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TO: Community Water Supply Owners, Administrators, and Operators
FROM: Drinking Water and Environmental Health Division (DWEHD)
Michigan Department of Environment, Great Lakes, and Energy (EGLE)
DATE: December 8, 2023
SUBJECT: ****IMPORTANT** NOTIFICATION OF REVISED SERVICE LINE
INVENTORY REQUIREMENTS AND DEADLINES**

In 2018, Michigan revised the lead and copper provisions of the administrative rules promulgated under the Michigan Safe Drinking Water Act. These revisions updated numerous lead and copper regulatory requirements, including the requirement for water supplies to conduct an inventory of all service line materials in their distribution system and to notify residents served by lead service lines.

In January 2021, the United States (U.S.) Environmental Protection Agency (EPA) published the Lead and Copper Rule Revisions (LCRR), updating federal lead and copper requirements. Shortly after promulgation, EPA paused the LCRR to allow time for additional public comment and regulatory review. Following the review, EPA decided the LCRR would go into effect to support near-term goals – specifically service line material inventory requirements – with an effective compliance date of October 16, 2024.

Because of Michigan’s 2018 rule revisions, Michigan water supplies have a significant head start on the federal LCRR’s service line inventory requirements. Many inventory requirements of the federal LCRR are addressed by Michigan’s regulations. **However, there are several differences in requirements and/or deadlines that will impact Michigan water supplies.** Where federal regulations are more stringent than state rule, water supplies must comply with federal requirements. Please review the information below to understand how these changes affect your water supply.

Changes to Service Line Inventory Deadline and Update Frequency:

Michigan regulations required water supplies to submit a Complete Distribution System Materials Inventory (CDSMI) by January 1, 2025. While Michigan’s CDSMI requirements meet EPA requirements in terms of content, the federal LCRR submission deadline is October 16, 2024, approximately 11 weeks earlier than Michigan’s deadline. **To meet the new, more-stringent federal deadline, water supplies must now submit their CDSMI by October 16, 2024.** More information about CDSMI reporting requirements and format will be provided soon.

Michigan regulations also require water supplies to submit an updated CDSMI every 5 years. Under the federal LCRR, supplies with lead service lines (LSL), galvanized previously connected to lead (GPCL) service lines (referred to as “galvanized requirement replacement” under federal rules), or service lines of unknown material will be required to submit an updated inventory more frequently.

Public Accessibility and Consumer Confidence Reports (CCR):

Public Accessibility: Beginning October 16, 2024, the federal LCRR will require water supplies make their inventory publicly available. Water systems serving more than 50,000 people must make inventories available online.

Consumer Confidence Reports: Beginning October 16, 2024, the federal LCRR will require community water supply CCRs to include information on how the public can access the service line inventory.

Service Line Consumer Notification:

Michigan's 2018 regulatory changes require water supplies, within 30 days of determining a service line contains lead or is presumed to contain lead, to provide the owner and occupant of the premises with a written notification of the service line material content.

Beginning October 16, 2024, the LCRR will require notification also be provided to homes served by service lines of unknown material. Notification must be provided within 30 days of completing the CDSMI and REPEATED ANNUALLY until the service line is known NOT to contain lead or GPCL.

Summary of Revised Requirements and Deadlines:

- The CDSMI is now due October 16, 2024.
- Inventories must be publicly available.
- Inventories must be available online for supplies serving more than 50,000 people.
- Information regarding inventory availability must be included in CCRs.
- Service line material notification requirements expand to include premises served by service lines where lead status is unknown.
- Service line material notification must be repeated annually until the service line is known not to contain lead or GPCL.

Implementation and Enforcement of Service Line Inventory Provisions of the Federal LCRR:

EGLE will be implementing service line inventory requirements of the new federal LCRR in cooperation with the U.S. EPA. The U.S. EPA may conduct direct enforcement for federal requirements more stringent than Michigan regulations.

Other LCRR Requirements and Anticipated New Federal Regulations:

The federal LCRR included changes to lead and copper requirements beyond those associated with service line inventories. However, the U.S. EPA intends to publish Lead and Copper Rule Improvements (LCRI) before the October 16, 2024, effective compliance date of the LCRR, which will include changes to numerous aspects of the LCRR. The U.S. EPA announced the proposed LCRI on November 30, 2023. For more information on these proposed rules and stakeholder engagement opportunities, visit www.epa.gov/ground-water-and-drinking-water/proposed-lead-and-copper-rule-improvements.

Once the U.S. EPA promulgates the final LCRI, EGLE will begin the rulemaking process to incorporate new federal requirements into Michigan's administrative rules.

Questions:

If you have questions about the requirements above, please contact the EGLE Lead and Copper Unit. Visit Michigan.gov/LCR for contact information.