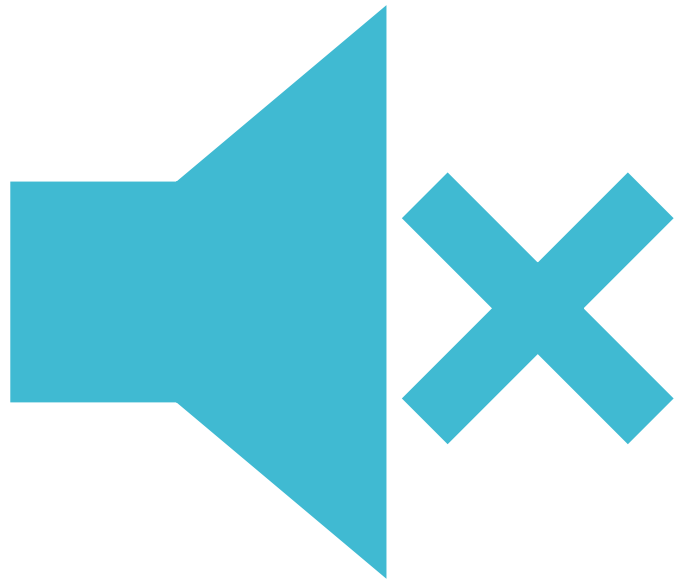


# NJ Lead Service Line Replacement Requirements

January 4, 2022



# Before We Begin!

- Please mute yourself
- If you have any questions, please hold them until the Q&A period, at which point you can:
  - Type your question in the chat
  - Raise your virtual hand
- Be sure to introduce yourself and what system/organization you are from if you are speaking

Lead Service  
Line  
Replacement  
Bill: P.L.2021,  
Ch.183  
(NJ Bill  
A5343/S3398)

- All community water systems (CWS) must replace their lead service lines (LSL) within 10 years of the effective date the legislation was signed (i.e., July 22, 2021)
  - CWS shall replace an average of 10% of their LSLs per year
  - Systems are required to replace the entire LSL, (i.e., main to building inlet whether its property-owned or system-owned)
  - This applies in cases where the system does not own the entire LSL

# Timeframes and Deadlines for Community Water Systems

Date/Time-frame	Description	Highlights
7/22/21	Effective date of requirements	<ul style="list-style-type: none"> <li>Updated lead service line (LSL) definition to include galvanized lines</li> </ul>
9/20/21	Initial counts of service lines (inventory report)	
1/22/22	Initial service line inventory (specific details of all service lines)	<ul style="list-style-type: none"> <li>Make publicly available: online, unless &lt;3,300 then select another location</li> <li>Continuously update</li> </ul>
2/21/22, or 30 days after inventory submission to NJDEP	Written notification of service line materials (only required for systems with LSLs)	<ul style="list-style-type: none"> <li>Provide translated notice = 10% or more residents speak a language other than English in a municipality served by the CWS</li> <li>Landlord distribution requirements</li> </ul>

# Timeframes and Deadlines for Community Water Systems

Date/Time-frame	Description	Highlights
7/22/22, annually thereafter	Updated inventory	<ul style="list-style-type: none"><li>• Suspected to be lead: Why each service line is believed to contain lead</li><li>• Unknowns: Steps undertaken to determine whether the line contains lead</li></ul>
7/22/22, annually thereafter until all LSLs identified and replaced	Initial LSL replacement (LSLR) plan	<ul style="list-style-type: none"><li>• Average annual replacement of at least 10% of all known LSLs.</li><li>• Must identify replace all LSLs w/in the service area no later than 10 years (7/22/31)</li></ul>

# January 2022 Inventory Reporting Requirements

- Due January 22, 2022
- DEP form: DEP\_10-S\_00014 and instructions at <https://www.state.nj.us/dep/watersupply/dws-sampreg.html>
- Service line locations, composition of those lines and ownership of the lines must be made publicly available online the CWS website.
  - CWS that serve <3,300 persons and do not have a website may display their inventory in another publicly accessible format
- Locations of all service lines required via street addresses. Lot and block, latitude and longitude are optional
- Inventory summary data will be available on NJ Drinking Water Watch in the future

# February 2022 Reporting Requirements

- Written notification of service line materials is required to be sent via certified mail no later than 30 days after submitting an initial service line inventory to the NJDEP
- Written notice shall include – list of LSLs, composition of the service line, sources of lead in drinking water, health effects, and steps customers can take to reduce their exposure to lead in drinking water
- Sent to each property owner and customer served by an LSL in the service area:
  - Each customer and non-paying consumer
  - Any off-site owner of property
- Provide translated notice when applicable

# Updated BWSE 20 Form



# Identifying Piping and Plumbing Materials

Pipes and plumbing materials can be identified by the following sources –

- Plumbing Codes
- Permitting Files
- Community Survey
- Distribution System Maps and Drawings
- Interviews with senior personnel, building inspectors, and retirees
- Standard Operating Procedures
- Existing Water Quality Data
- Township Construction Records
- Water Main Break Records
- Local/government records (e.g., tax records)
- Meter Installation Records
- Inspection and Maintenance Records
- Onsite materials evaluation, including thorough evaluation of plumbing material throughout the building and documentation of plumbing materials, any plumbing changes, and access restrictions
- During normal operations (i.e., checking service line materials when reading water meters, performing maintenance activities, or conducting repair operations).

A system shall commence LSL replacement activities in accordance with:

- Replace a minimum of **10%** of all LSLs in its service line inventory per year
  - An average annual rate of **at least 10%** to achieve replacement of all LSLs within 10 years
  - Partial replacement of an LSL shall not count toward replacement requirements
  - Systems shall not conduct partial replacements *except during an emergency, such as a water main or service line break or during a water main replacement*

# Additional LSL Legislation

- Financing LSLR – removes restrictions on special assessments and bond issuances for residential LSLR
  - Effective July 22, 2021
- Municipal ordinance to enter properties to perform LSLR
  - Effective January 9, 2020
- Notification of lead in drinking water – landlords/tenants (all PWS)
  - Effective May 11, 2021
- Seller disclosure of LSLs
  - Effective November 8, 2021
- Customer request lead and copper tap sampling
  - Effective November 8, 2021

# Funding

- What funding is currently available for LSL?
  - **Drinking Water State Revolving Fund** – funds projects in priority ranked order for eligible water systems
    - Loan packages of 50% principal forgiveness/50% I-Bank Market Rate for projects located in a municipality where the median household income (MHI) is less than the MHI for **the State**.
    - Principal forgiveness is capped at \$18M/\$5M/\$1M based on the number of known lead service lines.
    - Priority points for all LSL replacement projects. Systems with an Action Level Exceedance receive additional points.
    - DWSRF funds are only provided for a full (not partial) lead service line replacement
    - Loan packages of 100% principal forgiveness up to \$1M for small water systems serving 1,000 or less
  - **Bipartisan Infrastructure Deal**

# Bipartisan Infrastructure Deal (BID)

- The BID will provide approximately \$1 billion in additional clean water and drinking water SRF funding to NJ over the next 5 years:
  - \$465 million for any eligible CWSRF project
  - \$200 million for any eligible DWSRF project
  - **\$256 million to address drinking water lead service line replacements**
  - \$68 million to address PFOS and PFOA in drinking water
  - \$40 million to address contaminants of emerging concern in wastewater
- The allocation of funds in NJ will be established through the Intended Use Plan.

# Federal LCRR Progress

- June 16, 2021: Final rule published by EPA (86 FR 31939)
  - Effective date = December 16, 2021
  - Compliance date = October 16, 2024
- July 28-29, 2021: Co-regulator meeting
- As of December 16, 2021 the LCRR is in effect, but compliance efforts will not begin until 2024. EPA wants water systems to develop LSL inventories.
  - EPA intends to further revise the LCRI (LCR Improvements Rule)
- <https://www.epa.gov/ground-water-and-drinking-water/revised-lead-and-copper-rule>

# NJ LCR Progress

- Fall and Winter of 2019 held focus group sessions and surveys
- Stakeholder Meetings Spring of 2020 and 2021
- Past stakeholder presentations  
<https://www.nj.gov/dep/workgroups/past.html>
- Next Steps
  - Proposal, 60-day comment period, public hearing, adoption, implementation

## Web Resources

- [www.epa.gov/ground-water-and-drinking-water/final-revisions-lead-and-copper-rule](https://www.epa.gov/ground-water-and-drinking-water/final-revisions-lead-and-copper-rule)
- [www.state.nj.us/dep/watersupply](https://www.state.nj.us/dep/watersupply)
- [www.njleg.state.nj.us/2020/Bills/PL21/183\\_.PDF](https://www.njleg.state.nj.us/2020/Bills/PL21/183_.PDF)
- [www.state.nj.us/dep/watersupply/dws-sampreg.html](https://www.state.nj.us/dep/watersupply/dws-sampreg.html)



Q&A Period

