



Frequently Asked Questions about Lead Service Lines in Public Water Systems

DISCLAIMER: This document is intended to provide answers to questions that may arise regarding lead service lines in public water systems. Nothing in this document supersedes any statutory or regulatory requirements or permit provisions for public water systems.

*Also, this document has been updated to contain changes made by Senate Bill 427 (2017), which added additional provisions regarding lead service lines and made various changes to Section 116885 as added to the Health and Safety Code by SB 1398 (2016). The changes were made to FAQs #1, #2, #5 and #8. In addition, changes were made to FAQs #4, and #6 to #11 to update the submittal process for lead service line inventory information. ***For further clarification, question #16 was added in March 2018.***

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General Requirements of Health and Safety Code (HSC) Section 116885 - Public Water Systems: Lead User Service Lines

1. What are the new general requirements in 116885?

Section 116885 of the California Health and Safety Code, Lead Service Lines in Public Water Systems, added to the Health and Safety Code by Senate Bill 1398 (2016) and amended by Senate Bill 427 (2017), requires all community water systems (CWSs) to compile an inventory of known partial or total lead user service lines in use in its distribution system by July 1, 2018. The inventory must include all user service lines that are active and those that are reasonably expected to become active in the future. Also, Section 116885 requires that a CWS identifies areas that may have lead user service lines in use, and/or identifies any areas within the CWS distribution system that the CWS cannot identify the material that is being used for the service line. The CWS will be required to propose a schedule to replace all the known lead user service lines and user service lines constructed of unknown material by July 1, 2020. A portion of Section 116885 is below:

116885. (a) By July 1, 2018, a community water system shall compile an inventory of known lead user service lines in use in its distribution system and identify areas that may have lead user service lines in use in its distribution system.

(b) (1) By July 1, 2020, a community water system that has identified known lead user service lines in use in its distribution system as provided in subdivision (a) shall provide a timeline for replacement of known lead user service lines in use in its distribution system to the state board.

(2) By July 1, 2020, a community water system that has identified areas that may have lead user service lines in use in its distributions system as provided for in subdivision (a) shall do both of the following:

(A) Provide to the state board its determination as to whether there are any lead user service lines in use in those areas of its distribution system and provide a timeline to the state board for replacement of those lead user service lines that the community water system has identified.

(B) Provide its findings as to whether there are any areas for which it cannot determine the content of the user service lines and a timeline to the state board for replacement of the user service lines whose content cannot be determined.

2. Who is required to comply with Section 116885?

All CWSs are required to compile an inventory. A CWS “means a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents of the area served by the system.”

A CWS should have a domestic water supply permit issued by the Division of Drinking Water (DDW) or one of our Local Primacy Agency (LPA) partners.

3. What is a user service line?

Section 116885 adopts the definition of user service line found in Section 64551.60 of Title 22 of the California Code of Regulations which is “the pipe, tubing, and fittings connecting a water main to an individual water meter or service connection.” Thus, the requirements of Section 116885 do not apply to water lines on the customer’s side of the meter or the meter itself, but would include, for example, lead goose necks associated with the user service line on the water system side of the meter.

However, if the water system determines that a lead service line is also on the customer side of the meter, DDW highly recommends that the water system notifies the customer of the lead service line and if possible, assists in the replacement.

4. What does a water system have to report to DDW or the LPA?

DDW has added the Lead Service Line Replacement Section (an example of a [blank copy of the new section](#)) into the 2017 electronic annual report (eAR). DDW is requiring a CWS pursuant to Health and Safety Code Section 116530 (Technical Report) to submit **lead service line inventory information** using the eAR to verify the water system's compliance with Section 116885 (a). All submissions described in FAQs 6 through 11, except timelines, must be certified under penalty of perjury, using the *inventory form* generated by the eAR (See the answer to Question 11 for the details on the submittal process).

DDW continues to work on a mechanism to receive electronically the **user service line replacement timelines**, which is due on July 1, 2020. You will be notified when the FAQ and webpage are updated on the submission process.

Section 116530. Technical report. - "A public water system shall submit a technical report to the department as part of the permit application or when otherwise required by the department. This report may include, but not be limited to, detailed plans and specifications, water quality information, and physical descriptions of the existing or proposed system, and financial assurance information."

5. What if my system is a Transient Non Community (TNC) or a Non Transient Non Community (NTNC) water system?

A TNC or NTNC water system does not have to compile an inventory. SB 427 provides that the requirements of Section 116885 do not apply to a TNC or a NTNC water system.

6. When does the CWS need to complete the inventory of known lead user service lines and the identification of areas that may have lead user service lines?

The CWS needs to complete the inventory of known lead user service lines and identify areas that may have lead user service lines in use by **July 1, 2018**.

Because DDW is collecting the lead service line inventory information using the eAR, DDW strongly encourages CWSs to complete the inventory and submit the required documents via eAR by **June 1, 2018** (2017 eAR submittal deadline). After June 1, 2018, if a CWS needs to submit the lead service line inventory information, the CWS needs to send an e-mail to David Pimentel (David.Pimentel@Waterboards.ca.gov) to request access to the eAR.

7. If the CWS inventory is complete and no lead user service lines or user service lines with unknown materials are identified, what should the CWS do?

The CWS needs to complete the Lead Service Line Replacement (LSLR) Section of the eAR, indicating the inventory completion date, and provide a summary of the

user service line inventory and the method(s) used to complete the inventory, print the inventory form using the “print” button within the LSLR section, have the water system representative sign the form, attesting under penalty of perjury that to the best of their knowledge the submitted information is a correct and thorough inventory of their service lines, and then scan and upload the certified inventory form no later than July 1, 2018 (June 1, 2018 preferable). The CWS also needs to indicate in subsection D of the LSLR Section that the water system has no lead service line or service lines constructed of unknown material.

8. If the CWS inventory is complete and all Lead User Service Lines are identified, what should the CWS do?

The CWS needs to complete the LSLR Section of the eAR, indicating the inventory completion date, and provide a summary of the user service line inventory and the method(s) used to complete the inventory, print the inventory form using the “print” button within the LSLR section, have the water system representative sign the form, attesting under penalty of perjury that to the best of their knowledge the submitted information is a correct and thorough inventory of their service lines, and then scan and upload the certified inventory form. In addition, the CWS needs to upload a map or maps to show area(s) with lead user service lines or lead goosenecks associated with user service lines. The map(s) needs to be in a GIS layer, google earth .kml/.kmz file, or PDF format. The CWS needs to upload the certified inventory form and the map(s) following the instructions given in the LSLR Section no later than July 1, 2018 (preferable June 1, 2018).

By July 1, 2020, the CWS will need to submit to DDW a timeline to replace all lead user service lines. DDW will review and respond to the CWS’s proposed timeline within 30 days.

9. If the CWS inventory is complete and the CWS has identified areas of user service lines with unknown materials, what should the CWS do?

The CWS needs to complete the LSLR Section of the eAR, indicating the inventory completion date, and provide a summary of the user service line inventory and the method(s) used to complete the inventory, print the inventory form using the “print” button within the LSLR Section, have the water system representative sign the form, attesting under penalty of perjury that to the best of their knowledge the submitted information is a correct and thorough inventory of their service lines, and then scan and upload the certified inventory form. In addition, the CWS needs to upload a map or maps to show area(s) where user service lines with unknown materials are located. The map(s) needs to be in a GIS layer, google earth .kml/.kmz file, or PDF format. The CWS needs to upload the certified form and the map(s) following the instructions in the LSLR Section no later than July 1, 2018 (preferable June 1, 2018).

Prior to submitting a timeline for replacement of the user service lines with unknown material, the CWS may conduct field inspections to determine the material content of these user service lines. The CWS will need to submit a timeline to DDW by July 1, 2020 for replacement of the user service lines containing unknown materials, which is the same deadline for submission of the timeline for replacing known lead user service lines. DDW will review and respond to the CWS's proposed timeline within 30 days.

10. What can a CWS do with areas of unknown user service lines between July 1, 2018 and July 1, 2020?

During this time period, the water system should continue to investigate the unknown material service lines. If a water system finds service lines that are lead, they need to add those service lines to their inventory and timeline for replacement of known lead user service lines. If a water system concludes that some user service lines whose content was previously unknown are, in fact, not lead, it needs to notify DDW of that fact. And, if there are service lines the water system still can't determine the content of, the water system needs to include those in a separate timeline for replacement. DDW is developing a reporting tool for water systems to report electronically the replacement timelines, and to update the summary of the user service line inventory based on the outcomes of the investigation.

11. How does a CWS submit the lead user service line inventory information or timeline?

The CWS needs to submit an inventory form electronically certifying that the water system has completed a lead service line inventory. DDW and the LPAs will be using the eAR to gather information collected from the inventory. After completing the LSLR Section of the eAR, the water system will print the inventory form using the "print" button within the LSLR section, have the water system representative sign the form, attesting under penalty of perjury that to the best of their knowledge the submitted information is a correct and thorough inventory of their service lines, and then scan and upload the certified inventory form back to the eAR. The signed form will serve as the water system's certification of completion of the lead user service line inventory. If a CWS indicates the existence of lead user service lines, areas of unknown material user service lines or lead goosenecks associated with user service lines, a map(s) will need to be uploaded for those areas. Maps need to be in a GIS layer, google earth .kml/.kmz file, or PDF format. DDW and the LPAs will be determining compliance with the inventory requirement based on the information submitted via eAR. The 2017 eAR will be available to water systems by March 1, 2018 and the due date for the 2017 eAR will be June 1, 2018. Additional instructions will be provided in the eAR. To access the eAR online page, please go

to the following link for our DRINC Portal at <http://drinc.ca.gov> and then select the Electronic Annual Report link on the left-hand side of the page or go directly to <http://drinc.ca.gov/ear/>.

If a CWS cannot complete the lead user service line inventory by June 1, 2018, the CWS should complete all sections of the eAR, excluding the LSLR Section, and submit it to DDW by June 1, 2018. Once the inventory is completed, the CWS must send an e-mail to David Pimentel (David.Pimentel@Waterboards.ca.gov). Mr. Pimentel will return the water system the submitted 2017 eAR electronically, so that the water system can fill out the LSLR Section, upload the certified inventory form and map(s), if required, and then resubmit the 2017 eAR to the DDW or LPA.

DDW has yet to complete the development of a reporting tool for water systems to report electronically the user service line replacement timelines. You will be notified when the FAQ and webpage are updated on the timelines submission process.

12. What happens to the CWS timelines after they are submitted?

The submitted timelines will be reviewed by DDW. It is recommended that an initial cost estimate for user service line replacement be included in the timeline proposal.

The final timeline for replacement of lead user service lines and/or user service lines with unknown materials will be posted on the DDW website. The State Board, therefore, requests that the final approved timeline be submitted to DDW electronically for posting.

Lead User Service Line Inventory

13. Where can a CWS find useful information on how to compile an inventory?

The Lead Service Line Replacement Collaborative has a website to assist a CWS with developing an inventory of their distribution system user service lines and replacement of lead user service lines. AWWA also has document titled "Innovative Techniques for Locating Lead Service Line". The links to these documents are provided below.

<http://www.lslr-collaborative.org/>

http://www.waterrf.org/PublicReportLibrary/RFR90678_1995_813.pdf

14. How does a CWS investigate unknown user service lines?

The CWS will need to evaluate and determine the best way to identify unknown user service line material. The Lead Service Line Replacement Collaborative website

has information on how to conduct the investigation. The AWWA Research Foundation also provides some innovative techniques.

15. A CWS has copper user service lines installed prior to 1986, which were constructed with leaded solder. Do these copper user service lines have to be replaced?

The intent of SB 1398, SB 427 and other lead free legislation is to eliminate lead from drinking water infrastructure. The “user service line” definition used in Section 116885 says “the pipe, tubing and fittings connecting a water main to an individual water meter or service connection”. Thus, the lead portion of the user service line refers to the pipe, tubing and fittings. The State Board does not consider solder to be a fitting. But, if specific water systems have shown that lead solder in copper pipe installed before 1986 has increased lead levels in drinking water, the water system should consider replacing those lines.

16. A CWS has brass corporation stops or curb stops on the user service lines installed prior to lead free requirements. Do these brass user service line fittings have to be replaced?

The intent of SB 1398, SB 427 and other lead free legislation is to eliminate lead from drinking water infrastructure. The “user service line” definition used in Section 116885 says “the pipe, tubing and fittings connecting a water main to an individual water meter or service connection”. Thus, only lead fittings need to be replaced, such as goosenecks or pigtails. Although brass can contain lead, the statute does not specifically require that brass fittings be replaced. But, if specific water systems have shown that brass fittings has increased lead levels in drinking water, the water system should consider replacing those fittings.

17. Does the CWS have to submit the user service line inventory documents that were reviewed to DDW?

No, however, the CWS must provide a summary to DDW utilizing the eAR that the inventory was completed and the results of the inventory, as described in FAQ #11. The CWS does not have to submit the supporting inventory documents used in the analysis unless requested by DDW. Applicable documents can date back decades and include master plans, building records, various maps, historic inventory documents, etc. The CWS must retain all the supporting inventory documents summarized in the inventory form.

18. What if I am a member of the public and I want to obtain information concerning what my water system is doing to comply with Section 116885?

A customer of a water system and other members of the public should contact their water system for information on how it is complying with Section 116885 or visit the DDW website.

Outreach

19. Where can a CWS find examples of outreach and communication?

The LSLR website contains information and examples to assist utilities with communication and outreach to their customers.

American Water Works Association also has communication guidance document.

<https://www.awwa.org/portals/0/files/resources/publicaffairs/pdfs/finaleadservicelinecommguide.pdf>

20. Should a CWS include information concerning the implementation of SB 1398, LSL in Community Water System, in their next Consumer Confidence Report?

DDW recommends CWSs include information in the annual Consumer Confidence Report (CCR) describing how customers may request access to results of the survey, but CWSs are not required to include the information in the CCR.

Examples are provided below:

Example language to include in CCR

Scenario 1: Lead service lines were identified

Existing law requires that by July 1, 2018, all community water systems compile an inventory of known lead user service lines in use in its distribution system and identify areas that may have lead user service lines. Community water systems are also required to provide a timeline for replacement of known lead user service lines. For areas that may have lead user service lines, public water systems must determine the existence or absence of lead in the user service lines. After further investigation, the water system must provide a timeline for replacement of service lines containing lead. And, if there are service lines the water system still can't determine the content of, the water system needs to include those in a separate timeline for replacement.

We have completed a survey of user service lines in the distribution system and identified < ___ > service lines that contain lead. A timeline for replacement of these service lines has been submitted to the Division of Drinking Water for review. (If applicable – The timeline was approved on [date].) We plan to begin replacement of these service lines in <month, year>. Please contact us at <phone number> to learn more about the user service line inventory and timeline for replacement, or visit our website at website address.

Scenario 2: No lead service lines or service lines containing unknown materials were identified within the distribution system.

Existing law requires that by July 1, 2018, all community water systems compile an inventory of known lead user service lines in use in its distribution system and identify areas that may have lead user service lines. Public water systems are also required to provide a timeline for replacement of known lead user service lines. For areas that may have lead user service lines, public water systems must determine the existence or absence of lead in the user service lines. After further investigation, the water system must provide a timeline for replacement of service lines containing lead. And, if there are service lines the water system still can't determine the content of, the water system needs to include those in a separate timeline for replacement.

We have completed a survey of user service lines in the distribution system. There are no known user service lines containing lead in the service area or that are constructed of unknown materials. Please contact us at <phone number> to learn more about the user service line inventory survey, or visit our website at [website address](#).

Scenario 3: No lead service lines were identified but there are service lines constructed of unknown materials.

Existing law requires that by July 1, 2018, all community water systems compile an inventory of known lead user service lines in use in its distribution system and identify areas that may have lead user service lines. Public water systems are also required to provide a timeline for replacement of known lead user service lines. For areas that may have lead user service lines, public water systems must determine the existence or absence of lead in the user service lines. After further investigation, the water system must provide a timeline for replacement of service lines containing lead. And, if there are service lines the water system still can't determine the content of, the water system needs to include those in a separate timeline for replacement.

We have completed a survey of user service lines in the distribution system and identified < ___ > service lines that are constructed of unknown materials. We will begin field investigations to determine the material content of these service lines beginning <date>. If any service lines contain lead or the material content cannot be determined, the user service line will be replaced. A timeline for replacement will be submitted to the Division of Drinking Water (or LPA) for review prior to replacement. Please contact us at <phone number> to learn more about the user service line inventory and timeline for replacement, or visit our website at [website address](#).

21. Will there be Financial Assistance from the State Water Board available for CWS to comply with the possible LSL replacement costs of SB1398?

The State Water Board's Division of Financial Assistance (DFA) has determined that lead user service line replacement is eligible for funding through DFA. The applicant will need to contact DFA for more specific information.

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