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**From:** Alex Lubben Ex. 6  
**Sent:** 11/7/2017 8:17:40 PM  
**To:** Jones, Enesta [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65b8e6c6e5ca4a7a9ae85d98a4c8eedb-EJones02]  
**CC:** Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]  
**Subject:** Re: Query from VICE News: ECHO updates / lead programs

Hi Enesta,

It seems to me that EPA enforcement on lead in water has been up over the course what it was last year, which is impressive. Would love to speak with someone at EPA about the work EPA is doing on lead and copper rule enforcement, and the agency's plans to hold utilities accountable and improve the state of our drinking water post-Flint.

Would anyone in the water office be available to speak with me in the next few days about priorities and enforcement?

Best,

Alex

On Wed, Oct 25, 2017 at 4:51 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Alex, this information should help with your follow-up. It's attributable to an EPA spokesperson:

Safe Drinking Water Act (SDWA) enforcement is primarily done by the states. In the ECHO SDWA data search, you can decide whether to include EPA or State enforcement actions, or both (see screen capture below).

Enforcement and Compliance
▼

Violation Status ▲

No Restrictions

Serious Violator

Health-Based Violations

Informal Enforcement Actions  No Restrictions  Within  None Within

1 Year(s)

12345

By Agency:  Any  EPA  State

Formal Enforcement Actions  No Restrictions  Within  None Within

1 Year(s)

12345

Date From:  To:

By Agency:  Any  EPA  State

Search Criteria Selected ✕

Search Type

Drinking Water

System Characteristics

Activity Status ✕

Yes

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Results View

Interactive Map

Data Table

Search

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Pollutant
▼

Contaminant(s) in Violation (3 years) ▼

Contaminant(s) with Violation in Latest Quarter

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**Action Level Exceedance (Past 5 Years)**

Lead  Copper

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**Violations (Past 5 Years)**

Lead and Copper

The formal enforcement definition are taken from: <https://echo.epa.gov/help/reports/dfr-data-dictionary>

**SDWA Formal Enforcement Actions**

An enforcement action taken to bring a noncompliant system back into compliance by a certain time, with an enforceable consequence if the schedule is not met. A formal enforcement action is based on a specific violation, requires specific actions necessary for the violator to return to compliance, and is independently enforceable without having to prove the original violation. Formal enforcement actions include issuing administrative orders, which specify actions the system must take to return to compliance; assessing fines; and referring civil or criminal cases to state attorneys general or the U.S. Department of Justice.

- EF- - Federal Complaint for Penalty Consent Order or Consent Decree
- EF/ - Federal SDWA Section 1431 (Emergency) Order
- EF< - Federal Complaint for Penalty issued
- EFK - Federal Bilateral Compliance Agreement signed
- EFL - Federal Final Administrative Order issued
- EFQ - Federal Civil Case filed
- EFR - Federal Consent Decree/Judgement
- SF% - State Civil Case concluded
- SFK - State Bilateral Compliance Agreement signed
- SFL - State Administrative/Compliance Order without penalty issued
- SFM - State Administrative Penalty assessed
- SFO - State Administrative/Compliance Order with penalty issued
- SFQ - State Civil Case filed in State court
- SFR - State Consent Decree/Judgement
- SFV - State Criminal Case filed

On Oct 24, 2017, at 7:11 PM, Alex Lubben Ex. 6 wrote:

Hi Enesta,

One follow-up query here, about ECHO data. Can you let me know what exactly an EPA "formal enforcement action" constitutes? I'm looking up enforcement data on the lead and copper rule, and trying see enforcement actions taken over time, but it's not clear to me that EPA would be issuing "formal enforcement actions" on LCR at all. Does that mean that those are enforcement actions taken by the primacy agencies and logged by the EPA?

Deadline on this is tomorrow at 2 pm.

Thanks,

Alex

On Tue, Oct 17, 2017 at 12:10 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:  
Hi Alex, the information is now live in ECHO.

On Oct 15, 2017, at 11:29 PM, Alex Lubben Ex. 6 wrote:

Thanks, Enesta. Do you know when the Q3 ECHO data will be online?

On Thu, Oct 12, 2017 at 9:06 AM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Alex, attributable to an agency spokesperson:

**Can you confirm that those stats have been updated for the 3rd quarter?**

We are in the process of incorporating 3<sup>rd</sup> quarter drinking water data into ECHO and will let you know when it has been posted.

**And can you list the EPA's accomplishments on getting lead out of drinking water so far this year? Is there any significant water infrastructure work planned? Is a revision to the Lead and Copper Rule in the works?**

EPA has published a proposed regulation to aid in the implementation of the Reduction of Lead in Drinking Water Act, to ensure that plumbing materials meet the new criteria for lead free. EPA is also considering proposed revisions to the Lead and Copper rule to strengthen its public health protections. EPA has conducted extensive engagement with stakeholder groups and the public to inform revisions to the Lead and Copper Rule (LCR). EPA is also giving extensive consideration to the national experience in implementing the rule as well as the experience in Flint, Michigan. In addition to revisions to the LCR, there are a number of efforts underway to encourage lead service line replacement and to improve implementation of the current rule. EPA is working with primacy agencies to ensure that the LCR is being properly implemented and we've provided various recommendations regarding optimal corrosion control treatment, source water changes, sampling and monitoring. We are committed to continued work with our state partners and stakeholders to address the public health risks associated with lead in drinking water.

Click the link for more information: <https://www.epa.gov/dwstandardsregulations/use-lead-free-pipes-fittings-fixtures-solder-and-flux-drinking-water>

**From:** Alex Lubben **Ex. 6**  
**Sent:** Wednesday, October 11, 2017 9:54 AM  
**To:** Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>  
**Subject:** Re: Query from VICE News: ECHO updates / lead programs

Hi Enesta,

Tomorrow at 5 pm.

Best,

Alex

On Wed, Oct 11, 2017 at 9:51 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Alex, what's your firm deadline?

On Oct 11, 2017, at 9:45 AM, Alex Lubben <Ex. 6> wrote:

Hi Liz,

I'm Alex Lubben, a reporter with VICE News. I'm working on a story about the EPA's lead and drinking water programs, and noticed that the ECHO site notes that its drinking water stats are updated quarterly. Can you confirm that those stats have been updated for the 3rd quarter?

And can you list the EPA's accomplishments on getting lead out of drinking water so far this year? Is there any significant water infrastructure work planned? Is a revision to the Lead and Copper Rule in the works?

Thanks,

Alex

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alex lubben

Ex. 6

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