



MEMORANDUM

TO: Idaho Department of Environmental Quality Drinking Water Program Field Offices
Community and Non-Community Non-Transient Public Water System Administrators
and Designated Operators

FROM: Jess Byrne, Director

DATE: 3/24/2025

SUBJECT: Clarification of Interim Compliance Requirements for the Drinking Water Lead and
Copper Rule Revisions

This memorandum clarifies implementation of the Lead and Copper Rule following the United States Environmental Protection Agency's (EPA's) finalization of the Lead and Copper Rule Improvements (LCRI) on October 8, 2024. This memorandum is not intended to be a comprehensive regulatory compliance guidance document. Additionally, due to the administration changes at the federal level, the LCRI is currently being reviewed as part of the Congressional Review Act.

The 2024 LCRI in the Code of Federal Regulations (CFR) supersedes the 2021 Lead and Copper Rule Revisions (LCRR) and creates discrepancies between the current version of 40 CFR 141 Subpart I and IDAPA 58.01.08.350, which incorporates 40 CFR 141 Subpart I by reference. The Idaho Department of Environmental Quality (DEQ) is using enforcement discretion to manage the discrepancies between the 2021 LCRR that DEQ adopted and the 2024 LCRI. Once DEQ has more information on the outcome of the 2024 LCRI, the agency will update this memorandum.

Currently, community and non-community non-transient public water systems are required to meet the following compliance requirements under the Lead and Copper Rule:

- **Monitoring:** Despite conflicting timelines and monitoring compliance requirements in the LCRI and the LCRR, monitoring schedules remain unchanged from the pre-LCRR implementation in 2021 to the 2024 LCRI finalization. This is because the monitoring requirements in the 2024 LCRI supersede the monitoring requirements in the 2021 LCRR. Compliance deadlines for monitoring requirements associated with the 2024 LCRI begin in 2027. Current monitoring schedules for lead and copper are available through DEQ's [Monitoring Schedule Report](#) webpage.

- **Submit an initial service line inventory:** This was due October 16, 2024, and the inventory must be made publicly accessible. **This requirement did not change.**
- **Notify customers of inventory results:** Systems must distribute public education notifications using the 2021 LCRR revised health effects language to customers/consumers served by known lead, galvanized requiring replacement, or unknown material service lines by November 15, 2024, or within 30 days of submitting their inventory. **This requirement did not change.**
- **Distribute Tier 1 public notice for lead action level exceedances:** Systems must distribute a Tier 1 Public Notice (24-hour notification) to all customers, DEQ compliance officer, and EPA via the LeadALE@epa.gov email address for any 90th percentile lead action level exceedance (0.015mg/L or higher) occurring on or after October 16, 2024. **This requirement did not change.** Systems are also required to certify the delivery of public notification and submit it to DEQ within ten days of distribution. Systems must distribute public education materials within sixty days after the end of the tap sampling period in which the exceedance occurred, using the 2021 LCRR revised health effects language, to all customers.
- **Retain relevant records:** Systems are required to retain copies of the service line inventory and public education notifications for at least twelve years. **This requirement did not change.**

LCRI Compliance

All Idaho community and non-community non-transient public water systems must comply with the current version of 40 CFR 141 Subpart I, which includes the finalized LCRI. The earliest compliance deadline associated with the LCRI is November 1, 2027. Regulated public water systems should submit the following to DEQ by their associated compliance deadline stated in the 2024 LCRI:

- An updated inventory, known as the baseline inventory, addressing material updates for “unknown” service lines, connectors, new connections, and service line replacements.
- A service line replacement plan if the baseline inventory will have any lead, galvanized requiring replacement, or unknown service lines.
- An updated lead and copper site sampling plan that meets the LCRI tiering criteria.
- Additionally, **community water systems** must submit a list of schools and licensed childcare facilities they serve or provide certification that they do not serve any.

LCRI Resources

EPA has developed several LCRI-related compliance resources for public water systems. These are available through EPA’s [Lead and Copper Rule Improvements webpage](#) and [Lead and Copper Rule Improvements: Supporting Materials webpage](#). DEQ will continue to provide education and outreach on the LCRI through the various training events held by DEQ and industry partners.

Regulatory Fluctuation

DEQ is monitoring federal regulatory proposals that may affect the 2024 LCRI and will communicate changes and impacts to Idaho's regulated public water systems. Until the outcome is announced, DEQ recommends that all community and non-community non-transient public water systems continue to prepare to comply with the 2024 LCRI.

Effective Date of Memorandum

The compliance discretion provided through this memorandum is retroactively effective from October 16, 2024, and remains in effect until terminated in writing by DEQ.

DEQ Assistance

DEQ is committed to supporting Idaho's public water systems on all regulatory requirements, especially on the LCRR and LCRI. For assistance, contact a regional compliance officer through DEQ's [Drinking Water Compliance Officer Lookup](#).

APPROVAL:



Jess Byrne, Director

Department of Environmental Quality

March 27, 2025

Date