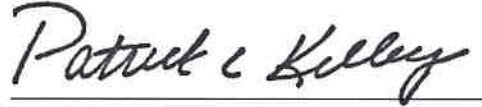



CITY OF MILFORD, NEBRASKA  
NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that a Special meeting of the Mayor and City Council of the City of Milford, Nebraska is to be held at 6:30 pm on Tuesday, November 30, 2021 at the City Hall Office, 402 1<sup>st</sup> Street, Milford, which meeting will be open to the public. An agenda for such meeting kept continuously current, is available for public inspection at the office of the City Clerk at the City Hall.



Mayor

ATTEST:   
City Clerk

Agenda matters are as follows:

1. Call to Order
2. Roll Call
3. Open Meeting Act Requirement
4. Lead & Copper regulation presentation with NDEE, Eric Cox and Jessica Johnson
5. Adjournment

CERTIFICATION

I hereby certify that the above meeting notice was posted by me in three public places in the City of Milford as follows:

City Clerk's Office  
Farmers & Merchants Bank  
U S Post Office

at 11:00 am on Monday, November 15, 2021.

  
City Clerk

CITY OF MILFORD  
SPECIAL MEETING  
NOVEMBER 30, 2021

A special meeting of the Mayor and City Council of the City of Milford, Nebraska was held at the City Hall Office, 402 1<sup>st</sup> Street in said City on the 30<sup>th</sup> day of November 2021 at 6:30 pm. Present were: Council members: Tony DeLong, Becky Freeman, Kelli Keib and Mike Roth; Maintenance Supt. Gary TeSelle, and City Clerk Jeanne Hoggins. Absent: Mayor Kelley. Also present: Eric Cox and Jessica Johnson with NDEE.

Notice of the meeting was given in advance thereof by posting in three public places; a designated method for giving notice, as shown by the Certification of Posting attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.


**CALL TO ORDER:** President of Council Tony DeLong called the meeting to order at 6:32 pm. President of Council DeLong publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the west wall of the City Hall meeting room.

**Lead & Copper regulation presentation with NDEE, Eric Cox and Jessica Johnson:**

Jessica Johnson presented information on both the current Lead and Cooper Rule and the final Lead and Copper Rule revisions, which will go into effect December of 2024. The push for the revision of lead and copper regulations is related to the Flint, MI incident. Attached to these minutes is the presentation and information provided by Jessica Johnson.

The council thanked both Eric and Jessica for providing this information.

**ADJOURNMENT:** A motion was made by Keib and seconded by Freeman to adjourn the meeting. Roll call vote: Keib yes, Freeman yes, DeLong yes, Roth yes. Motion carried and meeting adjourned at 7:45 pm.

  
Jeanne Hoggins, City Clerk

  
Tony DeLong, Pres. of Council

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council of November 30, 2021 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of

said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)



*Jeanne Hoggins*

Jeanne Hoggins, City Clerk



## LCR Proposal Summary and Key Improvements

EPA's proposed Lead and Copper Rule (LCR) includes a suite of actions to reduce lead exposure in drinking water where it is needed the most. The proposed rule will identify the most at-risk communities and ensure systems have plans in place to rapidly respond by taking actions to reduce elevated levels of lead in drinking water.

The proposed LCR maintains the current Maximum Contaminant Level Goal (MCLG) of zero and the Action Level of 15 ppb. The proposed rule will require a more comprehensive response at the action level and introduces a trigger level of 10 ppb that requires more proactive planning in communities with lead service lines.

The agency's proposal therefore takes a proactive and holistic approach to improving the current rule—from testing to treatment to telling the public about the levels and risks of lead in drinking water. This approach focuses on six key areas provided below.

### 1: IDENTIFYING AREAS MOST IMPACTED

To help identify areas with the greatest potential for lead contamination of drinking water, the EPA is proposing that all water systems prepare and update a lead service line (LSL) inventory. To reduce high levels of lead in certain locations, the EPA is proposing to require water systems to "find-and-fix" the causes of these elevated levels.

#### Key Improvements:

- The EPA will for the first time require a public lead service line inventory.
- Unlike now, systems will have to pay attention to individual locations with elevated levels of lead by identifying the cause and mitigating the problem.

#### Under the Current LCR:

- Systems are only required to conduct a materials inventory for the purposes of identifying enough sites for tap sampling. These inventories are not of the entire system, nor are they public.
- Systems must only take action if more than 10% of tap samples are greater than the action level (15 ppb). There are no requirements for systems to take follow-up samples at sites with individual tap samples greater than 15 ppb.

## 2: STRENGTHENING TREATMENT REQUIREMENTS

The EPA is proposing to revise requirements for corrosion control treatment (CCT) based on tap sampling results. The EPA's proposal also establishes a new trigger level of 10 ppb. At this trigger level, systems that currently treat for corrosion would be required to re-optimize their existing treatment. Systems that do not currently treat for corrosion would be required to conduct a corrosion control study so that the system is prepared to respond quickly when necessary.

### Key Improvements:

- Based on sampling results, systems with elevated lead levels will reevaluate their existing corrosion control treatment or conduct a treatment study so that they are prepared to respond quickly when necessary.



### Under the Current LCR:

- Requirements are based primarily on system size. Systems serving > 50,000 persons are required to have CCT while systems serving  $\leq$  50,000 have CCT requirements after an action level exceedance and may discontinue these requirements if the action level no longer exceeded for two 6-month monitoring periods.
- Systems are not required to re-optimize their CCT, unless directed to do so by the state, and may only be required to conduct a CCT study when there is an action level exceedance.

## 3: REPLACING LEAD SERVICE LINES

The EPA is proposing to require water systems to replace the water system-owned portion of an LSL when a customer chooses to replace their customer-owned portion of the line. The EPA is also proposing to require water systems to conduct outreach and initiate lead service line replacement programs when lead levels are above the proposed trigger level of 10 ppb. The proposal requires systems that are above 10 ppb but at or below 15 ppb to work with their state to set an annual goal for replacement. Systems that are above 15 ppb will be required to replace a minimum of three percent of the number of LSLs annually. The proposal also prevents systems from avoiding lead service line replacements (LSLR) by "testing out" through sampling. Additionally, small systems that exceed the trigger and action levels will have flexibility with respect to treatment and lead service line replacement actions.

### Key Improvements:

- The trigger level is a new flexible provision designed to compel water systems to take proactive, tailored actions to plan upgrades to aging infrastructure and reduce levels of lead in drinking water.
- Systems above 10 parts per billion would be required to work with their state to set an annual goal for replacing lead service lines. Water systems above 15 parts per billion would be required to fully replace a minimum of three percent of the number of known or potential lead service lines annually.
- Importantly, the proposal prohibits "test-outs" to avoid replacing lead service lines – an allowed practice under the current rule that has significantly slowed national progress in removing this significant source of lead from our homes.
- Partial lead service line replacements will no longer be allowed except in certain situations (e.g., emergency repair) because science has recently shown us that partial lead service line replacement may increase short-term lead exposure.
- Flexibility is important for small systems so that they can protect public health by taking the action that makes sense for their community.

### Under the Current LCR:

- Water systems are not required to replace their portion of an LSL when the customer-owned portion of the line is being replaced.
- No LSLR plan is required. Systems are only required to implement an LSLR program when the lead action level of 15 ppb is exceeded.
- Systems can count partial LSLRs and LSLs that have been tested out (i.e., samples from the LSL do not exceed 15ppb) as replaced to meet the 7% mandatory annual replacement rate.



EPA's proposed Lead and Copper Rule has **sensible approaches to protect children from lead** in drinking water. By providing flexibility for small systems, the rule allows systems to protect public health by taking **common sense actions**.

**Under the Current LCR:**

- Systems are not prohibited from instructing samplers to flush before sampling, remove and/or clean faucet aerators, and use narrow-necked collection bottles, all of which could mask elevated lead levels.
- Systems with LSLs are only required to collect 50% of tap samples from sites served by LSLs, which could obscure problems in the system.

**5: IMPROVING RISK COMMUNICATION**

The EPA is proposing to require systems to notify customers of an action level exceedance within 24 hours. The EPA is also proposing to require that systems make the LSL inventory publicly available and conduct regular outreach to homeowners with LSLs.

**Key Improvements:**

- Homeowners will learn about elevated levels of lead in their system sooner. They will also understand where lead services lines are in their community and how to protect their family from exposure to lead.

**Under the Current LCR:**

- Customers are notified of their tap sampling results, regardless of whether there is an action level exceedance, within 30 days of the system receiving the results.
- A materials evaluation is only required for sites used for tap monitoring and is not public. Water systems are not required to inform customers if they have a known or potential LSL.

**6: PROTECTING CHILDREN IN SCHOOLS**

Since children are most at risk, the EPA is proposing that community water systems (CWS) sample drinking water outlets at each school and each child care facility served by the system. The system would be required to provide the results and information about the actions the school or child care facility can take to reduce lead in drinking water.

**Key Improvements:**

- For the first time, systems will be required to test school and child care facilities.

**Under the Current LCR:**

- Community water systems are not currently required to test schools and child care facilities. Only schools and child care facilities classified as Non-Transient Non-Community Water Systems must sample for lead and copper.

**4: INCREASING SAMPLING RELIABILITY**

The EPA is proposing to improve tap sampling procedures. For example, requiring wide-mouth bottles for collection and prohibiting flushing and cleaning or removing faucet aerators before sampling. The EPA is also changing the criteria for selecting homes where samples are taken to require sampling in homes with lead service lines. And, systems with higher levels of lead will sample more frequently.

**Key Improvements:**

- Water systems will follow new, improved sampling procedures, will adjust sampling sites to better target locations with higher lead levels, and systems with higher levels will sample more frequently.



For more information, visit:  
[epa.gov/safewater/LCRproposal](https://epa.gov/safewater/LCRproposal)



# Improving Lead Sampling to Better Protect Public Health

## EPA's Revisions to the Lead and Copper Rule

### EPA's new rule:

1. Targets water that's actually from the lead service lines, not just the faucet or premise plumbing
2. Targets where the highest levels of lead are to identify problems sooner
3. Leads to more lead service line replacements and improved treatment to reduce lead
4. Better protects public health




 **PREMISE PLUMBING**  
 **SERVICE LINE**  
 **WATER MAIN**

### Testing where the Lead is

For homes with lead service lines, the 5th liter of water must be tested for lead, not the 1st liter like the old rule.



 **Premise Plumbing:**  
Premise plumbing is located inside the house.

 **Lead Service Line:** A lead service line is a pipe that runs from the water main to the home's internal plumbing.

WATER METER

MAIN WATERLINE