Bipartisan Infrastructure Law (BIL) Lead Service Line Replacement (LSLR) and Emerging Contaminants (EC) Funding

What You Need to Know

Friday, August 5, 2022
Agenda

EFC/DOH Overview

BIL Overview

BIL LSLR
  • Available Funding
  • Eligible Projects

BIL EC
  • Available Funding
  • Eligible Projects

Submission Requirements

Q&A

Project listing and updates will be accepted until 5:00 p.m. on August 31, 2022

design@health.ny.gov

For DWSRF info, visit:
www.health.ny.gov/environmental/water/drinking/water
EFC Overview

- Public benefit corporation that provides low-cost capital and grants for water quality improvement projects

- Provides financial assistance for local wastewater and drinking water infrastructure through Clean Water and Drinking Water State Revolving Fund Programs
National Leader in Water Infrastructure Investment

- NYS is a national leader in annual water quality infrastructure investments

- Since 1990, EFC has provided nearly $32 billion in Clean Water and over $8 billion in Drinking Water subsidized loans, grants and loan re-financings to local governments
NYSDOH Overview

- DWSRF federal Capitalization Grant recipient
- DWSRF Program Co-administration (engineering)
  - Intended Use Plan (IUP) preparation
  - Project listing and public health priority score
  - Technical reviews/approvals of engineering reports, plans & specifications
DWSRF Accomplishments

- DWSRF Funding Received since 1996 program Inception:
  - $1.4 billion from federal capitalization grants
  - $270 million state match
- DWSRF Funding to Recipients:
  - $7.6 billion total project financings
  - $396 million in grants to 306 disadvantaged communities
  - Assistance to 546 public water systems
BIL Overview

- **ALL** BIL funding will flow through the **Drinking Water State Revolving Fund (DWSRF)**

- **ALL** BIL funded projects **MUST** meet all DWSRF program requirements: AIS, Davis Bacon wage rates, Build America/Buy America (BABA)

- **ALL** BIL funded projects **MUST** meet federal equivalency requirements (enhanced environmental review/cross-cutters)

- BIL funding targeted to small and disadvantaged communities (DAC)

- Applicants must be **DWSRF-eligible**
Available Funding - LSLR

- $115,781,000 FFY 2022 capitalization grant (included in FFY 2023 IUP)
- Only for projects that replace LSLs or create LSL inventories
- 49% of the cap grant must be given as Additional Subsidy as grant/principal forgiveness (PF) to disadvantaged communities (DAC)
Eligible Projects - LSLR

- **LSL Replacement Projects**
  - Must replace *entire* LSL (both public and private portions)
  - Galvanized is considered a LSL if it is or ever was downstream of a LSL
  - Replacement of lead goosenecks, pigtails, connectors is eligible
  - *Submit only if known number and location of LSLs*
    (can include buffer for reasonable # of unknown LSLs found during work)
  - *Submit projects that include ONLY LSLR eligible work*
Eligible Projects - LSLR

- LSL **Inventory** Projects
  - Project to identify number and location of LSLs
  - Stand-alone project
  - Once project is completed, the inventory can be used to submit a LSL replacement project in a subsequent year
  - *Submit if unknown number and location of LSLs*
Submitting Projects - LSLR

- LSL Project Submission
  - Can submit a replacement project, inventory project, or both
  - Can submit a project to replace or inventory all or a portion of a system’s LSLs (phased replacement)
  - Submit a separate/distinct project that includes ONLY LSL eligible work
  - Separate LSLR work from water main replacement projects and submit LSLR work as a separate project for DWSRF listing (will be assigned a distinct DWSRF Project #)
Submitting Projects - LSLR

- LSL Project Submission
  - Include only LSL - eligible work
  - If unknown LSL numbers and locations, don’t guess – do an inventory!
  - Submit listing form and engineering report to DOH at design@health.ny.gov by 8/31
  - Guidance on project submission and engineering report at: www.health.ny.gov/environmental/water/drinking/water
BIL EC Funding
Available Funding - EC

- $30,854,000 FFY 2022 capitalization grant (included in FFY 2023 IUP)
- Only for projects that address emerging contaminants in drinking water
- 100% of cap grant must be given as Additional Subsidy as grant/PF (25% to DACs or PWS with < 25,000 population)
Eligible Projects - EC

- Address emerging contaminants in drinking water
- Focus on projects that address PFAS
- Projects that address contaminants on EPA’s Contaminant Candidate Lists (CCL) are eligible
- **Submit projects that include ONLY EC related work**
  (can include *reasonable* amount of *related* appurtenant work)
Submission Requirements
Submission Requirements

- BIL LSLR and EC project listing forms due by August 31, 2022 for inclusion in FFY 2023 Intended Use Plan (IUP)


- Submit listing form and engineering report to: design@health.ny.gov

- DOH will issue a supplement or amendment to the FFY 2023 IUP, expected to be issued late 2022/early 2023
DOH Central Office Contacts

(From Attachment VIII of the IUP)
# Contact Information

Submit questions about this funding to:

<table>
<thead>
<tr>
<th>CWSRF</th>
<th>DWSRF</th>
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<tbody>
<tr>
<td><strong>Máire Cunningham</strong></td>
<td><strong>David S. Phillips, P.E.</strong></td>
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<td>Program Manager</td>
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<td><a href="mailto:CWSRFinfo@efc.ny.gov">CWSRFinfo@efc.ny.gov</a></td>
<td><a href="mailto:design@health.ny.gov">design@health.ny.gov</a></td>
</tr>
<tr>
<td>518-402-6924</td>
<td>518-402-7650</td>
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(indicate "BIL EC" or "BIL LSL" in subject line)
Thank you!