



LEGISLATIVE UPDATE March 2024

Consumer Confidence Report (CCR)

Reminder that 2023 CCR's needs to be completed and delivered made available by the approved methods by July 1, 2024.

Annual Statistical Report (ASR)

Please be aware that your 2023 Annual Statistical Report (ASR) is due by April 8, 2024. If you have not already started work on your ASR, we recommend you do so soon. This will allow you time to identify any issues you might have with accessing or filling out your ASR.

To access your ASR:

- Log in using your existing username and password at <https://edep.dep.mass.gov>
- Verify your email by going to *My Profile > Update My Information*
- You need a current and accurate email address to receive an official eASR receipt
- Open a new ASR each year. From your eDEP homepage go to *Forms > Drinking Water > 2023 Public Water System Annual Statistical Report*.
- There is a step by step tutorial on the MassDEP website if anyone needs assistance <https://www.youtube.com/watch?v=tifSYey4lf8>

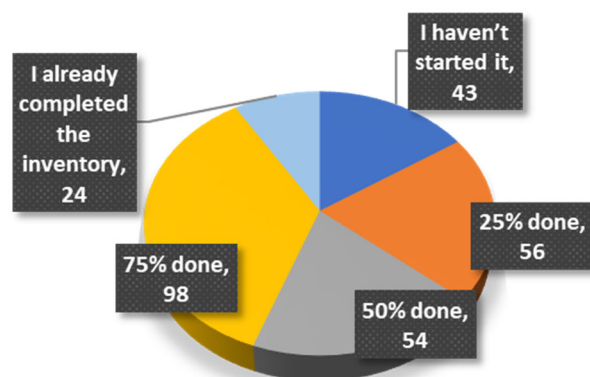
Lead & Copper

EPA just announced they have finalized their "improvements" to the Lead & Copper Rule and the proposal will be put out for public comment. EPA's summary of the changes is pasted below and a fact sheet is attached. The NEWWA Legislative & Regulatory Affairs Committee, of which MWWA is a member, is planning to develop comments to submit to EPA.

- Achieving 100% Lead Pipe Replacement within 10 years
- Locating Legacy Lead Pipes
- Improving Tap Sampling
- Lowering the Lead Action Level. *EPA is proposing to lower the lead action level from 15 µg/L to 10 µg/L. When a water system's lead sampling exceeds the action level, the system would be required to inform the public and take action to reduce lead exposure while concurrently working to replace all lead pipes. For example, the system would install or adjust corrosion control treatment to reduce lead that leaches into drinking water.*
- Strengthening Protections to Reduce Exposure
- ***DON'T FORGET THE "LEAD SERVICE LINE INVENTORY (LCRR)" INITIAL FULL INVENTORY DUE OCTOBER 16, 2024.***

As of February of 2024
this is the statistics for
PWS's regarding progress
on the Service Line
Inventory

Service Line Inventory Progress





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Per- and Polyfluoroalkyl Substances (PFAS)

No real update on PFAS except PFOA and PFOS being reduced to 4.0 ng/L.

Supply Chain Shortages

Public Water Systems must be prepared and plan for a shortage or other serious supply chain issues for water treatment chemicals and other critical supplies.

PWSs are reminded to implement the steps identified by DWP at <https://www.mass.gov/doc/steps-to-prepare-your-public-water-system-for-supply-chain-disruptions/download> and keep MassDEP/DWP informed of all Supply Chain issues.

Planning Ahead for Round 2 of AWIA Compliance

It's not too soon to begin preparing for the second round of compliance with the American Water Infrastructure Act (AWIA) 2025/2026.

AWIA was first passed in 2018 and requires community water systems to certify that they have prepared and updated their Risk and Resilience Assessments (RRAs) and Emergency Response Plans (ERPs). Community water systems are required to recertify to EPA that their RRAs and ERPs are up to date every five years. The first year of compliance was in 2020.

With changes from the past five years including supply chain issues, cybersecurity, and increased funding opportunities, water systems may have a lot to update in their RRAs and ERPs.

Community Water Systems that serve over 3,300 people

The following table describes the due dates for community water systems to certify their RRAs and ERPs to EPA, based on the size of the community water system. Certifications for ERPs are due within six months of the RRA's certification, but no later than the dates specified below.

Community Water System Size (Population Served)	Certify Risk & Reliance Assessment (RRA) by	Certify Emergency Response Plan (ERP) within 6 months of RRA, but no later than
>100,000	March 31, 2025	September 30, 2025
50,00 - 99,999	December 31, 2025	June 30, 2026
3,300 – 49,999	June 30, 2026	December 30, 2026

Risk and Resiliency Assessment (RRA) is an assessment of a water system's assets and the risks to and resilience of those assets to malevolent acts and natural hazards. RRAs include an evaluation of the capital and operational needs for a system's risk and resilience management.

Emergency Response Plan (ERP) is a document that incorporates the findings from the RRA to create action plans and gather critical information for water systems to respond to emergencies in their system. The ERP should include ways to improve resilience, plans for responding to emergencies, actions to lessen the impact of malevolent acts or natural hazards, and strategies to detect malevolent acts or natural hazards.

Note: PWS performed a cybersecurity assessment as part of their ERP preparation and certification back in 2020/2021. These cybersecurity assessments can be used to meet MassDEP's requirements regarding cybersecurity assessments, if a PWS does not have a more recent assessment. When updating the ERP for the next round of AWIA compliance, PWS may need to perform an updated cybersecurity assessment.