



# Lehigh County Authority

## **RULES & REGULATIONS FOR WATER SERVICE - APPENDIX A**

### **LEAD SERVICE LINE REPLACEMENT POLICY**

Adopted  
March 25, 2024

## **INTRODUCTION**

This Lead Service Line Replacement Policy (“Policy”) has been developed to support efforts by Lehigh County Authority (“the Authority”) to reduce the amount of lead in the Authority’s water distribution systems, mitigate customers’ risk of lead exposure through water consumption, and comply with current and future state and federal regulations related to lead in drinking water. However, the responsibility for maintenance of certain components of water distributions systems is shared between the Authority and the owners of the properties served. Therefore, this Policy seeks to clarify the Authority’s position and plans related to the removal of lead service lines from these systems.

## **BACKGROUND**

Lead is a common metal found in the environment and has been used in a variety of products throughout history including the production of plumbing materials, paints, and many other household products. The health effects of lead exposure have been studied extensively, and it is well understood that lead can cause damage to the brain and kidneys, especially in infants, young children, and pregnant women. While lead is often not found in public drinking water sources, such as water drawn from wells, springs and rivers, lead can be found in customers’ tap water if lead pipes and other plumbing fixtures that contain lead exist in the property. Lead enters a customer’s tap water by leaching from those pipes and plumbing fixtures as the water travels through them.

In 2019, the U.S. Environment Protection Agency (“EPA”) began revising regulations related to lead in drinking water, with which all water utilities must comply. A key provision in the updated regulations is a requirement for lead service lines to be removed from public water distribution systems. This effort will be difficult and costly to implement for both the Authority and its customers. Some portions of the service lines are owned by the property owner directly. However, replacing only the publicly owned portion of a lead service line can increase the health risk for consumers, and EPA has indicated that all portions of the lead service lines must be removed regardless of ownership. As a result, this Policy provides the framework by which the Authority will replace lead service lines encountered within its water distribution systems, to support a program to meet primary goals of regulatory compliance, public health protection, and sound financial management.

## **DEFINITIONS**

The following definitions are excerpted from the Authority’s Rules & Regulations for Water Service, restated below for convenience:

**Authority’s Service Line:** The lateral pipe, including the tee or tap in the main, from the main to a point at or near the property line, and the curb stop and curb box.

**Curb Box:** A structure which permits access to the curb stop.

Curb Stop: A shutoff valve placed on a service line generally at the property line.

Customer: Any person who receives service from the Authority.

Customer's Service Line: The pipe from the customer-side of the curb stop to the meter setting.

Meter: A device for measuring the quantity of water used.

Meter Setting: The location of the meter and components, including shutoff valves and any meter bypass.

Premises: The property, building or other site to which service is furnished, comprising, but not limited to the following:

- a residential building under one roof occupied by one person or family; or
- a nonresidential building or combined residential/non-residential building under one roof occupied by more than one person; or
- each combination of buildings owned by one person, or leased and occupied by one person, and served by a single service line on a single lot; or
- each side of a double house, a townhouse, a condominium unit, a mobile home site or an apartment, having an individual service line; or
- a complex of buildings, including mobile homes, which are connected to a water system not owned by the Authority, but which water system is connected to and served by the Authority System through a single connection.
- such other situations as the Authority shall deem applicable.

Property Owner: The person in whose name the property is deeded.

Service Line: The pipeline comprised of the Authority's Service Line and the Customer's Service Line.

System: The Authority's water supply, transmission and distribution facilities, in whole or in part.

Tenant: A person who leases or rents premises.

Other definitions pertaining to this Policy are listed below:

Customer Agreement: An agreement between the Authority and the Property Owner detailing the terms and conditions by which the Authority will replace a Customer Service Line.

Grant Funds: Funding provided to the Authority or directly to an Authority customer by another agency for purposes of completing a project, with no expectation of repayment from the Authority or the Authority's customer.

Lead Service Line: Any portion of a Service Line, including the Authority's Service Line or the Customer's Service Line, that meets the EPA definition of requiring replacement under a lead service line replacement program. This may include Service Lines composed of lead material or galvanized steel in certain circumstances, or other circumstances as determined by EPA. For purposes of this Policy, any such Service Line shall be referred to as a Lead Service Line ("LSL").

LSL Replacement Program: The Authority's overall effort to remove LSLs from the System, which will primarily occur in the following circumstances:

Emergency LSL Replacement - LSLs replaced when encountered during System maintenance, including but not limited to emergency repairs and water main breaks.

LSL Replacement Project - Projects planned for the sole purpose of replacing LSLs in the System.

Water Main Replacement - LSLs replaced through the course of an associated water main replacement project, when Service Lines are already uncovered for purposes of connecting them to a new water main.

Full LSL Replacement: Complete removal and replacement of an LSL in a manner that meets EPA's definition of a satisfactory LSL replacement. This may include either the Authority Service Line, the Customer Service Line, or both, as determined by the pipe material.

Notice: Any form of communication attempted by the Authority to gain access to replace a Customer Service Line for purposes of the LSL Replacement Program.

Partial LSL Replacement: Replacement of only a portion of the LSL. This may occur in circumstances where the Authority has been unable to gain access to replace a portion of the LSL. Partial LSL Replacements are undesirable due to increased health risks to customers served by such Service Lines, and should be avoided when possible, in accordance with EPA regulations.

Public Funds: Funding derived from Authority revenues, including bonds or other loans secured by Authority revenues.

Risk Mitigation Measures: Steps taken by the Authority to reduce a customer's risk of lead exposure following a Full LSL Replacement or Partial LSL Replacement. Such measures are required by EPA and defined in more detail by the Pennsylvania Department of Environmental Protection.

## POLICY

The Authority is committed to the removal of all known Lead Service Lines within the System. To achieve this goal, the Authority is also committed to the following:

1. Pursuit of Grant Funds to the extent possible to reduce the rate impact of the LSL Replacement Program. This may include grants to be awarded to the Authority for implementation of any portion of the LSL Replacement Program, or grants awarded to an individual customer to assist with replacement of a Customer Service Line that meets the definition of requiring replacement.
2. Use of Public Funds to implement the LSL Replacement Program, in circumstances where Grant Funds are not available.
3. Use of Public Funds to complete Full LSL Replacement, when needed to avoid Partial LSL Replacement.
4. Provision of adequate Notice to affected customers, who will be provided with the opportunity to participate in the LSL Replacement Program. Such Notice will be provided to Property Owners as well as Tenants.
5. Execution of a Customer Agreement in advance of the Authority completing replacement of a Customer Service Line as part of the LSL Replacement Program. Absence of an executed Customer Agreement may result in a Partial LSL Replacement, which the Authority will find acceptable so long as adequate Notice has been provided.
6. Implementation of Risk Mitigation Measures in circumstances as required to reduce lead exposure and associated health risks for any Authority customer.
7. Prioritization of the LSL Replacement Program activities based on public health risk, most efficient use of Grant Funds and Public Funds, and socio-economic factors.

This Policy shall be implemented in conjunction with the Authority's routine System maintenance, capital planning, project reporting, rate-setting, and capital financing practices.