

February 16, 2017

FOR YOUR INFORMATION MEMO

To: Mayor and Members of Council

From: Harry Black, City Manager **HB**

Subject: GCWW Enhanced Lead Program/Ohio EPA Project to Replace Lead Line at St. Aloysius on the Ohio School

In March 2016, the Greater Cincinnati Water Works (GCWW) through its Enhanced Lead Program greatly increased public outreach to inform its customers about lead, to promote lead line replacement, and to encourage its customers to take advantage of free lead testing offered by the utility. To that end, GCWW has

- mailed letters to every property owner who may have a lead service line on either the public or private portion (approximately 25,000 properties);
- developed a robust website for lead awareness and education (www.lead.mygcww.org);
- offered free lead testing for our customers;
- posted an interactive map on the website so customers can find information on the presence of a lead service line in any building in our retail service area; and
- provided special outreach to schools and school districts in our service area.

Because of this voluntary outreach, GCWW received 4,114 requests from customers for lead analyses and sent sample kits to all of them. To date, a total of 2,600 customers (63%) returned their kits for analysis by GCWW.

In September, the Ohio EPA began requiring all water systems to notify customers of the results of the lead tests within two days of receiving them. There is no requirement to test customer requested samples, but if a utility does provide testing services, then the notification requirements are in effect. Since this requirement became effective, GCWW has performed 745 lead analyses for customers and in 99.5% of those cases, GCWW notified the customers of their results within two days as required. Because of a computer database error, in four (4) instances the notification took longer than two days. It is important to note that in these four instances there were no detectable levels of lead found. GCWW has since made modifications to procedures to minimize the chance of this glitch occurring again.

Because the notification of these four samples took longer than two days, in December the Ohio EPA notified GCWW of their intent to levy a fine of \$3,200, payable to the Ohio EPA. After receiving the letter, GCWW began discussions with the Agency and proposed that instead of paying a fine to the Agency, that GCWW use the money locally to perform a specific Supplemental Environmental Project (SEP) which would have measurable local benefit. A SEP is a program in which an entity can perform an environmentally beneficial project or activity as part of a settlement with the agency. Typically a SEP is used to offset part or all of a fine.

The specific project proposed was the removal of a lead service line that served water to part of a local elementary school, St. Aloysius on the Ohio located in Sayler Park. GCWW chose St. Aloysius because part of the school campus is served by a lead service line and water testing performed at the school indicated lead levels above the federal action level at several sampling locations.

An investigation conducted with the school identified the school complex as being served by four service lines. Two of the lines were copper on both the private and public sides, one line was lead on both the private and public side, and one line was copper on the public side and lead on the private side. Since lead levels were found in every outlet tested, GCWW concluded that the lead service lines were a significant source of the lead.

In discussion with the staff at St. Aloysius, GCWW and the school agreed that the best course of action to protect the children at the school from lead exposure was to replace both of the lead service lines which service the school, thereby permanently removing the source of lead. St. Aloysius staff contacted the Ohio Facilities Commission about the lead fixture replacement grant and was told by the Commission that lead service line replacements were not covered by the grant so it would be solely up to the school to pay for the lead line replacement. In October 2016, the school replaced their portion of the completely lead line and GCWW replaced its portion of that same line. Unfortunately, the school was only able to establish funding to replace one of the lines and the other lead line is still in place and serves a portion of the school.

It was unlikely that the school could afford replacement of the remaining lead line anytime soon. The school is not wealthy and 40% of the students at the school qualify for free or reduced cost lunch. Therefore GCWW proposed that removal of the remaining lead line at the school in lieu of paying the fine would be protective of children of the community and would be a better use of the money. GCWW proposed the work would include complete replacement of the privately owned service branch, from the isolation valve in the right-of-way up to the inside meter setting. The work would also include temporary and permanent restoration of the sidewalk, landscaping, and foundation wall penetration and all associated administration, inspection, sampling and other associated work.

On January 27, GCWW received the final Findings and Orders letter from Ohio EPA in which the Agency agreed that the proposed SEP project would be the best use of the fine and agreed to dismiss the fine if GCWW performed the lead line removal, provided sampling after work was completed, and provided an alternative water source to the portion of the school affected by the work until the lead levels are below the federal action level of 15 parts per billion.

GCWW is currently preparing to perform the work which should be completed in a few weeks. After the work is completed, GCWW will perform testing in the portion of the school served by the lead line until there are no high lead levels detected.

cc: Cathy Bernardino Bailey, Director, GCWW

About St. Aloysius School:

St. Aloysius is located on Cincinnati's west side, near the Ohio River. The school was built in the early 1900's and serves children in kindergarten through eighth grade. The school complex also houses tutoring and after school care for younger students. Forty percent of the students are eligible for free or reduced lunch.