

Drinking Water Board Packet

March 4, 2021

Agenda



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF DRINKING WATER
Tim Davis
Director

Drinking Water Board

Roger Fridal, Chair
Kristi Bell, Vice-Chair
Scott Morrison
Jeff Coombs
David O. Pitcher
Eric Franson, P.E.
Barbara Gardner
Blake Tullis, Ph.D.
Kimberly D. Shelley
Tim Davis
Executive Secretary

DRINKING WATER BOARD MEETING
March 4, 2021 9:00 AM
Dixie Convention Center Garden Room / Zoom Webinar
1835 S Convention Center
St George, Utah 84790

Tim Davis Cell # 385-226-6511

1. Call to Order
2. Electronic Meeting Notice – Roger Fridal
3. Roll Call – Tim Davis
4. Approval of Meeting Minutes
 - A. [Approval of the January 12, 2021 Minutes](#)
 - B. [Approval of the January 21, 2021 Minutes](#)
 - C. [Approval of the February 4, 2021 Work Meeting Minutes](#)
5. Disclosure for Intent to Publicly Comment – Roger Fridal
6. Disclosure for Conflict of Interest – Roger Fridal
7. Financial Assistance Committee Report
 - A. Status Report – Michael Grange
 - B. [Project Priority List](#) – Michael Grange
 - C. SRF Applications
 - i) FEDERAL
 - a. [East Grouse Creek](#) – Heather Pattee
 - b. [Boulder Farmstead](#) – Skye Sieber
 - c. [Wilson Arch](#) – Skye Sieber

8. Rulemaking Activities (Informational)
 - A. Current Rulemaking Activities
 - i.) R309-405 Compliance and Enforcement: Administrative Penalty – Rulemaking Update – Mark Berger
 - B. Future Rulemaking Activities (Informational)
 - i.) R309-210-6 – Lead and Copper Rule Changes – Luke Treutel
 - a. Overview and Timeline
 - b. Key Changes
 - ii.) R309-530-8 – Facility Design and Operation: Membrane Technology Rule Changes – Michael Newberry
 - a. Overview and Timeline
 - b. Key Changes
 - iii.) R309-540 – Facility Design and Operation: Pump Station Rule – Michael Newberry
 - a. Overview and Timeline
 - b. Key Changes
9. Rural Water Association Report – Dale Pierson
10. Directors Report – Division Director / Staff
 - A. Enforcement Report
 - B. New Employees; Darlene Funn, Dylan Martinez
 - C. Legislative Update
 - D. Other
11. Public Comment Period – Roger Fridal
12. Open Board Discussion – Roger Fridal
13. Other
14. Next Board Meeting

Date: Tuesday June 8, 2021
Time: 1:00 PM
Place: TBD
15. Adjourn

Agenda Item

4(A)



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DRINKING WATER ELECTRONIC BOARD MEETING
Via GoToMeeting
January 12, 2021 1:00 PM

DRAFT MINUTES

1. Call to Order

Roger Fridal, Chair, called the Board meeting to order at 1:02 PM.

2. Electronic Meeting Notice – Roger Fridal

Roger Fridal read the written determination to hold the meeting electronically.

3. Roll Call – Division Director/Staff

Board Members Present: Blake Tullis, Scott Morrison, Jeff Coombs, Roger Fridal, Eric Franson, David Pitcher, Kristi Bell, Kim Shelley.

Board Members Absent: Barbara Gardner.

DDW Staff Present: Ying-Ying Macauley, Allyson Spevak, Michael Grange, Skye Sieber, Heather Pattee, Brian Pattee, Colt Smith, Luke Treutel, Mark Berger, Michelle Deras, Mimi Ujii, Sarah Page, Nathan Lunstad.

4. Approval of the November 3, 2020 Minutes

- David Pitcher moved to approve the November 3, 2020 minutes. Jeff Coombs seconded. The motion was carried unanimously by the Board.

5. Disclosure for Intent to Publicly Comment – Roger Fridal

No disclosure for the intent to publicly comment was made.

6. Disclosure for Conflict of Interest – Roger Fridal

No disclosure for conflict of interest was made.

7. Recognition of Marie Owens’s Service to the Board

Roger led the recognition of Marie’s service to the Board, highlighting her many accomplishments during her four years as DDW Director. The Board gifted Marie with an engraved clock as a show of appreciation.

8. Financial Assistance Committee Report

A. Status Report – Michael Grange

Michael Grange, Technical Assistance Section Manager with the Division of Drinking Water reported that currently there is a balance of approximately \$22,800,000 in the Federal SRF fund. Over the course of the next year, the Division is expecting another \$21.8 million to be added to the fund from the EPA capitalization grant, state match, and principal and interest payments. By December 1, 2021 there will be approximately \$44.7 million available for Federal project allocation.

SRF staff are currently working on closing federal loans for projects with several water systems and several other projects are in construction at this time. The system names can be found in the status report.

Eric Franson inquired if there were any large-scale programmatic funding requests on the horizon and Michael said at this time there is not. About a year ago Michael reached out to Ogden City about their funding needs and he didn’t receive a response. He is investigating ways of approaching other larger agencies which have a need for financial assistance on the portfolio or programmatic financing side. Michael recently met with Lehi City which is looking at \$10 million in projects but they’re unsure if they can wait for the federal loan process. The city will let Michael know in the next few weeks if they’ll be approaching the Board for assistance.

Michael then reported that currently there is a balance of \$5.2 million in the State SRF fund. Over the course of the coming year, the Division is expecting another \$3.9 million to come into the fund from sales tax revenue and repayment streams. By December 1, 2021 there will be approximately \$9.2 million available for State program projects.

SRF staff are currently working to close loans for several State projects; those water system names can be found in the status report.

B. Project Priority List – Michael Grange

Michael Grange reported that one new project is recommended to be added to the Project Priority List: Daniel Town with 53.3 points with a project consisting of a storage tank, pump station, and distribution system upgrades specifically in the Storm Haven area. The Financial Assistance Committee recommends the Board approve the updated Project Priority List as presented, with the addition of this project.

- Scott Morrison moved to approve the updated Project Priority List. Eric Franson seconded. The motion was carried unanimously by the Board.

C. SRF Applications

i) STATE

a. Wallsburg Town – Deauthorization – Skye Sieber

Skye Sieber reminded the Board that at the 11.3.20 meeting the Board authorized a \$100,000 loan to Wallsburg Town for a water master plan. Subsequent to that meeting, staff received word that the town council has met and decided not to accept the loan from the Board.

The Financial Assistance Committee recommends that the Drinking Water Board deauthorize a loan of \$100,000 at 1.89% interest for 10 years to Wallsburg Town.

- Eric Franson moved to deauthorize a loan of \$100,000 at 1.89% for 10 years to Wallsburg Town. Kristi Bell seconded. The motion was carried unanimously by the Board.

ii) FEDERAL

a. Daniel Town – Heather Pattee

Representing Daniel Town were Mayor Chip Turner and Ryan Taylor of T-O Engineers.

Heather Pattee informed the Board that Daniel Town is requesting funding for a project consisting of a new water tank, pump station with associated piping, and upgrades to the distribution system. This project is for the Storm Haven Water System which merged with Daniel Town in 2016. The project will continue the process to consolidate these two systems. The total project cost is \$5,792,000 with the town contributing \$100,000 and they're requesting \$5,692,000 from the Board.

The MAGI information available for the town's zip code includes the areas of Timberlakes and Heber City and is \$52,000 or 108% of the State MAGI. Daniel Town commissioned an independent income survey which showed their local MAGI as \$45,700 which is 95% of the State MAGI. The estimated after project water bill would be \$134.89 which is 3.54% of the local MAGI, therefore they do qualify for additional subsidy.

The Financial Assistance Committee recommends that the Board authorize a loan of \$5,692,000 at 0% interest for 30 years with \$1,700,000 in principal forgiveness, for a repayable amount of \$3,992,000 to Daniel Town. Conditions include that they resolve any deficiencies on their IPS report.

The deficiencies on their IPS report are related to cross connection control and consumer confidence reports.

Mayor Chip Turner expressed appreciation to the Board, the need for this project and his desire for a 40-year loan term.

Ryan Taylor explained that both Daniel Town and Storm Haven would assume the cost of the project and while the improvements are mainly on the Storm Haven side, both would benefit from project provided redundancy and increased fire flows, etc.

Heather explained that the Board could consider a 40-year loan term as long as the infrastructure life is at least 40 years.

- Scott Morrison moved that the Drinking Water Board authorize a loan of \$5,692,000 at 0% interest for 30 years with \$1.7 million in principal forgiveness for a repayable loan amount of \$3,992,000 to Daniel Town. Conditions include that they resolve any deficiencies on their IPS report. David Pitcher seconded.

Eric Franson commented that while he appreciates the mayor's request, considering finding the balance between the amount granted in principal forgiveness, the after-project water bill and the MAGI, Eric feels comfortable with the motion made; a 30-year loan rather than a longer loan term.

The motion was carried unanimously by the Board.

b. Willow Creek Water – Heather Pattee

Representing Willow Creek Water Company were David Bishop, President and Natalie Erickson, Secretary.

Heather informed the Board that Willow Creek Water Company was authorized \$123,000 in financial assistance at the June 9, 2020 DWB meeting, for a project consisting of a backup generator and a tank mixer. Willow Creek has decided to change the scope of work to include solar power which will charge the back up generator and help reduce electricity costs. With the updated scope of work and engineering fees, Willow Creek is requesting \$226,000 in financial assistance. The local MAGI for Willow Creek is 117% of the State MAGI. The after-project water bill at full loan for 25 years would be \$89.53 which is 1.92% of the local MAGI. The funding being proposed would increase the length of the loan from 20 to 25 years.

The Financial Assistance Committee recommends that the Drinking Water Board deauthorize the original funding of a loan of \$123,000 at 1% interest for 20 years and authorize a loan of \$226,000 at 1% interest for 25 years. Conditions include that they resolve all issues on their IPS report. The system has 25 IPS points which this project will resolve.

David Bishop explained that the project was presented to their shareholders and a committee reviewed the benefits of the solar portion of the project. There was overwhelming support for adding solar power to the project.

Regarding the solar component of this project, Michael explained that starting in 2009 approximately 10% of money received from the American Recovery and Reinvestment Act had to go toward energy efficient projects. Since then, it's always been encouraged that we support energy efficiency in its various forms but currently there is no requirement under the DWSRF program that the State or the DWB need to fulfill.

David Bishop clarified that meters were initially part of the project but have since been removed as the system is now metered.

- David Pitcher moved that the Drinking Water Board deauthorize the original funding of a loan of \$123,000 at 1% for 20 years and authorize a loan of \$226,000 at 1% for 25 years subject to the condition of resolving issues on their compliance report. Eric Franson seconded. The motion was carried unanimously by the Board.

D. Other

i) Work Meeting Discussion

Michael explained that there are three rules which govern various aspects of the DWSRF program; R309-700 State SRF Loan Program, R309-705 Federal SRF Loan Program, and R309-800 Capacity Development Program. The State and Federal program rules haven't been updated in almost 15 years and some of the information is outdated and some policies are no longer in effect. Also, in order to preserve primacy, certain elements need to be included in these rules under the 2018 America's Water Infrastructure Act.

The work meeting which Michael will be scheduling for February is for staff to present to the Board the various changes the Division proposes to make to these rules. The meeting will give the Board a chance to discuss those changes outside of an actual Board meeting. Michael will send out information on the rules ahead of the meeting.

9. Rulemaking Activities

A. Rulemaking Process Overview – Ying-Ying Macauley (Informational Item)

Ying-Ying gave a presentation on the rulemaking process covering the roles, responsibilities and authorities of rulemaking and the overview of Utah's rulemaking process. The Board has the power to authorize DDW to initiate rulemaking and adopt rules through Utah Code 19-4-104(1)(a). DDW is authorized by Utah's Safe Drinking Water Act Utah Code 19-4 and administers Utah's Public Drinking Water Rules – R309-100 through 800. DDW maintains Utah's primacy to implement the Safe Drinking Water Act while EPA administers the Federal Safe Drinking Water Act and provides oversight of Utah's primacy. The Utah Office of Administrative Rules (OAR) administers the Utah Administrative Rulemaking Act, establishes rulemaking schedule and guidelines, and maintains the official records of all adopted rules.

Utah's rulemaking process has five steps:

- 1) Preliminary Notice – DDW staff sends a rule controversy notice to the DEQ Deputy Director who then sends notice to the Governor's Office, essentially giving both a heads up of the rulemaking.
- 2) Informal Review – DDW does an internal review with their in-house experts. If there's time, DDW prefers to extend the rule for external review such as an informal public comment period, so staff can address any water system concerns prior to proposing the rule.

- 3) Propose Rule – The proposed rule language is included in the DWB packet and the Board authorizes DDW to initiate rulemaking. Once authorized DDW files the proposed rule with OAR, and has the rule published in the Utah State Bulletin. Publication starts the 30-day formal comment period.
- 4) Adopt Rule – At the adoption phase DDW reviews any public comments received, summarizes the comments and DDW’s responses and includes them in the DWB packet. At a meeting the Board authorizes DDW to adopt the rule.
- 5) Make Rule Effective – To make effective, the final rule must be filed with OAR and the public is informed including updating the DDW website.

If a rule affects Utah’s primacy it must also undergo EPA review which includes completing a “crosswalk” check done during the informal review period, then the preliminary package is sent to EPA for review. In the “make rule effective” phase DDW must obtain an enforceability letter from the Utah Attorney General’s Office. The letter is sent with the final package to EPA for review. EPA eventually assigns primacy for the rule and publishes it in the Federal Register.

The “crosswalk” in a primacy package contains four columns: 1) Summary of Federal Requirement, 2) Federal Rule Citation, 3) State Rule Citation, and 4) Difference between the Federal and State citations.

B. Current Rulemaking Activities (Board Action Needed)

- i) Authorization to Initiate the Rulemaking Process for Revising R309-405 (Compliance and Enforcement: Administrative Penalty Rule) – Mark Berger

Rules Section Manager, Mark Berger, informed the Board that the Division is requesting that the Board authorize the Division to initiate the rulemaking process for the repeal and replacement of Rule 309-405 Compliance and Enforcement: Administrative Penalty.

The rule change is required due to amendments to Utah’s Safe Drinking Water Act made during the 2020 Legislative Session through Senate Bill 88. Mark noted that because the current rule has been reviewed and approved by EPA as part of the Division’s primacy authority, any revisions to the rule cannot be less stringent than the existing rule.

The Division closely consulted with the Attorney General’s Office on the proposed rule and did their best to ensure that the proposed rule matches the changes made to Utah’s Safe Drinking Water Act. DDW also consulted key stakeholders such as EPA Region 8, local health departments, DEQ district engineers, and regulated public water systems. Advanced notice of rulemaking was emailed to these stakeholders on December 11, 2020.

As stated in the rule itself, the purpose of the rule is to set the procedures, criteria and factors that apply to the assessment and settlement of formal administrative penalties against public drinking water system suppliers.

The repeal and replacement of the rule may appear to be an overhaul of the enforcement program, but it is in fact not an overhaul. During the course of drafting the rule to incorporate the changes necessitated by S.B. 88, staff took the opportunity to improve the rule by adding more clarity and transparency regarding the State’s current enforcement program. The primary change from the

existing rule to the proposed rule is found in R309-405-5(4)(a) and R309-405(4)(b); this language was updated to comply with changes made to Utah's Safe Drinking Water Act.

New Language for R309-405-5(4)(a):

Any violation by a public water system serving a population of more than 10,000 individuals shall be subject to a penalty of exactly \$1,000 on a per day, per violation basis.

New Language for R309-405-5(4)(b):

Any violation by a public water system serving a population of less than 10,000 individuals shall be subject to a penalty not to exceed \$1,000 on a per day, per violation basis, based on the criteria described in Section R309-405-6.

Should the Board authorize this rulemaking an official public comment period would begin February 1, 2021 and end March 3, 2021. While staff hopes to bring the rule back to the Board for final adoption at the March 4, 2021 Board meeting, they may have to postpone based on the type and response required of any comments received.

Staff is recommending that the Drinking Water Board authorize the Division to initiate the rulemaking process for the repeal and replacement of Rule 309-405 Compliance and Enforcement: Administrative Penalty as proposed.

- Eric Franson moved that the Drinking Water Board authorize the Division to initiate the rulemaking process for revising R309-405. Kristi Bell seconded. The motion was carried unanimously by the Board.

10. Approval of the Sandy City Stipulated Consent Order (Board Action Needed) – Ying-Ying Macauley & Bret Randall

Ying-Ying started by thanking Bret Randall of the Attorney General's Office for his help in preparing this settlement in a short window of time. Ying-Ying also noted that this is the first settlement in the Division's history.

The Division's requirements for fluoride are as follows; 1) Primary Maximum Contaminant Level (MCL) is 4 MG/L, 2) Secondary MCL is 2 MG/L and 3) an exceedance of the secondary MCL requires special public notice. Fluoridation of drinking water is mandated by voters and local health departments in Salt Lake and Davis counties, not by the Division. Any water system which does design and construction projects related to fluoridation are regulated by the Division's Rule 309-535-5.

This settlement / Stipulated Consent Order stems from the February 2019 Sandy City fluoride overfeed event. A brief timeline of the event is as follows; 2.7.2019 – Sandy City discovered a fluoride overfeed; 3.4.2019 – In response to the overfeed the Division issued an Administrative Order; 2.11.2020 – The Division issued an amended Administrative Order; and in December 2020 the Division and Sandy City entered into negotiations and eventually a mutual agreement was reached for the Stipulated Consent Order.

The Stipulated Consent Order requires the Board’s review and approval because of Utah Code 19-4-104(1)(c)(vii) Powers of the board. The code states that “The board shall...to ensure compliance with applicable statutes and rules: review a settlement negotiated by the director in accordance with Subsection 19-4-109(3) that requires a civil penalty equal to or greater than \$25,000; and approve or disprove the settlement.”

The proposed Stipulation and Consent Order is an enforcement document which replaces the existing amended Administrative Order. Upon Board approval it will become effective on January 12, 2021. The Order includes the maximum amount for administrative penalties (\$20,000) for the violations incurred as a result of the event and administrative cost recovery (\$17,200) for a total of \$37,200. An administrative cost recovery credit was granted in the amount of \$100,000 for the costs Sandy City incurred preparing a full investigative report (\$50,000 credit) and a corrosion control study (\$50,000 credit.) The credit was for two reasons, 1) Sandy City can use the credit to help protect public health and 2) the enforcement penalty shouldn’t be more than the administrative recovery costs. Once the Order becomes effective, Sandy City will have 30 days to make the \$37,200 payment.

Matthew Huish, Sandy City’s Chief Administrative Office spoke to the Board. Matthew stated that Sandy City’s administration and public utility leadership are pleased and happy to be bringing this unfortunate incident to a conclusion. They feel that it is a fair settlement. They’ve done their best to hire, as consultants, the nation’s best subject matter experts on water quality and water system modeling. Sandy City is pleased with the consultants results which have reaffirmed to Sandy City and its residents as to the high quality of their water system. Matthew thanked DDW leadership for all their work in helping Sandy City get this point.

To address Eric Franson’s question about precedent setting with this settlement, Bret Randall explained that the Order is based on what he’s done prior as a private practice attorney and what other DEQ divisions have done and other boards have approved. The template Bret used for this Order was one used for a settlement Bret worked on two years ago for the Division of Waste Management and Radiation Control. The precedential issues were the main focus of this settlement, to ensure the Division was setting the correct precedent for the future.

- Eric Franson moved that the Drinking Water Board authorize the Division to sign and approve the Sandy City Stipulation and Consent Order which will replace the existing Amended Administrative Order. Kristi Bell seconded. The motion was carried unanimously by the Board.

11. Public Comment Period – Roger Fridal

No public comments were made.

12. Rural Water Association Report – Dale Pierson

Dale thanked Marie for her service to the State and the Division.

Dale informed the Board that the RWAU reports can be found in the packet.

RWAU is moving ahead with holding the annual conference in person in St. George March 1-5. Safety precautions have been established to keep everyone safe.

13. Directors Report – Division Director / Staff

A. Enforcement Report

Ying-Ying informed the Board the most current enforcement report is in the packet. The Division is in the process of creating an enforcement tracking database. Creation of this database is in response to an item in the 2020 Legislative audit to address improving enforcement tracking. Ying-Ying hopes that future enforcement reports will be generated from this database.

B. New Employee: Sarah Page

The Division recently hired its first Level IV Scientist, Sarah Page. Sarah has a PhD in aquatic chemistry and completed a postdoctoral in harmful algal blooms (HABs) which led to a consultancy with water utilities on the water treatment of HABs. Sarah also managed the emerging contaminants for a previous firm. Sarah comes to the Division from Ann Arbor, Michigan serving as the city's water quality manager.

C. August 2020 Legislative Audit Recommendations – Update

The three recommendations from the audit were; 1) reevaluate and improve tracking of exceptions from rule 2) DDW utilize its enforcement authority, and 3) improve enforcement tracking.

D. DDW Response to Fee Comments Received in 2020

Ying-Ying informed the Board that in September 2020 the Division held a hearing to propose a fee for exceptions. The hearing generated a lot of comments by water systems which were against such a fee. The Division has since compiled the comments and DDW's responses into a webpage: <https://documents.deq.utah.gov/drinking-water/DDW-2020-035541.pdf>

The Division has decided to terminate their effort for this proposed exception fee because they realized that they need to look into a funding mechanism which will support DDW in the long term and is viable from the water system's perspective. The Division will assemble a fee workgroup consisting mostly of water system representatives to get immediate feedback on possible fee options. The goal is that by July 2021 the Division will have an alternative fee proposal ready to present to the water systems.

14. Open Board Discussion – Roger Fridal

No open board discussion today.

15. Other

16. Next Board Meeting

Date: Thursday March 4, 2021

Time: 9:00 AM
Place: Dixie Convention Center St George, UT

17. Adjourn

- Kristi Bell moved to adjourn the meeting. Scott Morrison seconded. The motion was carried unanimously by the Board.

The meeting adjourned at 2:47 PM. Kim Shelley left the meeting at 2:30 PM in order to attend another meeting.

Agenda Item

4(B)



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EMERGENCY DRINKING WATER ELECTRONIC BOARD MEETING
Via Zoom

January 21, 2021 2:30 PM

DRAFT MINUTES

1. Call to Order

Roger Fridal, Chair, called the Board meeting to order at 2:34 PM.

2. Electronic Meeting Notice – Roger Fridal

Roger Fridal read the written determination to hold the meeting electronically.

3. Roll Call – Division Director/Staff

Board Members present: Roger Fridal, Kristi Bell, Scott Morrison, Eric Franson, Blake Tullis, David Pitcher.

Board Members absent: Jeff Coombs, Barbara Gardner, Kim Shelley.

Division of Drinking Water (Division, DDW) Staff present: Ying-Ying Macauley, Interim Director, Michael Grange, Heather Pattee, Skye Sieber, Allyson Spevak.

4. Disclosure for Intent to Publicly Comment – Roger Fridal

No disclosure for the intent to publicly comment was made.

5. Disclosure for Conflict of Interest – Roger Fridal

No disclosure for conflict of interest was made.

6. Financial Assistance Committee Report

A. SRF Applications

i) STATE

a. Hatch Town – Heather Pattee

Representing Hatch Town were Jacie Torgerson, Recorder; Kurt Sawyer, City Council; and David Barnhurst, Water Operator.

Heather Pattee informed the Board that Hatch Town is requesting financial assistance in the amount of \$48,000 for project to replace the pump and motor for Well #5 which has failed. The failure leaves the town with a single source making this request an emergency as the health and safety of their users are at risk. The local MAGI for Hatch Town is 53% of the State MAGI. This project at full loan would make their water bill \$51.17 which is 2.43% of the local MAGI so they do qualify for additional subsidy.

The staff recommendation is that the Drinking Water Board authorize a grant of \$48,000 to Hatch Town, conditions to include they resolve any issues on their compliance report. They have a few cross connection control issues which can be resolved with the help of DDW cross connection staff.

Kurt Sawyer informed the Board that the bid for the project came back at \$22,000 so the full \$48,000 isn't needed.

Hatch's water operator, David Barnhurst, explained the failure was due to the age of the well, 11 years. The cost is lower because the pipe is still good and won't require replacement. They have two sources, Well #5 and Well #4, which is half the size of #5. The system switches the source every other month.

Scott Morrison voiced his opinion that in general he doesn't favor full grants in situations where preventative maintenance may catch an issue. The Board should advocate for a water system to have savings to be able to deal with maintenance events such as this. Scott would be more in favor of a hybrid approach; half grant, half loan. Given the small size of the request, the hybrid approach may not make sense from an administrative standpoint.

Michael explained that a loan is administratively costlier for the Division and the loan recipient. As a municipality, Hatch Town would have to bond which would cost anywhere from \$5,000-\$10,000. It doesn't make financial or administrative sense to bond for such a low amount. Michael agrees with Scott that it is always preferable for a water system to have a capital facilities replacement fund to which they are depositing money on a regular basis. A stipulation of an SRF loan is for the water system to implement a capital facilities reserve account and show that they're depositing money to the account on a regular basis. The account isn't necessarily a stipulation with grants but it is always encouraged.

It is Eric Franson's opinion that 11 years is on the low end for the life of a pump and its components; it should be closer to 20 years. Whereas David Pitcher says life expectancy for rotating equipment is 5-20 years, closer to 5 years in equipment with electronic parts.

David Pitcher expressed concern about setting a precedent with this authorization.

Michael said this authorization isn't precedent setting as the Board has in the past authorized similar financial assistance, mainly to smaller water systems.

Kurt said that they have recently increased their fees for residential and commercial connections in order to build a reserve.

At the time of this meeting, the repair had been completed and the cost was \$21,951.

- Blake Tullis moved to authorize a grant for the cost of the repair to Hatch Town, conditions include they resolve all issues on their compliance report. Kristi Bell seconded. The motion was carried unanimously by the Board.

7. Public Comment Period – Roger Fridal

Rob Allen represents a small cabin community in Oak Haven/Midway, Utah. (Oak Haven Water Company):

10 years ago we didn't have any kind of a formal system in place and we got in arrears with the Division of Drinking Water to the tune of about a half million dollars. We've since straightened everything out. We got our IPS report down to zero or virtually zero. I just want to say I appreciate the fact that you guys are here and that this is an option for us small systems. For us up there, we put a lot of money, effort and time to get ourselves straightened out. But if we had an emergency then it's nice to know that this may be an option for us. So I just appreciate the job you guys are doing, being willing to entertain these motions.

8. Open Board Discussion – Roger Fridal

David Pitcher said he remains concerned about precedent. Somehow, small and large systems, need to get the message that they need to look at having a sustainable water system. Without a water system no community can go forward with life. Residents need to understand that it takes money to have a sustainable system.

Scott Morrison agreed with David's statement, adding that in general the SRF shouldn't be used for maintenance activities, but there are circumstances where the Board sees these types of requests.

Blake Tullis suggested that Michael add a note to Hatch's file that the conversation has been had about the need for a reserve account in the event another emergency occurs in the future.

Michael said that when a loan is given, staff tracks the system's reserve account and receives annual financial statements which details if deposits are being made to the account. If deposits aren't being made, staff encourages the system to do so. If the system continues to not deposit to

the account, the Board can place the loan in default and require that the money be repaid immediately. This tracking will be done for the Hatch Town grant as well.

David made a comment regarding capacity development, reserve funds and getting ahead of issues before an emergency occurs. In light of David's comment, Michael said the item will be discussed at February's work meeting; how to better implement the capacity development program for all water systems.

Ying-Ying informed the Board that DDW will have a small number of employees in person at the upcoming RWAU conference. Most of DDW's participation will be done virtually, including providing technical assistance to water systems via work stations set up at the conference.

Ying-Ying notified the Board that the new DDW Director, Tim Davis, has been hired and starts February 8, 2021. Tim is currently the Drinking Water and Wastewater administrator for the State of Montana.

9. Next Board Meeting

Date: Thursday March 4, 2021
Time: 9:00 AM
Place: Dixie Convention Center St George, UT

10. Adjourn

- Blake Tullis moved to adjourn the meeting. Scott Morrison seconded. The motion was carried unanimously by the Board.

The meeting adjourned at 3:00 PM.

Agenda Item

4(C)



State of Utah

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L. Scott Baird
Tim Davis
Executive Secretary

DRINKING WATER ELECTRONIC BOARD WORK MEETING

Via Zoom Webinar

February 4, 2021 1:30 PM

DRAFT MINUTES

1. Call to Order

Roger Fridal, Chair, called the Board meeting to order at 1:32 PM.

2. Electronic Meeting Notice – Roger Fridal

Roger Fridal read the written determination to hold the meeting electronically.

3. Roll Call – Division Director/Staff

Board Members Present: Blake Tullis, Scott Morrison, Roger Fridal, Eric Franson, David Pitcher, Kristi Bell, Barbara Gardner.

Board Members Absent: Kim Shelley, Jeff Coombs.

DDW Staff Present: Ying-Ying Macauley, Allyson Spevak, Michael Grange, Skye Sieber, Heather Pattee, Elisa Brawley.

Disclosure for Intent to Publicly Comment – Roger Fridal

No disclosure for the intent to publicly comment was made.

4. New DDW Director Introduction

DDW's new director, Tim Davis, starts on February 8. Tim was formerly the Administrator for the Montana Department of Environmental Quality's Water Quality Division which includes both water quality and drinking water.

Drinking Water State Revolving Fund Program Rule/Policy Revisions

The purpose of today's work meeting is to introduce to the Board changes to three DWSRF rules for which rulemaking will formally begin possibly at the June 8, 2021 Drinking Water Board Meeting.

DWSRF Definitions and Calculations

Revenue Bond Index – estimates the approximate yield for revenue bonds maturing in 30 years. It comprises 25 revenue bonds from a variety of industries with an investment grade rating of “A” or better. The index often changes weekly and is published on Bond Buyer; currently it's very low.

Interest Rate Calculations – the method in which staff calculates interest rates for State and Federal projects is stipulated in R309-700 and R309-705. The interest rate is fixed for the life of the loan and must be below the market rate.

Currently the rule states “The interest rate charged by the Board...will be computed using the number of points assigned to the project from Table 2 to reduce, in a manner determined by Board resolution from time to time, the most recent Revenue Bond Index (RBI)...**To encourage rapid repayment of a loan the Board will increase the interest rate 0.02% for each year the repayment period exceeds five years.**” Staff proposes to change the bolded language to simply state that the interest rate will be computed based on the language in rule and the revenue bond index. Generally speaking, changing this language would lower the rate.

Historically our standard loans have had 20-year terms while disadvantaged communities have had 30-year terms. With the 2018 passage of the America's Water Infrastructure Act (AWIA) standard loans are now up to 30-year terms and disadvantaged communities are now up to 40-year terms or the design life of the infrastructure. Altering the terms would change the interest rate calculation based on the current rule.

Michael will email to the Board a comparison of the current calculation and the proposed calculation so they can see the impact of return money coming back into the fund.

As far as Michael knows the DWSRF is the only funding program in the state which uses a variable rate whereas both the Community Impact Board (CIB) and the Division of Water Resources funding programs have fixed rates. The interest rates for other DWSRF programs vary by state. Michael acknowledged that while the SRF staff tries to discourage rate shopping, it does happen.

Project Priority List Calculations – the project priority list (PPL) calculation is a requirement for the Federal program and while it's not used for the State program staff must still determine a State project's need. In Utah the PPL is based on the priority ranking system which the State developed many years ago. The priority ranking system must meet these three Federal objectives: 1) prioritize projects that address the most serious risks to public health, 2) must emphasize water system compliance with the Safe Drinking Water Act, and 3) must prioritize water systems that have the greatest financial need according to the State's affordability criteria.

The criteria used for the PPL is in the Federal program rule – R309-705, specifically Table 1 which describes why the system needs the project and is divided between source, storage, treatment, distribution, and emergency projects. Under each of those categories are criteria, comments or questions that are asked and answered on the financial assistance application. Each of those sets of criteria/comments/questions have an associated point value which all work well in determining a project's priority.

The Priority Rating is calculated by multiplying the average points from Table 1 (average of category scores in Table 1 of the PPL) with the Rate Factor (system average monthly water bill divided by the State average monthly water bill), and with the AGI Factor (State MAGI divided by the System MAGI).

The 2019 State Median Adjusted Gross Income (MAGI) is \$47,200. The system MAGI is typically reported in December by the State Tax Commission. Data from tax year 2020 will be reported in December 2021. The lower the system MAGI increases the AGI Factor. The higher the AGI factor increases the project on the PPL.

Average State Monthly Water Bill – the average State monthly water bill of \$47.03 was calculated in 2013. We're using this average because it was derived from data collected from a community water system survey that was sent out annually by the Divisions of Water Rights, Water Resources, and Drinking Water. In 2014 the Division was informed that the survey had become too cumbersome and the request for rate information was removed from the survey, information which allowed staff to calculate the average. The Division was told the revenue data of water systems was readily available on the public finance website when in reality mining the data from this site is very time consuming. It is the staff's opinion that the effort in finding state monthly average water bill data is not commensurate with the value derived from this number because it's only used in the rate factor calculation.

To help overcome this issue, staff determined a number of affordability factors as a way to calculate a water system's financial need rather than simply comparing it to the average state monthly water bill. Staff proposes using Affordability Factor 5 in which the local monthly bill is divided by the local affordability criteria established by the Board. This change from using the rate factor to using the affordability factor isn't made in rule but rather needs to be made by Board Resolution.

Changing Methodology

The interest rate calculation is codified in rule and requires formal rulemaking to change. Staff will draft new rule language and present it to the Board at an upcoming meeting.

The PPL calculations are established by Board Resolution and the Board can pass a new resolution at any time. Staff will draft a Board Resolution and present it to the Board at an upcoming meeting.

A. State Program – R309-700 State SRF Loan Program Rule

Revisions to this rule are as follows:

- Reorder “definitions” section to alphabetical order
- Verify and update references to other rules and statutes
- Simplify and clarify some definitions and rule language
- Include new language on interest rate calculation

B. Federal Program – R309-705 Federal SRF Loan Program Rule

Revisions to this rule to meet AWIA’s DWSRF Program requirements are as follows:

- Update loan terms
- Add source protection provisions

America’s Water Infrastructure Act (AWIA) has a direct impact on the SRF program in the following ways:

- Authorizes extended loan terms for all DWSRF loans (DDW staff are currently applying these extended loan terms)
- Enhances DWSRF ability to finance source protection programs
- Requires state to amend their capacity development program strategy to include an asset management plan and ways that the state will encourage water systems to implement an asset management program and plans
- Requires EPA to develop a Water System Restructuring Rule which deals with systems that are having difficulty maintaining compliance with Safe Drinking Water Act requirements.

Current Program	AWIA Modification
<i>Standard Loan Terms</i>	<i>Standard Loan Terms</i>
Repayment begins within 12 months	Repayment begins within 18 months
20-year repayment term	30-year repayment term
<i>Disadvantaged Communities</i>	<i>Disadvantaged Communities</i>
Repayment begins within 12 months	Repayment begins within 18 months
Maximum 30-year repayment term, or infrastructure’s design life	Maximum 40-year repayment term, or infrastructure’s design life

Design life of any particular piece of larger water infrastructure is established through an engineering estimate. If a project includes different parts of the infrastructure with varying design lives, according to AWIA, staff can use a weighted average to derive the maximum repayment term. This language will be written into the Federal SRF rule to reflect the AWIA updates to loan terms.

Currently states can use funds from the 15% set-aside to provide loans to water systems for source protection purposes to acquire land for conservation easements or to implement voluntary, incentive-based source water protection measures. Also, AWIA has reinstated the ability to provide funding to delineate and assess source water protection zones and to update existing source water protection assessments. These provisions need to be written back into the Federal SRF rule so funds can be provided for source protection activities. Source protection loan applications must be ranked in a manner similar to construction projects.

Under the Federal program states receive a capitalization grant from Congress through EPA. As part of that grant states are authorized to set aside a specific percentage of the grant for various activities. There are four set-asides available: 4% for SRF and DDW administrative costs; 2% for technical assistance given to small water systems; 10% for State program management such as capacity development and operator certification; and 15% for local assistance and other State programs such as source protection activities as mentioned above.

Utah's Capitalization Grant has been around \$9.5-10 million and approximately \$3 million is put into the aforementioned set-asides while the remaining amount goes into the SRF loan fund.

C. Capacity Development Program – R309-800 Capacity Development Program Rule

Revisions to this rule and program to meet AWIA's Capacity Development Program requirements are as follows:

- Update State Capacity Development Program Strategy document with language regarding asset management programs and asset management plans
- Update Capacity Development rule language to implement the new strategy

Utah's Capacity Development Program Strategy was drafted in 1999 and approved by EPA in 2000 and has not been updated since. AWIA requires states to amend their Capacity Development Program strategy by December 31, 2021 and must include provisions to encourage asset management programs and asset management plans. The program's asset management efforts and successes must be documented in both the Annual Capacity Development Program Report to EPA and the Triennial Program Report to the Governor.

Utah's Capacity Development Program Strategy is implemented by Rule R309-800 which currently doesn't mention asset management programs or asset management plans. The rule's language will be rewritten to incorporate the asset management aspects to include monitoring and enforcement of such.

Capacity development is a term coined by Congress and actually means capabilities. The program entails looking at a system's capabilities in the following 3 areas; technical, managerial, and financial. Technical capabilities include operator certification, and operator training and knowledge of their system. Managerial capabilities relate to the managerial structure and chains of command of a water system. Financial capabilities relate to a water system's rate structure and credit worthiness.

David Pitcher stressed the importance of a water system's capacity development to head off potential emergencies which may lead to funding requests from the Board. David also suggested looking to other State water agencies for their rules on asset management. Michael agreed it's a good idea to improve coordination and communication between the State's water agencies regarding these items.

Scott Morrison agreed with David about the problem of water systems coming to the Board for emergency funding because of a lack of preventative maintenance.

If a funding request comes before the Board for a water system without an asset management plan, Michael suggested writing into the rule that the system must develop such a plan before the loan will be closed or the grant is authorized. There are a few states which already have that requirement in their loan agreements.

AWIA - Water System Restructuring Rule

As part of AWIA, by December 2020 EPA was supposed to draft a Federal Water System Restructuring Rule and states were to implement the rule by December 2021. EPA did not get the Federal rule drafted but DDW staff decided to move forward anyway with updating the Federal SRF program rule with some of the Water System Restructuring Rule provisions. EPA has since told DDW to wait for the Federal Water System Restructuring Rule before incorporating anything into Utah's rule. Currently, the final Federal Water System Restructuring Rule won't be ready for a few years.

This rule will allow primacy agencies to mandate consolidation assessments. Systems subject to an assessment include the following: systems that repeatedly violate one or more primary regulation that negatively impacts human health; systems that are unwilling or unable to take appropriate remedial action; and systems that have taken remedial action that failed to address the issue. The assessment must be system-specific and may be conducted by the state or an approved third party.

5. Open Board Discussion – Roger Fridal

No open board discussion today.

Public Comment Period

No public comments were made during this meeting.

6. Next Board Meeting

Date: Thursday March 4, 2021
Time: 9:00 AM
Place: Dixie Convention Center St George, UT

7. Adjourn

- Eric Franson moved to adjourn the meeting. David Pitcher seconded. The motion was carried unanimously by the Board.

The meeting adjourned at 3:00 PM.

Agenda Item

7(A)

DIVISION OF DRINKING WATER
STATE LOAN FUNDS
AS OF December 31, 2020

SUMMARY		
	Total State Fund:	\$16,837,420
	Total State Hardship Fund:	\$2,826,569
	Subtotal:	\$19,663,988
LESS AUTHORIZED	Less:	
	Authorized Loans & Closed loans in construction:	\$3,212,000
	Authorized Hardship:	\$1,215,496
	Subtotal:	\$4,427,496
	Total available after Authorized deducted	\$15,236,492
PROPOSED	Proposed Loan Project(s):	\$0
	Proposed Hardship Project(s):	\$0
	Subtotal:	\$0
AS OF:		
December 31, 2020	TOTAL REMAINING STATE LOAN FUNDS:	\$13,625,420
	TOTAL REMAINING STATE HARDSHIP FUNDS:	\$1,611,073

(see Page 2 for details)

(see Page 2 for details)

Total Balance of ALL Funds: \$15,236,492

Projected Receipts Next Twelve Months: and Sales Tax Revenue	
Annual Maximum Sales Tax Projection	\$3,587,500
Less State Match for 2021 Federal Grant	(\$2,202,200)
Less State Match for 2022 Federal Grant	\$0
Less Appropriation to DDW/Board	(\$1,018,500)
SUBTOTAL Sales Tax Revenue including adjustments:	\$366,800
Payment:	
Interest on Investments (Both Loan and Hardship Accounts)	\$84,000
Principal payments	\$2,821,000
Interest payments	\$663,565
Total Projections:	\$3,935,365
Total Estimated State SRF Funds Available through 1-01-2022	\$19,171,857

**DIVISION OF DRINKING WATER
STATE LOAN FUNDS
PROJECTS AUTHORIZED BUT NOT YET CLOSED
AS OF December 31, 2020**

Community	Loan #	Cost Estimate	Date Authorized	Date Closed/Anticipated	Authorized Funding		
					Loan	Grant	Total
Genola City 0% int 30 yrs	3S1732	2,849,400	Aug-19		2,273,000	326,400	2,599,400
Bear River WCD 0% int 20yrs	3S1761	201,005	Sep-20		141,000	60,005	201,005
Caineville SSD 0% int 30 yrs	3S1766	595,000	Sep-20		295,000	300,000	595,000
Hatch Town	3S1782	48,000	Jan-21			29,591	29,591
Subtotal Loans and Grants Authorized					2,709,000	715,996	3,424,996
PLANNING LOANS / GRANTS IN PROCESS							
Fairview	3S1736P	40,000	Aug-19	Sep-19		40,000	40,000
Thompson SSD	3S1747P	29,500	Jan-20	Feb-20		29,500	29,500
Pinion Forest SSD	3S1742P	70,000	Aug-19	Apr-20		20,000	20,000
Austin SSD pl grant	3S1756P	40,000	Apr-20	Sep-20		40,000	40,000
Axtell Community SSD 20yrs 2%	3S1765P	103,000	Sep-20		103,000		103,000
Circleville Town	3S1773P	40,000	Sep-20	Nov-20		40,000	40,000
Dutch John Town	3S1776P	40,000	Nov-20			40,000	40,000
Teasdale SSD	3S1779P	40,000	Jan-21			40,000	40,000
Subtotal Planning in Process					103,000	249,500	232,500
CLOSED LOANS (partially disbursed)							
Mtn Regional-Community Wtr 2% 20 yr	3S254	2,600,000	Jul-18	Dec-19	400,000		400,000
Genola City Water Tank	3S1732	250,000	Aug-19	Mar-20		250,000	250,000
Subtotal Closed Loans Partially Disbursed					400,000	250,000	650,000
TOTAL AUTHORIZED/PLANNING/OR CLOSED BUT NOT YET FUNDED					\$3,212,000	\$1,215,496	\$4,427,496
PROPOSED PROJECTS FOR MAR 2021							
Total Proposed Projects					0	0	0

**DIVISION OF DRINKING WATER
STATE LOAN FUNDS
AS OF December 31, 2020**

	5235 Loan Funds	5240 Interest (use for Grants)	Total
Cash:	\$16,837,420	\$2,826,569	\$19,663,988
Less:			
Loans & Grants authorized but not yet closed (schedule attached)	(2,812,000)	(965,496)	(3,777,496)
Loans & Grants closed but not fully disbursed (schedule attached)	(400,000)	(250,000)	(650,000)
Proposed loans & grants	0	0	0
Administrative quarterly charge for entire year	(1,018,500)		(1,018,500)
Appropriation to DDW	0		0
FY 2021 Federal SRF 20% match	(2,202,200)		(2,202,200)
FY 2022 Federal SRF 20% match	0		0
	10,404,720	1,611,073	12,015,792
Projected repayments during the next twelve months			
Thru 01-01-2022			
Principal	2,821,000		2,821,000
Interest		663,565	663,565
Projected annual investment earnings on invested cash balance		84,000	84,000
Sales Tax allocation thru Jan-01-2022	3,587,500		3,587,500
Total	\$16,813,220	\$2,358,637	\$19,171,857
* All interest is added to the Hardship Fee account.			

DIVISION OF DRINKING WATER
FEDERAL SRF
AS OF January 31, 2021

FIRST ROUND FUND	FEDERAL SECOND ROUND FUND		Hardship Fund
1997 thru 2020 SRF Grants	Principal Repayments	Earnings on Invested Cash Balance	
Net Federal SRF Grants: \$187,337,761	Principal (P): \$74,475,925	Total: \$1,045,503	Total: \$1,548,542
Total State Matches: \$43,453,300	Interest (I): \$20,667,071		
Closed Loans: -\$230,791,061	Total P & I: \$95,142,996		
Total Grant Dollars: \$0			

SUMMARY	
Total Federal State Revolving Fund:	\$96,188,499
Total Federal Hardship Fund:	\$1,548,542
Subtotal:	<u>\$97,737,042</u>

LESS AUTHORIZED & PARTIALLY DISBURSED		
	Less:	
	Authorized & Partially Disbursed Closed Loans:	\$70,229,240
	Authorized Federal Hardship:	\$446,886
	Subtotal:	<u>\$70,676,126</u>
		(see Page 2 for details)

PROPOSED		
	Proposed Federal Project(s):	\$649,000
	Proposed Federal Hardship Project(s):	\$124,700
	Subtotal:	<u>\$773,700</u>
		(see Page 2 for details)

AS OF:	January 31, 2021	TOTAL REMAINING LOAN FUNDS:	\$25,310,259
		TOTAL REMAINING HARDSHIP FUNDS:	\$976,956

Total Balance of ALL Funds after deducting proposed actions: \$26,287,215

Projected Receipts thru February 1, 2022	
2022 Fed SRF Grant	\$0
2022 State Match	\$0
2021 Fed SRF Grant & State Match	\$10,314,760
Interest on Investments	\$439,200
Principal Payments	\$9,677,203
Interest	\$971,142
Hardship & Technical Assistance fees	\$401,676
Fund 5215 principal payments	\$108,200
Total:	<u>\$21,912,181</u>

} **Receive 60% in January**

Total Estimated Federal SRF Funds Available through: 02/01/2022 **\$48,199,396**

**DIVISION OF DRINKING WATER
FEDERAL STATE REVIVING FUND
PROJECTS AUTHORIZED BUT NOT YET CLOSED
AS OF January 31, 2021**

PUBLIC WATER SYSTEM	Project			Authorized Date	Closing Date Scheduled or Estimated	Authorized From Loan Funds (1st or 2nd Round)			Hardship Fund
	Total Project	Terms	Loan #			Loan	Forgiveness	Total	
Hyde Park City	5,994,000	2.91% HGF 20 yrs	3F1744	Jan-20	Feb-21	5,000,000		5,000,000	
Sigurd Town	2,300,000	0%, 30 YRS	3F1745	Jun-20		1,500,000	800,000	2,300,000	
Moroni	3,535,000	1% HGF 30 yrs (disadvantaged No LOF)	3F1772	Nov-20		2,485,000	1,050,000	3,535,000	
Daniel Town	5,692,000	0% int, 30yrs	3F1777	Jan-21		3,992,000	1,700,000	5,692,000	
Wilson Arch	58,000	100% principal forgiveness	3F1770	Sep-20					58,000
Willow Creek	225,000	1%, 25 years	3F1759	Jan-21					226,000
								0	
TOTAL CONSTRUCTION AUTHORIZED:						\$ 12,977,000	\$ 3,550,000	\$ 16,527,000	\$ 284,000
COMMITTED ADVANCES / AGREEMENTS or PARTIALLY DISBURSED CLOSED 2ND ROUND AGREEMENTS:									
					Date Closed				
								0	0
Rural Water Assn of Utah	676,000	5 yr contract for Development Specialist	Ongoing	Jan-18	Jun-18			0	66,560
Granger Hunter Improvement District	20,000,000	1.25% HGA 20 yrs (portfolio)	3F1708	Feb-19	Jul-19	13,924,240		13,924,240	
Kearns Improvement District	21,000,000	1.25% hgf, 20 yrs (portfolio)	3F1725	Jun-19	Dec-19	13,600,000		13,600,000	
Central Utah WCD-Duchesne Valley WTP	18,000,000	1.25% HGF, 30 yrs	3F1731	Aug-19	Jun-20	15,820,000		15,820,000	
Central Utah WCD	10,000,000	1.25% HGF, 20 yrs (portfolio)	3F1741	Nov-19	Jun-20	7,900,000		7,900,000	
Lincoln Culinary Water Assn	2,516,000	60/40 1.25% hgf, 30 yrs	3F1696	Jan-19	Jul-20	328,000	218,000	546,000	
Swiss Alpine Water Co	1,752,000	.75% HGF 30 yrs	3F300	Feb-20	Jul-20	512,000		512,000	
Woodland Hills	3,200,000	0% 30 yrs	3F1767	Jul-20	Oct-20	1,255,000	145,000	1,400,000	
Spring Creek	57,947	100% principal forgiveness	3F1746	Feb-20	Apr-20			0	16,021
Axtell Community Service Distribution	40,000	5 yr 0% master plan & gw well siting	3F1719P	Mar-19	May-19			0	500
Hildale City	40,000	100% pf master plan	3F1704P	Nov-18	Oct-19			0	40,000
New Paria Subdivision	36,500	100% pf	3F160P	Apr-20	Oct-20			0	9,005
Clark Bench Water Company	40,000	100% principal forgiveness	3F1778P						30,800
TOTAL PLANNING AUTHORIZED:						\$53,339,240	\$363,000	\$53,702,240	\$162,886
TOTAL CONSTRUCTION & PLANNING:								\$70,229,240	\$446,886
AVAILABLE PROJECT FUNDS:								\$25,959,259	
AVAILABLE HARDSHIP FUNDS:								\$1,101,656	
PROPOSED PROJECTS FOR March 2021:									
East Grouse Creek	340,000	\$170,000 loan @ 0% 20 yrs, \$170,000 PF	3F1783				340,000	340,000	
Wilson Arch	(58,000)	100% PF	3F1770						(58,000)
Wilson Arch	182,700	100% PF	3F1770						182,700
Boulder Farmstead	309,000	100% PF	3F1781				309,000	309,000	
TOTAL PROPOSED PROJECTS FOR THIS MEETING:						\$0	\$649,000	\$649,000	\$124,700
*RWau hardship grant is being disbursed monthly									
								0	
								0	
Total Recent Loan Closings						\$0	\$0	\$0	\$0

**DIVISION OF DRINKING WATER
FEDERAL SRF LOAN FUNDS
AS OF January 31, 2021**

	Loan Funds 1st Round	Loan Payments		Hardship Fund	TOTAL
		2nd Round			
		Principal	Interest		
Federal Capitalization Grants and State 20% match	\$230,791,061				
Earnings on Invested 1st Round Funds			1,045,503		
Repayments (including interest earnings on 2nd round receipts)		74,475,925	20,667,071	1,548,542	328,528,103
Less:					
Closed loans and grants	-230,791,061				-230,791,061
SUBTOTAL of Funds Available	\$0	\$74,475,925	\$21,712,575	\$1,548,542	\$97,737,042
Loans & Grants authorized but not yet closed or fully disbursed	-13,747,000	-56,119,240	-363,000	-446,886	-70,676,126
SUBTOTAL of Funds Available less Authorized	-\$13,747,000	\$18,356,685	\$21,349,575	\$1,101,656	\$27,060,915
Future Estimates:					
Proposed Loans/Grants for current board package	-649,000			-124,700	-773,700
SUBTOTAL of Funds Available less Proposed Loans & Grants	-\$14,396,000	\$18,356,685	\$21,349,575	\$976,956	\$26,287,215
PROJECTIONS THRU February-2022					
2021 Fed SRF Grant & State Match	10,314,760				
2022 Fed SRF Grant	0				0
2022 State Match	0				0
Projected repayments & revenue during the next twelve months		9,785,403	971,142	401,676	11,158,221
Projected annual investment earnings on invested cash balance		324,000	84,000	31,200	439,200
TOTAL	-\$4,081,240	\$28,466,087	\$22,404,717	\$1,409,832	\$48,199,396

Agenda Item 7(B)

**DRINKING WATER BOARD
PACKET FOR PROJECT PRIORITY LIST**

There are two new projects being added to the project priority list:

Boulder Farmstead is being added to the Project Priority List with 37.1 points. Their project consists of constructing a new well.

East Grouse Creek is being added to the Project Priority List with 36.1 points. Their project consists of gas chlorination system, replacement of water meters, installation of backflow preventers and an air/vac relief assembly.

FINANCIAL ASSISTANCE COMMITTEE RECOMMENDATION:

The Drinking Water Board approve the updated Project Priority List.

Agenda Item

7(C)(i)(a)

**DRINKING WATER BOARD
BOARD PACKET FOR CONSTRUCTION LOAN**

APPLICANT'S REQUEST:

East Grouse Creek Pipeline Company has a project consisting of a gas chlorination system, replacement of water meters, installation of backflow preventers and an air/vac relief assembly. The total project cost is \$343,220. East Grouse Creek will be contributing \$3,220. East Grouse Creek has applied for a grant from CDBG for \$100,000 but are unsure if/when they will receive the grant and have decided to request the full amount of \$340,000 from the Drinking Water Board.

STAFF COMMENTS:

East Grouse Creek scored 36.1 points on the project priority list. The local MAGI for East Grouse Creek is \$31,700 (66% of the state MAGI), the after project water bill, at full loan, would be \$58.67 which is 2.22% of the local MAGI. Therefore they do qualify as a hardship community to receive additional subsidy.

Option #	Description	Repayable Loan Amount	Interest Rate	Term	Principal Forgiveness	Monthly Water Rate	% Local MAGI
1	Updated Full Loan	\$ 340,000	0%	20 yrs	\$ 0	\$ 69.08	2.62%
2	60/40	\$ 203,000	0%	20 yrs	\$137,000	\$ 54.81	2.07%
3	50/50	\$170,000	0%	20 yrs	\$170,000	\$51.43	1.95%

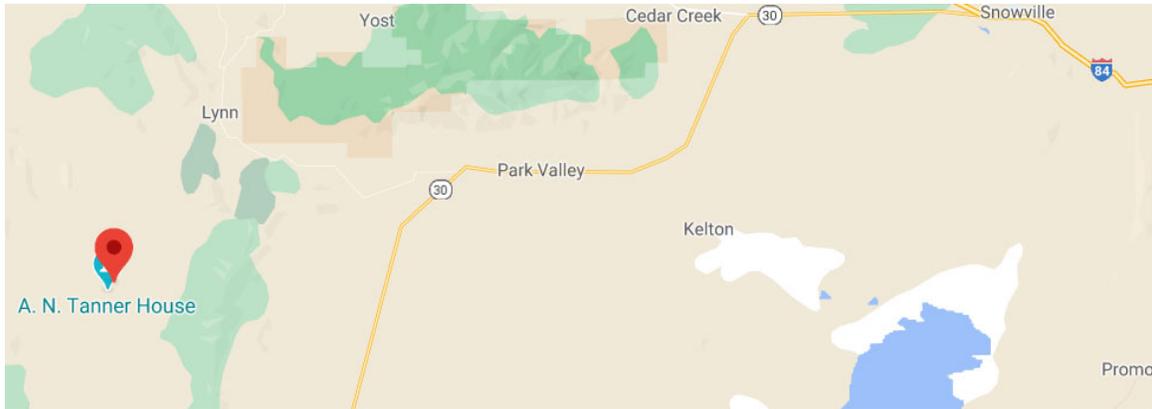
FINANCIAL ASSISTANCE COMMITTEE RECOMMENDATION:

The Drinking Water Board authorize a loan of \$340,000 at 0.00% interest for 20 years with \$170,000 in principal forgiveness, for a repayable loan amount of \$170,000, to East Grouse Creek Pipeline Company. Conditions include they resolve any deficiencies on their IPS report.

APPLICANT'S LOCATION:

East Grouse Creek Pipeline Company is located in Box Elder County 100 miles West/Southwest of Snowville.

MAP OF APPLICANT'S LOCATION:



PROJECT DESCRIPTION:

East Grouse Creek Pipeline Company has a project consisting of a gas chlorination system with a pre-fabricated concrete shed and solar/hydro-electric power systems, replacement and upgrade of water meters with curb stops, installation of backflow preventers, an air/vac relief assembly and a correction to the water storage tank overflow drain to eliminate IPS points, as well as a perimeter fence around the storage tank site. East Grouse Creek is currently under a Corrective Action Plan with the Division and this project will help them come into compliance.

COST ESTIMATE:

Legal/Bonding/Admin	\$ 5,400
Engineering – CMS & Design	\$ 40,400
Construction - treatment	\$ 78,000
Construction – tank	\$ 19,300
Construction – other	\$ 150,550
Contingency (~ 10%)	\$ 49,570
Total	\$ 343,220

COST ALLOCATION:

Drinking Water loan	\$170,000	49.5%
Drinking Water Principal Forgiveness	\$170,000	49.5%
Recipient contribution	\$3,220	1%
Total	\$343,220	100%

IMPLEMENTATION SCHEDULE:

FA Committee Conference Call:	February 2021
DWB Funding Authorization:	March 2021
Complete Design:	March 2021
Plan Approval:	April 2021
Advertise for Bids:	March 2021
Begin Construction:	June 2021
Complete Construction:	September 2021

IPS SUMMARY:

Code	Description	Physical Facilities	Quality & Monitoring	Significant Deficiency Violations
ST001	Unapproved facility in service			50
DS001	Disinfection is required but intermittent or not continuous			50
	Total = -100			100

East Grouse Creek Pipeline Company

March 4, 2021

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CONTACT INFORMATION:

APPLICANT:

East Grouse Creek Pipeline Co
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435-279-4826

PRESIDING OFFICIAL &
CONTACT PERSON:

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RECORDER:

DRINKING WATER BOARD FINANCIAL ASSISTANCE EVALUATION

SYSTEM NAME: East Grouse Creek
 COUNTY: Box Elder
 PROJECT DESCRIPTION: Chlorination system, water meters, backflow preventers, air/vac,

FUNDING SOURCE: Federal SRF

50 % Loan & 50 % P.F.

ESTIMATED POPULATION:	70	NO. OF CONNECTIONS:	50 *	SYSTEM RATING:	Corrective action
CURRENT AVG WATER BILL:	\$35.42 *			PROJECT TOTAL:	\$343,220
CURRENT % OF AGI:	1.34%	FINANCIAL PTS:	28	LOAN AMOUNT:	\$170,000
ESTIMATED MEDIAN AGI:	\$31,700			PRINC. FORGIVE.:	\$170,000
STATE AGI:	\$48,200			TOTAL REQUEST:	\$340,000
SYSTEM % OF STATE AGI:	66%				

	@ ZERO % RATE 0%	@ RBBI MKT RATE 2.53%	AFTER REPAYMENT PENALTY & POINTS 0.00%
SYSTEM			
ASSUMED LENGTH OF DEBT, YRS:	20	20	20
ASSUMED NET EFFECTIVE INT. RATE:	0.00%	2.53%	0.00%
REQUIRED DEBT SERVICE:	\$8,500.00	\$10,935.94	\$8,500.00
*PARTIAL COVERAGE (15%):	\$0.00	\$1,640.39	\$0.00
*ADD. COVERAGE AND RESERVE (10%):	\$850.00	\$1,093.59	\$850.00
ANNUAL NEW DEBT PER CONNECTION:	\$187.00	\$273.40	\$187.00
O & M + FUNDED DEPRECIATION:	\$7,700.00	\$7,700.00	\$7,700.00
OTHER DEBT + COVERAGE:	\$12,500.00	\$12,500.00	\$12,500.00
REPLACEMENT RESERVE ACCOUNT:	\$1,310.00	\$0.00	\$1,310.00
ANNUAL EXPENSES PER CONNECTION:	\$430.20	\$404.00	\$430.20
TOTAL SYSTEM EXPENSES	\$30,860.00	\$33,869.92	\$30,860.00
TAX REVENUE:	\$0.00	\$0.00	\$0.00
RESIDENCE			
MONTHLY NEEDED WATER BILL:	\$51.43	\$56.45	\$51.43
% OF ADJUSTED GROSS INCOME:	1.95%	2.14%	1.95%

\$0.00

Agenda Item

7(C)(i)(b)

**DRINKING WATER BOARD
BOARD PACKET FOR CONSTRUCTION ASSISTANCE**

APPLICANT'S REQUEST

Boulder Farmstead Water Company is requesting financial assistance to construct a new well. This project scored 37.1 on the Project Priority List.

The total amount of estimated funding needed is **\$309,000** and the water company is requesting the full amount from the Drinking Water Board. Boulder Farmstead has spent close to \$45,000 to troubleshoot issues with their existing well, including video inspection, cleaning the well, and replacing the well pump.

STAFF COMMENTS

The median adjusted gross income for Boulder Town is \$29,400, which is 61% of the State MAGI and the current average monthly water bill is \$53.48, which is 2.18% of the local MAGI. The after-project water bill at a full loan for 20 years would be \$80.10/ERC, which is 3.27% of the local MAGI. Based on the local MAGI and average monthly water bill, the community qualifies to be considered for additional subsidy. The following funding options were evaluated:

Option	Loan/PF	Loan	Principal Forgiveness	Term	Interest	Water Bill	% Local MAGI
1	100/0	\$309,000	\$0	20 yrs	1.39%	\$80.10	3.27%
2	70/30	\$215,000	\$94,000	30 yrs	0%	\$74.69	3.05%
3	50/50	\$154,000	\$155,000	30 yrs	0%	\$73.66	3.01%
4	0/100	\$0	\$309,000	n/a	n/a	\$71.05	2.90%

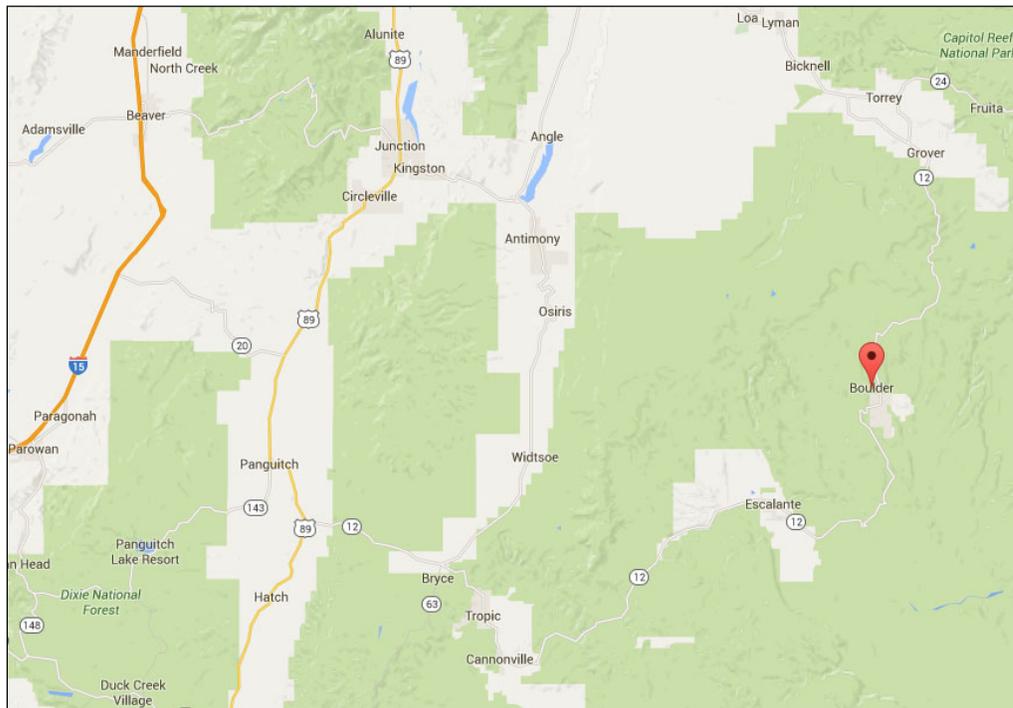
FINANCIAL ASSISTANCE COMMITTEE RECOMMENDATION

The Drinking Water Board authorize \$309,000 in Principal Forgiveness to Boulder Farmstead Water Company to construct a new well.

Conditions include that they resolve all issues on their compliance report.

APPLICANT'S LOCATION

Boulder Farmstead is a private water company that provides drinking water to the community of Boulder, approximately 20 miles northeast of Escalante in Garfield County.



PROJECT DESCRIPTION

Boulder Farmstead has spent \$45,000 to replace their well pump and clean and video inspect the existing well to evaluate its condition. It has been determined that the well is failing and has a significant decrease in production and a new well is needed. Prior to losing capacity, the system would pump regularly at 150 gpm. The well was determined to be producing less after the new pump was installed at the same flow rate and pumping was draining the water faster than the well could supply. After the well lost capacity, the well drillers tested the well and the new capacity was around 50-65 gpm.

Construction will consist of drilling new well next to the existing well and plumbing into the existing chlorination building. Their consulting engineer estimates the design life of the new well should be around 40 years. The Water Company has been proactive in maintaining and updating their system for the rural area they serve and trying to make the existing well work, and therefore hope that they can receive grant funding for this project.

POPULATION GROWTH

Projected population and connections for Boulder Farmstead over the next 20 years is based on a 0.17 to 0.38% growth rate estimated by their consulting engineer:

Year	Population	Connections
2020	230	204
2030	232	208
2040	238	220

IMPLEMENTATION SCHEDULE

DWB Authorization	March 2021
Complete Design/Plan Approval	April 2021
Advertise for Bids/Loan Closing	May 2021
Begin Construction	June 2021
Complete Construction	July 2021

COST ESTIMATE

Legal	\$ 5,000	
Engineering – Design/Bidding	\$ 25,000	} 13%
Engineering – CMS	\$ 15,000	
Construction – New Well	\$ 229,000	
Contingency	\$ 35,000	
Total Project Cost	\$ 309,000	

COST ALLOCATION

Funding Source	Cost Sharing	Percent of Project
DWB Principal Forgiveness	\$ 309,000	100%
DWB Loan	\$ 0	-
Total Amount	\$ 309,000	100%

IPS SUMMARY

Code	Description	Physical Facilities	Quality & Monitoring	Significant Deficiencies
M006	Lacks written records of cross connection control (CCC) activities	15		
M007	Lacks on-going CCC enforcement implementation	15		
SS02	Spring collection area not fenced	15		
S025	No pressure gauge on well discharge piping	5		
S024	No check valve on well discharge piping	5		
Total		55		

Boulder Farmstead

March 4, 2021

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CONTACT INFORMATION

APPLICANT:

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DRINKING WATER BOARD FINANCIAL ASSISTANCE EVALUATION

SYSTEM NAME: Boulder Farmstead Water Company
 COUNTY: Garfield
 PROJECT DESCRIPTION: New well

FUNDING SOURCE: Federal SRF

0 % Loan & 100 % P.F.

ESTIMATED POPULATION:	230	NO. OF CONNECTIONS:	205 *	SYSTEM RATING:	APPROVED
CURRENT AVG WATER BILL:	\$53.48 *			PROJECT TOTAL:	\$309,000
CURRENT % OF AGI:	2.18%	FINANCIAL PTS:	57	LOAN AMOUNT:	\$0
ESTIMATED MEDIAN AGI:	\$29,400			PRINC. FORGIVE.:	\$309,000
STATE AGI:	\$48,000			TOTAL REQUEST:	\$309,000
SYSTEM % OF STATE AGI:	61%				

	@ ZERO % RATE	@ RBBI MKT RATE		AFTER REPAYMENT PENALTY & POINTS
SYSTEM	0%	2.53%		1.59%
ASSUMED LENGTH OF DEBT, YRS:	30	30		30
ASSUMED NET EFFECTIVE INT. RATE:	0.00%	2.53%		1.59%
REQUIRED DEBT SERVICE:	\$0.00	\$0.00		\$0.00
*PARTIAL COVERAGE (15%):	\$0.00	\$0.00		\$0.00
*ADD. COVERAGE AND RESERVE (10%):	\$0.00	\$0.00		\$0.00
ANNUAL NEW DEBT PER CONNECTION:	\$0.00	\$0.00		\$0.00
O & M + FUNDED DEPRECIATION:	\$95,482.00	\$95,482.00		\$95,482.00
OTHER DEBT + COVERAGE:	\$67,490.00	\$67,490.00		\$67,490.00
REPLACEMENT RESERVE ACCOUNT:	\$0.00	\$0.00		\$0.00
ANNUAL EXPENSES PER CONNECTION:	\$794.99	\$794.99		\$794.99
TOTAL SYSTEM EXPENSES	\$162,972.00	\$162,972.00		\$162,972.00
TAX REVENUE:	\$0.00	\$0.00		\$0.00
RESIDENCE				
MONTHLY NEEDED WATER BILL:	\$71.05	\$71.05		\$71.05
% OF ADJUSTED GROSS INCOME:	2.90%	2.90%		2.90%

\$0.00

Agenda Item

7(C)(i)(c)

DRINKING WATER BOARD
BOARD PACKET FOR CONSTRUCTION ASSISTANCE

APPLICANT’S REQUEST

In September 2020, the Drinking Water Board authorized \$58,000 in Principal Forgiveness to Wilson Arch Water & Sewer Company to upgrade the distribution pumps, motors, and controller for the west side of the water system.

Based on plan approval issued by the Division of Drinking Water in January 2021, the project design requires more components than originally anticipated. The approved plan design includes adding another pump, a new manifold, an extra controller, new water meter, expanding the pump house and concrete pad, and a redesigned manhole lid and tank vent. With the updated scope of work and legal fees, the total cost of the project is estimated at \$188,000. Wilson Arch Water & Sewer Company will contribute \$5,300 towards the project and is requesting **\$182,700** from the Drinking Water Board.

STAFF COMMENTS

The local MAGI for the Wilson Arch community is \$40,700 (86% of the State MAGI). The after-project water bill at full loan for 20 years would be \$139.08/ERC or 4.10% of the local MAGI. Based on the average monthly water bill, Wilson Arch still qualifies to be considered for additional subsidy.

Loan/PF	Loan	Principal Forgiveness	Term	Interest Rate	Water Bill	% Local MAGI
0/100	\$0	\$ 182,700	-	-	\$78.14	2.30%

STAFF RECOMMENDATION

The Drinking Water Board de-authorize the original funding of \$58,000 in Principal Forgiveness.

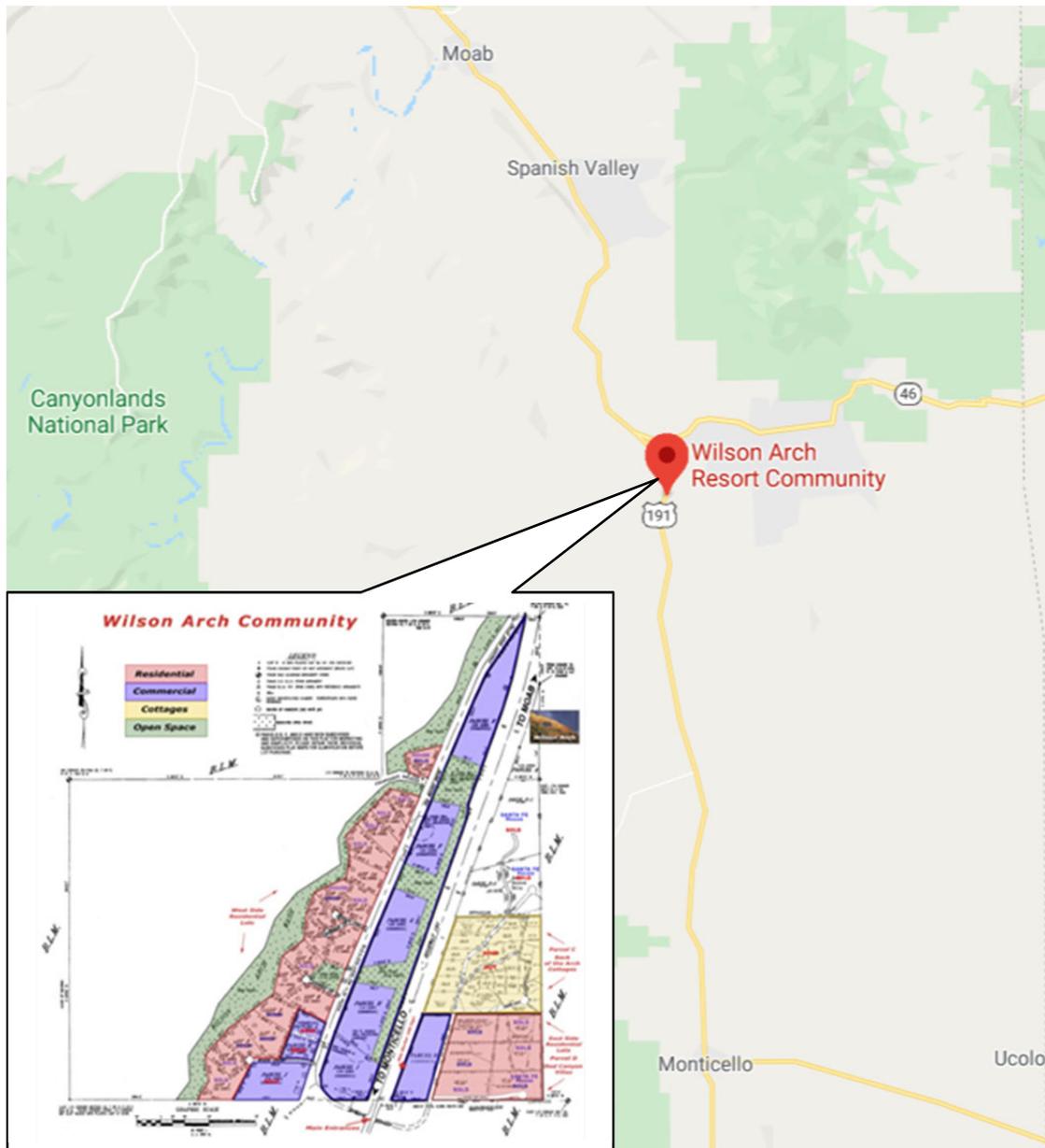
The Drinking Water Board authorize \$182,700 in Principal Forgiveness to Wilson Arch Water & Sewer Company.

Conditions include Wilson Arch develop an asset management plan or a capital improvement plan that projects future capital investment needs over the next five to ten years.

APPLICANT'S LOCATION

Wilson Arch Water & Sewer Company is a private company that owns and operates all the water infrastructure in the Wilson Arch Resort Community in San Juan County. The water system is bisected by US Highway 191.

MAP OF APPLICANT'S PROJECT



PROJECT DESCRIPTION

The Wilson Arch West Side Pump Facility is currently in use but not approved and the water company is taking steps to meet DDW requirements to obtain an operating permit. During a recent service call, a technician determined the current controller is maxed on load capacity and cannot be expanded; the second storage tank/distribution pump was failing and recommended it be replaced before a failure could possibly contaminate the water supply; and the two well pumps are not automatically switching on and off when water demand is called for. Upgrading the distribution pumps will increase and stabilize system pressure and allow for a 4th provisional well to be added to the system when needed. A new controller will automate well pump activation when demand is called for and allow for 24-hour remote monitoring of the west side system.

POPULATION GROWTH

Projected population growth is based on estimates provided by the water company:

Year	Population
2020	9
2030	19
2040	25

IMPLEMENTATION SCHEDULE

DWB Authorization	September 2020
DDW Plan Approval	January 2021
Advertise for Bids	January 2021
Bid Opening	February 2021
Construction	March 2021
DDW Operating Permit	April 2021

COST ESTIMATE

	<u>Updated</u>	<i>Original</i>
Legal	\$ 2,500	-
Engineering – Design/CMS	\$ 33,000	\$ 15,000
Construction – System Upgrades	\$ 120,600	\$ 39,800
Construction – Pump House	\$ 18,200	-
Contingency (10%)	\$ 13,700	\$ 4,000
Total Project Cost	\$ 188,000	\$ 58,800

COST ALLOCATION

<u>Funding Source</u>	<u>Cost Sharing</u>	<u>Percent of Project</u>
Local Contribution	\$ 5,300	3%
DWB Grant	\$ 182,700	97%

DRINKING WATER BOARD FINANCIAL ASSISTANCE EVALUATION

SYSTEM NAME: Wilson Arch
 COUNTY: San Juan
 PROJECT DESCRIPTION: Upgrade pumps, motors, controllers

FUNDING SOURCE: Federal SRF

0 % Loan & 100 % P.F.

ESTIMATED POPULATION:	9	NO. OF CONNECTIONS:	18 *	SYSTEM RATING:	INACTIVE
CURRENT AVG WATER BILL:	\$83.22 *			PROJECT TOTAL:	\$188,000
CURRENT % OF AGI:	2.45%	FINANCIAL PTS:	29	LOAN AMOUNT:	\$0
ESTIMATED MEDIAN AGI:	\$40,700			PRINC. FORGIVE.:	\$182,700
STATE AGI:	\$47,200			TOTAL REQUEST:	\$182,700
SYSTEM % OF STATE AGI:	86%				

	@ ZERO % RATE	@ RBBI MKT RATE		AFTER REPAYMENT PENALTY & POINTS
SYSTEM	0%	2.53%		2.10%
ASSUMED LENGTH OF DEBT, YRS:	20	20		20
ASSUMED NET EFFECTIVE INT. RATE:	0.00%	2.53%		2.10%
REQUIRED DEBT SERVICE:	\$0.00	\$0.00		\$0.00
*PARTIAL COVERAGE (15%):	\$0.00	\$0.00		\$0.00
*ADD. COVERAGE AND RESERVE (10%):	\$0.00	\$0.00		\$0.00
ANNUAL NEW DEBT PER CONNECTION:	\$0.00	\$0.00		\$0.00
O & M + FUNDED DEPRECIATION:	\$16,075.00	\$16,075.00		\$16,075.00
OTHER DEBT + COVERAGE:	\$0.00	\$0.00		\$0.00
REPLACEMENT RESERVE ACCOUNT:	\$803.75	\$803.75		\$803.75
ANNUAL EXPENSES PER CONNECTION:	\$937.71	\$937.71		\$937.71
TOTAL SYSTEM EXPENSES	\$16,878.75	\$16,878.75		\$16,878.75
TAX REVENUE:	\$0.00	\$0.00		\$0.00
RESIDENCE				
MONTHLY NEEDED WATER BILL:	\$78.14	\$78.14		\$78.14
% OF ADJUSTED GROSS INCOME:	2.30%	2.30%		2.30%

\$0.00

Agenda Item

8(B)(i)

Lead and Copper Rule Revisions (LCRR) – Informational Item

Presented by

Luke Treutel, DDW Lead & Copper Rule Manager

Overview

USEPA has finalized the Lead and Copper Rule Revisions (LCRR). The rule was published in the federal register on January 15, 2021. USEPA first announced the proposed changes in November, 2019, and received over 80,000 comments (including comments from the Division of Drinking Water (DDW)). The effective date of the rule is March 16, 2021, and the compliance date is January 16, 2024.

Like the previous Lead and Copper Rule (LCR), the LCRR applies to Community Water Systems (CWSs) and Non-Transient Non-Community Water Systems (NTNCWSs). The changes are significant, and compliance will require substantial effort and resources from public water systems and DDW. DDW will seek primacy from USEPA and officially propose the rule change and seek public comments at a future Board meeting. DDW will also provide training opportunities and issue guidance documents for water systems. USEPA has produced a helpful side-by-side comparison of the LCR and LCRR (attached).

The Biden Administration has put a 60 day hold on regulations that have been finalized but have not yet taken effect, including the LCRR. As a result, the comment period may be reopened and changes may be made after the Administration and new USEPA leadership complete their review. At this time DDW does not know if there will be substantial changes.

Key Changes

The rule revisions include significant changes to existing protocols and requirements, as well as the addition of completely new requirements. Key changes include (but are not limited to):

- The addition of a Trigger Level of 10 ug/L
- Water systems must develop a lead service line inventory (LSLI) and prepare a lead service line replacement (LSLR) plan
- Mandatory or goal-based LSLR is triggered by the 90th percentile of lead results
- Changes to sample site selection criteria, with an emphasis on sites served by lead service lines (LSLs)
- Changes to the sample collection procedure, including fifth-liter sampling at homes served by LSLs
- Find-and-Fix provisions to investigate and resolve high lead results
- Community Water Systems are required to test elementary schools and licensed child care facilities in their service area for lead from 2024-2029

Key Dates

- March 16, 2021: LCRR Effective Date
- 2022: USEPA is expected to issue guidance documents
- January 16, 2024: LCRR Compliance Date
 - Water systems must comply with requirements set forth in the LCRR
 - All CWSs and NTNCWSs must submit an initial LSLI and a LSLR Plan to DDW



Reference Guide for Public Water Systems Lead and Copper Rule Comparison

This table compares the major differences between the current Lead and Copper Rule (LCR) and the final Lead and Copper Rule revisions (LCRR). In general, requirements that are unchanged are not listed. For existing rule requirements visit: <https://www.epa.gov/dwreginfo/lead-and-copper-rule>. For more information on the new LCR visit: <https://www.epa.gov/ground-water-and-drinking-water/final-revisions-lead-and-copper-rule>.

CURRENT LCR	FINAL REVISED LCRR
<i>Action Level (AL) and Trigger Level (TL)</i>	
<ul style="list-style-type: none"> 90th percentile (P90) level above lead AL of 15 µg/L or copper AL of 1.3 mg/L requires additional actions. 	<ul style="list-style-type: none"> 90th percentile (P90) level above lead AL of 15 µg/L or copper AL of 1.3 mg/L requires more actions than the previous rule. Defines lead trigger level (TL) of 10 < P90 ≤ 15 µg/L that triggers additional planning, monitoring, and treatment requirements.
<i>Lead and Copper Tap Monitoring</i>	
<p>Sample Site Selection</p> <ul style="list-style-type: none"> Prioritizes collection of samples from sites with sources of lead in contact with drinking water. Highest priority given to sites served by copper pipes with lead solder installed after 1982 but before the state ban on lead pipes and/or LSLs. Systems must collect 50% of samples from LSLs, if available. 	<p>Sample Site Selection</p> <ul style="list-style-type: none"> Changes priorities for collection of samples with a greater focus on LSLs. Prioritizes collecting samples from sites served by LSLs –all samples must be collected from sites served by LSLs, if available. No distinction in prioritization of copper pipes with lead solder by installation date. Improved tap sample site selection tiering criteria.
<p>Collection Procedure</p> <ul style="list-style-type: none"> Requires collection of the first liter sample after water has sat stagnant for a minimum of 6 hours. 	<p>Collection Procedure</p> <ul style="list-style-type: none"> Requires collection of the fifth-liter sample in homes with LSLs after water has sat stagnant for a minimum of 6 hours and maintains first-liter sampling protocol in homes without LSLs. Adds requirement that samples must be collected in wide-mouth bottles.

CURRENT LCR	FINAL REVISED LCRR
	<ul style="list-style-type: none"> • Prohibits sampling instructions that include recommendations for aerator cleaning/removal and pre-stagnation flushing prior to sample collection.
<p>Monitoring Frequency</p> <ul style="list-style-type: none"> • Samples are analyzed for both lead and copper. • Systems must collect standard number of samples, based on population; semi-annually unless they qualify for reduced monitoring. • Systems can qualify for annual or triennial monitoring at reduced number of sites. Schedule based on number of consecutive years meeting the following criteria: <ul style="list-style-type: none"> ○ Serves $\leq 50,000$ people and \leq lead & copper ALs. ○ Serves any population size, meets state-specified optimal water quality parameters (OWQPs), and \leq lead AL. • Triennial monitoring also applies to any system with lead and copper 90th percentile levels ≤ 0.005 mg/L and ≤ 0.65 mg/L, respectively, for 2 consecutive 6-month monitoring periods. • 9-year monitoring waiver available to systems serving $\leq 3,300$. 	<p>Monitoring Frequency</p> <ul style="list-style-type: none"> • Some samples may be analyzed for only lead when lead monitoring is conducted more frequently than copper. • Copper follows the same criteria as the current rule. • Lead monitoring schedule is based on P90 level for all systems as follows: <ul style="list-style-type: none"> ○ P90 > 15 $\mu\text{g/L}$: Semi-annually at the standard number of sites. ○ P90 > 10 to 15 $\mu\text{g/L}$: Annually at the standard number of sites. ○ P90 ≤ 10 $\mu\text{g/L}$: <ul style="list-style-type: none"> ▪ Annually at the standard number of sites and triennially at reduced number of sites using same criteria as previous rule except copper 90th percentile level is not considered. ▪ Every 9 years based on current rule requirements for a 9-year monitoring waiver.

CURRENT LCR	FINAL REVISED LCRR
<i>Corrosion Control Treatment (CCT) and Water Quality Parameters (WQPs)</i>	
<p>CCT</p> <ul style="list-style-type: none"> • Systems serving > 50,000 people were required to install treatment by January 1, 1997 with limited exception. • Systems serving ≤ 50,000 that exceed lead and/or copper AL are subject to CCT requirements (<i>e.g.</i>, CCT recommendation, study if required by primacy agency, CCT installation). They can discontinue CCT steps if no longer exceed both ALs for two consecutive 6-month monitoring periods. • Systems must operate CCT to meet any primacy agency-designated OWQPs that define optimal CCT. • There is no requirement for systems to re-optimize. 	<p>CCT</p> <ul style="list-style-type: none"> • Specifies CCT requirements for systems with $10 < P90 \text{ level} \leq 15 \mu\text{g/L}$: <ul style="list-style-type: none"> ○ No CCT: must conduct a CCT study if required by primacy agency. ○ With CCT: must follow the steps for re-optimizing CCT, as specified in the rule. • Systems with $P90 \text{ level} > 15 \mu\text{g/L}$: <ul style="list-style-type: none"> ○ No CCT: must complete CCT installation regardless of their subsequent P90 levels. ○ With CCT: must re-optimize CCT. ○ CWSs serving ≤ 10,000 people and non-transient water systems (NTNCWSs) can select an option other than CCT to address lead. <i>See Small System Flexibility.</i>
<p>CCT Options: Includes alkalinity and pH adjustment, calcium hardness adjustment, and phosphate or silicate-based corrosion inhibitor.</p>	<p>CCT Options: Removes calcium hardness as an option and specifies any phosphate inhibitor must be orthophosphate.</p>
<p>Regulated WQPs:</p> <ul style="list-style-type: none"> • No CCT: pH, alkalinity, calcium, conductivity, temperature, orthophosphate (if phosphate-based inhibitor is used), silica (if silica-based inhibitor is used). • With CCT: pH, alkalinity, and based on type of CCT either orthophosphate, silica, or calcium. 	<p>Regulated WQPs:</p> <ul style="list-style-type: none"> • Eliminates WQPs related to calcium hardness (<i>i.e.</i>, calcium, conductivity, and temperature).
<p>WQP Monitoring</p> <ul style="list-style-type: none"> • Systems serving ≥ 50,000 people must conduct regular WQP monitoring at entry points and within the distribution system. • Systems serving ≤ 50,000 people conduct monitoring only in those periods > lead or copper AL. 	<p>WQP Monitoring</p> <ul style="list-style-type: none"> • Systems serving ≥ 50,000 people must conduct regular WQP monitoring at entry points and within the distribution system.

CURRENT LCR	FINAL REVISED LCRR
<ul style="list-style-type: none"> Contains provisions to sample at reduced number of sites in distribution system less frequency for all systems meeting their OWQPs. 	<ul style="list-style-type: none"> Systems serving $\leq 50,000$ people must continue WQP monitoring until they no longer $>$ lead and/or copper AL for two consecutive 6-month monitoring periods. To qualify for reduced WQP distribution monitoring, P90 must be $\leq 10 \mu\text{g/L}$ and the system must meet its OWQPs.
<p>Sanitary Survey Review:</p> <ul style="list-style-type: none"> Treatment must be reviewed during sanitary surveys; no specific requirement to assess CCT or WQPs. 	<p>Sanitary Survey Review:</p> <ul style="list-style-type: none"> CCT and WQP data must be reviewed during sanitary surveys against most recent CCT guidance issued by EPA.
<p>Find-and-Fix: No required follow-up samples or additional actions if an individual sample exceeds $15 \mu\text{g/L}$.</p>	<p>Find-and-Fix: If individual tap samples $> 15 \mu\text{g/L}$.</p> <ul style="list-style-type: none"> Find-and-fix steps: <ul style="list-style-type: none"> Collect tap sample at the same tap sample site within 30 days. For LSL, collect any liter or sample volume. If LSL is not present, collect 1 liter first draw after stagnation. For systems with CCT <ul style="list-style-type: none"> Conduct WQP monitoring at or near the site $> 15 \mu\text{g/L}$. Perform needed corrective action. Document customer refusal or nonresponse after 2 attempts. Provide information to local public health officials.
<i>LSL Inventory and LSLR Plan</i>	
<p>Initial LSL Program Activities:</p> <ul style="list-style-type: none"> Systems were required to complete a materials evaluation by the time of initial sampling. No requirement to update materials evaluation. No LSLR plan is required. 	<p>Initial LSL Program Activities:</p> <ul style="list-style-type: none"> All systems must develop an LSL inventory or demonstrate absence of LSLs within 3 years of final rule publication. LSL inventory must be updated annually or triennially, based on their tap sampling frequency. All systems with known or possible LSLs must develop an LSLR plan.

LSLR:

- Systems with LSLs with P90 > 15 µg/L after CCT installation must annually replace ≥7% of number of LSLs in their distribution system when the lead action level is first exceeded.
- Systems must replace the LSL portion they own and offer to replace the private portion at the owner's expense.
- Full LSLR, partial LSLR, and LSLs with lead sample results ≤15 µg/L (“test-outs”) count toward the 7% replacement rate.
- Systems can discontinue LSLR after 2 consecutive 6-month monitoring periods ≤ lead AL.

LSLR:

- Rule specifies replacement programs based on P90 level for CWSs serving > 3,300 people:
 - If P90 > 15 µg/L: Must fully replace 3% of LSLs per year based upon a 2 year rolling average (mandatory replacement) for at least 4 consecutive 6-month monitoring periods.
 - If P90 > 10 to 15 µg/L: Implement an LSLR program with replacement goals in consultation with the primacy agency for 2 consecutive 1-year monitoring periods.
- Small CWSs and NTNCWSs that select LSLR as their compliance option must complete LSLR within 15 years if P90 > 15 µg/L *See Small System Flexibility.*
- Annual LSLR rate is based on number of LSLs and galvanized requiring replacement when the system first exceeds the action level plus the current number of lead status unknown service lines.
- Only full LSLR (both customer-owned and system-owned portion) count toward mandatory rate or goal-based rate.
- All systems replace their portion of an LSL if notified by consumer of private side replacement within 45 days of notification of the private replacement. If the system cannot replace the system's portion within 45 days, it must notify the state and replace the system's portion within 180 days.
- Following each LSLR, systems must:
 - Provide pitcher filters/cartridges to each customer for 6 months after replacement. Provide pitcher filters/cartridges within 24 hours for full and partial LSLRs.
 - Collect a lead tap sample at locations served by replaced line within 3 to 6 months after replacement.
- Requires replacement of galvanized service lines that are or ever were downstream of an LSL.

CURRENT LCR	FINAL REVISED LCRR
<p>LSL-Related Outreach:</p> <ul style="list-style-type: none"> • When water system plans to replace the portion it owns, it must offer to replace customer-owned portion at owner’s expense. • If system replaces its portion only: <ul style="list-style-type: none"> ○ Provide notification to affected residences within 45 days prior to replacement on possible elevated short-term lead levels and measures to minimize exposure. ○ Include offer to collect lead tap sample within 72 hours of replacement. ○ Provide test results within 3 business days after receiving results. 	<p>LSL-Related Outreach:</p> <ul style="list-style-type: none"> • Inform consumers annually that they are served by LSL or lead status unknown service line. • Systems subject to goal-based program must: <ul style="list-style-type: none"> ○ Conduct targeted outreach that encourages consumers with LSLs to participate in the LSLR program. ○ Conduct an additional outreach activity if they fail to meet their goal. ○ Systems subject to mandatory LSLR include information on LSLR program in public education (PE) materials that are provided in response to P90 > AL.
<i>Small System Flexibility</i>	
<p>No provisions for systems to elect an alternative treatment approach but sets specific requirements for CCT and LSLR.</p>	<p>Allows CWSs serving ≤ 10,000 people and all NTNCWSs with P90 > 10 µg/L to select their approach to address lead with primacy agency approval:</p> <ul style="list-style-type: none"> • Systems can choose CCT, LSLR, provision and maintenance of point-of-use devices; or replace all lead-bearing plumbing materials.

CURRENT LCR	FINAL REVISED LCRR
<ul style="list-style-type: none"> • All CWSs must provide education material in the annual Consumer Confidence Report (CCR). • Systems with P90 > AL must provide PE to customers about lead sources, health effects, measures to reduce lead exposure, and additional information sources. • Systems must provide lead consumer notice to individuals served at tested taps within 30 days of learning results. • Customers can contact the CWS to get PE materials translated in other languages. 	<ul style="list-style-type: none"> • CWSs must provide updated health effects language in all PE materials and the CCR. <ul style="list-style-type: none"> ○ Customers can contact the CWS to get PE materials translated in other languages. • All CWSs are required to include information on how to access the LSL inventory and how to access the results of all tap sampling in the CCR. • Revises the mandatory health effects language to improve accuracy and clarity. • If P90 > AL: <ul style="list-style-type: none"> ○ Current PE requirements apply. ○ Systems must notify consumers of P90 > AL within 24 hours. • In addition, CWSs must: <ul style="list-style-type: none"> ○ Deliver notice and educational materials to consumers during water-related work that could disturb LSLs. ○ Provide information to local and state health agencies. ○ Provide lead consumer notice to consumers whose individual tap sample is > 15 µg/L as soon as practicable but no later than 3 days. <p><i>Also see LSL-Related Outreach section of table.</i></p>
<p>Systems on a reduced tap monitoring schedule must obtain prior primacy agency approval before changing their source or treatment.</p>	<p>Systems on any tap monitoring schedule must obtain prior primacy agency approval before changing their source or treatment. These systems must also conduct tap monitoring biannually.</p>
<ul style="list-style-type: none"> • Periodic source water monitoring is required for systems with: <ul style="list-style-type: none"> ○ Source water treatment; or ○ P90 > AL and no source water treatment. 	<ul style="list-style-type: none"> • Primacy Agencies can waive continued source water monitoring if the: <ul style="list-style-type: none"> ○ System has already conducted source water monitoring for a previous P90 > AL; ○ primacy agency has determined that source water treatment is not required; <i>and</i>

CURRENT LCR	FINAL REVISED LCRR
<ul style="list-style-type: none"> • Does not include separate testing and education program for CWSs at schools and child care facilities. • Schools and child cares that are classified as NTNCWSs must sample for lead and copper. 	<ul style="list-style-type: none"> ○ System has not added any new water sources. • CWS must conduct sampling at 20% of elementary schools and 20% of child care facilities per year and conduct sampling at secondary schools on request for 1 testing cycle (5 years) and conduct sampling on request of all schools and child care facilities thereafter. • Sample results and PE must be provided to each sampled school/child care, primacy agency and local or state health department. • Excludes facilities built or replaced all plumbing after January 1, 2014.
<p>Primacy Agencies must report information to EPA that includes but is not limited to:</p> <ul style="list-style-type: none"> • All P90 levels for systems serving > 3,300 people, and only levels > 15 µg/L for smaller systems. • Systems that are required to initiate LSLR and the date replacement must begin. • Systems for which optimal corrosion control treatment (OCCT) has been designated. 	<p>Expands current requirements to include:</p> <ul style="list-style-type: none"> • All P90 values for all system sizes. • The current number of LSLs and lead status unknown service lines for every water system. • OCCT status of all systems including primacy agency-specified OWQPs.

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DRINKING WATER BOARD PACKET
Rural Water Association Report

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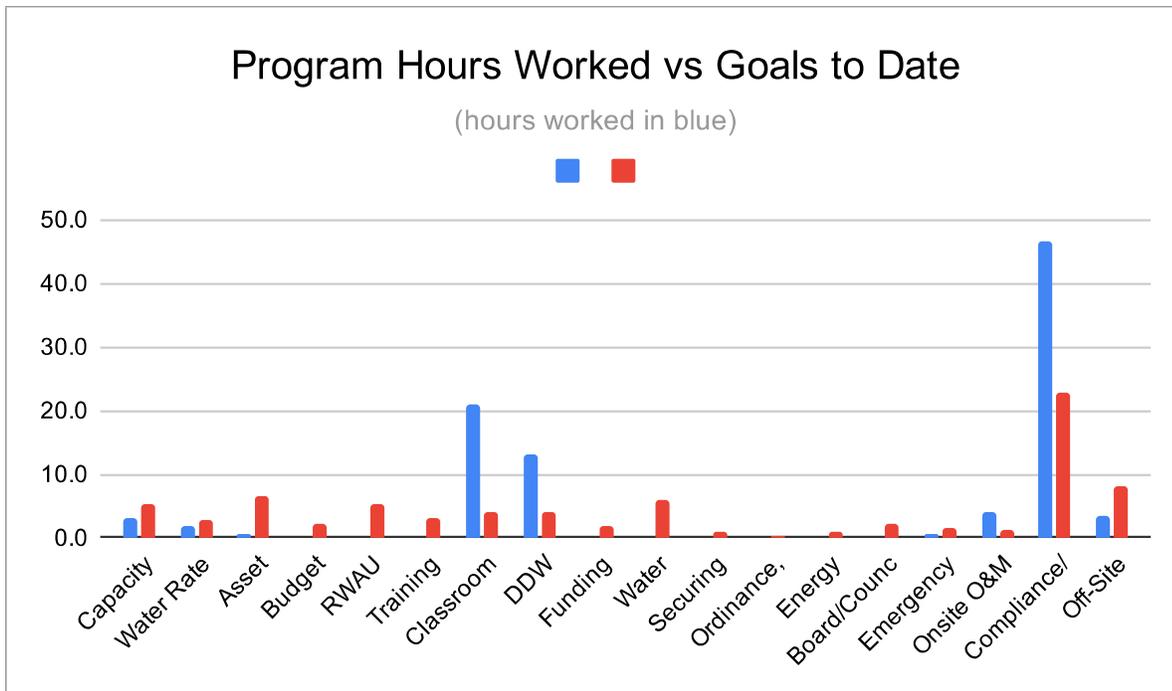
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Rural Water Association - DWB Report

Report Period: January, 2021

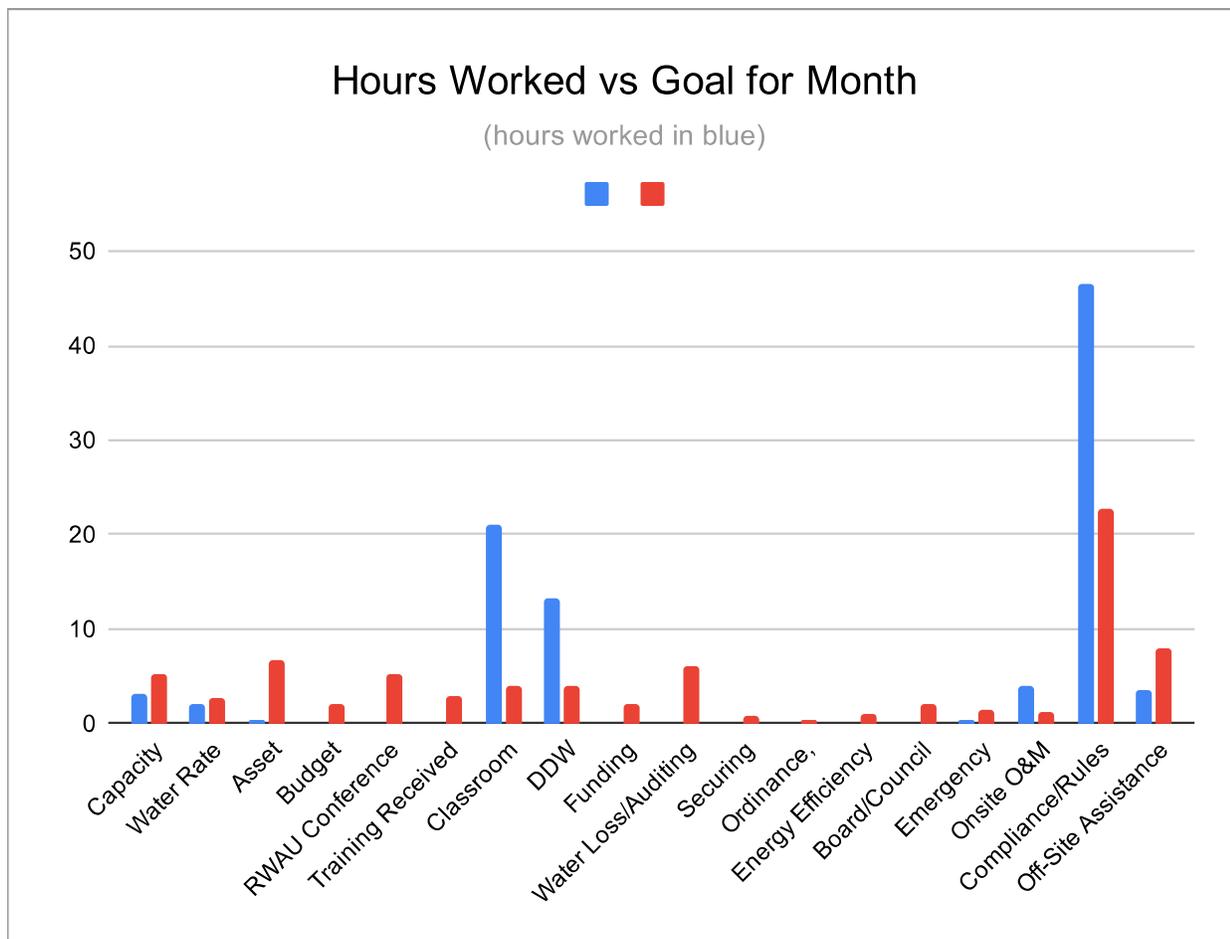
Terry Smith - Compliance Specialist

Contract Goal Titles	Report Period Hours	Program Goal-Hours to Date	Annual Program Goals
Capacity Development/Master Planning	3.3	5.3	64.0
Water Rate Development/Analysis	2.0	2.7	2.0
Asset Management/Evaluation	0.5	6.7	80.0
Budget Planning/Evaluation	0.0	2.2	26.0
RWAU Conference	0.0	5.3	64.0
Training Received	0.0	3.0	36.0
Classroom Instruction/Training	21.0	4.0	48.0
DDW Interaction/Meetings/Reports	13.3	4.0	48.0
Funding Procurement	0.0	2.0	24.0
Water Loss/Auditing	0.0	6.0	72.0
Securing Engineering	0.0	0.8	10.0
Ordinance, Resolutions, By-Laws Development	0.0	0.3	4.0
Energy Efficiency Study	0.0	1.0	12.0
Board/Council Training	0.0	2.2	26.0
Emergency Response	0.5	1.5	18.0
Onsite O&M Training	4.0	1.2	14.0
Compliance/Rules Assistance	46.5	22.7	272.0
Off-Site Assistance	3.5	8.0	96.0
Totals:	95	79	916



Report Period: January, 2021
Notable Assistance & Work Performed

System	Description:
North Valley Ranches (20786)	Assisting North Valley Ranches with compliance issues Working on expired operator certification list/request
ST GEORGE CITY	Proctoring exams (5)
ELKRIDGE ESTATES	Assisting Wade in obtaining certified operator
SOUTH WILLARD WTR CO	Compliance assistance - consecutive connection approval
SOUTH WILLARD WTR CO	Follow up - sent information to Natani about consecutive connection
LAKE ROCKPORT EST	Working with Janell - rate evaluation
ELKRIDGE ESTATES	Assisting Elkridge Estates in search for certified operator
ANGELL SPRINGS SSD	Training assistance - tank level valve
PARADISE WEST SUB (03103)	Working on Initial Orders/WTTC assistance
PARAGONAH TOWN	Proctoring - Mike Abbott, D1
ENTERPRISE CITY	Discussion with Arlan - changing out meters, CCR, fees
GENOLA TOWN	Discussion with Chris - CC Admin CEU/Renewal rule
KANE COUNTY WCD	Proctoring CC Admin exam
DEER CREEK PARK	Discussion with Sullivan - video spring lines

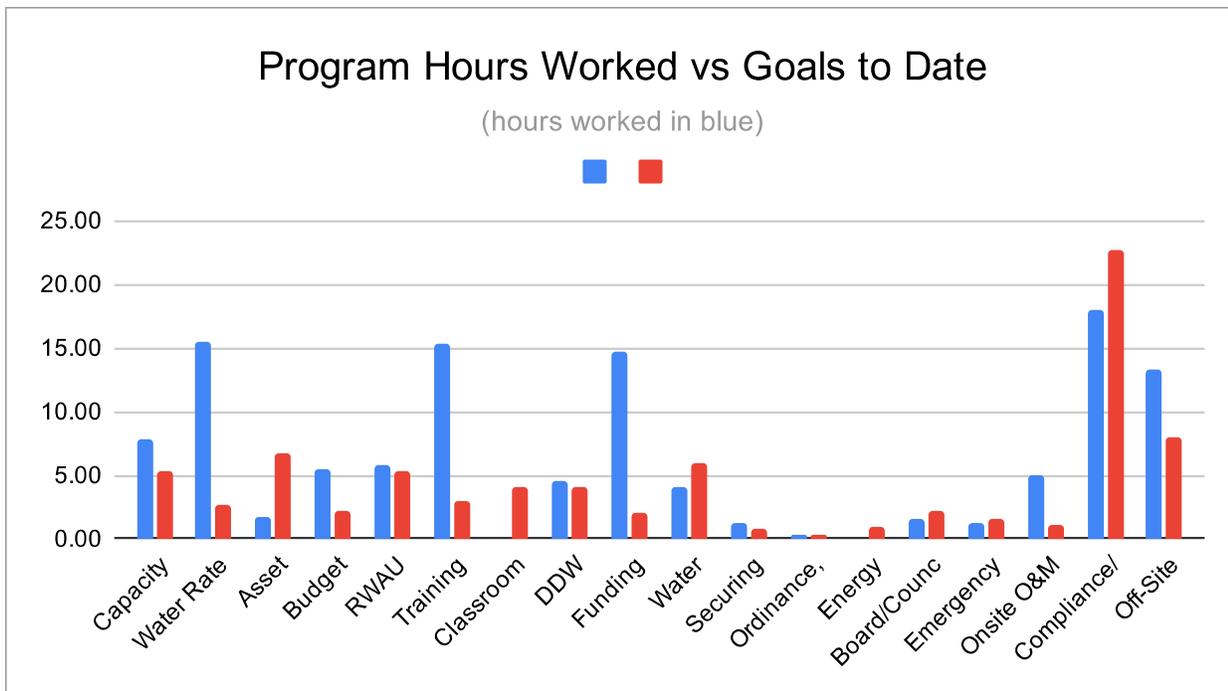


Rural Water Association - DWB Report

Report Period: January, 2021

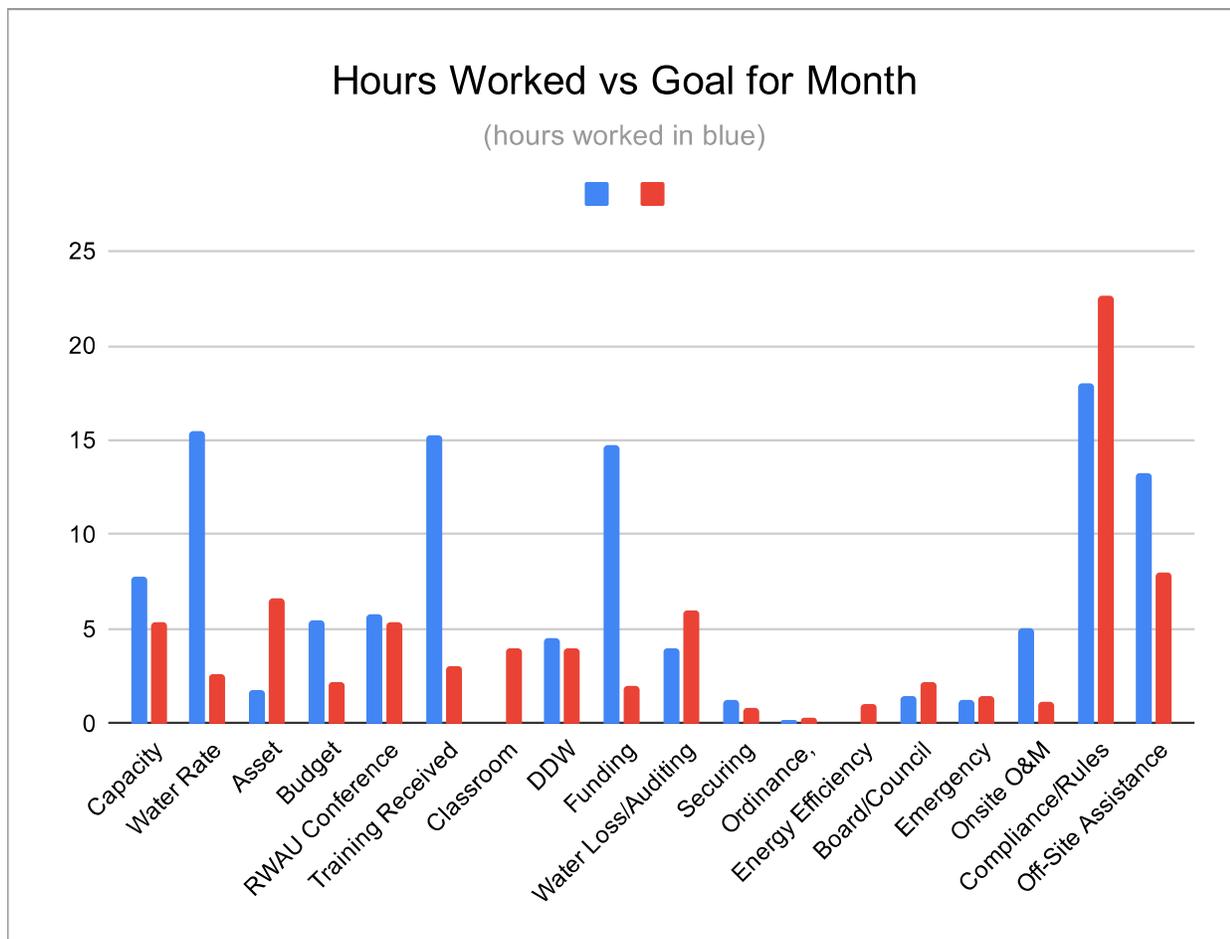
Janell Braithwaite - Management Technician

Contract Goal Titles	Report Period Hours	Program Goal-Hours to Date	Annual Program Goals
Capacity Development/Master Planning	7.8	5.3	64.0
Water Rate Development/Analysis	15.5	2.7	15.5
Asset Management/Evaluation	1.8	6.7	80.0
Budget Planning/Evaluation	5.5	2.2	26.0
RWAU Conference	5.8	5.3	64.0
Training Received	15.3	3.0	36.0
Classroom Instruction/Training	0.0	4.0	48.0
DDW Interaction/Meetings/Reports	4.5	4.0	48.0
Funding Procurement	14.8	2.0	24.0
Water Loss/Auditing	4.0	6.0	72.0
Securing Engineering	1.3	0.8	10.0
Ordinance, Resolutions, By-Laws Development	0.3	0.3	4.0
Energy Efficiency Study	0.0	1.0	12.0
Board/Council Training	1.5	2.2	26.0
Emergency Response	1.3	1.5	18.0
Onsite O&M Training	5.0	1.2	14.0
Compliance/Rules Assistance	18.0	22.7	272.0
Off-Site Assistance	13.3	8.0	96.0
Totals:	115	79	930



Report Period: January, 2021
Notable Assistance & Work Performed

System	Description:
AURORA CITY	Discussed Aurora project w/Parker Vercimak at Jones & DeMille Eng, r
DUTCH JOHN WATER & SEWER	Contacted Trevor Brooksby at Dutch John, Jake and Curt at RWAU reg
SOUTH DUCHESNE CUL WTR	Discuss DDW app w/Monette at So. Duchesne
MOUNT AIR WATER CORPORATIO	Called Heather at DDW to find out funding options for second home, se
FAYETTE TOWN	Attend Fayette City Council meeting to discuss budget concerns, water
	Take Water Rights Certification Test
CLARK BENCH (13060)	Contacted Liz Coates at Clark Bench re: project and funding (getting re
	DDW Board Meeting
CENTERFIELD TOWN	Review Bureau of Reclamation website info, contact Mayor Tom Sorens
SPRING CITY	Discuss watershed project w/Kim, City Recorder, at Spring City and rev
SOUTH DUCHESNE CUL WTR	Discuss So Duchesne DDW app with Skye, reviewed to see what could
DUTCH JOHN WATER & SEWER	Contacted Aaron Averett, Sunrise Eng, re: Dutch John and Master Plan
EUREKA CITY	Met w/City Recorder, Patricia, and Treasurer, Rachel, to discuss their s
GOSHEN TOWN	Met with City Recorder, Rachel, reviewed their projects and if it would c
	Called John Chartier, DEQ, to explain IPS points "water use data info n

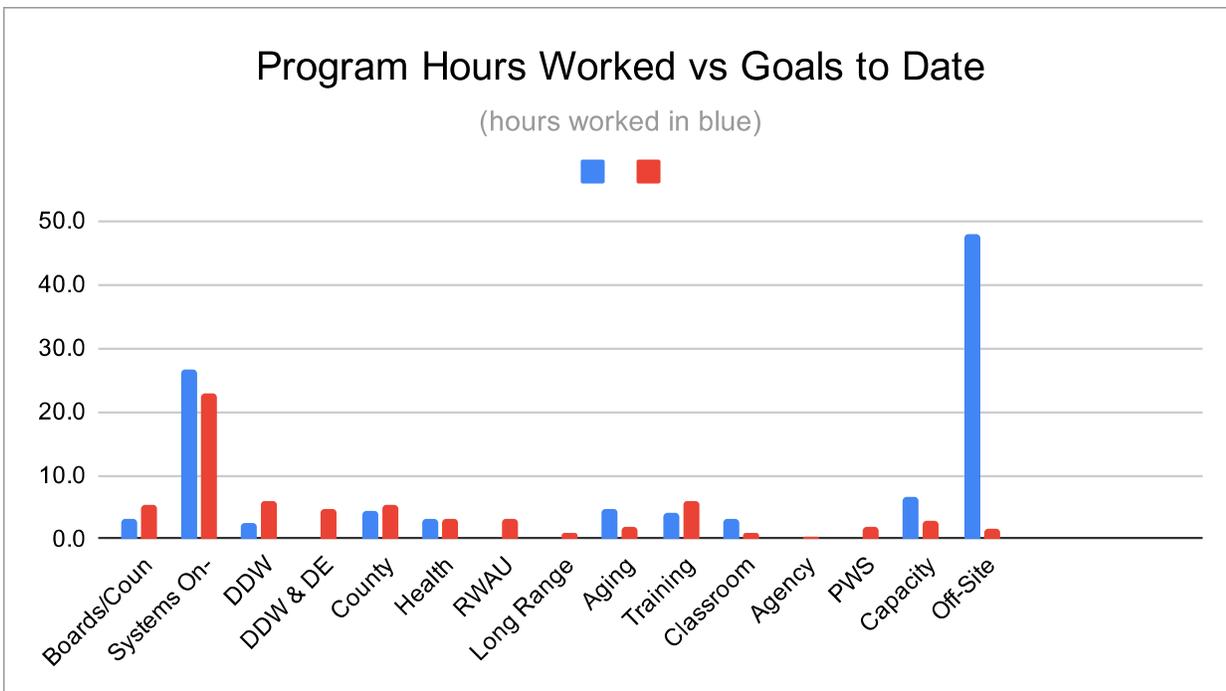


Rural Water Association - DWB Report

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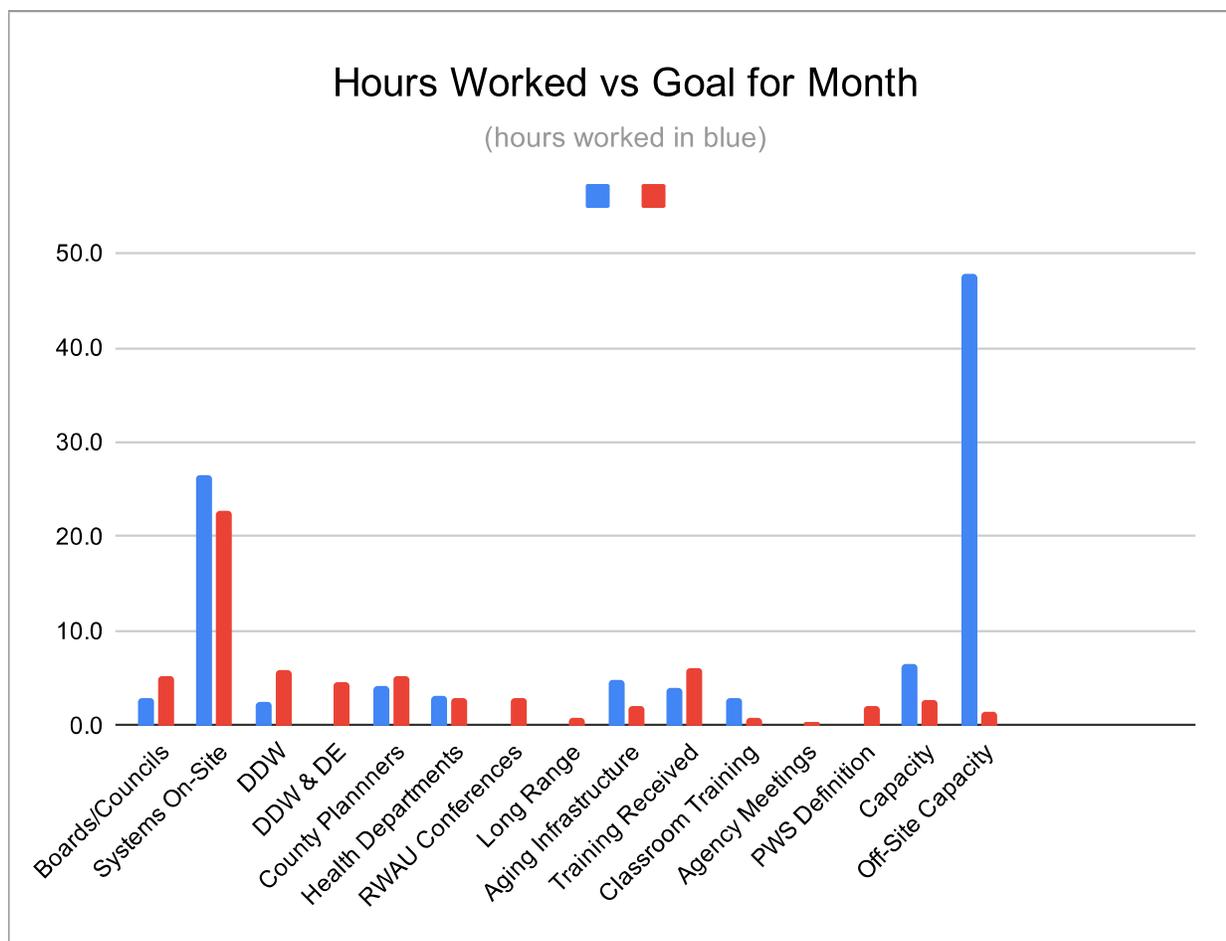
Curt Ludvigson - Development Specialist

Contract Goal Titles	Report Period Hours	Program Goal-Hours to Date	Annual Program Goals
Boards/Councils	3.0	5.3	64.0
Systems On-Site	26.5	22.7	272.0
DDW Interaction/Meetings	2.5	5.9	71.0
DDW & DE	0.0	4.7	56.0
County Planners	4.3	5.3	64.0
Health Departments	3.3	3.0	36.0
RWAU Conferences	0.0	3.0	36.0
Long Range Planning	0.0	0.8	10.0
Aging Infrastructure Planning	4.8	2.0	24.0
Training Received	4.0	6.0	72.0
Classroom Training	3.0	0.8	10.0
Agency Meetings	0.0	0.3	4.0
PWS Definition Training	0.0	2.0	24.0
Capacity Development Planning	6.5	2.7	32.0
Off-Site Capacity Development	47.8	1.5	18.0
Totals:	105.50	66	793



Report Period: January, 2021
Notable Assistance & Work Performed

System	Description:
EPHRAIM CITY	Working on Rates Study for Ephraim city
BRIDGERLAND WATER CO	Working on Rates Study for Bridgerland Water
INDIAN RIDGE WCD	Meeting with Indian Ridge and their engineer, discussing the scope of a
GENOLA TOWN	I met with the Town Clerk and Operator and discussed the project and t
EUREKA CITY	I met with the Town Clerk and discussed the Annual Conference and I l
CEDAR FORT WATER	I met with the Operator and discussed the Annual Conference, CCR's, &
Weber/Morgan Health Dept.	I met with the Weber/Morgan Health Dept and discussed the growth tha
UTAH COUNTY HEALTH DEPARTMENT	I met with the Utah County Health Dept and discussed the problems as
Juab County Commission	I met with the Juab County Planner and discussed doing an Ordinance
MEADOW TOWN	I met with the Mayor and discussed water system improvements that th
LOA WATERWORKS	I met with the Loa Town Clerk and discussed the project they are doing
WALES TOWN	I met with the Mayor and Operator of Wales and discussed their water f
MT PLEASANT CITY	I met with the City Manager and discussed the Annual Conference and
WELLINGTON CITY	I met with the Council and discussed the presentation some of them wil



Agenda Item

10(A)

Processed Enforcement Actions February 2021

PWS ID	PWS Name	PWS Type	Pop Served	IPS Pts	Rating	Rating Date
Finalized AO						
UTAH11043	OLD MEADOWS	Community	48	115	Not Approved	4/18/2017
Corrective Action Systems						
UTAH02078	M & J TRAILER HOME COMMUNITY	Community	27	245	Not Approved	8/20/2018
UTAH22001	CLUFFWARD PIPELINE	Community	188	100	Corrective Action	9/30/2019
UTAH07061	VALLE DEL PADRES SUBDIV	Non-Transient	98	5	Corrective Action	11/13/2019
UTAH02031	GIRLS HOME	Non-Community	300	405	Corrective Action	5/27/2020
UTAH26064	MILL HOLLOW	Non-Community	220	90	Corrective Action	6/9/2020
UTAH26033	DEER CREEK PARK LLC	Non-Community	150	265	Corrective Action	7/8/2020
UTAH29009	NORDIC	Community	509	100	Corrective Action	7/8/2020
UTAH27051	ZION CANYON	Community	3380	0	Corrective Action	7/8/2020
UTAH27093	BIG PLAINS CANAAN RANCH	Community	56	135	Corrective Action	7/31/2020
UTAH01015	GREENVILLE WARD	Non-Community	100	55	Corrective Action	8/11/2020
UTAH25179	RIGTRUP EGG FARM	Non-Transient	35	50	Corrective Action	8/11/2020
UTAH02062	WILLOW CREEK WATER	Community	175	75	Corrective Action	8/11/2020
UTAH18005	COPPERTON IMPROVEMENT DISTRICT	Community	990	30	Corrective Action	8/11/2020
UTAH26055	INTERLAKEN TOWN	Community	350	50	Corrective Action	8/24/2020
UTAH15013	COTTONWOOD MUTUAL	Community	2600	50	Corrective Action	8/26/2020
UTAH18179	L & B RESOURCES	Non-Transient	100	565	Corrective Action	8/27/2020
UTAH22003	ECHO MUTUAL	Community	70	150	Corrective Action	8/28/2020
UTAH08043	TRAIL CANYON RESIDENTS	Community	42	95	Corrective Action	9/1/2020
UTAH02010	EAST GROUSE CREEK PIPELINE	Community	70	100	Corrective Action	9/9/2020
UTAH26059	WASATCH MOBILE HOME PARK	Community	31	95	Corrective Action	9/21/2020
UTAH18104	MOUNTAIN DELL	Non-Community	300	60	Corrective Action	10/15/2020
UTAH23022	TOOELE ARMY DEPOT	Non-Transient	541	30	Corrective Action	2/9/2021
UTAH09001	ANTIMONY TOWN WATER	Community	135	5	Corrective Action	
UTAH22114	BULL MOOSE WATERWORKS	Transit Non Community	136	175	Corrective Action	
UTAH18179	L & B RESOURCES	Non-Transient	100	555	Corrective Action	12/17/2019
Not Approved Systems						
UTAH09084	JNB MARINE	Non-Community	36	60	Not Approved	9/17/2002
UTAH07039	ESCAPE RV-LAKESIDE PARK	Non-Community	28	85	Not Approved	11/3/2016
UTAH10034	SUN ARCHVIEW LLC	Non-Community	506	35	Not Approved	4/18/2017
UTAH03005	CORNISH TOWN WATER SYSTEM	Community	270	60	Not Approved	9/27/2018
UTAH07023	YELLOWSTONE CAMPGROUND	Non-Community	25	135	Not Approved	9/27/2018
UTAH15018	SOUTH ROBINSON SPRINGS	Community	28	105	Not Approved	9/9/2019
UTAH09028	CALF CREEK	Non-Community	300	65	Not Approved	9/9/2019
UTAH27093	CANAAN SPRINGS/BIG PLAINS SSD	Community	48	335	Not Approved	11/12/2019
UTAH04052	MADSEN BAY WATER COMPANY	Non-Community	30	100	Not Approved	12/17/2019
UTAH15029	STODDARD INN	Non-Community	25	285	Not Approved	4/24/2020
UTAH20073	INDIANOLA LDS CHAPEL	Non-Transient	320	135	Not Approved	5/12/2020
UTAH27086	NORTH VALLEY RANCHES	Community	25	200	Not Approved	6/2/2020
UTAH10018	BUCKS GRILL HOUSE	Transient Non-Community	150	180	Not Approved	6/2/2020

Current News

DRINKING WATER BOARD PACKET
Current News

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Navajo Utah Water Rights Act championed by Utah leaders awaits president's signature

By Ashley Fredde, KSL.com | Posted - Dec. 22, 2020 at 4:53 p.m.

<https://www.ksl.com/article/50072176/navajo-utah-water-rights-act-championed-by-utah-leaders-awaits-presidents-signature>

WASHINGTON — Congress has passed the Navajo Utah Water Rights Settlement Act after its inclusion in the appropriations package that included \$1.4 trillion for federal spending and nearly \$900 billion for COVID-19 relief.

The act was championed by Utah Sen. Mitt Romney and Rep. Ben McAdams, who wrote a joint [letter](#) to House and Senate leaders in October and facilitated calls between House leadership and Gov. Gary Herbert urging for its passage.

After its passage in the Senate in June, Gov. Herbert released a statement applauding the efforts.

"This agreement is the result of more than 15 years of good faith work between Utah leaders, the U.S. Department of Interior, and the Navajo Nation. It will create clean drinking water projects for our Navajo friends and certainty for Utah's future water needs. My sincere thanks to Senator Romney and President Nez for their great work. I look forward to seeing it considered soon by the House of Representatives," said Herbert.

The legislation, led by Rep. Rob Bishop and Rep. John Curtis, both Utah Republicans, now awaits a signature by President Donald Trump.

According to McAdams and Romney's letter, the devastation of the Navajo Nation by COVID-19 is partially due to the lack of safe drinking water for preventative measures, with nearly 40% of the Navajo Nation Reservation population lacking running water and/or adequate sanitation in their homes. The Navajo Utah Water Rights Settlement Act helps remedy that by authorizing \$210 million in funding for water infrastructure on the Utah portion of the Navajo Nation, helping to provide clean drinking water.

The Navajo Nation had reported 21,177 total positive COVID-19 cases and 748 total deaths as of Tuesday, according to its [health department dashboard](#). The nation has had to issue and extend several 57-hour weekend lockdowns in an attempt to flatten the coronavirus curve in the hard-hit area.

"In the 21st century, to have Americans living on the Navajo reservation without access to clean, running water is unconscionable. Now more than ever, as these citizens grapple with a surge of COVID-19 cases, safe, secure, clean water is essential to their health," said McAdams in a

statement. "This was a Team Utah effort and I was proud to be part of achieving this long overdue outcome."

In addition to providing funding for water infrastructure, a statement from Romney said the Navajo Utah Water Rights Settlement Act also:

Settles all current and future claims by the Navajo Nation for water rights within Utah, thus precluding costly future litigation for all parties

Provides the Navajo Nation with the right to deplete 81,500 acre-feet of water per year from Utah's Colorado River Basin apportionment

Requires the state of Utah to contribute \$8 million in funding toward the settlement, which has been approved

According to Navajo Nation President Jonathan Nez, the passage of the act was several years in the making. In June 2019, Nez testified before the U.S. House Subcommittee on Water, Oceans, and Wildlife and called upon Congress to pass the settlement legislation immediately. Nez and Vice President Myron Lizer also met with congressional members and Utah leaders to request support for the act.

"All of the countless hours spent negotiating, lobbying, and pushing this historic water settlement over the years by so many leaders has finally paid off. Through the combined efforts of many advocates and leaders over the years, we are confident that our Navajo people in the state of Utah will receive the clean water resources they deserve. We truly appreciate all of the support from the House and Senate. I am confident that President Trump will sign the water settlement into law," Lizer said in a statement.

Nez thanked Romney and Curtis in a tweet after the act had passed.

The act was included in a large appropriations and COVID-19 relief package, which is set to provide up to \$600 payments to individuals, extend \$300 weekly unemployment insurance by 11 weeks, extend a loan program for small businesses, provide \$13 million in benefits for the Supplemental Nutrition Assistance, and extend the eviction moratorium to Jan. 31. Trump is set to sign the bill later this week.

The tank will be buried, and the park and pavilions will be rebuilt to the same or higher specifications, according to Tschirki.

The cost will be about \$13 million and is targeted for a bond. The city also will have need for another storage facility and power station to help with pressure. The entire project will come in at about \$22 million.

“This location was the most optimal for the cost,” Tschirki said. “It is anticipated the water tank will service for 100 years.”

Tschirki said the city has been working with engineers and if all goes accordingly they should be able to break ground on July 1.

“This will satisfy our current deficiency of 10 million gallons of drinking water,” Tschirki said. “We’ll need more in 20-25 years in the northeast Orem area; about 10-15 million gallons.”

The city could look at building the current project a bit bigger, but it is not prudent to have too much water sitting in the tank too long.

Laura Lewis, city financial advisor, said the city is in good shape for a utility system revenue bond and that interest rates are much lower than expected.

“It continues to appear that meaningful reduction in water rates is achievable and sewer rates stabilized without previously anticipated increases,” Lewis said about city utility rates.

The bond would include: water \$33.4 million including tanks, piping, well replacement and more; reclamation project at \$17.2 million; and storm drain project at \$2 million.

The city has \$17.3 million cash balance to be used with the bond. Lewis anticipates a 25-year bond at 2.35% to 2.40% interest.

“It’s a good time to issue bonds,” Lewis reiterated.

The present bond then would be \$29.025 million for 25.5 years with an estimated annual debt service of about \$1.9 million.

The process for the bond began Tuesday with the work session. In two weeks a rate structure would be brought to the council and a public hearing would be held Jan. 26.

The bond would close on March 25 and the utility rates for 2020-2021 would be adopted June 15.

Water conservation urged as nearly 70% of Utah under exceptional drought conditions

by: Emma Johnson

Posted: Jan 12, 2021 / 12:05 PM MST / Updated: Jan 12, 2021 / 02:33 PM MST

<https://www.abc4.com/news/local-news/water-conservation-urged-as-nearly-70-of-utah-under-exceptional-drought-conditions/>

(ABC4 News) — Utah’s dear friend Mother Nature seems to be taking her own path this winter when it comes to delivering moisture.

“We are currently in an unprecedented drought that we haven’t seen nor felt since drought monitoring began in 1999,” ABC4 Meteorologist Adam Carroll says.

Carroll says 69% of the state is currently under exceptional drought conditions, the highest level on the drought monitor.

Salt Lake City has measured 1.38” of precipitation since the start of a new water year, which began on October 1. This is the second driest start to any water year in history since record-keeping began in 1874.

So far this year, Salt Lake City has measured 7.7” of snowfall this season.

“This is less seasonal snow than Amarillo, Midland, Lubbock, and Abilene, Texas. Normally, Salt Lake City receives 27” to this point in the winter season,” Carroll shares.

Though Utah mountains have received some snow this year, Utah’s snowpack numbers are bleak and well below normal.

According to Carroll, snowpack is one of the primary variables that helps improve a drought but also provides the necessary water in our lakes and reservoirs to get us through another dry summer season.

“With little to no precipitation in the forecast over the next week, our drought situation becomes drier by the week,” Carroll adds.

Utah is already one of the driest states and this year being on par to be record-breaking, the Utah Division of Water Resources is asking Utahns to start conserving their water.

“We haven’t gotten the snow we need and it’s going to take the work of Mother Nature to get us out of it. Whether it’s a wet or dry year, saving water is ALWAYS important,” the Utah Division of Water Resources shares.

Officials say water saving in the winter months is just as important as it is during the summer.

“Whether it’s a wet or dry year, every drop counts,” Marcie McCartney, water conservation manager for the Division of Water Resources tells ABC4 News. “We never know what Mother Nature has in store – and this year is looking particularly dismal – so using water wisely now will help keep more water in our reservoirs.”

“Winter is a great time to evaluate your indoor usage and look for ways to save,” explains McCartney. “Consider fixing leaks and replacing an inefficient dishwasher or washer with a water-efficient model. There are also rebates available for low-flow toilets and irrigation smart controllers.”

Salt Lake City Public Utilities recommends the following efforts to conserve water indoors this winter.

Only run the dishwasher when it is full

Set the washing machine for the appropriate load level

Turn off the water while brushing your teeth, shaving or washing your hands

Store a pitcher of water in the refrigerator for drinking so you won’t have to let the faucet run to get cold water

Don’t use the toilet as a trash can. Flush only toilet tissue.

According to Salt Lake City Public Utilities, letting the water run while brushing your teeth, shaving, or washing dishes can waste 3 to 5 gallons a minute. That adds up to about 20,000 wasted gallons a year at home.

Judge gives preliminary OK to \$641M Flint water deal

by: ED WHITE, Associated Press

Posted: Jan 21, 2021 / 01:11 PM MST / Updated: Jan 21, 2021 / 01:11 PM MST

<https://www.abc4.com/news/national/judge-gives-preliminary-ok-to-641m-flint-water-deal/>

DETROIT (AP) — A judge granted preliminary approval Thursday to a \$641 million deal that would benefit thousands of Flint residents who were harmed by lead-contaminated water.

The settlement includes \$600 million from the state of Michigan, although Flint, an area hospital and an engineering firm are also part of the agreement. U.S. District Judge Judith Levy signed off in a 72-page opinion.

“There may be no amount of money that would fully recognize the harm the residents of Flint have experienced, including their anxiety, fear, distrust and anger over the events of the last seven years,” Levy said. “Litigation has its benefits but also its limitations, and the preliminary approval of this settlement does not affect or preclude other avenues of redress.”

Preliminary approval triggers a monthslong process during which Flint residents can object and pursue their own claims, Levy said. They will have until March 29 to register to participate.

Flint managers appointed by then-Gov. Rick Snyder and regulators in his administration allowed the city to use the Flint River in 2014-15 without treating the water to reduce corrosion. As a result, lead in old pipes broke off and flowed through taps.

Separately, experts have blamed the river water for an outbreak of Legionnaires’ disease, which led to at least 12 deaths in the Flint area. They believe there wasn’t enough chlorine in the water to fight off bacteria.

Snyder, a Republican, was charged last week with two misdemeanor counts of willful neglect of duty in Flint. Eight other people were also charged, including two health department officials who are blamed for the deaths of nine people with Legionnaires’.

The settlement was announced in August by Attorney General Dana Nessel and Gov. Gretchen Whitmer, both Democrats, who were elected in 2018 while the litigation was pending.

The agreement makes money available to every Flint child who was exposed to the water, every adult who can show an injury, certain business owners and anyone who paid water bills, Levy said. Flint switched back to a Detroit regional water agency in fall 2015, when Dr. Mona Hanna-Attisha publicly reported elevated lead levels in children.

Attorneys representing Flint residents have said 80% of payments will go to people who were under 18 when the river water was used. The estates of people who died from Legionnaires' would qualify for \$300,000 to \$1.5 million.

The judge has not yet determined legal fees.

“At last, the victims of the Flint water crisis no longer have to hope for a day of reckoning,” said attorney Corey Stern, who represents 4,000 people. “This settlement promises to deliver restitution for the families, and children most especially, whose lives were senselessly and permanently damaged because they were denied their basic right to safe, clean drinking water.”

Attorneys: Ex-governor charged in wrong county over Flint

by: ED WHITE and DAVID EGGERT, Associated Press

Posted: Jan 19, 2021 / 06:07 AM MST / Updated: Jan 19, 2021 / 12:37 PM MST

<https://www.abc4.com/news/national/attorneys-ex-governor-charged-in-wrong-county-over-flint/>

LANSING, Mich. (AP) — Attorneys for former Michigan Gov. Rick Snyder are striking back, telling prosecutors Tuesday that the Flint water case should be dismissed because he was charged in the wrong county.

Snyder was charged last week with two misdemeanor counts of willful neglect of duty. He was indicted by a Genesee County judge who sat as a grand juror and considered evidence presented by prosecutors.

“Neither of these allegations of non-feasance, or failure to act, occurred while the former Governor was in the City of Flint. At all times set forth in the Indictment, our client was the presiding governor of the State of Michigan with the Executive Office of the Governor located at the Romney Building in downtown Lansing,” attorney Brian Lennon said in a letter to prosecutors.

The letter was attached to a request for documents and other evidence possessed by prosecutors, a typical step by the defense in a criminal case. Lennon indicated in the letter that he soon would formally ask Judge William Crawford to dismiss the case against the Republican former governor.

A hearing took place Tuesday in Snyder’s case. The next hearing was scheduled for Feb. 23.

“The reason we didn’t file a motion to dismiss is we’re trying to give the government an opportunity to recognize this mistake and voluntarily dismiss the indictment against Gov. Snyder,” Lennon told the judge.

Assistant Attorney General Bryant Osikowicz sought time to see and respond to the pending dismissal motion. A spokeswoman for the attorney general’s office declined to comment on the venue issue.

Snyder was one of nine people charged in a new investigation of the Flint water crisis, including former state health department director Nick Lyon. The catastrophe in the impoverished, majority-Black city has been described as an example of environmental injustice and racism.

The city, under Snyder-appointed emergency managers, used the Flint River for drinking water in 2014-15 without properly treating it to reduce corrosion. Lead from old pipes contaminated the system. Separately, the water was blamed by some experts for an outbreak of Legionnaires' disease, which killed at least 12 people in the area and sickened dozens more.

Lyon and former state chief medical executive Eden Wells face nine counts of involuntary manslaughter.

Snyder's lawyer said the defense will soon seek grand jury records. It also wants potentially millions of documents and hundreds of electronic devices that were seized, and to know if steps were taken to ensure investigators did not have access to attorney-client communications or other privileged materials.

As it did during the old criminal probe, the state will cover the legal expenses of former state officers and employees who face charges. But in a change, Democratic Gov. Gretchen Whitmer's administration will cap costs.

The maximum hourly rate for attorneys cannot exceed \$225. Some lawyers were paid two to three times that previously. The state also will impose a "ceiling" of \$175,000 for a defendant's legal services before and during a trial, which can only be raised if a contract administrator recommends it.

The goals are to ensure consistent treatment across the defendants' former departments and to control costs to ensure accountability, the governor's office said.

Jim Haveman, a former state health director who supports Lyon, criticized the new policy. Legal fees and expenses in the first case against Lyon totaled \$1.6 million over 19 months, he said.

In an email, he called on Whitmer and lawmakers to "correct this capping injustice and to assure all defendants have the best defense possible."

Biden signs disaster declaration to help Navajo Nation with COVID-19 response

Sens. Romney, Sinema also introduce legislation to expand access to drinking water on tribal nations

By [Kyle Dunphey@kyle_dunphey](mailto:Kyle.Dunphey@kyle_dunphey) Feb 2, 2021, 9:15pm MST

<https://www.deseret.com/utah/2021/2/2/22263469/biden-navajo-nation-romney-sinema-emergency-declaration-covid19-drinking-water-reservation-nez-lizer>

SALT LAKE CITY — Washington D.C. extended two olive branches to the Navajo Nation Tuesday, with President Joe Biden signing a major disaster declaration to help with the reservation's COVID-19 response and Sens. Mitt Romney, R-Utah, and Kyrsten Sinema, D-Ariz., introducing legislation aimed at expanding access to drinking water on tribal nations around the country.

The disaster declaration will free up federal resources and reimburse emergency funds used to fight COVID-19, a move that Navajo Nation President Jonathan Nez called “a great step forward” toward curbing a virus that has claimed 1,032 lives on the reservation as of Tuesday.

The declaration will support the Navajo Nation's vaccine distribution, medical staffing and requests for resources and equipment.

“Our administration has advocated for the declaration for quite some time, so we are very appreciative of the quick response from the Biden-Harris administration,” Nez said in a statement Tuesday, noting that he and Navajo Nation Vice President Myron Lizer met with White House officials Sunday to ask for additional COVID-19 vaccines and reaffirm their request for the declaration.

“We are very pleased with today's announcement,” said Lizer. “We have many of our Navajo people who are struggling not only with resources, but with the toll that the pandemic has taken on their mental and spiritual health.”

Meanwhile the bipartisan legislation rolled out by Romney and Sinema Tuesday would funnel \$1.3 billion toward the Sanitation Facilities Construction Program in an effort to support water and sanitation projects for the country's tribal communities.

Roughly 30 percent of residents on the Navajo Nation lack access to running water and adequate sanitation, a reality that experts say is behind the reservation's high per-capita rate of coronavirus infections.

“With some of the highest COVID-19 infection rates in the country, the Navajo Nation faces a dire situation — due in large part to a lack of water infrastructure and sanitation facilities,” Romney said in a press release. “Our legislation will address this issue head on by authorizing the construction and renovation of water and sewer sanitation facilities in Native (American) communities in Utah and throughout the country.”

The proposed legislation seeks to build on the Navajo Utah Water Rights Settlement Act, which unanimously passed the Senate in June and “settles a decadeslong negotiation among the Navajo Nation, federal government, and the state of Utah over water rights for Utah Navajos,” according to Romney’s office.

The bill gives the Navajo Nation rights to 81,500 acre-feet of water each year from its Colorado River Basin apportionment, authorizes \$210 million in funding for water infrastructure on Utah’s side of the reservation and requires the Beehive State to contribute \$8 million towards the settlement.

The bill was included in a \$2.3 trillion omnibus appropriations package signed by former President Donald Trump in December.

On March 11, days before its first confirmed case of COVID-19, the Navajo Nation declared a public health state of emergency that still remains in effect today.

Utah DEQ Names Tim Davis Drinking Water Director

Feb. 8, 2021

By DEQ Communications

<https://deq.utah.gov/drinking-water/utah-deq-names-tim-davis-drinking-water-director>

Utah Department of Environmental Quality (DEQ) Executive Director Kimberly Shelley has appointed Tim Davis as the director of Utah's Division of Drinking Water. The appointment is effective Feb. 8, 2021.

“Tim joins Utah DEQ with a wealth of experience. He is a regional leader in water and land policy, and his track record of collaborating with stakeholders to find practical solutions will help protect and enhance drinking water throughout Utah,” said Shelley.

Before joining Utah DEQ, Davis served as the administrator for the Montana Department of Environmental Quality's Water Quality Division. In this role, Davis oversaw all of Montana's water quality and drinking water programs and led the development and implementation of strategic planning efforts focused on funding, monitoring and assessment work to reduce water pollution from unregulated sources. He also worked to reform the state's discharge permitting programs to make them more efficient and transparent while improving water quality protections.

Prior to his role in Montana's Water Quality Division, Davis was the administrator for the Montana Department of Natural Resources and Conservation's Water Resources Division, where he oversaw the management and conservation of Montana's waters, water rights, water planning, floodplain and dam safety programs, as well as the state's dams, reservoirs, and canals.

Davis joins DEQ with 25 years of experience working on water and land resource management and community development issues in Seattle, Ukraine, and Montana. He has served on the Western States Water Council since 2010, and was named its chair in 2020. He has a bachelor's degree in history from Willamette University.

‘Dangerous Stuff’: Hackers Tried to Poison Water Supply of Florida Town

By Frances Robles and Nicole Perlroth

Feb. 8, 2021

<https://www.nytimes.com/2021/02/08/us/oldsmar-florida-water-supply-hack.html?action=click&module=Latest&pgtype=Homepage>

Hackers remotely accessed the water treatment plant of a small Florida city last week and briefly changed the levels of lye in the drinking water, in the kind of critical infrastructure intrusion that cybersecurity experts have long warned about.

The attack in Oldsmar, a city of 15,000 people in the Tampa Bay area, was caught before it could inflict harm, Sheriff Bob Gaultieri of Pinellas County said at a news conference on Monday. He said the level of sodium hydroxide — the main ingredient in drain cleaner — was changed from 100 parts per million to 11,100 parts per million, dangerous levels that could have badly sickened residents if it had reached their homes.

“This is dangerous stuff,” Mr. Gaultieri said, urging managers of critical infrastructure systems, particularly in the Tampa area, to review and tighten their computer systems. “It’s a bad act. It’s a bad actor. It’s not just a little chlorine, or a little fluoride — you’re basically talking about lye.”

In a tweet, Senator Marco Rubio, Republican of Florida, said the attempt to poison the water supply should be treated as a “matter of national security.”

The authorities said the plot unfolded last Friday morning, when an employee noticed that someone was controlling his computer. He initially dismissed it because the city has software that allows supervisors to access computers remotely. But about five and a half hours later, the employee saw that different programs were opening and that the level of lye changed.

The intrusion lasted between three and five minutes, the sheriff said.

Though the hack was mitigated before it could reach the drinking supply, the scenario — a cyberattack on a water treatment facility that contaminates a town’s water — has long been feared by cybersecurity experts. Across the nation, water plant operators, plus those at dams and oil and gas pipelines, have accelerated the transformation to digital systems that allow engineers and contractors to monitor temperature, pressure and chemical levels from remote work stations.

But experts have warned that the same remote access can be exploited by hackers looking to exact harm.

As stay-at-home orders went into effect in Israel last year, Israeli officials reported that hackers affiliated with Iran's Islamic Revolutionary Guard Corps made a failed attempt to hack the country's water supply. Israel retaliated in kind, with a disruptive cyberattack on an Iranian port.

Such attacks on critical infrastructure date back to at least 2007, when the United States and Israel famously conducted a joint attack on Iran's Natanz nuclear facility that took out roughly 1,000 uranium centrifuges. In the years that followed that attack, known as Stuxnet, critical infrastructure has become a more frequent target for hackers.

Beginning around 2012, Russian hackers started probing American energy companies and electrical utilities. Three years later, in 2015, they used similar access to Ukraine's utility companies to shut off the power for several hours to Western Ukraine, and again one year later to Ukraine's capital, Kyiv.

In 2017, Russian hackers reached far enough into an American power plant to manipulate its controls, stopping just short of sabotage. That same year, hackers in Russia were caught dismantling the safety locks at a Saudi petrochemical facility that prevent catastrophic explosions.

In recent years, the United States has escalated its own cyberattacks against Russia, with a series of strikes on Russia's power grid, in what cybersecurity experts have likened to the digital equivalent of mutually assured destruction.

Other nations have probed American systems, too. In 2013, Iranian hackers were caught manipulating a small dam in New York. Officials initially feared Iran's hackers were inside the much larger Arthur R. Bowman dam in Oregon, where a cyberattack that dismantled the locks on the dam could have resulted in calamity. But investigators determined the hackers were instead inside the much smaller Bowman Avenue dam that holds back a babbling brook in New York, 30 miles north of Manhattan.

It is attacks on these smaller municipal systems, like the Bowman Avenue dam and the water treatment facility in Oldsmar, that cybersecurity experts say they most fear. While large utility companies usually have complex protections in place, smaller water supply companies, electric power suppliers and manufacturers often do not.

"These are the targets we worry about," said Eric Chien, a security researcher at Symantec. "This is a small municipality that is likely small-budgeted and under-resourced, which purposely set up remote access so employees and outside contractors can remote in."

That, Mr. Chien said, makes them a ripe target.

Oldsmar has disabled remote access, said Al Braithwaite, the city manager. "We anticipated that this day was coming," he said. "We talk about it, we think about it, we study it."

No suspects have been identified in the Oldsmar attack, and it was unclear on Monday whether the hackers were in the United States or abroad, the sheriff said. The F.B.I. and the U.S. Secret Service have been notified, he said.

Cybersecurity experts said the culprit could just as easily be bored teenagers, a disgruntled employee, or a nation state or contractors doing their bidding. The process of attributing the attack could take months — or longer.

Daniel Kappellman Zafra, the manager of analysis at Mandiant Threat Intelligence, part of the FireEye cybersecurity firm, noted that over the past year his firm has seen an uptick in hacks by novices “seeking to access and learn about remotely accessible industrial systems.”

“Many of the victims appear to have been selected arbitrarily,” he said, “such as small critical infrastructure asset owners and operators who serve small populations.”

He noted that “none of these cases has resulted in damage to people or infrastructure,” and they were caught by engineers, as happened in Florida. But the incident underscored the vulnerabilities in such systems, and how easy they are to exploit.

Oldsmar city officials stressed that it would have taken 24 to 36 hours for water with dangerous amounts of the caustic substance — which is used to regulate the alkalinity of drinking water and remove metals — to enter the town’s supply. And in that time, a number of alarms would have sounded.

The lye never would have made it into anyone’s tap, Mayor Eric Seidel said.

“The important thing is to put everybody on notice,” he said. “It’s happening, so really take a hard look at what you have in place.”

Frigid temperatures, power outages lead to water problems

by: ADRIAN SAINZ and JAKE BLEIBERG, Associated Press

Posted: Feb 17, 2021 / 01:51 PM MST / Updated: Feb 17, 2021 / 11:36 PM MST

<https://www.abc4.com/news/national/frigid-temperatures-power-outages-lead-to-water-problems/>

MEMPHIS, Tenn. (AP) — About 7 million people in Texas — a quarter of the nation’s second-most populous state — were told to boil their water or stop using it entirely as homeowners, hospitals, and businesses grappled with broken water mains and burst pipes, many in areas unaccustomed to dealing with sustained frigid temperatures.

Winter storms during the past week in the Midwest, Texas and the South forced water service providers to scramble to manage flows as sub-freezing temperatures presented serious problems.

The Texas city of Kyle, south of Austin, asked residents Wednesday to suspend water usage until further notice because of a shortage.

“Water should only be used to sustain life at this point,” the city of 45,000 said in an advisory. “We are close to running out of water supply in Kyle.”

In Memphis, Tennessee, the power and water company asked residents to reduce their water usage through Friday.

Memphis, Light, Gas & Water said in a news release that it is experiencing reduced pressure across its distribution system due to freezing temperatures this week.

The utility also said it is seeing reduced reservoir levels at pumping stations and several water mains have burst. MLG&W has asked customers to refrain from leaving the water running while rinsing dishes, take short showers and hold off on washing clothes until Friday. Officials also asked customers to save water by letting faucets drip, instead of streaming water, to prevent pipes from freezing over.

Oklahoma City officials said on Twitter that power outages and extremely low temperatures caused water service interruption and low pressure for customers. Crews helped turn off water for thousands of customers who had their private water lines break.

“Leave your cabinet doors open to allow warm air to circulate,” the city said in a tweet. “Do not try to use open flames or boiling water to thaw pipes.”

Three hospitals in Shreveport, Louisiana, lost water because of the storm, KSLA-TV reported. City fire trucks delivered water and officials were getting bottled water for patients and staff.

In the southwest Louisiana city of Lake Charles, hospitals were faced with the possibility they might have to transfer patients to other areas because of low water pressure that followed a power outage, Mayor Nic Hunter said.

The weather also caused major disruptions to water systems in the Texas cities of Austin, Houston, San Antonio, Fort Worth, Galveston and Corpus Christi.

In Austin, residents were told Wednesday night to boil their water after the city's largest treatment plant lost power. Meanwhile, the city's fire department said it has received hundreds of broken water pipe calls since Monday. On Tuesday alone, the department fielded 685 calls about busted pipes.

In Houston, also, residents were told to boil their water — if they had power to do so — because of a major drop in water pressure linked to the weather. Austin Water told residents in the southwest section of the city to boil water before using it for drinking or cooking.

Leaders in Austin and the Houston area asked residents to stop dripping water from their faucets because of a drop in water pressure.

Nueces Brewing Co. in Corpus Christi offered water to those experiencing shortages. Tap room manager Gwen Ponder said they plan to give out 2,000 gallons of filtered water originally intended for beer brewing.

“We are happy to do it,” Ponder said. “These are strange times.”

In Abilene, Texas, firefighters were hampered by low water pressure as they tried to extinguish a house fire, the Abilene Reporter News reported.

“They had to watch that house burn,” City Manager Robert Hanna said at a news conference.

In Dallas, Gerry Gross tried in vain to reach the cut-off valve outside his home after a pipe burst and sent water pouring through the wall of his utility room. Dressed in a knit sweater and sweatpants tucked into his rubber boots, Gross, 60, struggled to use a wrench to pry open a metal cover in the sidewalk outside his home that covers the valve.

Gross said he had been without power for 36 hours and the temperature inside his home had fallen into the 30s when the pipe burst. He got power back Wednesday but he has been unable to get a plumber to come to fix the leak.

Gross wrapped the pipe in duct tape to try to dam the flow into the room that holds his washer and dryer, but it continued to seep through.

“If I call the city, they’ll just shut off the water completely and who knows when I’ll get it back,” he said. “It’s kind of the Wild West out here.”

Moroni pursuing city water projects

By Rhett Wilkinson

Staff writer

2-17-2021

<http://sanpetemessenger.com/archives/21934>

MORONI—Moroni City is looking to the future—water-wise.

The Moroni City Council hired Sunrise Engineering on Nov. 23 to work on a culinary tank and new well, the city's fourth.

Robert Worley, professional engineer; Trent Brown, project manager, and Collin Pace, project manager for Sunrise, are currently working in the environmental phase for permitting the project. They are also working on designs for the tank and well, a new pump line from the well to the tank and a new overflow line that will take water from the tank to the existing irrigation pond, Brown told the *Sanpete Messenger*.

The engineers also wrote grants and acquired funding for the project through the Utah Division of Drinking Water board, Pace said.

The city applied for a loan, the board approved the loan and through that, the city was granted debt forgiveness, which is a grant, Pace said.

The engineers will release the bid for contractors for the project late this year, or if the city chooses, in the spring of next year. The designs are scheduled to be ready later this year.

The tank is to support future growth and to meet storage requirements for the city as it continues to grow. The purpose of the well is to provide one that's low on nitrate so it will reach drinking water standards. There is "a nitrate problem with the existing well," Brown said.

"Having another well will [also help] meet the demand for future growth," Brown said.

"The well will help meet the source requirements [from the Utah Division of Drinking Water]," Brown said. "The culinary tank will help meet the storage requirements from the Utah Division of Drinking Water."

Worley, Brown and Pace helped the city do a master plan update to the culinary water system before they recommended the tank and well project. They finished the plan around the middle of last year. Once they presented that plan, the city decided to move forward with the project, then decided to hire the engineers for the project.

“It will be a good project that will ensure that the city has a good quality source of water and also it’s a good project to ... meet future demands to grow for the city,” Brown said. “It’s a good project; it’s good for the city to be proactive in planning of the city.”

Pace said that the well and tank are also for “existing” growth.

The tank will be near the lower of the two existing city tanks that are on the hill north of town. The well will be at the mud bogs, on the west end of town.

Southern cities hit hard by storms face new crisis: No water

by: ADRIAN SAINZ, PAUL J. WEBER and ACACIA CORONADO, Associated Press

Posted: Feb 19, 2021 / 06:06 AM MST / Updated: Feb 19, 2021 / 05:52 PM MST

<https://www.abc4.com/news/national/lights-come-back-on-in-texas-as-water-woes-rise-in-the-south/>

AUSTIN, Texas (AP) — Southern cities slammed by winter storms that left millions without power for days have traded one crisis for another: Busted water pipes ruptured by record-low temperatures created shortages of clean drinking water, shut down the Memphis airport on Friday and left hospitals struggling to maintain sanitary conditions.

In Texas, 7 million people — a quarter of the population of the nation’s second-largest state — were under orders to boil tap water before drinking it because low water pressure could have allowed bacteria to seep into the system. A man died at an Abilene health care facility when a lack of water pressure made medical treatment impossible.

About 260,000 homes and businesses in the Tennessee county that includes Memphis were told to boil water because of water main ruptures and pumping station problems. Restaurants that can’t do so or don’t have bottled water were ordered to close. And water pressure problems prompted Memphis International Airport to cancel all incoming and outgoing Friday flights.

In Jackson, Mississippi, most of the city of about 161,000 had no running water. Crews pumped water to refill city tanks but faced a shortage of chemicals for treatment because icy roads made it difficult for distributors to deliver them, Mayor Chokwe Antar Lumumba said.

He said the city’s water mains are more than 100 years old and not built to handle the freezing weather that hit the city as multiple storms dumped record amounts of snow across the South.

“We are dealing with an extreme challenge with getting more water through our distribution system,” said Lumumba.

The city was providing water for flushing toilets and drinking, but residents had to pick it up, leaving the elderly and those living on icy roads vulnerable.

Lisa Thomas said her driveway on a hill in Jackson was a sheet of ice. Her husband, who is on a defibrillator and heart monitor, has only enough heart medication to get him through Sunday because she hasn’t been able to go to the pharmacy.

“People are in dire need here,” Thomas said.

Paul Lee Davis got to the front of the line at a water station set up by city officials only to have the water run out. He was still waiting for it to be replenished three and a half hours after arriving.

“We need water, the stores all are out. I don’t see what choice we have,” Davis said.

The water woes were the latest misery for people across the South who went without heat or electricity for days after the ice and snow storms earlier in the week, forcing rolling blackouts from Minnesota to Texas.

Texas electrical grid operators said electricity transmission had returned to normal for the first time since historic snowfall and single-digit temperatures created a surge in demand for electricity to warm up home — buckling the state’s power grid and causing the widespread blackouts.

Smaller outages remained, but Bill Magness, president of the Electric Reliability Council of Texas, said the grid now can provide power throughout the entire system.

Gov. Greg Abbott ordered an investigation into the failure for a state known as the U.S. energy capital. ERCOT officials have defended their preparations and the decision to begin forced outages Monday as the grid reached a breaking point.

The storms also left more than 330,000 from Virginia to Louisiana without power. About 60,000 in Oregon on Friday were still enduring a weeklong outage following a massive ice and snow storm. Oregon’s governor ordered the National Guard to go door-to-door in the hardest-hit areas to ensure residents have enough food and water.

The extreme weather was blamed for the deaths of at least 69 people, including many who perished struggling to get warm and a Tennessee farmer who tried to save two calves that apparently wandered onto a frozen pond.

Federal Emergency Management Agency acting administrator Bob Fenton said teams in Texas were distributing fuel, water, blankets and other supplies.

“What has me most worried is making sure that people stay warm,” Fenton said on “CBS This Morning.”

In many areas, water pressure dropped after lines froze and because people left faucets dripping to prevent pipes from icing, authorities said.

As of Friday afternoon, more than 1,300 Texas public water systems and 159 counties had reported weather-related operational disruptions affecting more than 14.9 million people, according to Texas Commission on Environmental Quality spokeswoman Tiffany Young.

More than 1 million gallons (3.8 million liters) of water was being trucked Friday to the Texas capital. But Austin's water director, Greg Maszaros, implored residents to minimize the use of home faucets because "there's still a lot of unknowns as we pressurize the system."

In Dallas, David Lopez said the plumbing company he works for received more than 600 calls for service over the last week.

"It's pretty much first come, first served," said Lopez, as he and a colleague manhandled a new water heater out of their van on Friday. "Everyone's got emergencies."

Houston residents probably will have to boil tap water in the fourth-largest U.S. city until Sunday or Monday, said Mayor Sylvester Turner.

Water service was restored Friday to two Houston Methodist community hospitals, but officials still were bringing in drinking water and some elective surgeries were canceled, spokeswoman Gale Smith said.

St. Jude Children's Research Hospital in Memphis said it was forced to switch to bottled water and bagged ice for all consumption and that staff and patients were washing with hand sanitizer and no-rinse bathing wipes. All non-urgent surgeries were postponed.

Central Arkansas Water in the Little Rock area asked customers to conserve water to help protect its system as the ground began to warm and pipes thawed. The city of Hot Springs warned Thursday night that its water supply was "critically low" and also asked customers to conserve.

In Little Rock, the Museum of Discovery reported that a broken pipe flooded its building — causing extensive damage to theaters, galleries and offices and killing one display animal, a blue-tongued skink lizard.

More than 192,000 Louisiana residents — some still struggling to recover from last August's Hurricane Laura — had no water service Friday, according to the state health department. Tens of thousands more remained under boil-water advisories.

Bulk and bottled water deliveries were planned Friday to the hardest-hit Louisiana areas with a focus on hospitals, nursing homes and dialysis centers, Louisiana Gov. John Bel Edwards said, adding that he was hopeful that warmer weather expected during the weekend would speed up repairs.

In the Louisiana community of Hackberry, Nicole Beard said her boyfriend crawled under his house to try to fix a broken water line but couldn't because he didn't have the right parts and it was too dark. She was using bottled water and sent her two daughters to stay at another home.

"People are still just struggling over here," she said.