	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: 6.Z
	Title:	Recommendation to Approve a Resolution Authorizing a Lead and Galvanized Water Service Line Replacement Policy	
	Presenter:	Tim Wilson, Environmental Services Division	
Meeting: Government Services Committee		Date: April 1, 2024	
Proposed Cost: \$ 100,000		Budgeted Amount: \$ 100,000	Not Budgeted: <input type="checkbox"/>
TIF District: Choose an item.			
Executive Summary (if not budgeted, please explain):			
<p>It is a requirement of the State of Illinois law that the City of St. Charles as a Water Utility Owner work to remove lead from the City's water distribution system. This work includes replacement of all lead and galvanized water service lines. Water service lines are water pipes and other plumbing components that run from the water main, which is located in the Right of Way (ROW) or Easement, into residential, commercial, institutional or industrial customer's private property.</p> <p>The water service line is jointly owned by the property owner and the City. The property owner owns the portion of the water service line from the curb stop (aka buffalo box), which is typically located near the ROW line, to the water meter inside the building structure. The City owns the portion of the water service line from the curb stop to the water main. Maintenance of and replacement of any lead or galvanized pipe or components on the interior plumbing side of the water meter is the exclusive responsibility of the property owner.</p> <p>Having an approved policy will help staff to continue planning and help communicate with the public on the current direction. The proposed policy is based on current Federal and State laws or policies. Staff is recommending a full Lead and Galvanized Service Line Replacement Policy. Staff will continue to monitor changes in the Federal or State laws and policies. Staff will review any future city policy edits with City Council when there is a significant impact in State or Federal requirements or the City budget.</p> <p>Currently based on the proposed City Policy, projected number of service lines and projected replacement costs, the suggested Policy will result in the proposed budgets:</p> <p>FY 24/25 - \$100,000 FY 25/26- \$300,000 FY 26 to FY 56 - \$3,500,000 Annually (30 – Years)</p> <p>The actual annual expenditures will be approved by City Council through contract awards or the annual budget approval process.</p>			
Attachments (please list):			
*Proposed Policy *Typical Water Service Diagram *Illinois Department of Public Health Waiver			
Recommendation/Suggested Action (briefly explain):			
Recommendation to approve a Resolution authorizing a Lead and Galvanized Water Service Line Replacement Policy.			

Title Lead and Galvanized Water Service Line Replacement
Policy # 2024-01
Approval Date April 15, 2024
Revision Date None



Sections:

- Introduction
- Internal Plumbing of Structures
- Approach for Replacing Lead or Galvanized Water Service Lines
- Process & Procedures for City Initiated Water Service Line Replacements
- Process & Procedures for Property Owner Initiated Water Service Line Replacements
- Refusal of Entry for Work on Private Property

Exhibits:

- Typical Water Service Diagram
- Illinois Department of Public Health Waiver

I. INTRODUCTION

It is a requirement of the State of Illinois law that the City of St. Charles as a Water Utility Owner work to remove lead from the City's water distribution system. This work includes replacement of all lead and galvanized water service lines. Water service lines are water pipes and other plumbing components that run from the water main, which is located in the Right of Way (ROW) or Easement, into residential, commercial, institutional or industrial customer's private property. The water service line is jointly owned by the property owner and the City. The property owner owns the portion of the water service line from the curb stop (or buffalo box), which is typically located near the ROW line, to the water meter inside the building structure. The City owns the portion of the water service line from the curb stop to the water main. Maintenance of and replacement of any lead or galvanized pipe or components on the interior plumbing side of the water meter is the exclusive responsibility of the property owner.

II. INTERNAL PLUMBING of STRUCTURES

The City is responsible for providing safe drinking water to our customers, which includes actively removing lead and galvanized water pipes and other plumbing components on the outside of the water meter. However, the City cannot control or replace lead or galvanized water pipes and components on the inside of the water meter on private property. Thus, minimizing lead exposure is a shared responsibility of the City of St. Charles and property owners. It is strongly advised that drinking water customers (owners) remove any lead or galvanized pipes and plumbing components present on their private property.

III. APPROACH FOR REPLACING LEAD OR GALVANIZED WATER SERVICES

The City will be responsible for the entire water service line replacement from the water main to the water meter at no cost to the customer. The City will install the new water service line and all associated plumbing components of the replacement on both the exterior and interior of the property (up to the water meter) in a like manner and to current code standards. The City of St. Charles recognizes each water service line replacement will be different and unique, however are committed to coordinating with the property owner to achieve a mutual desired outcome. The City will retain the final determination and decision of all associated work both inside and out of the structure.

IV. PROCESS AND PROCEDURE FOR CITY INITIATED REPLACEMENTS:

For City of St. Charles' Initiated Maintenance Projects (Temporary Repairs) – Property owners will be notified that their water service line may need maintenance on the day the need for the maintenance is identified and confirmed. Property owners will receive documentation that their water service line may have lead or galvanized pipe or other lead or galvanized components and requires replacement. On the day maintenance activity on the water system commences, a lead filtering pitcher will be provided to the customer, and the private property owner & resident (if rental) will be advised that the pitchers should be used for any water used for human consumption until the replacement of the water service line is completed in its entirety. (see below for information on property owner refusal of replacement)

For City of St. Charles Initiated Capital Improvement Projects – Property owners will be notified that their water service line will be impacted by an upcoming capital project. A lead filtering pitcher will be provided, and the private property will be advised that the pitchers should be used for any water used for human consumption until the replacement of the water service line is completed in its entirety. (see below for information on property owner refusal of replacement)

V. PROCESS AND PROCEDURE FOR PROPERTY OWNER INITIATED REPLACEMENTS:

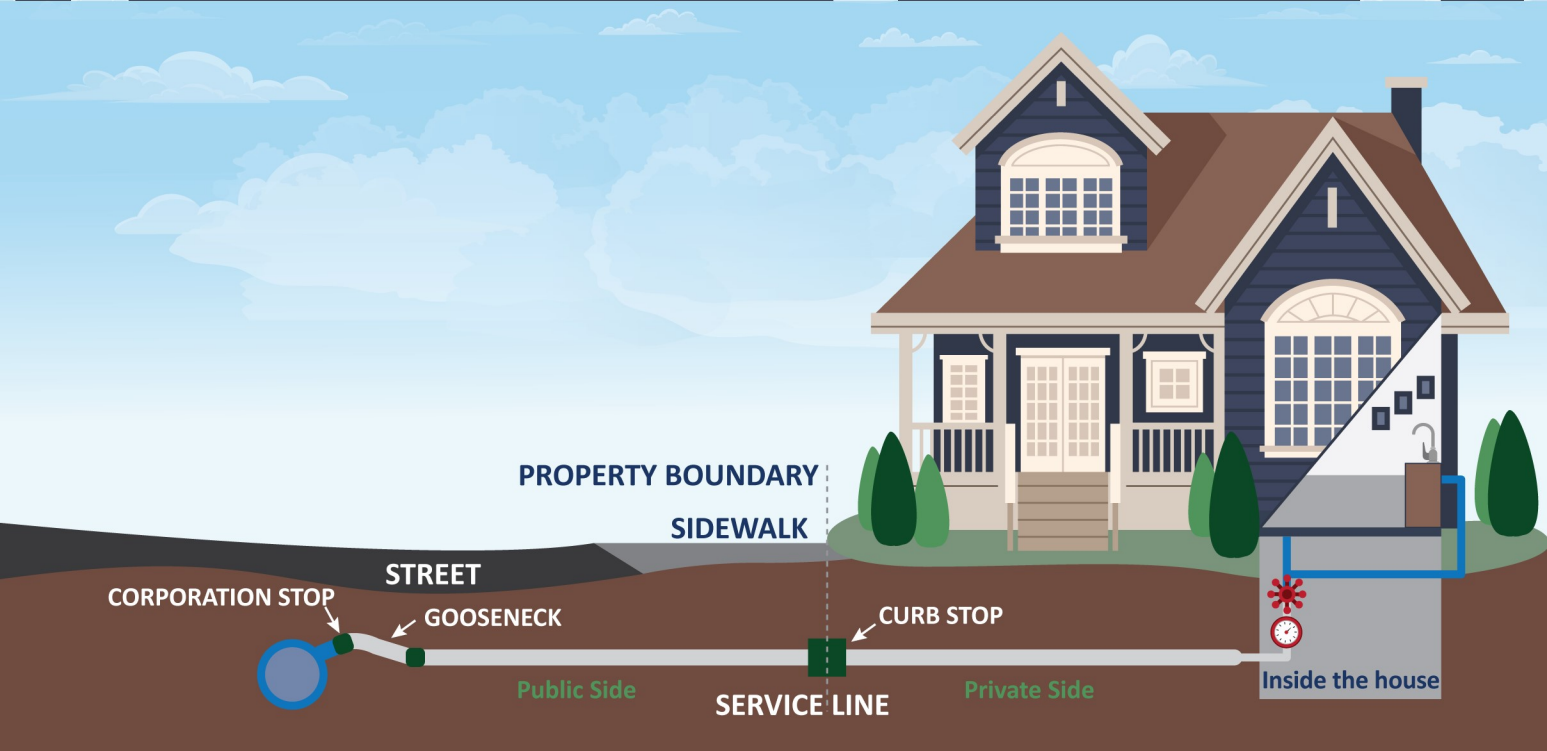
For Request Initiated by Private Improvement Projects (Development Projects) – Property owners will be responsible for the full-extent of the water service line replacement from the structure (including the water meter) to the water main. Typically, these private projects require the re-routing or upsizing of the existing water service line as a result of site construction demands.

For Request Initiated by Land Owner Not Related to Private Development - Should a property owner approach the City with a desire to replace their privately-owned water service line the City will facilitate replacement of the entire water service line at no cost to the property owner, if the water service line has lead or galvanized pipe or other lead or galvanized plumbing components. The City will replace property owner-initiated water service lines in the order that

requests are received by the Public Works Department, Environmental Services Division, if adequate funds are available in the fiscal year budget for Lead Service Line Replacement. A detailed budget line for Lead Service Line Replacement has been established by the City and work for all lead service line replacements are contingent upon budget availability in the current fiscal year. If budget is not available at the time of request for Lead Line Replacement, then the request will maintain its position on the list of service to be replaced and when additional funds are available, replacement work will commence in the order that requests were received at the discretion of the City of St. Charles. These property owners are advised to obtain the use of a lead filtering device for water consumed until such time that the City can replace the water service line. The replacement work will be completed within 90 days of the City having received confirmation of all the conditions mentioned above.

VI. REFUSAL OF ENTRY FOR WORK ON PRIVATE PROPERTY:

Maintenance Projects & Capital Projects – Any property owner who will not grant the City access to private property for the purposes of replacement of the water service line in its entirety must sign a Department of Public Health waiver indicating their refusal to take part in this Lead Service Line Replacement Program. The City will still complete the replacement of the water service line from the publicly owned water main up to and including a new curb stop valve. The remaining water service line portion to the private property shall remain turned off and water service will not be reinstated until such time that the waiver is signed and provided to the City. The waiver will also indicate that the property owner has received information regarding the potential short-term increase in lead concentration in their tap water due to the impact to the existing water service line containing lead or galvanized pipe or other plumbing components and that a filtering device is recommended for use for any consumed water. The City will provide the initial lead filtering device; however, the City will not be responsible for future replacement of filters in accordance with the manufacturer's recommendations.





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WAIVER OF COMPLETE LEAD SERVICE LINE REPLACEMENT

You are receiving this form because your property has been identified by your community water supply (CWS) as being served by a lead service line or galvanized service line located downstream of lead and you are refusing to allow the community water supply (CWS) to replace your entire service line.

The purpose of this form is to provide you, the property owner, with information necessary to make an informed decision about replacing your service line. In accordance with the Lead Service Line Replacement and Notification Act, Public Act 102-0613, the owner or operator of your CWS is required to replace your lead service line in its entirety, including any portion of the service line running on private property and within the building's plumbing at the first shut-off valve or 18 inches inside the building, whichever is shorter. If you deny the CWS the ability to perform a complete lead service line replacement, then you, the property owner, must sign this waiver form in accordance with 415 ILCS 5/17.12 (ff)(1)(D) and 17.12 (ii).

The following items should be considered by property owners regarding lead service line replacement:

- **Lead service lines and galvanized service lines downstream of lead can be significant contributors of lead contamination in drinking (tap) water through the corrosion of these materials.** Service lines are pipes that carry drinking water from the CWS water main to a home or building. A study published by American Water Works Association (AWWA) Water Research Foundation (2008) "Contributions of Service Line and Plumbing Fixtures to Lead and Copper Rule Compliance Issues" (Sandvig et al, 2008) estimates that 50% – 75% of lead in drinking water comes from lead service lines.
- **Lead is a toxic metal that is harmful to human health even at low exposure levels.** Young children are particularly vulnerable to lead. The adverse health effects of lead exposure include damage to the brain and nervous system, slowed growth and development, learning and behavior problems, hearing and speech problems, lower IQ, decreased ability to pay attention, and underperformance in school. Please see the CDC's website, <https://www.cdc.gov/nceh/lead/prevention/health-effects.htm> for additional information regarding health effects of lead.
- **Partial lead service line replacements can increase lead levels for long periods of time.** Partial lead service line replacement means replacement of only a portion of a lead service line or a galvanized service line downstream of lead. Following a partial lead service line replacement, lead levels increase and construction activities such as digging and cutting release particulate lead. Particulate lead is a concern because the lead content can be very high. Additionally, new materials from partial lead service line replacements can increase corrosion or create galvanic corrosion.
- **Property owners of nonresidential properties or properties operating as rental property have responsibilities under the Lead Service Line Replacement and Notification Act after denial of complete lead service line replacement.** In accordance with 415 ILCS 5/17.12 (ff), owners of nonresidential buildings or a residence operating as a rental property shall be responsible for installing and maintaining certified point-of-use filters for the reduction of lead (NSF/ANSI Standard 53) and

particulates (NSF/ANSI Standard 42) at all plumbing fixtures intended to supply water for the purposes of drinking, food preparation, or making baby formula until such time that the property owner has affected the remaining portions of the lead or galvanized service line to be replaced.

- ***Unsafe conditions and knowledge of the remaining lead piping must be disclosed appropriately.*** Waiver or denial of complete replacement of a lead service line may create unsafe concentrations of lead and/or unsafe conditions relating to the remaining lead water pipe. If the property is a residential real property as defined by the Residential Real Property Disclosure Act (765 ILCS 77/5), appropriate disclosure shall be made at any transfer of sale, exchange, installment land sale contract, assignment of beneficial interest, lease with an option to purchase, ground lease, or assignment of ground lease.
- ***Service lines are plumbing and are required to be replaced by individuals authorized by the Plumbing License Law (225 ILCS 320/3).*** Service lines are plumbing as defined by the Plumbing License Law (225 ILCS 320/3). As plumbing, service lines are required to be repaired, replaced, and installed by authorized individuals and in accordance with the requirements of the Illinois Plumbing Code (77 Ill. Adm. Code 890).
- ***If the property is operating as a childcare operation, there are additional requirements regarding lead in drinking water under Department of Family and Children Services (DCFS) licensing standards.*** Under DCFS licensing standards, changes in water profile including changes to the water service line require retesting of the drinking water for presence of lead. Where lead is detected at or above DCFS's action level, a mitigation plan to reduce the concentration of lead is required.

More information about lead in drinking water and the effects of lead can be found at IDPH's website: <https://dph.illinois.gov>.

In consideration of the above information, IDPH strongly recommends you allow your CWS to replace your lead service line in its entirety. If you choose to waive and deny a complete lead service line replacement at your property, this form must be completed and returned to your CWS. Sections 1,2, and 3 of this form are to be completed by the CWS and Sections 4 and 5 of this form are to be completed by, you, the property owner of the affected property.

WAIVER OF COMPLETE LEAD SERVICE LINE REPLACEMENT

Sections 1, 2, and 3 must be completed by the CWS prior to providing the form to the property owner.

SECTION 1: COMMUNITY WATER SUPPLY INFORMATION	
CWS Name	ID Number
Phone	Email
CWS Mailing Address	
CWS City	Zip Code
SECTION 2: SERVICE LINE ACTIVITY INFORMATION	
<input type="checkbox"/> Emergency Repair <input type="checkbox"/> Planned Replacement	Date of Activity
SECTION 3: AFFECTED PROPERTY	
Street Address	
City	Zip Code

Sections 4 and 5 must be completed by the owner of the affected building identified above and returned to the community water supply.

SECTION 4: Property Owner Information	
Full Name (First Name Last Name)	
Phone	Email
SECTION 5: DENIAL OF COMPLETE LEAD SERVICE LINE REPLACEMENT	
<input type="checkbox"/> By signing this waiver, I acknowledge that I am the property owner of the affected property located at the address listed in Section 3 of this form and I have been informed by the CWS that my property has a lead service line. I have read and understand the information provided within this waiver regarding the hazards of lead in drinking water, partial lead service line replacement, and Illinois laws about responsibilities of property owners for providing filters, disclosing the presence of lead water service lines, and requirements for child care facilities.	
<input type="checkbox"/> By signing this waiver, I acknowledge that I am waiving the community water supply's requirement to replace my lead service line in its entirety. I acknowledge that this waiver will result in a partial lead service line replacement and it may be unsafe to drink, cook with, or otherwise consume water from the tap, unless it has been filtered with a filter certified to meet NSF/ANSI Standard 53 and 42.	
Signature	Date

All parties should retain a copy of this form for their records. The Community Water Supply must also provide notification to IDPH using the electronic forms located at <https://dph.illinois.gov/topics-services/environmental-health-protection/lead-in-water.html>.