



## STAFF REPORT

*Public Hearing 5-16-23*

AGENDA ITEM #: 23-49  
COUNCIL MTG OF: May 2, 2023  
FROM: Department of Public Works  
OFFERED BY: Michael Fowler, Director of Public Works  
PREPARED BY: Thomas Carrier, Deputy Director of Public Works  
SUBJECT: Large Public Water System Lead Service Line Inventory (LSLI), Sampling and Replacement Plan Grant

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### PURPOSE

The purpose of this document is to request Council consideration and approval to apply for, accept and expend grants funds from the NH Department of Environmental Services (NH DES) Drinking Water and Groundwater Bureau (DWGB) to conduct a lead service line inventory and prepare a sampling and replacement plan for the Derry public water system as required under the EPA's new Lead and Copper Rule.

### TOWN ADMINISTRATOR COMMENTS:

The Town Council is encouraged to accept this grant after the May 16, 2023 public hearing.

### BACKGROUND

The Environmental Protection Agency (EPA) established the Lead and Copper Rule (LCR) in 1991 to protect public health and reduce exposure to lead in drinking water. Under that rule, Derry's conducts system wide tap sampling for lead and copper every three (3) years.

That rule was revised in 2021 to include several new actions to better protect the public against the harmful effects of lead. One of the main priorities of these revisions is the requirement of lead service line inventories. All water systems are required to create an inventory of their service lines throughout their distribution systems, paying special attention to any lead service lines that will need to be replaced. These inventories need to be submitted to NHDES by the federal deadline of October 16, 2024.

The inventory will identify the location, material, and other pertinent information of service lines and ultimately create a replacement plan for all lead service lines and galvanized service lines downstream of lead pipe within the water distribution system. This includes the entirety of the service line from the water main to the structure. In certain instances where sampling data dictates, in addition to being required to submit service line inventories, systems will be required to submit a documented replacement program to the NHDES by October 16, 2024.

### DISCUSSION

To assist water systems in complying with the federal requirement, the NHDES Drinking Water and Groundwater Bureau (DWGB) is offering financial assistance through a 100% federal, no match grant. Funds for this grant program may be used for in-house or outside services. We recommend that the grant, if awarded, be used to contract Underwood Engineers to assist in preparing the inventory and replacement plan. (See attached scope of services). Underwood has considerable knowledge and experience with preparing such inventories and plans as well as the overall Derry water system.

#### FISCAL IMPACT

The maximum award of the Grant based on Derry's system size, is \$50,000. There is no match required. There is no impact on the water rates.

This is a reimbursement grant which requires the Town to complete the work and provide deliverables for review and approval before requesting payment. Reimbursements can be provided throughout the project duration as deliverables are approved.

#### RECOMMENDED ACTION BY COUNCIL

It is recommended that the Council authorize the recommended work and authorize the Town Administrator to apply for, accept and expend any eligible NH DES Lead Service Line Inventory and Planning grant funds and authorize the Town Administrator to execute any related documentation.

#### SUGGESTED MOTION:

Please see Resolution #2023-033 (Action after the May 16, 2023 public hearing).



# RESOLUTION

Number 2023-033

To Accept a NHDES DWGB Grant for Lead Service Inventory  
and Replacement Planning

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WHEREAS, Section 9.15 of the Town Charter authorizes the Town Council to accept grant funding; and

WHEREAS, the Environmental Protection Agency has revised rules which require water utilities to complete an inventory of lead service line inventories; and

WHEREAS, the New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Bureau (DWGB) has established a grant program to assist water utilities with rules compliance; and

WHEREAS, acceptance of this grant will relieve Derry water customers from the cost of this inventory;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL, pursuant to RSA 31:95-b, that the Town Administrator is hereby authorized to apply for, accept and expend up to \$50,000 from NHDES DWGB to complete a lead service line inventory and prepare a Sampling and Replacement Plan.

This Resolution shall take effect immediately upon its passage.

Adopted: May 16, 2023

Attest:

X \_\_\_\_\_

Charles Foote, Council Chair

Date: \_\_\_\_\_

X \_\_\_\_\_

Cristina Guilford, Town Clerk

Date: \_\_\_\_\_