



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

May 8, 2026

TO: Jennifer Hibit, Secretary to the Authority

FROM: Sabrina Figler, Director of Water Quality

SUBJECT: Discussion by Kristine Wheeler, Director of NYSDOH Bureau of Drinking Water Supply to NYSAWWA Water Utility Council, at the Saratoga Springs, NY WUC Spring Meeting.

The NYSAWWA Water Utility Council (WUC) held its Spring Meeting on April 20, 2026. As Secretary to the WUC, I report the minutes. Kristine Wheeler of the Bureau of Drinking Water Supply of NYSDOH was present to discuss the LCRI and Emerging contaminants. I was not present at this meeting as I was on Capitol Hill for the 2026 AWWA Fly-In. Ryan McKernan, ECWA Sr. Analytical Chemist and member of the WUC, took minutes. Given the complexities of the rules, the extensiveness of the rules, and the difficulties in discerning aspects of the rules, I have highlighted Kristine's main talking points and have included them below. .

LCRI and CCR

- The plan is to package the LCRI regulations with the Consumer Confidence Report (CCR).
- The goal is to have a proposed rule out by the end of the year, but this is a very aggressive schedule, - The regulation is approximately 260 pages long.
- The LCRI and CCR are largely copies of the federal rule, formatted for the state (part 5 text).
- The proposal includes repealing the current Lead and Copper rule and the annual water quality report components as is and adopting the new rules.
- Biannual reporting of the CCR (aka AWQR) will start in July of 2027, as per the federal rule.
- Kristine expressed concern about the ability of utilities to comply with the new regulations.
- She expects there will be many violations due to the complexity or the new rule. There are too many places to slip up.
- She was concerned about how they will be able to train every local health department on the new rule.
- There is no real opportunity to simplify the rule.
- Smaller utilities may struggle to implement the rule.
- She recommends reading, knowing, and understanding the regulations, suggesting a contractor if needed.
- She doesn't foresee a lot of monetary penalties but expects inconsistent enforcement across the state.
- The big push for the state to adopt the rule quickly is so that they can control the enforcement and have primacy.
- Violations may be related to reporting will be classified as Tier 3 notifications, Treatment techniques will be Tier 2.

School and Childcare Regulations

- Revising New York State law to include "all taps, including the nursing station phrase" would require a sponsor
- New York State has a three-year rotation for public schools, which could potentially qualify for a waiver.
- This state has a draft of a tool/checklist to help navigate the timelines of and guide implementation of the new rules.

Lead Pipe Replacement Act

- WUC explained our opposition to the Lead Pipe replacement Act

-WUC explained that it would be helpful if the state had a large messaging campaign, to explain the complexities and promote a mutually beneficial path forward.

-WUC explained the challenge is explaining violations to elected officials, as these violations erode public confidence. A campaign is needed to communicate that violations are acceptable, given the change and complexity of regulations.

Emerging Contaminants

-PFAS regulations are on a similar timeline to LCRI, aiming to move the rule quickly.

-The DOH is assessing federal regulations, tracking litigation, and considering legislative actions and signals from Drinking Water Quality Council meetings to find a path forward similar LCRI.