

Lead Service Line Replacement and Material Inventory Information Required under Section 17.12 of the Environmental Protection Act

General Definitions

"**Emergency repair**" means any unscheduled water main, water service, or water valve repair or replacement that results from failure or accident.

"**Lead service line**" means a service line made of lead or service line connected to a lead pigtail, lead gooseneck, or other lead fitting.

"**Material inventory**" means a water service line material inventory developed by a Community Water Supply.

"**Partial lead service line replacement**" means replacement of only a portion of a lead service line.

"**Service line**" means the piping, tubing, and necessary appurtenances acting as a conduit from the water main or source of potable water supply to the building plumbing at the first shut-off valve or 18 inches inside the building, whichever is shorter.

"**Suspected lead service line**" means a service line that a Community Water Supply finds more likely than not to be made of lead after completing the requirements under paragraphs (2) through (5) of subsection (h).

Environmental Protection Act "The Act"

The full text of Section 17.12 of the act can be found here:

<https://ilga.gov/legislation/ilcs/documents/041500050K17.12.htm>

A general overview of the key dates and requirements is included below. Community Water Supplies are required to meet the requirements of The Act. If a Community Water Supply has not read section 17.12 of the Act in full it is recommended that the Community Water Supply reviews section 17.12 of the Act in its entirety.

Overview with key dates

- Develop an Initial Lead Service Line Material Inventory by April 15, 2022 and electronically submit by April 15, 2023
- Deliver a Complete Lead Service Line Material inventory no later than April 15, 2024. The Complete Lead Service Line Material inventory shall report the location and composition of all service lines in the Community Water Supply's distribution system.
- If a Community Water Supply does not expect to have a Complete Lead Service Line Material Inventory developed by April 15, 2024 an extension request must be submitted to the Illinois EPA by January 15, 2024.
- Electronically submit the Initial Lead Service Line replacement plan by April 15, 2024
- Electronically submit an updated Lead Service Line Replacement Plan by April 15, 2025 and April 15, 2026, and submit a Final Lead Service Line Replacement Plan by April 15, 2027.

Replacement Rates

Lead Service Lines	Annual Replacement Rate	Timeline for Completion
1,200 or less	7%	15 Years
1,201 – 4,999	6%	17 Years
5,000 – 9,999	5%	20 Years
10,000 – 99,999	3%	34 Years
100,000 or more	2%	50 Years

Material Inventory

A detailed material inventory template is available through the IEPA. All information required by section 17.12 of the act is included in the IEPA template. Any system not using the IEPA template must include the following information on its submitted final inventory:

- The total number of service lines connected to the Community Water Supply's distribution system.
- The physical location (address) and materials of construction of EACH service line connected to the Community Water Supply's distribution system.
- The number of suspected lead service lines that were newly identified in the material inventory for the Community Water Supply after the Community Water Supply last submitted a service line inventory to the agency.
- The number of suspected or known lead service lines that were replaced after the Community Water Supply last submitted a service line inventory to the Agency, and the material of the service line that replaced each lead service line.

Additional Information to be collected during the Material Inventory

- Maintain records of persons who refuse to grant access to the interior of a building for purposes of identifying the materials of construction of a service line. If a Community Water Supply has been denied access on the property or to the interior of a building for that reason, then the Community Water Supply shall identify the service line as a suspected lead service line, unless documentation is provided showing otherwise.
- If a Community Water Supply identifies a lead service line connected to a building, the owner or operator of the Community Water Supply shall attempt to notify the owner of the building and all occupants of the building of the existence of the lead service line within 15 days after identifying the lead service line, or as soon as is reasonably possible thereafter.
- An owner or operator of a Community Water Supply has no duty to include in the material inventory information about service lines that are physically disconnected from a water main in its distribution system.

How to Complete the Material Inventory

The following steps should be taken to complete the material inventory. These are methods that can help identify a service line without unearthing the service line, as unearthing a service line for the sole purpose of inventorying the service line is not required.

- Prioritize inspections of high risk areas identified by the Community Water Supply and inspections of high-risk facilities such as preschools, day care centers, day care homes, parks, playgrounds, hospitals, clinics, and confirm service lines in those areas and at those facilities.
- Review historical documentation, such as construction logs or cards, as-built drawings, purchase orders, and subdivision plans, to determine service line material construction.
- When conducting distribution system maintenance visually inspect service lines and document materials of construction.
- Identify any time period when service lines being connected to the distribution system were primarily lead service lines, if such a time period is known or suspected.
- Discuss service line repair and installation with its employees, contractors, plumbers, and other workers who worked on service lines connected to its distribution system.

Lead Service Line Replacement Plan

The Lead Service Line Replacement Plan is a document detailing how each Community Water Supply will meet its required replacement rates. The number used for the total lead service lines will be the combined total of all the identified lead service lines, all suspected lead service lines, and all unknown service lines. This total is the number that will set the required replacement percentage for each system.

Every Lead Service Line Replacement Plan will require the following:

- The name and identification number of the Community Water Supply.
- The total number of service lines connected to the distribution system of the Community Water Supply.
- The total number and physical locations (addresses) of suspected lead service lines connected to the distribution system of the Community Water Supply.
- The total number and physical locations (addresses) of known lead service lines connected to the distribution of the Community Water Supply.
- The total number and physical locations (addresses) of lead service lines connected to the distribution system of the Community Water Supply that have been replaced since 2020
- A proposed lead service line replacement schedule that includes one-year, 5-year, 10-year, 15-year, 20-year, 25-year, and 30-year goals.
- An analysis of costs and financing options for replacing the lead service lines connected to the Community Water Supply's distribution system including:
 - A detailed accounting of costs associated with replacing lead service lines and galvanized lines requiring replacement.
 - Measures to address affordability and prevent service shut-offs for customers/ratepayers.
 - Consideration of different scenarios for structuring payments between the utility and its customers over time.
- A plan for prioritizing high risk facilities, such as preschools, day care centers, day care homes, group day care homes, parks, playgrounds, hospitals, and clinics, as well as areas identified by the Community Water Supply.
- A map of the areas where lead service lines are expected to be found and the sequence with which those areas will be inventoried and the lead service lines replaced.
- Measures for how the Community Water Supply will inform the public of the plan and provide opportunity for public comment.
- Measures to encourage diversity in hiring in the workforce required to implement the plan as identified in subsection (n).

Subsection (n)

(n) When an owner or operator of a community water supply awards a contract under this Section, the owner or operator shall make a good faith effort to use contractors and vendors owned by minority persons, women, and persons with a disability, as those terms are defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, for not less than 20% of the total contracts, provided that:

(1) contracts representing at least 11% of the total projects shall be awarded to minority-owned businesses, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act;

(2) contracts representing at least 7% of the total projects shall be awarded to women-owned businesses, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act; and

(3) contracts representing at least 2% of the total projects shall be awarded to businesses owned by persons with a disability.

Owners or operators of a community water supply are encouraged to divide projects, whenever economically feasible, into contracts of smaller size that ensure small business contractors or vendors shall have the ability to qualify in the applicable bidding process, when determining the ability to deliver on a given contract based on scope and size, as a responsible and responsive bidder.

When a contractor or vendor submits a bid or letter of intent in response to a request for proposal or other bid submission, the contractor or vendor shall include with its responsive documents a utilization plan that shall address how compliance with applicable good faith requirements set forth in this subsection shall be addressed.

Under this subsection, "good faith effort" means a community water supply has taken all necessary steps to comply with the goals of this subsection by complying with the following:

(1) Soliciting through reasonable and available means the interest of a business, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, that have the capability to perform the work of the contract. The community water supply must solicit this interest within sufficient time to allow certified businesses to respond.

(2) Providing interested certified businesses with adequate information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner to assist them in responding to the solicitation.

(3) Meeting in good faith with interested certified businesses that have submitted bids.

(4) Effectively using the services of the State, minority or women community organizations, minority or women contractor groups, local, State, and federal minority or women business assistance offices, and other organizations to provide assistance in the recruitment and placement of certified businesses.

(5) Making efforts to use appropriate forums for purposes of advertising subcontracting opportunities suitable for certified businesses.

The diversity goals defined in this subsection can be met through direct award to diverse contractors and through the use of diverse subcontractors and diverse vendors to contracts.