

**Senate Committee on Environment and Public Works**

**Subcommittee on Fisheries, Water, and Wildlife**

**Field Hearing**

***“Implementation of the Drinking Water and Wastewater Infrastructure Act: State  
Planning for Full Lead Service Line Replacement”***

**Shedd Aquarium, Presidential Room B & C**

**Thursday, April 21, 2022 – 3:30 p.m.**

**Opening Statement of Illinois EPA Director John J. Kim**

## **Opening Statement of Illinois EPA Director John J. Kim**

Thank you, Chairman Duckworth for the opportunity to present information before the Committee this afternoon. As Director of the Illinois Environmental Protection Agency, I am here today to provide information on the State of Illinois' current position in planning and preparing for full lead service line replacements in our communities.

Illinois is believed to have the largest number of lead service lines in the nation. The infusion of additional federal funding to Illinois' State Revolving Fund to specifically address full lead service line replacements is vital to Illinois being able to take on this formidable yet crucial task. This funding will provide opportunities for many community water supply systems to begin the process of addressing lead service lines with an ultimate goal of removing lead from drinking water in Illinois.

While this is a significant undertaking, Illinois is in a unique and favorable position to address lead service line replacements. A key step taken in Illinois was passage and signing of Public Act 99-0922 in 2017, a new law advanced by a dedicated delegation of stakeholders and advocates. Pursuant to that Act, community water supplies in Illinois have been required to develop service line material inventories since and report that information to Illinois EPA each year.

In 2021, the General Assembly passed and Governor Pritzker signed into law Public Act 102-613, known as the Lead Service Line Replacement and Notification Act of 2021, which sets clear timelines for community water supplies to complete water service line material inventories and lead service line replacement plans.

Under the Act, community water supplies were required to develop an initial material inventory by April 15, 2022 and a complete material inventory by no later than April 15, 2024.

Those material inventories will identify the total number of service lines in the community water supplies, the material of each service line connected to the community water supply's distribution system, the number of suspected lead service lines that have been identified since the last material inventory was submitted, and the number of suspected or known lead service lines that were replaced since the last material inventory was submitted.

Based on the most recent material inventories submitted to Illinois EPA, of the over 3.8 million total service lines reported, over 667,000 are known to be made of lead. An additional 368,000 are copper with lead solder, and approximately 820,000 service lines are of unknown material.

We recognize that work remains for community water supplies to complete these inventories, but we also know that the data already available through these required inventories has enabled many systems to begin addressing lead service lines within their systems.

Since State fiscal year 2017 to the present, 23 community water supplies will have benefited from nearly \$67.2 million in funding provided through Illinois EPA's SRF program for full lead service line replacements. Notably, each of those "loans" received 100 percent principal forgiveness.

The Illinois EPA's FY23 Intended Use Plan will identify another 20 projects with nearly \$57 million in funding to replace lead service lines. Each of those "loans" will receive 100 percent principal forgiveness. Further, an additional nine (9) project applications are in the pipeline for future lead service line funding.

These actions to date demonstrate that Illinois and the Illinois EPA have been at work to facilitate ongoing lead service line replacement activity and planning for future projects. Illinois is prepared to begin utilizing Infrastructure Investment and Jobs Act

(IIJA) funding with the introduction of projects in our FY24 Intended Use Plan and projects being funded with IIJA money beginning July 1, 2023.

Through our robust SRF program and other existing grant programs, Illinois EPA has an established outreach network to communicate these future funding opportunities to communities and stakeholders.

While we know this funding will provide significant benefits to Illinois communities, we also anticipate challenges, such as technical expertise, obtaining construction easements from individual residences, and finding qualified professionals and available resources to complete the work.

Applying for funding under the existing SRF structure involves an understanding of the technical, fiscal, and program requirements of the loan program. For example, an applicant must complete an Environmental Impact Statement Review to ensure compliance with the National Environmental Protection Act. For disadvantaged communities, these kinds of requirements can be overly burdensome. Many communities do not have the existing resources to retain outside expertise for the planning and application phase. Such challenges may restrict or create obstacles to those communities that would otherwise be seeking SRF funding.

To begin addressing this concern, Illinois EPA will utilize a new \$2 million appropriation of state funds in our FY23 budget to provide grants to units of local government for costs associated with lead service line material inventories and technical assistance for water revolving fund applications.

As noted earlier, Illinois EPA has already started the process of funding lead service line replacements throughout Illinois, but one thing has been made clear. Our experience has been that communities are only interested in funding that will receive 100

percent principal forgiveness. At least at this time, communities do not want to pass the costs of lead service line replacements to all customers when some do not have lead service lines on their properties.

Even as we are taking steps to simplify the process, we are bound by existing federal requirements that can create implementation problems.

In closing, Illinois is committed to getting this vital funding to our communities, especially those disadvantaged communities that would have no other resource to take on this challenge. In Illinois, we already have deadlines for water systems to complete material inventories, deadlines for planning, and deadlines for replacement of lead service lines. The last significant hurdle is a dedicated and adequate funding source to aid our systems in completing the necessary repairs.

I am happy to answer any questions you may have regarding Illinois EPA's program. Thank you.