



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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March 07, 2016

Joel Beauvais, Deputy Assistant Administrator
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Avenue, NW
Mail Code: 4101M
Washington, DC 20460

RE: South Dakota's Lead and Copper Rule Implementation

Dear Mr. Beauvais:

Thank you for your letter dated February 29, 2016, regarding South Dakota's actions associated with implementing the Lead and Copper Rule. As requested, the following summarizes our activities in the areas noted in your letter:

We have been working with Region 8 EPA staff by providing them information requested in a questionnaire they developed and specific conference calls related to implementation activities associated with the lead and copper rule. We completed the questionnaire and submitted it to Region 8 on March 2, 2016.

Your letter requested feedback on five other areas:

- 1) **Confirm that the state's protocols and procedures for implementing the LCR are fully consistent with the LCR and applicable EPA guidance.** Yes, to our knowledge and based on prior programmatic reviews by Region 8 EPA oversight staff, we are consistent with the LCR and EPA guidance.
- 2) **Use relevant EPA guidance on LCR sampling protocols and procedures for optimizing corrosion control;** We are contacting the labs certified to do lead and copper sampling in our state and will be ensuring that sampling instructions and protocol are consistent with the latest EPA sampling protocol guidance. Also, we contacted every water system that was required to install and operate an optimized corrosion control system to ensure that all were still in use or have appropriate justification to no longer operate their systems.

- 3) ***Post on your agency's public website all state LCR sampling protocols and guidance for identification of Tier 1 sites (at which LCR sampling is require to be conducted);*** We have added additional information to our public webpage for Lead and Copper testing at the following website:

<http://denr.sd.gov/des/dw/PbCu.aspx> .

- 4) ***Work with public water systems – with a priority 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:***

- o ***The materials inventory that systems were require to complete under the LCR, including the locations of lead service lines, together with any more updated inventory or map of lead service lines and lead plumbing in the system; and***
- o ***LCR compliance sampling results collected by the system, as well as justifications for invalidation of LCR samples; and***

We do not have the initial materials inventory from systems readily available and do not intend to spend valuable staff resources sifting through microfilm to find this information. We do however have an inventory of each system's sample locations, tier level and associated material information for each system. Enclosed is an example of a report we have generated that summarizes all of the pertinent lead and copper information including the latest sample results for each system. We have posted this information for each public water system subject to the lead and copper rule at the following website: <http://denr.sd.gov/des/dw/sysinfomap.aspx> . We have also sent an email copy of the report to each water system for their use. We do not have a map or all lead service lines and also will not spend staff resources developing one. We have not kept notes in our database with respect to justification of invalidation of lead and copper rule samples. We are exploring options to add some additional fields to our database to enable tracking of sample invalidation justification more closely going forward.

- 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.*** In South Dakota, we generate individual "Consumer Tap Notices" for each lead and copper sample and provide them to the water system for distribution to the associated sample location resident within 30 days. Also enclosed is an example copy of a consumer tap notice furnished by the State for distribution by the water system. The water system is then required to return a certification of distribution form back to us certifying that all of the consumer tap notices were distributed as needed. With respect to the general public receiving prompt information on high lead levels. We are exploring ways to enhance our data system to better track this information. Also for the past many years, if a system fails to issue a required public notice and refuses to do so, the State will publish the

required public notice information in the local newspaper on behalf of the system to ensure the public is informed. We do this for all public notices, not just boil orders.

We hope you find the above information useful. Public health protection is a priority in South Dakota and we feel that we are going above and beyond what is needed to implement the current lead and copper rule. In doing so, we are fortunate to have only one system serving a population of 180 people currently exceeding the lead action level. Even better news is that this system has restarted their corrosion control system and levels at the homes that had exceedances are now back below the action levels and we will return them to compliance as soon as the rule allows.

Sincerely,



Steven M. Pirner, P.E.
Secretary

Enc: Example summary report of lead and copper sampling results for Pierre, SD.
Example Consumer Tap Notice for individual lead and copper sample result.

cy: Nathan Sanderson, Director of Policy and Operations, Governor Daugaard's Office
Sarah Bahrman, Region 8 EPA Chief
Mark Mayer, SD DENR Drinking Water Program Administrator

Consumer Notice of Lead Tap Monitoring Results

The City of Aberdeen water system appreciates your participation in the lead tap monitoring program. The laboratory analysis reported a lead level of 21.7 parts per billion (ppb) for the sample you collected at 309 SW 5th Ave on July 17, 2014.

We are informing you that your lead test result is above the lead action level of 15 ppb.

What Does This Mean?

Under the authority of the Safe Drinking Water Act, EPA set the action level for lead in drinking water at 15 parts per billion (ppb). This means utilities must ensure that water from the customer's tap does not exceed this level in at least 90% of the homes sampled (90th percentile value). The action level is *the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow*. If water from the tap does exceed this limit, then the utility must take certain steps to correct the problem. Because lead may pose serious health risks, the EPA set a Maximum Contaminant Level Goal (MCLG) of zero for lead. *The MCLG is the level of contaminant in drinking water, which there is no known or expected risk to health. MCLGs allow for a margin of safety.*

What Are the Health Effects of Lead?

Lead can cause serious health problems if too much enters your body from drinking water or other sources. It can cause damage to the brain and kidneys, and can interfere with the production of red blood cells that carry oxygen to all parts of your body. The greatest risk of lead exposure is to infants, young children, and pregnant women. Scientists have linked the effects of lead on the brain to lowered IQ in children. Adults with kidney problems and high blood pressure can be affected by low levels of lead more than healthy adults. Lead is stored in the bones and can be released later in life. During pregnancy, the child receives lead from the mother's bones, which may affect brain development.

What Can I Do To Reduce Exposure to Lead in Drinking Water?

- **Run your water to flush out lead.** Run the water for 15-30 seconds or until it becomes cold or reaches a steady temperature before using it for drinking or cooking. This flushes lead-containing water from the pipes.
- **Use cold water for cooking and preparing baby formula.**
- **Do not boil water to remove lead.**
- **Look for alternative sources or treatment of water.**
- **Identify if your plumbing fixtures contain lead and replace if needed.**

For More Information

If you would like additional information on the lead tap water monitoring please call Ms. Janel Ellingson at (605)626-7074. For more information on reducing lead exposure around your home and the effects of lead, visit the EPA web site at www.epa.gov/lead, call the National Lead Information Center at 1-800-424-LEAD, or contact your health care provider.

Information on Lead and Copper for Pierre (EPA ID 0242)

Terms and abbreviations used in this table:

* Action Level(AL): the concentration of a contaminant which, when exceeded, triggers treatment or other requirements which a water system must follow. For Lead and Copper, 90% of the samples must be below the AL.

Units:

*ppb: parts per billion, or micrograms per liter(ug/l)

*ppm: parts per million, or milligrams per liter(mg/l)

Substance	90% Level	Test Sites > Action Level	Date Tested	Highest Level Allowed (AL)	Ideal Goal	Units	Major Source of Contaminant
Copper	0.8	0	06/25/14	AL=1.3	0	ppm	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives.
Lead	2	1	06/25/14	AL=15	0	ppb	Corrosion of household plumbing systems; erosion of natural deposits.

Sample Site	Sample Date	Lead(ppb)	Copper(ppm)	Sample Site Type
215 N Adams	06/26/14	30.00	0.17	Tier I - Lead Service Line
1123 N Central	06/25/14	10.00	0.30	Tier I - Lead Solder
1119 Woodriver	06/30/14	6.00	0.29	Tier I - Lead Solder
621 N Euclid	06/30/14	5.00	0.80	Tier I - Lead Service Line
511 N Euclid	06/25/14	3.00	0.49	Tier I - Lead Solder
108 Capitol Hill	06/25/14	3.00	0.73	Tier I - Lead Solder
836 Cherry	06/25/14	3.00	0.42	Tier I - Lead Solder
901 Memory Lane	06/25/14	2.00	0.35	Tier I - Lead Solder
1901 Flag Mtn	06/25/14	2.00	0.26	Tier I - Lead Solder
801 Currant	06/25/14	2.00	0.99	Tier I - Lead Solder
1618 Hilltop	06/25/14	2.00	0.92	Tier I - Lead Solder
110 Terri Ln	06/26/14	2.00	0.48	Tier I - Lead Solder
801 N Harrison	06/25/14	2.00	1.17	Tier I - Lead Solder
805 N Harrison	06/25/14	2.00	0.52	Tier I - Lead Solder
1122 Wood River	06/25/14	1.00	0.57	Unknown Tier Group
1105 N. Harrison	06/29/14	1.00	1.02	Tier I - Lead Solder
820 Cherry	06/25/14	1.00	0.78	Tier I - Lead Service Line
1100 Westwood	06/26/14	1.00	0.32	Tier I - Lead Solder
1114 Lakewood	06/28/14	1.00	0.29	Tier I - Lead Service Line
211 N Willow	06/27/14	1.00	0.35	Tier I - Lead Solder
826 Cherry	06/25/14	1.00	1.04	Tier I - Lead Solder
1127 Woodriver	06/25/14	1.00	0.34	Tier I - Lead Solder
133 Hyde Dr	06/30/14	1.00	0.08	Tier I - Lead Solder
1208 E Capitol	06/25/14	1.00	0.85	Tier I - Lead Solder
1130 Lakewood	06/30/14	1.00	0.36	Tier I - Lead Solder
1301 Edgewater	07/01/14	1.00	0.54	Tier I - Lead Solder
1305 Winchester	06/25/14	1.00	0.72	Tier I - Lead Solder
916 Cambridge	06/27/14	1.00	0.45	Tier I - Lead Service Line
206 N Washington	06/25/14	1.00	0.78	Tier I - Lead Solder
804 Cherry	06/25/14	1.00	0.27	Tier I - Lead Solder
311 W Third	06/27/14	1.00	0.40	Tier I - Lead Solder
110 Lee Hill	07/02/14	1.00	0.11	Tier I - Lead Solder
800 Plum	06/24/14	1.00	0.88	Tier I - Lead Solder
804 Current	06/26/14	1.00	1.04	Tier I - Lead Solder
805 Current	06/25/14	1.00	0.71	Tier I - Lead Solder

Sample Site	Sample Date	Lead(ppb)	Copper(ppm)	Sample Site Type
821 Plum	06/25/14	1.00	0.81	Tier I - Lead Solder
834 Cherry	06/25/14	1.00	0.01	Tier I - Lead Solder
900 Memory Ln	06/30/14	1.00	0.26	Tier I - Lead Solder
806 Cherry	06/26/14	1.00	0.92	Tier I - Lead Solder

Please direct questions regarding this information to Mr Dane Brewer with the Pierre public water system at (605)773-7448.