



HISTORY OF LEAD REGULATION IN DRINKING WATER SUPPLIES

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF MUNICIPAL FACILITIES

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To determine if there is lead in your plumbing, it is helpful to know when the structure was built and when plumbing was installed or repaired. This information can help pinpoint the amount of lead that could potentially be present.

- **The 1986 Safe Drinking Water Act Lead Ban** required the use of “lead-free” pipe, solder, and flux in the installation or repair of any public water system or any plumbing in a residential or non-residential facility providing water for human consumption.
 - Solders and flux were defined to be “lead-free” when they contained less than 0.2 percent lead. Before this ban took effect on June 19, 1986, solders used to join water pipes typically contained about 50 percent lead.
 - Pipes and pipe fittings were defined to be “lead-free” when they contained less than 8 percent lead. Plumbing fixtures that are not “lead-free” were banned from sale after August 6, 1998.

- **The 1988 Lead Contamination Control Act (LCCA)** was enacted by Congress to reduce lead exposure and associated health risks by decreasing lead levels in drinking water at schools and child care centers. The focus of the LCCA was to remove drinking water coolers with lead-lined tanks ([Appendix E – Water Cooler Summary, 3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance](#)). The LCCA also included monitoring and reporting requirements for schools; however, the act was challenged in court and therefore the provisions are not enforceable.

- **The 1991 Lead and Copper Rule (LCR)** requires public water suppliers to monitor for lead in drinking water and to provide treatment for corrosive water if lead or copper are found at unacceptable levels. The U.S. Environmental Protection Agency (EPA) strongly recommends that schools test their facilities for lead. However, unless a school owns its water system, testing for lead and copper within the school is not required. Therefore, many schools served by water systems owned by cities, towns, or other entities may have never been tested for lead under the LCR.

- **The 2011 Reduction of Lead in Drinking Water Act (RLDWA)**, effective January 4, 2014, amends the 1986 Lead Ban and reduced the “lead free” definition for piping and pipe fittings to 0.25 percent (weighted average with respect to wetted surfaces). The requirement for solder and flux remains at 0.2 percent.
 - While there is currently no federal requirement for lead-free product testing or third-party certification, many products have been certified and can be identified as detailed in EPA’s [How to Identify Lead Free Certification Marks for Drinking Water System & Plumbing Products](#).
 - The EPA published a [proposed rule](#) for implementing the RLDWA in January 2017. The proposal includes labeling and certification requirements for “lead-free” plumbing products.