



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

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Michael R. Pence
Governor

Carol S. Comer
Commissioner

April 6, 2016

Dear Deputy Assistant Commissioner Beauvais:

Thank you for your recent letter to all commissioners regarding the U.S. Environmental Protection Agency's highest priority – ensuring the safety of our nation's drinking water. Providing safe drinking water is a shared responsibility; government agencies, certified operators of public water suppliers and consumers play important roles to protect one of our nation's greatest assets.

In your letter, you asked all states to provide updates on activities occurring in our respective drinking water branches. IDEM's drinking water branch is comprised of environmental scientists, inspectors, geologists and chemists who collectively have over 500 years of experience managing public water suppliers and carrying out requirements of the federal Safe Drinking Water Act (SDWA).

We remain vigilant about requiring regular testing of public water supplies for all contaminants, and we continue to work with systems that are approaching the action level of 15 parts per billion for lead. If a system is out of compliance, we diligently work with the system to implement a corrosion control plan and conduct follow-up sample testing in accordance with the current federal lead and copper rule. While the drinking water standards set forth under the SDWA are strong, as you know, sometimes sample results reveal contaminants in the water. History and data show IDEM takes action to work with the operators to ensure the compliance. If compliance is not achieved, legal ramifications through IDEM's enforcement process may occur.

Our continued commitment to transparency is demonstrated via [IDEM's Drinking Water Watch database](#) and is complemented by the agency's [Virtual File Cabinet](#), a robust portal that houses IDEM's public documents for regulated entities. In addition, IDEM in January 2016 created a [consumer information page](#) on its website specifically addressing lead and drinking water with resources from the U.S. EPA, IDEM, the Indiana State Department of Health, and the Centers for Disease Control and Prevention.

Upon adjournment of the 2016 legislative session, Governor Mike Pence demonstrated his commitment to protecting Indiana's drinking water with his recent veto of House Enrolled Act 1082, a bill that would have prevented environmental standards more stringent than federal law from going into effect until after adjournment of the next General Assembly. Governor Pence understood and publicly acknowledged with his veto that IDEM will continue to have the necessary discretion and flexibility to create Indiana solutions at the state level and act in a timely way to protect drinking water.

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While Indiana's drinking water experts have always worked to ensure compliance with the SDWA, recent actions have occurred related to drinking water quality:

- IDEM requested an update from public water systems via email on January 7, 2016 and February 16, 2016 requesting the systems submit to IDEM responses regarding the locations of lead service lines. The lead service line inventory responses received thus far are currently being uploaded as public documents to the online virtual file cabinet.
- During the most recent legislative session, the Indiana General Assembly passed [Senate Enrolled Act 93](#) – legislation primarily focused on education matters, which provides that every public school building shall be supplied with safe, potable water from a public water system approved by the commissioner of the department of environmental management. The state is committed to assisting schools with sampling and analysis if lead exceeding the action level is discovered through the public water system.
- When systems have a lead exceedance, a certified copy of the lead consumer public notification sent to ratepayers must be submitted to IDEM in accordance with the federal rule, and the notification will be posted to IDEM's virtual file cabinet.
- IDEM has taken steps to improve the administration of the drinking water program by developing and implementing "lab-to-state." As of October 1st, 2015, certified laboratories are able to submit and report drinking water sampling results electronically. This allows laboratories to report the sampling results they process for public water supplies directly to IDEM via electronic means. This improves efficiency and accuracy and allows IDEM quicker access to compliance data for more responsive public education and compliance evaluation. IDEM also is working with systems to help operators understand how to correctly report sampling if conversion is necessary.

We look forward to maintaining our relationship with the U.S. EPA as the updated federal lead and copper rule is developed. Additional and detailed information related to tier 1 systems and protocol for sampling and invalidation of results was addressed in our response submitted on March 7, 2016 to Tom Poy, Chief of the Ground Water and Drinking Water Branch at the U.S EPA Region V office.

Regards,

Carol S. Comer
Commissioner, Indiana Department of Environmental Management

CC:

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