ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Douglas A. Ducey
Governor

Misael Cabrera
Director

March 29, 2016

via email: Beauvis.joel@epa.gov

Deputy Assistant Administrator Joel Beauvais
United States Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, NW
Mail Code: 4101M
Washington, DC 20460

Re: Response to Deputy Assistant Administrator Beauvais regarding USEPA/STATE Partnership in preventing Lead Exceedances in Drinking Water

Dear Assistant Administrator Beauvais:

Thank you for your letter expressing the U.S. Environmental Protection Agency's (EPA) high priority in protecting public health, specifically regarding lead in drinking water. We can assure you that we understand that the water that we drink is second only in importance for public health to the air we breathe. Thus, the Arizona Department of Environmental Quality (ADEQ) shares your priority and is committed to working together with EPA and public water systems (PWS) to implement the Lead and Copper Rule (LCR).

In responding to your letter and acknowledging that we have room to improve, we also want to distinguish Arizona from the incident that prompted the increased and appropriate focus on lead in drinking water by providing the following Arizona facts:

- 99.9 percent of the population in Arizona served by PWS subject to the federal LCR are drinking water that meets the lead action level.
- 98.4 percent of PWS in Arizona subject to the federal LCR currently meet the lead action level.
- 96.8 percent PWS in Arizona subject to the federal LCR had no lead action level exceedances since 2012.
- All Arizona PWS subject to the federal LCR, which serve a population of 10,000 and greater, have met the lead action level since 2002.

Having said that, small PWS continue to be a challenge nationwide as well as in Arizona. In acknowledging that, the items requested in your February 29th letter and associated ADEQ responses follow:

1. **Confirm that the state's protocols and procedures for implementing the LCR are fully consistent with the LCR and applicable EPA guidance;**

   ADEQ's processes are consistent with EPA guidance; however, ADEQ previously had not required a PWS serving fewer than 50,000 persons to submit a corrosion control treatment recommendation immediately upon discovering a lead ALE. ADEQ now will require PWS exceeding the lead ALE to recommend optimal corrosion control treatment as required in 40 CFR 141.82(e)(2) and 40 CFR 141.82 and follow the treatment steps in 40 CFR 141.81(e).

2. **Use relevant EPA guidance on LCR sampling protocols and procedures for optimizing corrosion control;**

   ADEQ received EPA's most recent guidance documents about optimizing corrosion control from EPA Region 9 on March 8, 2016, and now is using these documents.

3. **Post on the agency's public website all state LCR sampling protocols and procedures for optimizing corrosion control;**

   ADEQ follows federal guidance for sampling protocols and procedures for optimizing corrosion control and does not have state-specific guidance. ADEQ posts federal LCR sampling protocols and procedures for optimizing corrosion control on ADEQ's website and will continue to do so in the future as EPA releases revised documents.

4. **Work with public water systems – with a primary emphasis on large systems – to increase transparency in implementation of the LCR by posting on their public website and/or on your agency's website:**

   - **The materials inventory that systems were required to complete under the LCR, including the location of lead services lines, together with any more updated inventory or map of lead services lines and lead plumbing in the system; and**

     ADEQ currently is prioritizing the 954 PWS in Arizona subject to the LCR to re-review their materials inventories to ensure all rule requirements are met. ADEQ will work with our large PWS to post updated materials inventories and maps to their webpages. ADEQ also will work with small and medium PWS, which do not have the ability to post this information to their webpages, on effective, alternative ways to convey this information to the public.

- **LCR compliance sampling results collected by the systems, as well as justifications for invalidation of LCR samples; and**

  ADEQ makes available the lead and copper sample results for all PWS subject to the LCR on the ADEQ website at the following location: http://azsdwis.azdeq.gov/DWW_EXT/

  ADEQ is committed to working with large PWS to have them post their LCR results and any justification for sample invalidation to their webpage. ADEQ also will work with small and medium PWS on effective methods to share this information with the public.

5. **Enhance efforts to ensure that residents promptly receive lead sampling results from their homes, together with clear information on lead risks and how to abate them, and that the general public receives prompt information on high lead levels in drinking water systems.**

   ADEQ is committed to enhancing efforts to work with PWS to ensure residents promptly receive lead sampling results from their homes together with clear information about lead risks and how to abate them.

   ADEQ is developing a process to conduct public education as required in the LCR for cases where the PWS does not. ADEQ is evaluating additional ways to ensure residents are informed about results and simple, understandable ways to reduce their exposure to lead from drinking water in a timely fashion.

Please do not hesitate to contact me and your staff can always contact Daniel Czecholinski, Drinking Water Section Manager, at 602-771-4617 or dc5@azdeq.gov.

As both our agencies share similar mission statements toward protecting public health and the environment, ADEQ stands ready to re-double its efforts to oversee PWS compliance with the LCR and welcomes increased and ongoing dialogue with EPA.

Sincerely,

Misael Cabrera
Director