

Date Signed: October 20, 1994

MEMORANDUM

SUBJECT: Schedule for Reduced Monitoring under the Lead & Copper Rule

FROM: Robert J. Blanco, Director
Drinking Water Implementation Division (4604)

TO: Ground Water & Drinking Water Branch Chiefs
Regions I - X

It has come to my attention that some confusion, exists among the regulated community, States, and Regions regarding the reduced monitoring frequency provisions under the Lead & Copper regulation. The purpose of this memorandum is to provide some clarification on one of those provisions.

The Lead & Copper Rule (LCR) requires small and medium-sized systems to conduct two initial rounds of tap Monitoring. For medium-sized systems, the first round was to be conducted during the 6-month period 7/1/92 to 12/31/92, followed by a second round to be conducted during the following 6-month period of 1/1/93 to 6/30/93. The first round of monitoring for small-sized systems was to occur during 7/1/93 to 12/31/93, with the second round being conducted between 1/1/94 and 6/30/94. The LCR goes on to say that small or medium-sized systems which did not exceed the action level during either of their two initial rounds of monitoring may reduce their sampling frequency to once per year. The rule does not specify, however, when this “yearly”, or “annual”, monitoring period begins or ends. The only time-related requirement of the rule regarding reduced monitoring is that the monitoring, be conducted during the months of June, July, August, or September.

Apparently, a few States believed the only acceptable compliance monitoring period was one based on a July 1 to June 30 timeframe. While this is a logical extension of the initial monitoring dates, it creates a discontinuous monitoring window – July, August, and September at the beginning of the annual period, and June at the end of the period.

While a July to June compliance period is perfectly acceptable, we believe a compliance period that allows for a **consecutive** 4-month monitoring window is also appropriate: e.g., one based on calendar years, January 1 through December 31. Such a compliance window may make State scheduling and tracking easier, and be less confusing to water supplies.

States which have already established July to June compliance periods may want to consider shifting to a calendar period. While such a change would mean that analytical information for some systems would be delayed for one, two, or three more months (i.e., rather than completing the analyses by June 30, systems would have until September 30 to complete the work), I believe the positive aspects provided by a calendar period outweigh the losses. I ask that you let the States in your Region know that such an approach is acceptable and that they may adopt it if they choose.

If you have any questions or concerns about this issue, please call me at (202) 260-5522 or

have your staff call Judy Lebowich at (202) 260-7595.