: Supporting Materials](#)

[Lead and Copper Rule Implementation Tools](#)

EPA has a long list of promised guidance documents

[VDH ODW LCRR/LCRI Guidance Webpage](#)

EPA Region 3 is providing LCRI training to State staff and TA Providers

- December 1-3, 2026

ODW will offer training webinars beginning January 2026.

Training will be announced through the [ODW Newsletter](#)

LCRR/LCRI WAC Input

- VDH is adopting the LCRR and LCRI as-is (no more or less stringent).
 - VDH is dependent upon EPA to issue guidance documents.
1. What information is needed/missing?
 2. What training is needed? When?

Lead & Copper Deadlines



Last day to use
Initial Inventory
Template in
SWIFT Portal



Only NEW
Baseline Inventories
Accepted in
SWIFT Portal



All baseline
lead service line
inventories DUE

Consumer Confidence Report Rule Revisions (CCR3)



Big Changes Coming in 2027:

Community Waterworks Deliver Two Per Year

Community Water Systems (CWSs) $\geq$ 10,000 people:

- Two Consumer Confidence Reports (CCRs) per year:
 - First CCR: Due by July 1st - covers full previous calendar year.
 - Second CCR: Due by December 31st - provides updated annual summary.
 - Must include an update on the January-June 6-month period if:
 - There were violations,
 - Lead action level exceedances, or
 - UCMR results were received.

More Changes (Starting in 2027)

Certification to VDH

- CCR and Certification due **10 days after** the CWS is required to distribute the reports to customers. (July 11, 2027, January 10, 2028)

CCRs on the Web

- All CWSs posting their CCR on a website must keep it online for at least 3 years.
- CWSs $\geq 50,000$ people: online CCR required.

Definitions: Updated by CCR3

Additional Health Information: Statements Updated by CCR3 (Nitrate, Arsenic, Lead)

Still More Changes in 2027

Summary Now Required

- CCRs begin with a summary of key information, including contact information and, when applicable, brief descriptions of violations and notes about included public notices.

Translation Access

- CWSs serving $\geq 100,000$ people
 - Required to develop language access plans. Due July 11, 2027.
- Communities with many consumers who have limited English proficiency must include information on how to obtain a translated report or language assistance.

Other CCR Changes (Starting in 2027)

Accessibility

- CWSs must make a reasonable effort to provide the reports in an accessible format to anyone who requests an accommodation.

Lead and Copper Rule information is available and how to access it:

- Lead tap sampling data
- Service line inventory

Information about corrosion control treatment



Annual Water Quality Report

In this section



The Fairfax Water Annual Water Quality Report is available at the link below

2025 Annual Water Quality Report

CCR3 Resources and Training

EPA resources

[Consumer Confident Report Rule Revisions](#)

[Federal Register Notice: CCR3 Q&A document](#)

[CCR3 Comparison Fact Sheet](#)

EPA has not published any other documents or tools for the CCR3

[VDH ODW Consumer Confidence Report Webpage](#)

Training

ODW webinar on the rule requirements November 10.

EPA Training to States in November

See the [ODW Newsletter](#)

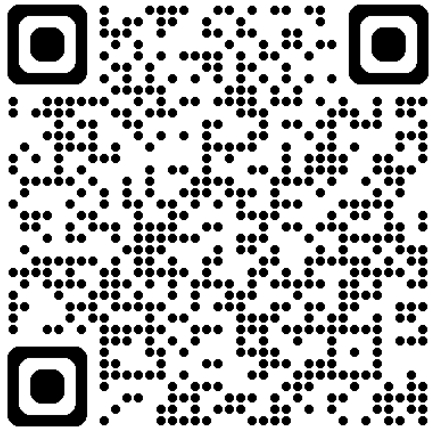
CCR Preparation

Waterworks Owners

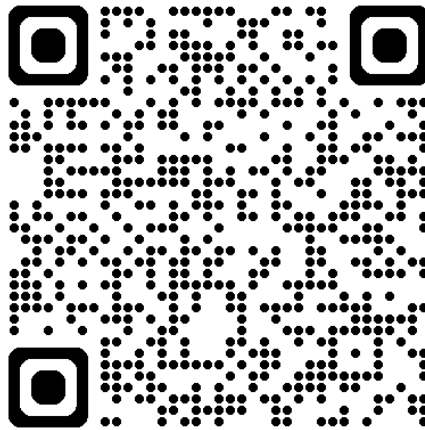
CCR3 WAC Input

- VDH is adopting the CCR3 as-is (no more or less stringent).
- Amendments effective September 23, 2026.
- VDH is dependent upon EPA to issue guidance documents.
 1. What information is needed/missing?
 2. What training is needed? When?
- July 1, 2027 - Deliver CCRs
- July 11, 2027 - CCR and Certification, Translation Access Plan ($\geq 100,000$) due to VDH
- December 31, 2027 - Deliver CCRs ($\geq 10,000$)
- January 10, 2028 - CCR and Certification due to VDH ($\geq 10,000$)

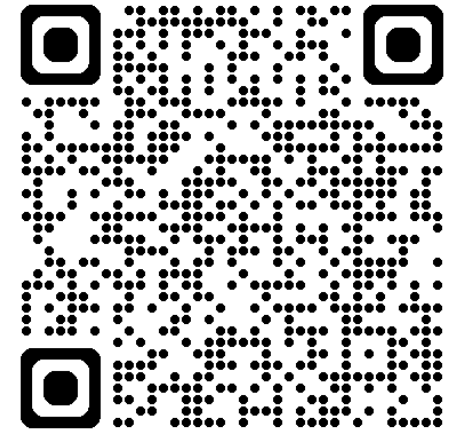
CCR Resources



EPA CCR3 Webpage



EPA CCR Tools



ODW Field
Offices -
Contact Us

Questions?

Robert D. Edelman, PE

(804) 864-7490

Robert.Edelman@vdh.virginia.gov



WAC Meeting PFAS Updates

September 24, 2026
Bailey Davis
Chief of Field Operations



AWWA/AMWA Legal Challenge to PFAS Rule

Oral Arguments scheduled for 9/18/2026

Key Litigation Issues

Scientific Basis: Litigants argue EPA did not fully incorporate updated PFAS occurrence data or UCMR5 data.

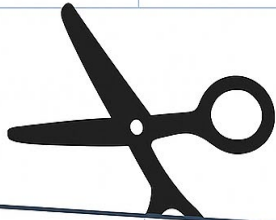
Hazard Index: Challenge to EPA's novel approach using a Hazard Index for PFAS mixtures.

Cost Impact: Concern for affordability and allocation of resources for water systems, citing potential trillion-dollar infrastructure costs over 25 years.

Polluter Pays Principle: Advocacy for directing liability to PFAS Manufacturers rather than drinking water utilities.

EPA Proposed Rules Published 5/20/26

PFAS	MCL
PFOA	4 ppt
PFOS	4 ppt



PFHxS	10 ppt
PFNA	10 ppt
GenX	10 ppt
HI	1

Proposed Rule 1 - Recission of Regulatory Determinations & 4 PFAS MCLs

EPA proposes to rescind its prior regulatory determinations and remove all associated MCLs, MCLGs, and provisions for PFHxS, PFNA, HFPO-DA (GenX), and the PFAS mixture, citing legal errors in how the 2024 PFAS drinking water rule was issued.

This action eliminates monitoring and treatment requirements for these four PFAS but leaves PFOA and PFOS standards unchanged.

EPA Proposed Rules Published 5/20/26

APRIL 2029						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	26				



APRIL 2031						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	26			

Proposed Rule 2 - Extending the Compliance Deadline for PFOA & PFOS MCLs

EPA proposes extending the PFOA and PFOS MCL compliance deadline from April 26, 2029 to April 26, 2031 for systems that request an exemption.

Eligible systems must apply for the extension and, if PFAS levels are $\geq$ 12 ppt, implement **interim control measures** during the two-year period to avoid unreasonable health risk.

Interim Control Measures for Systems with PFOA or PFOS ≥ 12 ppt

Must implement at least two measures. Available to all Customers. Cannot be education and outreach alone.

- Provide alternative water supplies (e.g., bottled water).
- Install, maintain, and operate point-of-use (POU) or point-of-entry (POE) devices.
- Provide certified pitcher filters (with two years of replacement filters).
- Develop source water controls (actions to reduce PFAS at the source).
- Provide public education (written materials meeting EPA content requirements).
- Conduct community outreach activities (meetings, events, customer notifications, etc.).

Waterworks Regulations and Primacy Package

ODW PFAS committee developing proposal to adopt PFAS rule as currently written.

Why does the PFAS committee want to take this action?

- Enactment Clause (Ch. 585, 2022 item 2) - Board of Health must align state MCL's with EPA standards on schedule to preserve SDWA primacy
 - Primacy extension agreement expires 04/2028
- EPA enforcement of initial monitoring and compliance monitoring activities
 - LCRR inventory enforcement was a multiyear effort
 - EPA region 3 staffing difficulties
- Data shows proposed recission rule will have no impact
- Clarifies federal uncertainty of legal challenges
- Clarity to customers surrounding actions and requirements

Waterworks Regulations and Primacy Package

Disadvantages of this approach

- Potential for multiple regulations updates
- May cause a period of state rules being more stringent than federal rules
- Uncertainty surrounding proposed rules
- Communicating changes on state timeline instead of federal

Waterworks Regulations and Primacy Package



ODW proposes to update waterworks regulations to incorporate federal PFAS rule as written



Primacy package to be completed after completion of the regulation updates



Update to waterworks regulations incorporates federal language “quote for quote” drafted and ready to submit



Regulation update will be approved following the “exempt process” which can shorten timeline to as little as 6 months

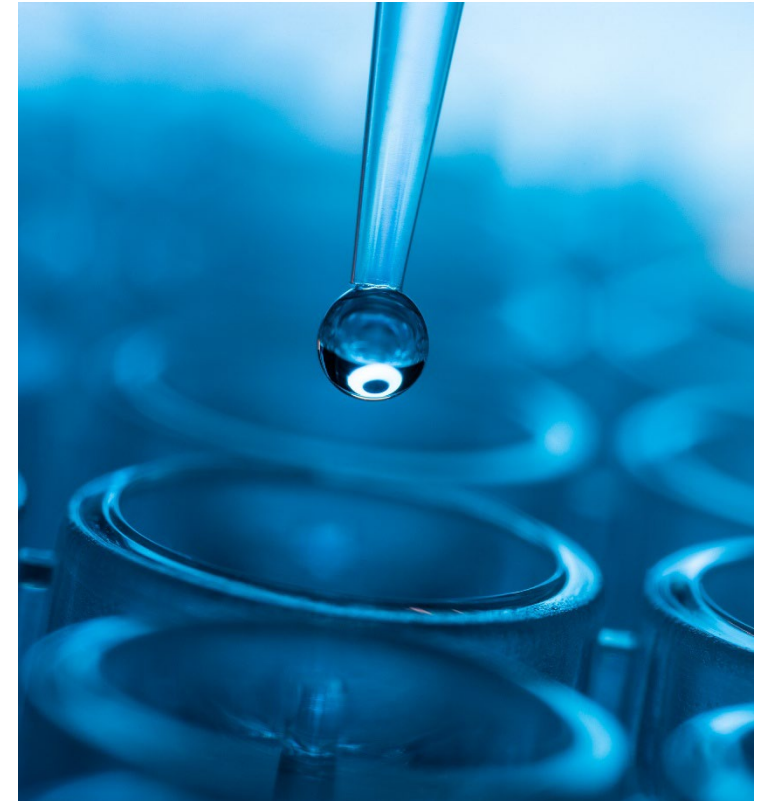


ODW will update regulations with new proposed rules once they are finalized



PFAS Monitoring for Small Systems at No Cost

- Contractor, TruePani, collecting samples
- Pace Analytical analyzing samples
- Groundwater sources
- Systems serving $\leq 10,000$ persons
- Data can be used for initial monitoring compliance
- EPA Method 533



PFAS Monitoring for Small Systems at No Cost

Program Stats

Total Eligible Waterworks

1186

Systems in Compliance

129

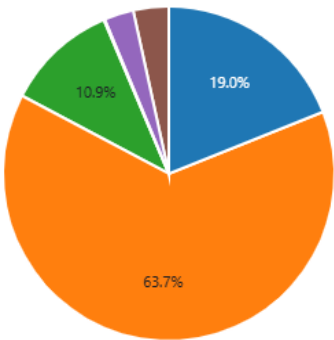
Enrolled Waterworks

841

Enrollment Progress

Export to CSV 

The chart below provides an overview of enrollment progress to date.
To export a list of the enrollment information submitted by waterworks, click the "Export to CSV" button above. Under the title of the page that opens, click the three dots (...) then select "Download CSV."



- Status
- Declined Participation (225)
 - Enrolled (756)
 - Fully Compliant (129)
 - No Longer Regulated (1)
 - Not Enrolled (34)
 - Sampled Independently (41)

Data as of 8/19/26

PFAS Phase 4 Data

Sampling Progress

Sampling Visits Completed

1 visit per waterworks per round

681

EPs Sampled

896

Sample Results

EP Samples Analyzed

777

FRBs Analyzed

Must be over 20% per QAPP

395

Field Dups Analyzed

Must be over 5% per QAPP

26

Samples Above MCL

81

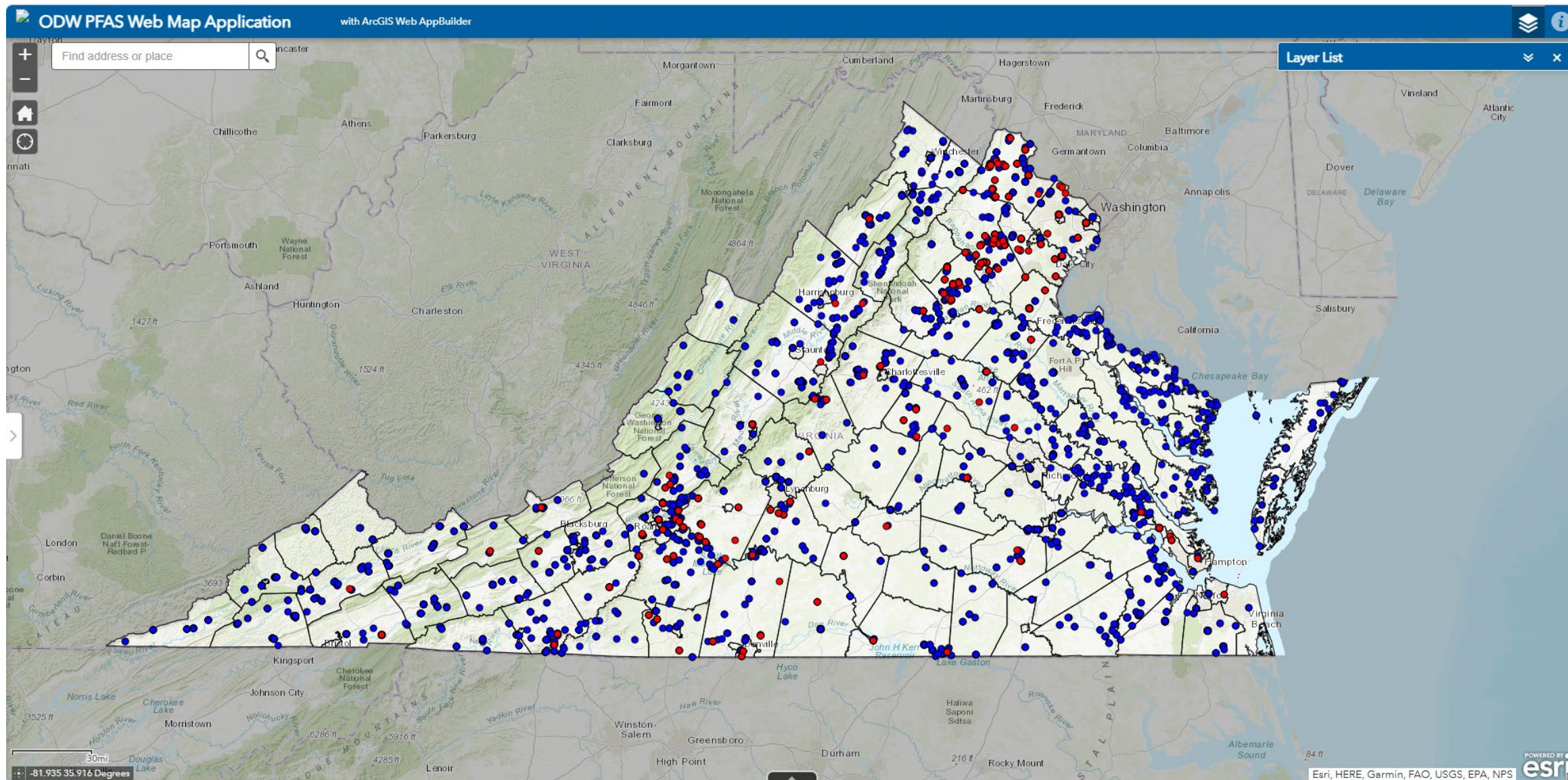
Samples Above Trigger Level

132

- 10.4% of EP samples analyzed exceed MCL's
- 17.0% of EP samples analyzed exceed Trigger Levels

Data as of 9/2/26

PFAS Data at www.vdh.virginia.gov/drinking-water/pfas



ODW accepting data through CMDP

- Laboratory FAQs developed and posted on the ODW website [here](#)
- Require the use of method codes EPA 533, EPA 537.1.V2, or EPA 537.1
- Require the six regulated analytes but prefer full method lists
- Reporting limits to 1/3 of the PQL of each regulated analyte
- Report FRB results associated with samples that have quantitative or qualitative results as sample type Field Blank or FB
- Contact Laboratory Technical Liaison Leslie Fleury

Leslie.Holt@vdh.virginia.gov for more info

Analyte	PQL (ppt)	Reporting Limit (ppt)
PFOA	4.0	1.3
PFOS	4.0	1.3
PFHxS	3.0	1.0
HFPDO-DA	5.0	1.7
PFNA	4.0	1.3
PFBS	3.0	1.0

PFAS Initial Monitoring Data Tool

PWSID:	6000000						
Waterworks Name:	Ankh-Morpork						
Waterworks population served:	99						
Facility Sampled:	A-M WTF Entry Point						
Entry Point Source Water Type	Ground Water						
Initial Monitoring Requirement	2 samples collected 5 to 7 months apart.						

Sample Date	PFOA	PFOS	PFNA	PFBS	PFHxS	HFPO-DA	Hazard Index*
1/1/2023	ND	22	0	4	0	<2	0
8/25/2025	0	20	<4	<2	15	<2	1.5
Average of your results	0.0	21.0	0.0	2.0	7.5	0.0	0.8
PMCL (ng/L-ppt)	4.0	4.0	10	-	10	10	1
Trigger Level (ng/L-ppt)	2.0	2.0	5	-	5	5	0.5
Health Based Water Concentration (HBWC) (ng/L-ppt)	-	-	10	2000	10	10	-

*Hazard Index is a dimensionless calculated value representing the aggregate health risk presented by PFNA, PFBS, PFHxS, and HFPO-DA, based on the HBWC factors above.

PFAS Result Compliance Punchline	PFOA	PFOS	PFNA	PFBS	PFHxS	HFPO-DA	Hazard Index
Possible MCL Violation starting 2029?	N	Y	N	N	N	N	N
Any Result Exceeds MCL?	N	Y	N	N	Y	N	Y
Any Result Exceeds Trigger Level?	N	Y	N	N	Y	N	Y

You could be out of compliance starting 2029. Contact your ODW Field Office to discuss options for

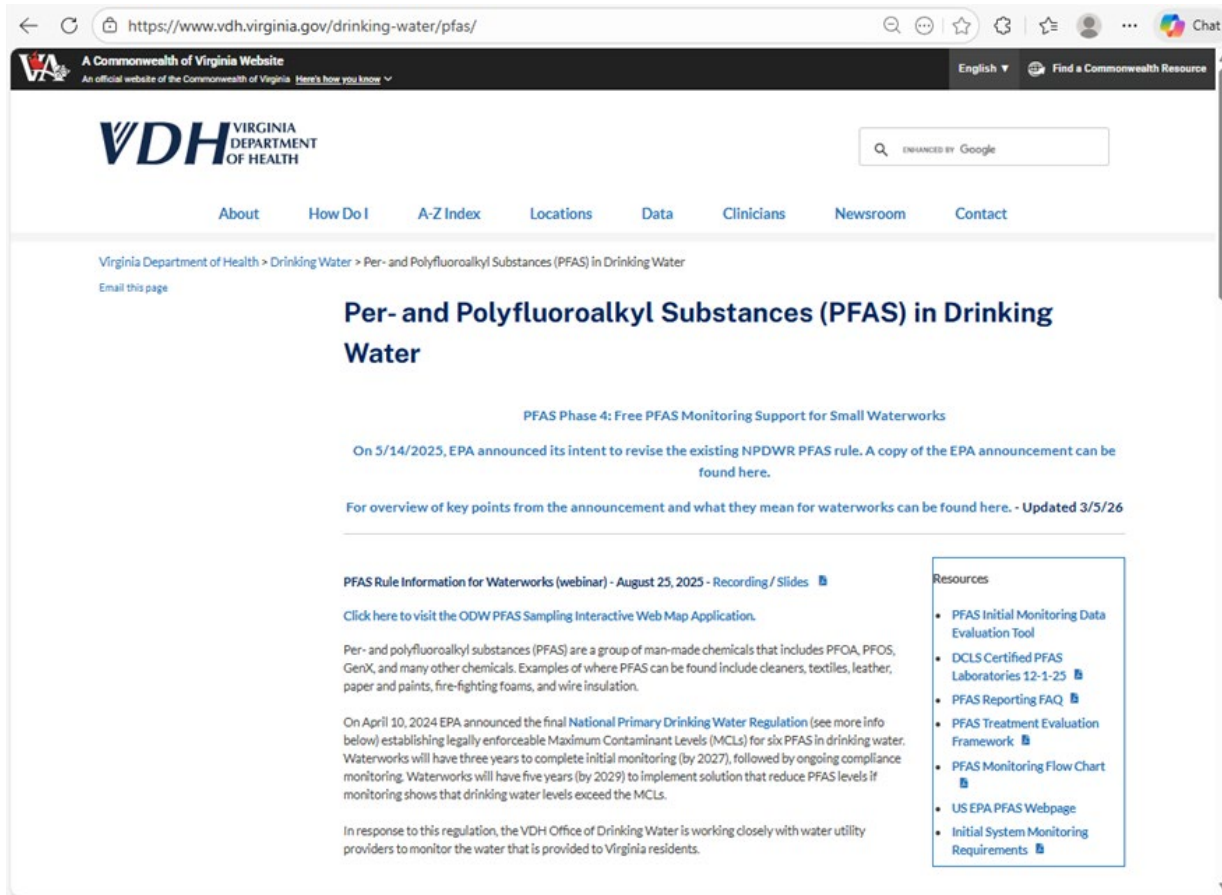
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- Tool for waterworks to self-evaluate initial monitoring data
- Tool is posted on the ODW PFAS webpage



PFAS Resources

ODW PFAS website www.vdh.virginia.gov/drinking-water/pfas/



- Initial and Compliance Monitoring Timeline and Requirements
- PFAS Rule Updates
- Sampling Protocols
- List of Certified Labs
- Link to Webinars
- Financial Resources
- Treatment Evaluation Framework
- Sampling Results
- And many more

Questions?

For up-to-date information go to:

<https://www.vdh.virginia.gov/drinking-water/pfas/>

Bailey Davis

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bailey.davis@vdh.virginia.gov

Regulations - Update

September 24, 2026

Jane S. Nunn, JD, MPA
Policy and Program Coordinator



Federal Rules

PFAS Rule

- Primacy package on hold

LCRR/LCRI Rules

- EPA's informal review/approval pending; primacy package expected to be submitted October 2026; extension request will be submitted October 2026

CCR3

- Primacy package submitted to EPA in April; extension request approved; EPA waiting for OAG letter stating that amendments to Waterworks Regulations are effective; OAG letter requested

Waterworks Regulations

- Amendments based on periodic review not yet posted to Town Hall for public comment; unsure when this will occur
- CCR3 amendments effective as of September 23, 2026
- LCRR/LCRI Final Exempt regulatory package will be submitted to the Commissioner's Office following completion of EPA's informal review
- PFAS Final Exempt regulatory package on hold pending outcome of discussions with internal and external stakeholders

Questions?

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Compliance, Enforcement and Policy (CEP) Update

Waterworks Advisory Committee
September 24, 2026

Grant E. Kronenberg
ODW, Director of the Division of
Compliance, Enforcement & Policy

2025 Annual Compliance Report

- Submitted to EPA annually.
- Provides information regarding violations of federal regulatory requirements.
- A few takeaways:
 - About a quarter of Virginia waterworks had a federal regulatory violation in 2025.
 - TNCs had the most waterworks with a violation.
 - Most common federal rule that was violated was RTCR, followed by Volatile Organic Chemicals, and then Public Notice.
 - Virginia's relative number of violations, and number of acute health-based and other health-based violations is below EPA Region 3 and national.

CEP Update - Statistics

- Third Quarter Enforcement Targeting Tool (ETT) Report from EPA.
- 12 systems considered to be a “serious violator” by EPA on account of their ETT score.
- ETT lags behind current data by about six months.
- 10 of the 12 serious violators are back in full compliance or under an administrative order.
- Currently, 6 systems would be a “serious violator” under the real-time Enforcement Targeting Tool Assistant (ETTA). Down from 12 at the time of the last WAC meeting.
- Issued 11 warning letters in August for the third quarter. Down from 25 issued for the second quarter.

CEP Update - Operator Violations

- ODW plans to pursue formal enforcement related to ongoing operator violations.
- 9 waterworks currently have an operator violation.
- Take same approach with operator violations as we do with other violations. Try to achieve compliance as the first step.
- More likely to pursue enforcement if the owner is not taking steps to address the violation by actively working to hire an operator.

CEP Update - Operator Violations

- Formal enforcement would include a civil penalty for non-compliance to date and a period of time to come into compliance. Also, would require a written hiring plan.
- Failure to return to compliance within the identified time period would trigger additional civil penalties.
- Attempt to calibrate the amount of the civil penalty based on the economic benefit that is being received by not paying an operator.
- Sliding scale - Class 1 highest civil penalty and Class 6 the lowest.
- May pursue additional enforcement action, such as in court, if continued non-compliance despite the additional civil penalties.

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