



Weatherford Municipal Utility Board

AGENDA REPORT

Meeting Date: June 27, 2024

Staff Contact: Rick Shaffer, Director of Water
Utilities

Item Number: 2024-372-AR

Phone: 817-598-4473

SUBJECT: Consider authorizing the Water Utility to apply for funding offered by the Texas Water Development Board under the Drinking Water State Revolving Fund State Fiscal Year 2023 - Lead Service Line Replacement Program, and adopt Resolution No. R2024-14.

BACKGROUND/DISCUSSION

While the 1986 Lead Ban in Safe Drinking Water Act was adopted in 1988, many water systems may still contain lead service lines (LSL) in their system. The U.S. Environmental Protection Agency (EPA) issued the Lead and Copper Rule Revisions (LCRR), which is an update to the previous Lead and Copper Rule. There are several new requirements in the LCRR, but the primary objective is to remove 100% of the lead service lines in water distribution systems. Water providers are required to comply with the new LCRR starting October 16, 2024.

The primary requirements of the LCRR include:

1. develop a service line inventory (due by October 16, 2024)
2. develop a Lead Service Line Replacement (LSLR) Plan (due by October 16, 2024)
3. updated compliance sampling protocol (begins in 2025)
4. testing of all elementary schools and child daycare facilities (within 5 years)
5. development of a communication plan
6. mandatory replacement of LSL if water sampling exceeds an "action" level for lead or copper (revised by LCRI)
7. added a new "trigger" level (that is lower than the "action" level) for additional requirements
8. provide water pitcher and 6 months of filters (following replacement of LSL)

In November 2023, EPA released an update to the LCRR called Lead and Copper Rule Improvements (LCRI). The LCRI changed the requirements of the LCRR as follows:

1. requires 100% lead pipe replacement within 10 years (regardless of whether water quality sampling results exceed action levels or not)
2. identify the materials of all service lines of "unknown" material
3. changes to the tap sampling process to include additional samples at each location
4. lowered the lead action level from 15 µg/L to 10 µg/L (1 µg/L = 1 part per billion)
5. increased public outreach and provision of filters to all customers if multiple lead action level exceedances occur

In May 2023, the Water Utility submitted a Project Information Form (PIF) to the Texas Water Development Board (TWDB) related to the Lead Service Line Replacement Program. The project identified in the PIF included

completing the inventory for all public and private water service line materials, engineering services, replacement of lead and galvanized service lines, additional sampling after replacement of service lines, and additional contingencies.

The TWDB notified city staff on May 28, 2024 that the project was selected, and the TWDB invites the City to submit an application for funding up to \$14,982,440 at 51% principal forgiveness and 49% loan/bond. However, the invitation to apply is not an automatic approval of funding. The application must be submitted by July 26, 2024 and will be reviewed by the TWDB for approval. While funding under the Lead Service Line Replacement Program is 51% principal forgiveness, 2% loan origination fees may apply.

FINANCIAL IMPACT

If funding is approved, the Water Utility will incur additional expenses up to \$14,982,440, with 51% of the actual amount to be reimbursed by the TWDB through principal forgiveness.

SUGGESTED ACTION

Staff recommends approval to apply for funding from the Texas Water Development Board under the DWSRF State Fiscal Year 2023 - Lead Service Line Replacement Program. In addition, staff recommends approval of Resolution No. R2024-14 authorizing the City Manager to execute, or cause to be executed, in the name of the City of Weatherford all necessary applications, contracts, and agreements to implement and carry out the purposes of the grant and loan.

ATTACHMENTS

- [Invitation to Apply](#)
- [Resolution No R2024-14](#)