Staff Operations Item 4

ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

November 9, 2026

TO: Jennifer Hibit, Secretary to the Authority
Jerome Schad, Chair
Peggy LaGree, Vice Chair
Michelle Ianello, Treasurer

FROM: Sabrina A. Figler, Director of Water Quality

SUBJECT: **Summary of The Regulatory and Funding Panel Presentation at the NYSAWWA Tifft Symposium, Buffalo, NY, September 22, 2026**

The NYSDOH Bureau of Drinking Water Supply, NYSDEC, EPA, EFC and USDA held a Regulatory and Funding Panel at the Edwin C. Tifft Water Supply Symposium, held September 21 - 23, 2026 in Buffalo, NY.

The NYSDOH Bureau of Drinking Water Supply spoke at the Symposium in lieu of the Fall 2026 NYSAWWA Water Utility Council.

Following is a synopsis of regulatory focus areas:

PFAS/PFOA

April 2026, a final decision was made by the EPA on the concentrations of compounds to be reported, other than the original two, PFAS and PFOA. The final regulation is expected 2027.

The DOH is providing guidance on their website for GAC installations and treatment for removal of 1,4-dioxane.

The State DOH plans to work with LHD and water utilities to identify contaminated water supplies and implement remediation, including infrastructure grants and loans to remove PFAS from drinking water.

LCRI

No updates from DOH other than working to implement tools to help utilities navigate the rule. Templates and guidance are being updated on the website. These include public education, service line inventory, lead and copper site sample plan, and lead and copper tap sample reporting templates. Along with guidance on consumer and public notification and preparation of the service line inventory.

The NYSDOH intends to apply for primacy over the LCRI; however, this a lengthy process. The NYSDOH just received the Long Term 2 Enhance Surface Water Treatment Rule (LT2) primacy in September 2026 after the state submitted the primacy package to the EPA in July 2017.

The lack of primacy leaves some ambiguity with testing as it relates to school and daycare testing. The NYDDOH strongly recommends being prepared to test ALL schools and daycares within our distribution areas, regardless of the State program currently in place.

The DOH does not believe 10-year waivers for lead replacement will be an option.

The EPA clarifies that the LCRI lead goosenecks are not considered a "service line" but are to be removed if found.

CYBERSECURITY

The NYSDOH is working to make resources available. They have implemented regulations to ensure that public water systems are protected against cyber threats that could disrupt operations and/or threaten public health. These regulations require water utilities to develop and keep a cybersecurity program including a cybersecurity vulnerability analysis (CVA) which must be reviewed and updated annually.

New York has launched a Strengthening Essential Cybersecurity for Utilities and Resiliency Enhancement (SECURE) grant program, funded with $2.5 M. Administered by the Environmental Facilities Corporation (EFC), the program provides competitive grants for cybersecurity risk assessment, technical assistance and alignment with regulatory requirements.

EPA GRANTS

Nine-month delay or longer for EPA and EFC grants.

CONSUMER CONFIDENCE REPORT (AWQR)

In 2027 the AWQR document will need to be generated and reported at 6-month intervals (January – June & July – December). The State DOH will now be required to transmit data to the EPA.

The DOH is creating software by 2028 to help to generate the CCR (AWQR), and to make it more readable and provide language translating services as required by the EPA. The CCR's must include clearer information on lead levels, monitoring results and control efforts and expand the "good faith delivery requirements".

MICROPLASTICS TESTING AND ANALYTICAL METHODS

The EPA has not imposed any national requirement for public water systems to test for microplastics, and no validated analytical method exists for such monitoring under the Safe Water Drinking Act (SDWA). The EPA did place microplastics on its draft Contaminant Candidate List (CCL) 6. This is a screening step under the SDWA to identify contaminants that may warrant regulation. Microplastics did not make the Unregulated Contaminant Monitoring Rule (UCMR) 6 because of the absence of a validated consensus on drinking water analytical methods with the required quality control, accuracy and precision, and said it's not feasible to develop one withing the statutory timeframe.

EPA MICROBIAL DISINFECTION BYPRODUCTS RULE (MDBP)

The MDBP rules are a set of EPA regulations that balance the need to kill harmful microbes in drinking water with the risk of chemical byproducts formed during disinfection. The Rule is currently under review for possible updates through 2027 – 2028.

LEGIONELLA IN DRINKING WATER

No updates:

NYSDOH regulates Legionella in certain high-risk water systems, but it is not a standardized drinking water contaminant for the general public.

The EPA does not set a specific MCL for Legionella in drinking water; instead, it regulates bacteria through treatment techniques and disinfection maintenance un the SWTR.