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Drinking Water Systems/Lead and Copper Rule: U.S. Environmental Protection Agency Issues Guidance Addressing Pipe Replacement

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The Environmental Protection Agency ("EPA") released guidance on August 21st that it described as advancing:

... the agency's commitment to clear and plain language communication while sharing information, definitions, and useful examples to help water systems comply with lead pipe replacement requirements of the Lead and Copper Rule ("Rule").

The three documents include:

- LRCI Access Tips.
- LRCI Service Line Inventory Tips.
- Appendix to the LRCI Access and Service Line Inventory Tips.

Note that the 2024 Rule requires that water systems replace all lead and galvanized copper requiring replacement service lines under the control of the water system unless a replacement would leave in place a partial service lead line. Further, service lines that are under control of the water system if the system has access to conduct a full service line replacement, and therefore water systems make the determination of where they can have access.

EPA further states that the Rule does not specify or limit the reasons that a system does or does not have access. It notes that where a system determines it does not have access, the Rule requires the system to provide documentation to the primacy agency. In Arkansas, the primacy agency is the Arkansas Department of Health.

Examples of information provided in the EPA guidance include:

- Issues associated with attempts to gain access to service lines.
- Examples of factors associated with attempts to obtain access.
- State, Tribal, and local governments may affect a water system's access to replace service lines.
- Examples of when a state, Tribal, or local government may affect a water system's access to replace service lines.
- Safety of water system personnel is essential and of utmost importance and issues related to safety may prevent access.
- Examples of issues related to safety that may prevent access.
- Detailed examples provided in the guidance:

- Access by customer consent with newly available funding.
- Access by ordinance for main replacement.
- Access by state law.
- External resources showing examples of strategies and case studies of systems using various methods to identify unknowns and gain access to conduct full service line replacement.

A link to the three documents can be found [here](#).