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| <b>Title: Lead Service Replacement Program</b> |                                 |
| <b>Authority: Village Board</b>                |                                 |
| <b>Date of Issue: 05-16-22</b>                 | <b>Effective Date: 09-30-22</b> |

### **1. General Program Purpose**

The Goal of this program is to establish a systematic process whereby all of the lead service lines can be removed from the village’s water system within the next 20 years.

The Environmental Protection Agency (EPA), State of Wisconsin, Wisconsin Public Services Commission (PSC) and Village of Shorewood are all concerned about the potential negative health effects that water consumption containing elevated lead levels may cause within the community. In addition, the EPA recently approved a Lead and Copper Rule Revision for all public water systems in the United States. This revision will lower the acceptable lead level standards in drinking water, increase public utility testing, and likely require most communities like the Village of Shorewood to implement a mandatory lead service line replacement program under these federal regulations.

As most of the Village’s water system and homes were built prior to the 1940’s when lead service lines were commonplace, this program will impact over 90% of the homes within the community. The portion of the service lines that the Shorewood Water Utility owns, and has been replacing during water main projects, runs between the water main and the curb stop shutoff valve located near the sidewalk at each property. These are also referred to as the public or municipal service. Each property also has a service line going from that curb stop valve into the building where the water meter is located; this portion of the service line is referred to as the customer, or private service as it is the responsibility of the property owner as defined by Village Code §415.20.C.

In order to achieve the goal systematically replacing all lead service lines, both public and private, and to be proactive related to the new EPA standards, the Village has passed an ordinance which now requires the Utility and property owners to replace any lead service lines moving forward whenever the Utility has a watermain project serving those properties, a service line must be repaired, or is engaged in a project developed for the explicit purpose of replacing lead service lines. This ordinance will also allow the Water Utility to seek approval from the Public Service Commission to provide financial assistance to customers to replace the customer side lead service lines.

This program will establish the guidelines under which the replacement of these lead service lines will be undertaken by the Water Utility, and conditions under which financial assistance may be provided to property owners in order to help pay for the replacement of their private lead service lines. These guidelines shall be interpreted so that the intent and purpose described may be accomplished. Words and phrases shall be understood according to common meanings unless the contrary is clearly indicated.

## **2. Public Education and Information**

The Department of Public Works is currently collecting an inventory of customer service line materials as part of the 2021-22 meter replacement program. This information will be used in the following ways to comply with the EPA Lead and Copper Rule Revision:

- Provide an annual notice to customers who have lead service lines
- Provide public access to a GIS portal which will allow users to search by address for information related to a property's service line materials

## **3. Removing Lead Services from the Public Distribution System**

In order to improve the safety of the Village's drinking water for our residents, village ordinances now require that all lead service lines must be replaced whenever the Water Utility replaces the water mains connecting to those services, a service line must be repaired, or for any other project developed for the explicit purpose of replacing lead service lines. These activities will generally fall into one of the following categories:

- Water mains are being replaced triggering the mandatory replacement of both utility and customer lead service lines.
- Water mains have previously been replaced whereby the utility lead service lines have already been removed and only the customer lead service lines remain.
- Service lines are leaking or cannot be operated properly

If a property owner wishes to replace their lead service line independently of a water utility project, the cost for that replacement, as well as all restoration costs (for example, topsoil, concrete, steps, bushes, and porches), would be the sole responsibility of the property owner. If the public portion of that service line is lead as well, that portion of the service line will be replaced by the Utility.

## **4. Project Scheduling and notifications**

In order to complete this work in a systematic and cost-effective manner, the Utility will schedule projects or project areas at the discretion of the Public Works Director with approval of the Village Board. Projects will be scheduled taking into consideration other project timelines, construction synergies, and Utility staffing capacity.

As water main replacement requires excavation of the Village streets, the most cost-efficient way to plan for water main replacement is in conjunction with planned street resurfacing or reconstruction. This reduces both the cost of having to restore the street surface separately for the water main project, as well as limits the impact to the community when these activities can be coordinated into a single construction cycle.

At least 90 days prior to commencement of a construction project, the Utility shall provide written notice to the owner of the property where the Utility intends to replace lead water service lines. Similar notice will also be given to any current lessee or property managers on file with the Utility for billing purposes at that time. This will also apply to project areas identified for systematic replacement where the Utility's lead service lines have already been replaced.

## **5. Financial Assistance**

Subject to PSC approval of the Water Utility's request to provide financial assistance to replace the customer side lead service lines, all property owners will be eligible for Water Utility financial assistance to replace the customer owned lead service lines when work is done in conjunction with an identified water utility project subject to the following conditions:

- The property owner signs an agreement to allow work to be performed on their property at least 10 days in advance of the anticipated commencement of the project
- The property owner agrees to use the Village's contractor for the project
- The property owner provides the Village / contractor inside access to the property to verify information related to the service line and location.
- The property owner works with the contractor to schedule and be available to provide inside access to complete the work within the timeframe identified by the Village.
- The property owner agrees to any other modifications to the existing meter connection to become compliant with current plumbing standards.

The Water Utility's financial assistance may cover up to 50% of the cost of replacing the property owner portion of the lead service line subject to a limit of \$5,000 per property.

The Village may also provide additional financial assistance related to these projects depending on the receipt of federal or state grants, or the designation of other funds for this purpose. Such funding will be applied annually on dollar amount basis depending on the availability of funds and the total number of lead service lines replaced for up to an additional 25% of the replacement cost.

All remaining costs will be the responsibility of the property owner being served by service line. Upon request, the property owner may elect to pay for these costs in the form of a zero percent (0%) interest loan from the utility to be repaid in twelve (12) equal installments on the next twelve (12) utility bills for the property. Loan balances may be prepaid without penalty; any past due loan balances may be placed on the property tax roll. Neither the Water Utility nor the Village of Shorewood are allowed to forgive unpaid loan balances.

## **6. Authority to discontinue service**

As an alternative to any other methods provided for obtaining compliance with the Village ordinance requiring the replacement of lead service lines the Utility may, after giving at least thirty (30) day notice, discontinue water service to such property served by customer-side lead service lines after a reasonable opportunity has been given to make the appropriate replacement. Failing to respond, declining, or otherwise hindering the ability to replace a lead service line during at least two previous utility projects, along with the aforementioned 30-day notice, will be deemed to have been a reasonable opportunity.