



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

ROBERT J. MARTINEAU, JR.
COMMISSIONER

BILL HASLAM
GOVERNOR

March 31, 2016

Joel Beauvais, Deputy Assistant Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1101A
Washington, D.C. 20460

RE: Tennessee Public Water System Supervision Program
Lead and Copper Rule Program Recommendation Response

Dear Mr. Beauvais:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the Environmental Protection Agency's outreach to states in response to the recent national focus on lead in drinking water. TDEC is committed to ensuring the accurate application of all regulatory aspects of the Safe Drinking Water Act and implementation of additional actions to reduce risks from lead in drinking water and to enhance risk communication to the public. To that end, and in response to your letter, TDEC has completed or is in process of completing the following:

Near Term Action #1: Confirm that the state's protocols and procedures for implementing the federal Lead and Copper Rule (LCR) are fully consistent with the LCR and applicable guidance

TDEC has initiated a review of the internal protocols and procedures that the department's Division of Water Resources (DWR) follows in implementing the LCR. We have found that the department is properly applying the federal lead and copper rules, and are looking at minor modifications to certain aspects of the program to include some recommendations and guidance that has been provided by the EPA Region 4 office.

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Near Term Action #2: Use relevant EPA guidance on LCR sampling protocols and procedures for optimizing corrosion control (OCCT).

Historically, and in our interpretation of the LCR, TDEC has deemed systems serving fewer than 50,000 and consistently meeting the action level for lead to be optimized for corrosion control. Re-evaluation of small and medium size systems with respect to OCCT will require additional staffing resources and time to complete. TDEC welcomes any new guidance from EPA and intends to distribute the guidance to all of our impacted public water systems and encourage implementation.

Near Term Action #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 required to be conducted).

TDEC has developed a lead and copper informational site on our drinking water web page which provides guidance documents and links to other relevant agency information. LCR sample site selection and sampling protocols are included. The site contains separate areas relevant to both the regulated public water systems and to consumers.

Near Term Action #4: Work with PWSs – 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 the following:

- ***The materials inventory that systems were required 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.***

TDEC has provided written communication to all community and non-transient non-community water systems in Tennessee reiterating the need for adherence to all aspects of the LCR including sample collection guidance, site selection, water quality maintenance, and awareness of water chemistry impacts related to chemical treatment and source water changes. The correspondence also includes and encourages implementation of EPA's recommendations and actions on increasing transparency of lead related information. In addition, TDEC has conducted initial PWS outreach and awareness via email blasts and through incorporation of lead and copper rule discussions during Revised Total Coliform Rule training events.

Near Term Action #5: Enhance efforts to ensure that residents promptly receive lead sampling results from 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.

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TDEC is currently collaborating with the Tennessee General Assembly to develop amendments to the Tennessee Safe Drinking Water Act to provide for a reduction in timeframes for customer notification of sampling results and public education activities in the event of lead action level exceedances.

The TDEC Division of Water Resources is committed to improving the Public Water System Supervision program, and welcomes review, recommendations and additional training provided by EPA.

Should you have questions or concerns regarding this letter, please feel free to contact David Money at (931) 840-4172 or Anna Sartors at (615) 532-0159.

Sincerely,

A handwritten signature in blue ink that reads "Robert J. Martineau, Jr." The signature is written in a cursive style with a large, stylized initial "R".

Robert J. Martineau, Jr.
Commissioner

RJM/bag