



# CITY OF CUMBERLAND MARYLAND

## DEPARTMENT OF UTILITIES

July 19, 2024

Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor  
400 North Street  
Harrisburg, PA 17120

RE: Petition for LSLR Program

Secretary:

As the operator of the Evitts Creek Water company, the City of Cumberland offers its submission of our petition for the Lead Service Line Replacement Program in accordance with Act 120, Ch 65.

If there are any questions or issues with this submission, please contact Robert Smith via email ([robert.smith@cumberlandmd.gov](mailto:robert.smith@cumberlandmd.gov)) or phone (301-759-6600).

Respectfully,

Robert Smith, PE  
Director of Engineering and Utilities  
Secretary - Evitts Creek Water Company

**MAYOR**

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MEMBER MARYLAND  
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57 N. LIBERTY STREET, CUMBERLAND, MD 21502 [www.cumberlandmd.gov](http://www.cumberlandmd.gov)  
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The attached guide may be used to assist in the creation of a petition for a Lead Service Line Replacement Program (Petition). Any appendices should be placed at the end of the Petition. If filing by hard copy, only one original of each document is required. If any of the requested material is deemed to be of a confidential nature, please mark the materials "CONFIDENTIAL" in a bold or highlighted manner. These filings must be submitted to the Secretary by overnight delivery, priority, or certified mail to allow tracking of your filing. The Commission may reject a petition which fails to include the required information and documents.

Mail the filing to:

Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor  
400 North Street  
Harrisburg, PA 17120

To eFile, click on the Filing & Resources link on the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov) for instructions.

Questions concerning the petition process may be directed to the Bureau of Technical Utility Services at 717-787-5550; please ask to be directed to the Water/Wastewater section.

Checklist:

- Cover Letter.
- Lead Service Line Replacement Program Petition and appendices.
- Original signed and notarized Verification Statement.
- Certificate of Service evidencing Petition was served upon appropriate parties.

The petition will be docketed by the Secretary's Bureau of the Commission.



**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
400 NORTH STREET, HARRISBURG, PA 17120**

**LEAD SERVICE LINE REPLACEMENT PROGRAM PETITION**

Re: Petition for Lead Service Line Replacement Program

Docket No. P-2024-\_\_\_\_\_

Pursuant to Section 1311(b)(2) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1311(b)(2), and the Pennsylvania Public Utility Commission’s (Commission’s) Lead Service Line Replacement (LSLR) Regulations, 52 Pa. Code § 65.51, *et seq.*, the Company seeks Commission approval of its LSLR program and plan to replace Company-owned and customer-owned lead service lines (LSLs) and to recover the associated costs related to those replacements as set forth in the Company’s Lead Service Line Replacement Program (LSLR Program). In accordance with the LSLR Program and proposed tariff revisions, upon approval by the Commission, the Company will be able to begin replacing customer-owned LSLs at its sole cost and recover a return on and of those costs pursuant to Act 120.

**Company Name:** Evitts Creek Water Company

**Company Address:** 57 North Liberty Street

**Telephone No.:** 301-759-6600

**Email Address:** robert.smith@cumberlandmd.gov

**Point of Contact:**  
Name: Robert Smith  
Title: Director of Engineering and Utilities  
Telephone No.: 301-759-6600  
Email Address: robert.smith@cumberlandmd.gov

## **Appendix 1**

Pro Forma LSLR Program Tariff Supplement to Tariff PA P.U.C. No. 4

Supplement No. 001 to  
Tariff Water - Pa. P.U.C. No. 4

EVITTS CREEK WATER COMPANY  
RATES, RULES AND REGULATIONS GOVERNING  
THE PROVISION OF WATER SERVICE  
TO THE PUBLIC IN CUMBERLAND VALLEY TOWNSHIP, BEDFORD COUNTY,  
PENNSYLVANIA

ISSUED: (Issued Date)

EFFECTIVE: (Effective Date)

BY: Robert Smith, Director of Engineering and Utilities  
57 North Liberty Street, Cumberland, MD 21502  
301-759-6600

**NOTICE**

THIS TARIFF SUPPLEMENT IMPLEMENTS THE COMPANY'S LEAD  
SERVICE LINE REPLACEMENT PROGRAM.

Issued:                     , 202X

Effective:                     , 202X

LIST OF CHANGES MADE by this Supplement

Change:

Tariff Supplement No. 001 implements the Company's Lead Service Line Replacement Program, which addresses the Company's efforts to replace company-owned and customer-owned Lead Service Lines. (C)

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PART V: LEAD SERVICE LINE REPLACEMENT (LSLR) PROGRAM

(1) Supersession

This section of the Company’s tariff supersedes all other conflicting provisions of this tariff for purposes of implementing the Company’s LSLR Program.

(2) Definitions

The following words and phrases, when used in Part V of this tariff, shall have the meanings assigned below unless the context clearly indicates otherwise:

Curb Stop: A water service shutoff valve located in a water service line near the curb or edge of the street and between the water main and the building.

Customer: A party contracting with an entity for service.

Customer-owned Lead Service Line (Customer-owned LSL): The portion of the lead service line extending from the curb, property line or entity connection to an entity’s water meter or, if the entity’s meter is located outside of the structure or water is not metered by the entity, at the first shutoff valve located within the interior of the structure.

Company: Evitts Creek Water Company

Company-owned Lead Service Line (Company-owned LSL): The portion of the lead service line extending from the Company’s main to the Curb Stop.

Distribution system improvement charge (DSIC): The term as defined in 52 Pa. Code § 121.2.

Entity: A public utility as defined in 66 Pa.C.S. § 102 (relating to definitions) engaged in diverting, developing, pumping, impounding, distributing or furnishing water service to or for the public for compensation, a municipal corporation as defined in 52 Pa. Code § 65.52 (relating to definitions), and an authority as defined in 66 Pa.C.S. § 3201(1) (relating to definitions).

Galvanized service line: Iron or steel piping that has been dipped in zinc to prevent corrosion and rusting.

Independent Legal Restrictions: Commission regulations or Orders which otherwise prevent termination of water service at a property including but not limited to winter moratorium, medical certifications, or Commission directed moratoriums or suspensions.

Lead service line (LSL): A service line made of lead that connects the water main to a building inlet and a lead pigtail, gooseneck or other fitting that is connected to the lead line. A galvanized service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material.

Lead service line replacement (LSLR): A service line, whether entity-owned or customer-owned, installed to replace a lead service line.

Lead service line replacement plan (LSLR Plan): A plan and supporting documents submitted to and approved by the Commission that specify how an entity intends to implement its lead service line replacement program.

Lead service line replacement program (LSLR Program): A program submitted to and approved by the Commission for the replacement of lead service lines by an entity.

Lead service line replacement project (LSLR Project): An entity-scheduled lead service line replacement activity either in conjunction with main replacements or as part of a lead service line replacement program.

Lead service line replacement project area (LSLR Project Area): The area encompassing an entity's scheduled lead service line replacement activities, which includes the area within a 1-mile radius of a lead service line replacement project if served by the entity.

LSLR Project Commencement: Installation of the first lead service line replacement within a lead service line replacement project area.

Partial lead service line replacement (Partial LSLR): A lead service line replacement that does not replace both the entity-owned and customer-owned portions of a lead service line.

Property Owner Agreement: An agreement between the Company and a property owner for the replacement of a customer-owned LSL that allows the Company's employees and contractors to gain access to their private property in order to replace their customer-owned LSL prior to the initiation of any work by the Company to replace the customer-owned LSL.

Service line: The pipe and appurtenances which connect any main to an entity's water meter or, if the entity's water meter is located outside of the structure or the connection is not metered by the entity, at the first shutoff valve located within the interior of the structure.

(3) LSLR Plan

Notwithstanding the Rules in this tariff relating to customer responsibility for customer service lines, the Company will replace customer-owned LSLs pursuant to its LSLR Program and LSLR Plan as initially approved by the Commission at Docket No. P-2024-                    , together with future Commission-approved updates. The Company may

modify its annual cap for LSLRs with Commission approval. The costs incurred by the Company to undertake remediation efforts pursuant to its LSLR Plan shall be recoverable in the Company's DSIC, PENNVEST Surcharge, and in base rates, as applicable.

The Company's LSLR Plan applies to any LSL serving any customer, the replacement of which is operationally feasible, and where the property owner authorizes the replacement or replaces the line in accordance with the Company's LSLR Program.

(4) LSLR Annual Cap

The Company will cap LSLR Projects at one (1) customer-owned LSLRs on an annual basis. If a customer reimbursement provided pursuant to this tariff or an emergency LSLR causes the Company to exceed its annual cap, the Company will increase its current annual cap by the number of emergency repairs and/or reimbursements and decrease its annual cap by the same amount for the following year only.

(5) LSL Replacements

The Company will offer to replace customer-owned LSLs at no direct cost to the customer or property owner, if the customer is not the property owner: (i) at any residential or non-residential property where the Company replaces a Company-owned main connected to a customer-owned LSL; (ii) at any property where the Company replaces a company-owned LSL connected to a customer-owned LSL; and (iii) at any property with a private-side only LSL located within a LSLR Project Area where LSLRs are performed; (iv) when the Company's operations crew replaces a Company-owned facility regardless of material, in emergencies, including line breaks, leaks, or other unplanned emergency replacements, that is a LSL or that is connected to a LSL; (v) and any other circumstance as required to avoid the replacement of a partial LSL.

Except in the case of non-owner occupied properties at which the Company has received the customer's acceptance of the Company's offer to replace the customer-owned LSL as set forth in Section (7) below, the Company shall enter into a property owner Agreement with the property owner for replacement of a customer-owned LSL that allows the Company's employees and contractors to gain access to their private property in order to replace their customer-owned LSL prior to the initiation of any work by the Company to replace the customer-owned LSL. The Property Owner Agreement shall be in a form provided by the Company and shall include provisions that require property owners to release and hold harmless the Company from any and all claims, causes of action, damages or losses, of any nature, whatsoever with respect to the work performed by the Company or its contractors that are not covered by the Company's LSLR Program warranty.

(6) Customer Refusal

Except as set forth below, if after being notified of the Company's offer to replace at no cost a customer-owned LSL, the property owner has not provided an executed Property Owner Agreement authorizing the replacement of the customer service line or has refused replacement, the Company will (1) provide the customer and property owner, if the

customer is not the property owner, with a complete disclosure of the known health hazards from the continued use of a LSL, (2) inform the customer or property owner, if the customer is not the property owner, that refusal or failure to accept will require replacement of the customer-owned LSL, at the customer or property owner's expense, within 1 year from LSLR Project Commencement for the customer or property owner, if the customer is not the property owner, to be eligible for reimbursement, and (3) communicate to the customer and property owner, if the customer is not the property owner, that failure to allow the Company to complete the LSLR or to replace the customer-owned LSL concurrent with the Company replacing the Company-owned LSL will lead to termination of water service under the provisions of this tariff prior to the Company replacing the Company-Owned LSL.

If the customer or property owner, if the customer is not the property owner, does not sign the Property Owner Agreement or refuses replacement of the customer-owned LSL within ten days after the Company undertakes the aforementioned steps, the Company will require the customer or property owner, if the customer is not the property owner, to sign a form documenting their refusal. If the customer or property owner refuses or fails to sign the refusal form, the Company will make a record of and document the customer's refusal or failure to sign the refusal form. The Company will then schedule to replace its portion of the Company-owned LSL and notify the customer in writing of this replacement no later than ten days prior to the scheduled replacement and terminate water service at that location the day prior to replacing the Company-owned LSL. The Company will proceed with termination of water service to a location irrespective of whether Independent Legal Restrictions would otherwise delay or prohibit termination. Such notice and termination shall be deemed consistent with Chapter 14 of the Public Utility Code. Moreover, in these instances, the Company is not required to comply with termination procedures described in other portions of its tariff or the Commission's regulations.

At any time prior to completing termination, or, within ten days after termination, the property owner executes the Property Owner Agreement, water service will be restored to the property, provided that service will not be restored until either both the Company-owned LSL and the customer-owned LSL have been replaced or, in the Company's sole discretion, an alternative, non-lead temporary bypass is installed until both the Company-owned LSL and the customer-owned LSL have been replaced.

The Company will not connect an Applicant to water service where a property owner previously refused or failed to accept the Company's offer of a LSLR until the Applicant verifies the replacement of the customer-owned LSL by providing a paid invoice from a licensed contractor or a notarized statement from a licensed contractor attesting to completion of the LSLR.

(7) Service Line Demarcation

If a shutoff valve is not located within 12 inches of the structure wall of the property, the Company may install a shutoff valve during the LSLR to serve as a point of demarcation between the property's service line and the property's interior water distribution piping.

The Company shall perfect its ownership of the portion of the service line located within the then-existing right-of-way in conformance with its tariff to ensure that the Company can obtain necessary permits during the planning phase of a LSLR Project.

(8) Prohibition on Partial LSLRs and Notice Requirements

Neither a customer nor a property owner may install a Partial LSLR. A Partial LSLR installed after July 23, 2022, must result in termination of service until both the Company-owned LSL and customer-owned LSL have been replaced. The Company will proceed with immediate termination of water service to a location being served by a partial LSLR installed after July 23, 2022, irrespective of whether Independent Legal Restrictions would otherwise delay or prohibit termination. Such termination shall be deemed consistent with Chapter 14 of the Public Utility Code. Moreover, in these instances, the Company is not required to comply with termination procedures described in other portions of its tariff or the Commission's regulations.

Where a customer or a property owner, if the customer is not the property owner, elects to replace the customer-owned LSL, the customer or property owner shall replace the customer-owned LSL concurrent with the Company replacing the Company-owned LSL, provided that the customer or property owner, if the customer is not the property owner, provides the Company at least 180 days' notice prior to replacing the customer-owned LSL.

The Company shall not connect an Applicant for water service to the Company-owned service line at a property where a customer or property owner, if the customer is not the property owner, previously refused or failed to accept the Company's offer of a LSLR until the Applicant verifies the replacement of the customer-owned LSL by providing a paid invoice from a licensed contractor or a verified statement from a licensed contractor attesting to completion of the LSLR.

(9) Reimbursement

Where a customer or property owner, if the customer is not the property owner, has replaced its own customer-owned LSL, the customer or property owner shall submit to the Company a reimbursement form, which may be provided by the Company to a customer or property owner by mail or email upon request or on the Company's website, and which must be completed by the customer or property owner and provided to the Company by mail, email, fax, or hand delivery as specified by the Company on its reimbursement form, which contains, at a minimum, a detailed estimate and paid invoice from a licensed contractor verifying the replacement of the customer-owned LSL. Instead of a detailed estimate, a verified statement from the contractor attesting to completion of a LSLR may be sufficient in the Company's discretion. A paid invoice must be submitted.

Upon submission of the reimbursement form, the Company will review the information that was provided within 90 days of receiving the reimbursement form to determine eligibility for a reimbursement. If sufficient information has not been provided at the time of submitting the reimbursement form, the Company will contact the customer or

property owner to request the necessary information to determine eligibility. The Company will have an additional 45 days from the time it receives the additional information to determine a customer's eligibility for reimbursement.

A customer or property owner, if the customer is not the property owner, is eligible to receive a reimbursement if the customer or property owner's service address is located within a LSLR Project Area and the customer-owned LSL is replaced within one year before or from LSLR Project Commencement. A customer or property owner, if the customer is not the property owner, located within a LSLR Project Area is eligible for a reimbursement of LSLR expenses up to 125% of the average cost the Company would have incurred to perform the replacement of a similarly-sized service line, not to exceed the actual cost to the customer or property owner.

Reimbursements will be paid directly to the customer or property owner, if the customer is not the property owner, through the issuance of a check. The Company will issue a check within 90 days after verifying that the customer or property owner is eligible for reimbursement.

(10) Warranty

For customer-owned LSLs replaced by the Company or its contractor, the Company will provide a two-year warranty for materials and workmanship of the Company's LSLR work, including the Company's restoration of surfaces consistent with this tariff, commencing from the date the LSLR is complete. This warranty shall cover repairs and replacements conducted by the Company or its contractor of the LSLR work up to a maximum warranty coverage amount of 125% of the Company's cost for the LSLR work, so long as the customer allows access to the property for repairs.

The warranty does not cover, among other things, damage caused by natural disasters, acts of God, fires, terrorism, excavation activities, acts of sabotage, or deliberate damage. The Company shall have no liability for any damages not covered by the warranty.

(11) Limitation of Liability

The Company's liability relating to LSLR efforts is limited as set forth in this tariff.

(12) Restoration

The Company will backfill to the previous grade any trenches excavated as part of the LSLR process and will fill and seal any wall or floor penetrations in the private home. The Company will restore roadways and sidewalks within the public right-of-way. No other restoration will be conducted for LSLRs. The Company will not replace any landscaping, interior finishes, paving, seeding, or walkways. All restoration costs shall be borne by the customer or property owner, if the customer is not the property owner, unless otherwise required by the Company's LSLR Program warranty.

(13) Ownership of Replacement Service Line

After a customer-owned LSL is replaced by the Company, the customer shall continue to own the customer portion of the Service Line and shall have full responsibility for the repair, replacement and maintenance of the new customer portion of the Service Line.

## **Appendix 2**

Data Responses to 52 Pa. Code § 53.52

## Data Responses to 52 Pa. Code § 53.52

**Part (a)** Whenever a public utility, other than a canal, turnpike, tunnel, bridge or wharf company files a tariff, revision or supplement effecting changes in the terms and conditions of service rendered or to be rendered, it shall submit to the Commission, with the tariff, revision or supplement, statements showing all of the following:

(1) The specific reasons for each change.

**Response:** To comply with new regulations which requires activities that were not accounted for in the existing tariffs.

(2) The total number of customers served by the utility.

**Response:** 53 Accounts in Pennsylvania, ~8,700 accounts in Maryland and West Virginia

(3) A calculation of the number of customers, by tariff subdivision, whose bills will be affected by the change.

**Response:** No changes

(4) The effect of the change on the utility's customers.

**Response:** No changes will occur to customers with copper or plastic service lines. Only customers with lead or galvanized service lines will be affected and at no cost.

(5) The direct or indirect effect of the proposed change on the utility's revenue and expenses.

**Response:** This change will have a marginal effect on the utility's expenses as they'll be required to replace a few service lines.

(6) The effect of the change on the service rendered by the utility.

**Response:** This change will bring our PA service area into compliance with PA Code.

(7) A list of factors considered by the utility in its determination to make the change. The list shall include a comprehensive statement about why these factors were chosen and the relative importance of each.

**Response:** The City's current tariff was approved in 1990. Water rates are minimal in this service area and below market rate. We are required to make this change but the

cost to make the change is more affordable than performing a rate study to recoup the expenses.

(8) Studies undertaken by the utility in order to draft its proposed change.

**Response:** No studies were undertaken to draft this proposed change.

(9) Customer polls taken and other documents which indicate customer acceptance and desire for the proposed change. If the poll or other documents reveal discernible public opposition, an explanation of why the change is in the public interest shall be provided.

**Response:** Provided within the broadcast materials, the City contacted all PA customers to request their help in identifying their service line material. No other polls were undertaken to draft this proposed change.

(10) Plans the utility has for introducing or implementing the changes with respect to its ratepayers.

**Response:** The Utility will make contact with the account holder in accordance with our pro forma upon approval of said pro forma by PA PUC.

(11) Commission orders or rulings applicable to the filing.

**Response:** (a) *Rulemaking to Implement Act 120 of 2018 at 52 Pa. Code Chapters 65 and 66*, Docket No. L-2020-3019521 (Final Rulemaking Order entered Mar. 14, 2022)

## **Appendix 3**

### **Lead Service Line Replacement Plan**

## Lead Service Line Replacement Plan Requirements

### 52 Pa. Code § 65.56

**(a) Service line inventory:**

- (1) Entities subject to this chapter shall submit to the Commission a service line inventory that complies with United States Environmental Protection Agency regulation at 40 CFR 141.1—143.20 as enforced by the Department of Environmental Protection, inclusive of future changes as those regulations may be amended. Submit one electronic working copy and one hard copy of the Company's current service line inventory in a worksheet format and specify the Petition appendices where this information is provided.

**Response:** Service Line Inventory attached in Appendix 7

- (2) Identify the assumptions that the entity used or will use in completing its service line inventory.

**Response:** The Utility opened meter boxes to determine what pipe materials comprise the service lines for the utility and customer owned portions. Since it was illegal to connect to lead since 1972 and all meters were upgraded since 2005, we are assuming no lead is present. We will replace any customers whose service line is identified as either lead or galvanized due to the ages of the house.

- (3) Until the inventory is complete, an entity shall provide detailed information regarding the progress of its service line inventory as part of its annual LSLR program report under § 65.59 (relating to LSLR program reports). Submit a statement acknowledging this requirement.

**Response:** To the best of the utility's knowledge, the total inventory is complete in PA.

- (4) After an entity's service line inventory is complete, it must be incorporated into the entity's next LSLR plan update under § 65.57 (relating to periodic review of LSLR plan). Submit a statement acknowledging this requirement.

**Response:** To the best of the Utility's knowledge, the total inventory is complete in PA and included in Appendix 7.

**(b) Planning and replacements:**

- (1) Provide the entity's projected annual investment in LSLRs with an explanation of the entity's anticipated sources of financing.

**Response:** The Utility plans to replace at least three service lines which are galvanized and we cannot confirm if lead existing in the system prior to the upstream pipes being converted to acceptable material.

<p>(2) Provide the entity’s projected number of LSLRs per calendar year with an explanation of how the projection was determined and a statement that this number is consistent with the entity’s annual cap on LSLRs.</p>
<p><b>Response:</b> We intend to replace 3 service line upon approval of the tariff supplement.</p>
<p>(3) Identify the prioritization criteria considered by the entity when developing its LSLR schedule.</p>
<p><b>Response:</b> Only 3 service line will be replaced at this time. The City will replace them upon approval of the tariff supplement and when given approval by the landowner to do so unless they wish to get a third-party.</p>
<p>(4) Provide an explanation of the entity’s processes and procedures to address emergency repairs or replacements which reveal LSLs.</p>
<p><b>Response:</b> Upon identification of a LSL, the City will make contact with the property owner to provide them notice of the issue and advise them of their options. If the LSL is not replaced within one year and the property owner denies access to the property, the service will be disconnected until the owner provides proof that it has been replaced by a third party at their cost. The resident must provide an itemized third-party proposal for the work to the City that clearly identifies the cost for replacing the service line and restoring the ditch. The City will not pay to restore any landscaping, pavement, concrete, etc...</p>
<p>(5) Provide the entity’s processes and procedures to obtain acceptance of a LSLR prior to LSLR project commencement if the customer is the property owner, and the entity’s processes and procedures to obtain acceptance prior to LSLR project commencement if the customer is not the property owner</p>
<p><b>Response:</b> The City will make contact with the property owner to provide them notice of the issue and advise them of their options. If the LSL is not replaced within one year and the property owner denies access to the property, the service will be disconnected until the owner provides proof that it has been replaced by a third party at their cost. The resident must provide an itemized third-party proposal for the work to the City that clearly identifies the cost for replacing the service line and restoring the ditch. The City will not pay to restore any landscaping, pavement, concrete, etc...</p>
<p>(6) Provide the entity’s processes and procedures based upon acceptance of a LSLR, including:</p>
<p>(i) A copy of the consent agreement form by which the customer or property owner, if the customer is not the property owner, will authorize the LSLR. Specify the Petition appendices where this information is provided.</p>
<p><b>Response:</b> Refer to Appendix 8</p>
<p>(ii) A brief description of the entity’s process for LSLRs under normal conditions and under atypical conditions.</p>

<p><b>Response:</b> The City will make contact with the property owner to provide them notice of the issue and advise them of their options. If the LSL is not replaced within one year and the property owner denies access to the property, the service will be disconnected until the owner provides proof that it has been replaced by a third party at their cost. The resident must provide an itemized third-party proposal for the work to the City that clearly identifies the cost for replacing the service line and restoring the ditch. The City will not pay to restore any landscaping, pavement, concrete, etc...</p>
<p>(iii) An explanation of the entity's process for coordination with the customer, and property owner, if the customer is not the property owner, and the information the entity will provide to the customer and the property owner throughout the LSLR process.</p>
<p><b>Response:</b> The City will provide the customer with the consent agreement form via certified mail. The City will provide 3 business days notice if they are the ones to replace the LSL. The City will make contact with the customer after completion.</p>
<p>(iv) The entity's process for addressing LSLR completion or closeout, or both, with the customer and property owner, if the customer is not the property owner.</p>
<p><b>Response:</b> The City will take pictures of the new service line prior to backfilling. The City will issue a letter to the customer of the works completion via certified mail.</p>
<p>(7) Provide the entity's lead/material recycling and disposal efforts, including a description of what the entity will do with proceeds from recycling and disposal efforts.</p>
<p><b>Response:</b> The Utility will not recycle the pipe material removed under this project. The pipe material will be disposed of in accordance with local, state and federal requirements.</p>
<p>(8) Provide a detailed explanation of the industry-accepted practices that the entity plans to use to replace entity-owned and customer-owned LSLs.</p>
<p><b>Response:</b> Any replaced service line will be replaced with either copper or plastic pipe and fittings which are rated for drinking water application. The specific products will comply with the City of Cumberland's standards.</p>
<p>(9) Provide a detailed explanation of how the entity's acquisition of water distribution systems will be integrated into the entity's efforts to complete LSLRs throughout its water distribution systems.</p>
<p><b>Response:</b> The City does not foresee any opportunities to acquire any water systems in the State of Pennsylvania.</p>
<p>(10) Provide a copy of the entity's procedure for documenting refusal of, or failure to accept, the offer by the entity to replace a LSL, including the entity's duty to: (i) provide the customer and property owner, if the customer is not the property owner, with a complete disclosure of the known health hazards from the continued use of a LSL, (ii) inform the customer or property owner, if the customer is not the property owner, that refusal or failure to accept will require replacement of the customer-owned</p>

LSL, at the customer or property owner's expense, within 1 year from LSLR project commencement for the customer or property owner, if the customer is not the property owner, to be eligible for reimbursement, and (iii) communicate to the customer and property owner, if the customer is not the property owner, that failure to allow the entity to complete the LSLR or to replace the customer-owned LSL concurrent with the entity replacing the entity-owned LSL will lead to termination of water service under the provisions of the entity's tariff. Specify the Petition appendices where this information is provided.

**Response:** Refer to Appendix 9

**(c) Communications, outreach and education:**

- (1) Provide copies of all printed and broadcast material to be distributed under the entity's LSLR program. Specify the Petition appendices where this information is provided.

**Response:** Refer to Appendix 10

## **Appendix 4**

### **Verification Statement**

## VERIFICATION STATEMENT

I, Robert Smith, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Signature:

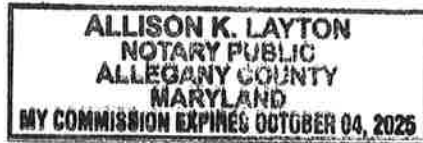


Title:

Director of Engineering and Utilities  
Evitts Creek Water Company Secretary

Date:

7/19/2024



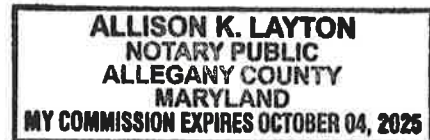
**STATE OF MARYLAND,  
ALLEGANY COUNTY, TO WIT:**

On this 19th day of July, 2024, before me, the undersigned officer, personally appeared Robert L. Smith (name of person(s) who make acknowledgment), known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to within the instrument and acknowledged that he/she/they executed the same for the purpose therein contained.

**WITNESS** my hand and Notarial Seal.

*Allison K. Layton*  
NOTARY PUBLIC

My Commission Expires: 10/4/2025



## **Appendix 5**

### **Certificate of Service**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day, the 19 day of July 2024, served a true copy of the foregoing documents upon the parties listed below in accordance with the requirements of §§ 1.54 (relating to service by a party) and 65.55(a) (relating to LSLR program requirements):

**SERVED VIA ELECTRONIC MAIL AND FIRST CLASS MAIL, POSTAGE PREPAID**

Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120  
[akaster@pa.gov](mailto:akaster@pa.gov)

Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5th Floor  
Harrisburg, PA 17101  
[ra-oca@paoca.org](mailto:ra-oca@paoca.org)

Office of Small Business Advocate  
555 Walnut Street  
Forum Place, 1st Floor  
Harrisburg, PA 17101  
[ra-sba@pa.gov](mailto:ra-sba@pa.gov)

**SERVED VIA FIRST CLASS MAIL, POSTAGE PREPAID**

[ALL PARTIES OF RECORD IN THE  
ENTITY’S MOST RECENT BASE RATE CASE]

[ALL PARTIES OF RECORD IN THE  
ENTITY’S MOST RECENT BASE RATE CASE]

[ALL PARTIES OF RECORD IN THE  
ENTITY’S MOST RECENT BASE RATE CASE]

[ALL PARTIES OF RECORD IN THE  
ENTITY’S MOST RECENT BASE RATE CASE]

Signature: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

## **Appendix 6**

### **Service Line Inventory Electronic Working Copy**

An electronic working copy of the Company's Service Line Inventory is included in the enclosed CD-ROM or USB flash drive or filed with the Commission's Secretary's Bureau electronically via the e-file system.

## **Appendix 7**

### **Service Line Inventory Hard Copy**

Unique ID	Name	Service Address	System Material	Customer Material	Installation Date	Diameter	Lead connector or ever present?	Meter Replaced	Year Built*
PA_001	LAURA WISLER	597 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	4/30/2014	
PA_002	MICHAEL A & REBECCA M HELM	105 HAZEN RD, BEDFORD PA 15522-	copper	galvanized		0.75	no	6/29/2018	1965
PA_003	KEITH EBY	160 WHITETAIL LN, BEDFORD PA 15522-	copper	copper		0.75	no	11/7/2014	1970
PA_004	W HARDINGER JR	209 WHITETAIL LN, BEDFORD PA 15522-	copper	copper		0.75	no	6/29/2018	1936
PA_005	DALTON HILLEGAS	207 HAZEN RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	8/17/2012	1995
PA_006	STEVE HARDINGER	179 WHITETAIL LN, BEDFORD PA 15522-	copper	copper		0.75	no	6/28/2012	1995
PA_007	BETHANY TROUTMAN	182 WHITETAIL LN, BEDFORD PA 15522-	copper	plastic/pex	new construction 2015	0.75	no	8/14/2015	2015
PA_008	AUDREY BLUBAUGH	143 WHITETAIL LN, BEDFORD PA 15522-	copper	copper		0.75	no	6/29/2018	1970
PA_009	M BLUBAUGH	121 WHITETAIL LN, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	6/29/2018	1987
PA_010	M GROWDEN	333 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	6/29/2018	1920
PA_011	MELISSA WARE	371 LAKE GORDON RD, BEDFORD PA 15522-	copper	copper		0.75	no	6/30/2005	1950
PA_012	SUNDRA WARE	389 LAKE GORDON RD, BEDFORD PA 15522-	copper	copper		0.75	no	6/29/2018	1890
PA_013	TODD GIARTH	531 LAKE GORDON RD, BEDFORD PA 15522-	copper	copper		0.75	no	11/10/2005	1968
PA_014	HOWARD WARE	548 LAKE GORDON RD, BEDFORD PA 15522-	copper	galvanized		0.75	no	6/29/2018	1904
PA_015	LAKE GORDON ASM OF GOD	569 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	12/6/2012	
PA_016	GRETCHEN PRYOR	549 LAKE GORDON RD, BEDFORD PA 15522-	copper	copper		0.75	no	1/5/2018	1963
PA_017	DORIS TABLER	530 LAKE GORDON RD, BEDFORD PA 15522-	copper	galvanized		0.75	no	12/23/2008	1920
PA_018	MICHAEL FRIEND	568 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	6/29/2018	1800
PA_019	G GROWDEN	125 LAKE GORDON RD, BEDFORD PA 15522-	copper	copper		0.75	no	6/29/2018	
PA_020	GREGORY KOONTZ	595 LAKE GORDON RD, BEDFORD PA 15522-	copper	copper	1950	0.75	no	3/7/2014	1950
PA_021	MARY GROWDEN	643 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	4/10/2015	1946
PA_022	WILLIAM F WHITE JR	685 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	5/7/2008	1965
PA_023	E WHITE	702 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex	1995	1.00	no	3/27/2015	
PA_024	DALE SHROUT	726 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	8/31/2023	1940
PA_025	KEVIN MOSSER	737 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex	2011	0.75	no	10/10/2007	2011
PA_026	STACEY S NICHOLS	800 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	4/28/2015	1948
PA_027	ROY SHROUT	750 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	11/7/2019	1965
PA_028	STACEY S NICHOLS	792 LAKE GORDON RD, BEDFORD PA 15522-	copper	no service line		0.75	no	6/18/2007	2018
PA_029	L WHITACRE	112 Wilhelm Lane, Bedford PA 15522	copper	plastic/pex		0.75	no	12/4/2008	1977
PA_030	J GRIFFITHS	808 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex	12/6/2017	0.75	no	3/23/2007	1920
PA_031	J FLANAGAN	828 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	6/29/2018	1930
PA_032	R WOTRING SR	842 LAKE GORDON RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	6/29/2018	1950
PA_033	DEBBIE NIXON	864 LAKE GORDON RD, BEDFORD PA 15522-	copper	copper		0.75	no	3/30/2006	1920
PA_034	GREG FRYE	884 LAKE GORDON RD, BEDFORD PA 15522-	pex	plastic/pex	10/28/2020	1.00	no	10/28/2020	2020
PA_035	MICHAEL CLARK	936 LAKE GORDON RD, BEDFORD PA 15522-	copper	copper		0.75	no	10/13/2006	1940
PA_036	DEBBIE NIXON	876 LAKE GORDON RD, BEDFORD PA 15522-	copper	copper		0.75	no	7/27/2018	1915
PA_037	SAMUEL R WILSON	663 PINERIDGE RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	1/28/2020	1958
PA_038	JOHN J WAGNER JR	677 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	3/4/2021	1957
PA_039	JOHN HARR	699 PINERIDGE RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	1/1/1950	1965
PA_040	APRIL HIGSON	139 ROCKY DR, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	2/24/2015	1963
PA_041	L HIGSON	142 ROCKY DR, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	6/29/2018	1972
PA_042	DENNIS KINSER	678 PINERIDGE RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	6/29/2018	1945
PA_043	IVAN STEELE	657 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	1/13/2005	1960
PA_044	RONALD WILSON	645 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	10/25/2011	1963
PA_045	ROBERT L FIELDS	646 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	3/12/2020	1962
PA_046	MARTIN HEAVNER	619 PINERIDGE RD, BEDFORD PA 15522-	copper	plastic/pex		0.75	no	3/13/2015	1959
PA_047	C BROOKS JR	635 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	6/29/2018	1963
PA_048	DENNIS FIELDS	614 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	1/1/1950	1990
PA_049	ROBERT HADRA	538 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	6/29/2018	1985
PA_050	JONATHAN WOOLARD	528 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	6/30/2023	1955
PA_051	ADAM W ANSEL	512 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	11/4/2020	1961
PA_052	J ZEMBOWER	551 PINERIDGE RD, BEDFORD PA 15522-	copper	copper		0.75	no	6/29/2018	1985
PA_053	Ross Reider	1 Shady Grove Lane, Bedford PA 15522	copper	copper		0.75	no		1995
PA_055	Greg Frye	886 Lake Gordon Road Bedford PA 15522	pex	copper		0.75	no		1920

\*Year Built supplied by Bedford County

## **Appendix 8**

### **LSLR Consent Agreement Form**

## LSLR Consent Agreement Form

I, the undersigned, being fully authorized as the customer and/or property owner of \_\_\_\_\_ (property address) have been informed by City of Cumberland (“the City”), operator of the Evitts Creek Water Company, that my customer-owned water service line is not in compliance with Act 120 of 2018, Chapter 65, Subchapter B – Lead Service Line Replacements. I have been advised of my options for replacing the lead service line to this property address and choose (check box):

- I choose to have the City replace my service line, in accordance with Tariff PA PUC No. 4. I hereby authorize the City to enter my property to replace the service line and hold them harmless from any and all claims, causes of action, damages or losses, of any nature, whatsoever with respect to the work performed by the City or its contractors that are not covered by the Company’s LSLR Program Warranty.
  
- I refuse the City’s offer to replace my service line and choose to replace my service line (“the repair”) with a licensed contractor. I am aware that I will be required to provide verification to the City, in accordance with Tariff PA PUC No. 4. I understand that I have 12 months from the signing of this agreement to perform the repair and submit my reimbursement. If I do not execute the repair within 12 months of this agreement, the City’s offers to replace the service line or reimburse my expenses for replacing the service line with a third party are null in void. I understand that City will be required to terminate my water service until I make the repair at my own cost. Additional information and forms shall be provided to me by the City which will outline the work approval and reimbursement process. If I choose this option where I will be afforded ninety calendar days to elect to have the City perform this work and not have a third-party perform this work.

Failure or Refusal to execute this document will require the City to take steps to terminate water service until the undersigned makes the repair and provides verification that an acceptable drinking water approved service line material is installed in accordance with Evitts Creek Water Company’s Tariff.

If this form is not returned with 60-days of the certified mail receipt being delivered to the City of Cumberland, the City will consider this as a refusal to perform this work and will proceed in accordance with the Evitts Creek Water Company’s tariff.

\_\_\_\_\_  
Customer or Property Owner

\_\_\_\_\_  
Date

## **Appendix 9**

### **Company LSLR Refusal and Non-Acceptance Procedure**

### **Third Party Election and Non-Acceptance**

1. Upon receiving notification from the customer, via the LSLR Consent Agreement Form, that they wish to have a third-party replace their service line, the City shall issue a letter to the customer that includes the LSLR Third-Party Construction Agreement by means of certified mail. The letter shall include an informational insert of the dangers of continued use of LSL.
2. The resident shall submit an itemized quote from a third-party which outlines the cost to replace the service line with either a copper or plastic service line of the same size as their current service line. All materials shall be rated for drinking water use.
3. Upon submission of the proposal, the City shall review for conformance that the quote only includes replacement of the service line and the backfilling of the necessary trench in accordance with the tariff. If the quote exceeds \$50 per LF of service line, please refer to note 4 of this section. The City will not reimburse any installation costs that do not follow the procedures outlined in the Consent Agreement Form or the Third-Party Construction Agreement or occur prior to the City providing written authorization to proceed.
4. If the cost exceeds \$50 per LF, the City will request a meeting with the customer and/or their third-party installer to review the proposed work. If the City and the Customer agree to the proposal after the on-site review of the proposed work, the City may approve of the work to proceed and the eventual reimbursement. If the City and Customer do not agree to the proposal cost, the City will reimburse the resident for a unit cost of \$50 per LF of service line replaced.
5. Once given written authorization to proceed by the City, the third-party installer may begin construction and complete the work within 12 months of the City issuing said authorization. The third-party installer shall contact the City prior to completing the work to verify the construction terms of the proposal have been met.
6. If the third-party installer does not utilize the materials identified in their proposal, the City may reject the work and refuse to reimburse the customer. The City shall then follow the LSLR Reject procedure until the service line is in compliance with the tariff.
7. Upon completion, the Customer and the third-party installer shall sign the LSLR Completion Form verifying that the new service line is in compliance with Act 120 of 2018, Chapter 65, Subchapter B – Lead Service Line Replacements and the customer understands that the customer-owned portion of the service line is their responsibility to maintain henceforth.
8. Upon receipt of the LSLR Completion Form and documentation that the third-party installers invoice has been paid by the customer, the City shall issue a reimbursement within 90-days to the customer.
9. If the repair is not made by the customer's third-party installer within 12-months of the City providing written authorization to proceed, the customer shall forfeit their right to reimbursement and their water service will be terminated in accordance with Section 6 of the tariff. Water service shall remain terminated until they comply with tariff.

### **Customer Rejection**

1. If the customer does not return the LSLR Consent Agreement Form within 60 days of the certified mail receipt being delivered to the City. The City shall reissue the form to the customer a maximum of two more attempts and include documentation on the dangers of continued use of LSL.
2. The City will then proceed with terminating water service in accordance with Section 6 of the tariff.

## **LSLR Third-Party Construction Agreement**

I, the undersigned, being fully authorized as the customer and/or property owner of \_\_\_\_\_ (property address) have been informed by City of Cumberland (“the City”), operator of the Evitts Creek Water Company, that my customer-owned water service line is not in compliance with Act 120 of 2018, Chapter 65, Subchapter B – Lead Service Line Replacements. I have been advised of my options for replacing the lead service line to this property address and I refuse the City’s offer to replace my service line and choose to replace my service line (“the repair”) with a licensed contractor (“installer”).

I shall submit a proposal from my installer to replace my service line with either copper or plastic pipe which is rated for drinking water. All fittings shall be rated for drinking water applications. The proposal shall be itemized to identify the cost to install the service line, excavate and fill the trench with appropriate backfilling material and to seal the penetration into the residence or business. I am aware that the City will not reimburse any costs related to the restoration of any concrete, asphalt, landscaping or other appurtenances that may be effected during construction.

The City will reimburse the resident up to a maximum unit cost of \$50 per linear foot of customer-owned service line replaced. If my proposal exceeds this amount, I will contact the City to hold a site visit to review my installer’s proposal. I will not begin any work until I receive written authorization from the City to begin. Any work that occurs prior to receiving written authorization from the City will not be reimbursed. Once written authorization is received, I understand that I must complete the work within 12 months. Failure to do so will result in me forfeiting my right to reimbursement and my water service being terminated until my service line is constructed at my cost to meet compliance with Act 120.

I am aware that I will be required to provide verification to the City, in accordance with Tariff PA PUC No. 4. I understand that I am required to provide proof of a paid invoice to my installer to the City within 60 days of providing verification that the work is complete in order to be reimbursed. My reimbursement request will not be withheld unreasonably and will be reimbursed within 60 days.

I reserve the right to elect to have the City perform this work and not have a third-party perform this work by notifying the City in writing within 90 days of receipt of this form.

Failure or Refusal to execute this document will require the City to take steps to terminate water service until the undersigned makes the repair and provides verification that an acceptable drinking water approved service line material is installed.

\_\_\_\_\_  
Customer or Property Owner

\_\_\_\_\_  
Date

## LSLR Verification Form

I, the undersigned, being fully authorized as the customer and/or property owner of \_\_\_\_\_ (property address) have been informed by City of Cumberland (“the City”), operator of the Evitts Creek Water Company, that my customer-owned water service line was not in compliance with Act 120 of 2018, Chapter 65, Subchapter B – Lead Service Line Replacements. Having been advised of my options for replacing the lead service line to this property address and I elected to a licensed contractor (“installer”) replace my service line.

This form shall verify that at my direction, the service line to the stated property address has been replaced in accordance with Act 120 and the Evitts Creek Water Company tariff with approved materials.

I shall submit proof of a paid invoice to my installer within 60 days of signing this document.

Failure or Refusal to execute this document may require the City to take steps to terminate water service until the undersigned makes the repair and provides verification that an acceptable drinking water approved service line material is installed.

\_\_\_\_\_  
Customer or Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Installer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Installer Company Name

\_\_\_\_\_  
Installer Business License Number

## **Appendix 10**

### **LSLR Program Print and Broadcast Materials**



## City of Cumberland, Local Government

🔍 Lead

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City of Cumberland, Local Government

19 December 2023 · 🌐



The City of Cumberland needs the community's help to complete an inventory of all private water service line pipes connected to the public water system.

Check your home or business for the type of service line pipe. Then please complete the City's online Lead Service Line Survey to inform us of the material of the water service line coming into your property.

The City has provided information on how and where to check your service line material on the City's website.... [See more](#)



## City of Cumberland Lead Service Line Survey

The City of Cumberland needs the community's help to complete an inventory of all private water service line pipes connected to the public water system.

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For more information on the survey and Cumberland's water quality information, visit the City's website  
<https://www.ci.cumberlead.md.us/>

[CI.CUMBERLAND.MD.US](https://www.ci.cumberlead.md.us/)

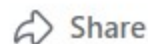
## City of Cumberland Lead Service Line Survey

Lead Service Line Survey The City of Cumberland needs the community's help to complete an inventory of all private water service line pipes connected to the public water system. Check your home or business for the type of service line pipe.



1

2 shares





City of Cumberland, Local Government

7 November 2023 · 🌐



Press Release

### City of Cumberland Lead Service Line Survey

The City of Cumberland needs the community's help to complete an inventory of all private water service line pipes connected to the public water system.... [See more](#)



CI.CUMBERLAND.MD.US

Cumberland, MD | Official Website



Raquel Ketterman

1 share



Like



Comment



Share



Comment as Raquel Ketterman



City of Cumberland, Local Government

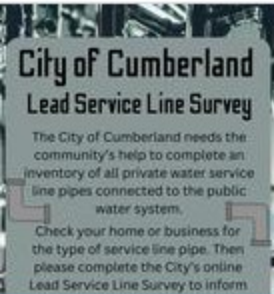
15 March · 🌐



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CUMBERLANDMD.GOV

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Lead Service Line Survey The City of Cumberland needs the community's help to complete an inventory of all private water service line pipes connected to the public water system. Check your home or business for the



City of Cumberland, Local Government

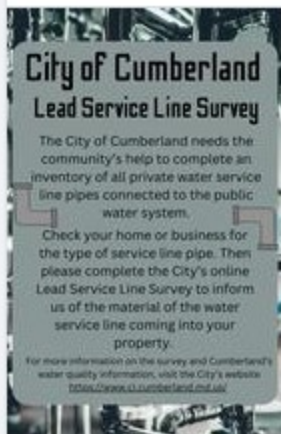
13 February · 🌐



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[CI.CUMBERLAND.MD.US](https://www.ci.cumberland.md.us)

### City of Cumberland Lead Service Line Survey

Lead Service Line Survey The City of Cumberland needs the community's help to complete an inventory of all private water service line pipes connected to the public water system. Check your home or business for the type of service line pipe.



6

2 comments 10 shares





City of Cumberland, Local Government

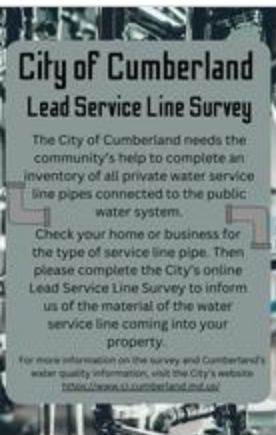
20 April · 🌐



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CI.CUMBERLAND.MD.US

### City of Cumberland Lead Service Line Survey

Lead Service Line Survey The City of Cumberland needs the community's help to complete an inventory of all private water service line pipes connected to the public water system. Check your home or business for the type of service line pipe.



1

1 share



Like



Comment



Share



Comment as Raquel Ketterman





The City of Cumberland needs the community's help to complete an inventory of all private water service line pipes connected to the public water system.

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A background image showing a close-up of various metal water pipes and fittings, including elbows and valves, in a slightly blurred, industrial setting.

## City of Cumberland Lead Service Line Survey

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For more information on the survey and Cumberland's water quality information, visit the City's website

<https://www.ci.cumberland.md.us/>

## City to request public's help in search for lead water lines

### Project to find outdated pipes 'going to be a bear,' engineer says

TERESA MCMINN

TMCMINN@TIMES-NEWS.COM

CUMBERLAND — The city plans to request help from its residents to locate lead pipes that transport drinking water to houses.

The Environmental Protection Agency requires communities to provide initial inventories of their lead pipes by October 2024, The Associated Press reported.

“The Biden administration wants to remove all 9.2 million lead pipes carrying water to U.S. homes,” according to AP. “Lead can lower IQ and create behavioral problems in children.”

A 2021 federal infrastructure law provides \$15 billion to find and replace the lead pipes.

“We are required to generate a list,” Cumberland Director of Engineering Robert Smith told the mayor and City Council at a work session Tuesday.

Pipes must be identified from main to meter, and meter to house, he said.

In many areas across the country, as well as parts of Cumberland, no one knows where lead pipes lie underground.

Cumberland officials will build a website that includes a form residents can complete to indicate what kind of pipes they see.

The city will send data it collects to state officials.

“We’ll wait to get the regulations,” Smith said of guidelines

SEE CITY — 6A

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### City: Help from citizens will be requested for project

CONTINUED FROM 1A

for the project. “It’s gonna be a bear.”

Through the 1950s, lead pipes leading to houses via service lines were common, the National Caucus of Environmental Legislators reported.

According to the Centers for Disease Control and Prevention, “beginning in the 1970s, lead concentrations in air, tap water, food, dust, and soil began to be substantially reduced, resulting in significantly reduced blood lead levels in children throughout the United States.”

Despite being outlawed in 1986 however, many old lead pipes remain.

of service on the Shade Tree Commission.

- The council authorized the transfer of 102, 104 and 106 Altamont Terrace to Abiye Williams for the purchase price of \$4,800.
- The council approved the use of open containers of alcohol within certain areas of the downtown during the Friday After Five event, with the exception of glass containers, from 5 to 11 p.m. Oct. 27.
- City police continue to search for Ray Lawrence Aleshire, 53, who was last seen March 5 in the Cumberland area. Aleshire is a white man roughly 5 feet, 7 inches tall and 150 pounds. Anyone with information about his whereabouts should call police at [301-777-1600](tel:301-777-1600).

In other Cumberland news:

- Allegany County Health Officer Dr. Junie Delizo was introduced to the council during its public meeting Tuesday. He said he's eager to work with local officials. "You have an amazing health department," Delizo said. County officials in July announced his hire.
- Dennis Bittinger was recognized for 20 years

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## What You Should Know About Your Drinking Water Supply

Published by the City of Cumberland – Utilities Division

### 2024 Water Quality Report

Maryland Public Water Service Identification Number – 0010008

Pennsylvania Public Water Service Identification Number - 4050028

In Accordance with the U.S. Environmental Protection Agency

National Primary Drinking Water Regulation 40 CFR 141

**Introduction:** The City of Cumberland is pleased to present to you this year's Annual Water Quality Report detailing all contaminant information collected between January 1 and December 31, 2023. The report is designed to inform you about the quality water services delivered to you every day and any violations that may have occurred throughout the year. Our goal is to provide you with a safe and dependable drinking water supply. We want you to be aware of the efforts we make to continually improve the water treatment process and to protect our water resources. The City of Cumberland analyzes its drinking water for all parameters outlined in the National Primary Drinking Water Regulation: Consumer Confidence Report 40 CFR 141 unless a waiver or variance has been granted by Maryland Department of the Environment and/or Pennsylvania Department of Environmental Protection. The City also analyzes for many unregulated chemical compounds. Parameters and compounds that were detected in treated water over the calendar year are displayed in the **2023 Water Quality Data Chart**.

#### **\*NEW THIS YEAR\***

The City of Cumberland is conducting a **Lead Service Line Inventory** in compliance with the EPA's **Revised Lead and Copper Rule**: <https://www.epa.gov/ground-water-and-drinking-water/revised-lead-and-copper-rule>  
Water suppliers are required by EPA to inventory all water service lines. Read additional information regarding lead below.

#### **HOW CAN YOU HELP? REPORT YOUR SERVICE LINE MATERIAL!**

Visit this webpage to report the service line material serving your property:

<https://www.ci.cumberland.md.us/730/Lead-Service-Line-Survey>

**The Fifth Unregulated Contaminant Monitoring Rule (UCMR5)** specifies monitoring for 29 per- and polyfluoroalkyl substances (PFAS) and lithium. The City of Cumberland's results for sampling taking place throughout 2023 are available for viewing on the City's website at:

<https://www.ci.cumberland.md.us/731/UCMR-5-Public-Notification>

This webpage is updated as new UCMR5 results become available

The 5<sup>th</sup> Unregulated Contaminant Monitoring Rule (UCMR5) began testing for 29 PFAS compounds and lithium in 2023, and testing will run through 2025. Detections greater than the minimum reporting levels for each constituent will be reported in the annual CCR. <https://www.epa.gov/system/files/documents/2022-02/ucmr5-factsheet.pdf>

**Where Does Your Drinking Water Originate:** The water for the City of Cumberland is surface water originating from the Lake Koon and Gordon reservoirs located in the Cumberland Valley Township, Bedford County, Pennsylvania. The primary tributaries supplying water to the reservoirs are Evitts Creek, Growden Run, Oster Run as well as several unnamed tributaries.

In accordance with the Drinking Water Act Amendments, Maryland Department of the Environment and Pennsylvania Department of Environmental Protection has prepared a **Source Water Assessment Plan** for the Evitts Creek Watershed. The Plan evaluates the existing land use and water quality conditions, describes potential contamination threats as well as providing background to support ongoing efforts to protect the watershed through the Evitts Creek Steering Committee (ECSC).

Lake Koon and Gordon are surrounded by approximately 3,623 acres of forest cover. The **Forest Stewardship Plan** outlines goals and guiding principles for sustainable management of forestland with a primary focus on maintaining or improving water quality and quantity. For more information on watershed plans and assessments contact the City of Cumberland at 301-759-6604.

**City of Cumberland**  
**Maryland Public Water Service # 0010008 - Pennsylvania Public Water Service Identification # 4050028**

*Data for both MD and PA water distribution systems unless otherwise noted*

**2023 Water Quality Data Chart**

Regulated Parameter	UNITS	RESULT	RANGE	MCLG	MCL	VIOLATION	Typical Sources of Contaminant
<b>Water Treatment Facility (Point of Entry)</b>							
Turbidity (max)	NTU	0.06	0.02-0.06	NA	1	NO	Soil run-off. Turbidity is a measurement of cloudiness of the water caused by suspended particles and is monitored as a good indicator of water quality and effectiveness of filtration
Turbidity Samples <0.3	%	100%	100%	NA	<95	NO	
Barium	ppm	0.0316	0.0316-0.0316	2	2	NO	Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits
Fluoride (avg)	ppm	0.61	0.57-0.63	4	4*	NO	Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories
Nitrate (as N)	ppm	<1.0	<1.0	10	10	NO	Runoff from fertilizer use; Leaching from septic tanks, sew age; Erosion of natural deposits
Dalapon	ppb	1	1 - 1	200	200	NO	Runoff from herbicide used on rights of way
<b>Maryland Distribution System</b>							
Chloramines (as Chlorine)	ppm	2.3	2.1-2.3	4	4	NO	Water additive used to control microbes
Copper (2023)	ppm	0.099	<0.0125 - 0.319	1.3	1.3	NO	Erosion of natural deposits; Leaching from wood preservatives; Corrosion of household plumbing systems
Lead (2023)	ppb	0.541	<0.5 - 8.04	0	15	NO	
Total Trihalomethanes (LRAA)	ppb	45	33.2-60	NA	80	NO	By-product of drinking water disinfection
Haloacetic Acids (LRAA)	ppb	34	12.5-39.9	NA	60	NO	
Total Coliform Bacteria	count	0	0	0	>1	NO	Naturally present in the environment
<b>Pennsylvania Distribution System</b>							
Chloramines (as Chlorine)	ppm	2.9	2.4-2.9	4	4	NO	Water additive used to control microbes
Copper (2022)	ppm	0.373	<0.0125 - 0.527	1.3	1.3	NO	Erosion of natural deposits; Leaching from wood preservatives; Corrosion of household plumbing systems
Lead (2022)	ppb	0.501	<0.50 - 3.1	0	15	NO	
Total Trihalomethanes	ppb	55	55	NA	80	NO	By-product of drinking water disinfection
Haloacetic Acids	ppb	31	31	NA	60	NO	
Total Coliform Bacteria	count	0	0	0	>1	NO	Naturally present in the environment
<b>Unregulated Parameters - Maryland &amp; Pennsylvania</b>							
Sodium	ppm	7.1	7.1	NA	NA	NO	
<b>Source Water Supply (Lake Gordon)</b>							
E. Coli (avg) 2018	mpn	88.3	<1.0 - 1986	0	NA	NA	Human and animal fecal waste
Cryptosporidium (avg) 2018	oocysts/L	0.042	0 - 0.5	0	NA	NA	Naturally present in the environment
<b>THE 5th UNREGULATED CONTAMINANT MONITORING RULE (UCMR5)</b>							
Results for all 30 contaminants analyzed under UCMR5 are available at the City's website link. Results recieved for UCMR5 in 2023 were non-detect at the method detection levels (Methods EPA 533, EPA 537.1 & EPA 200.7)							<a href="https://www.ci.cumberland.md.us/731/UCMR-5-Public-Notification">https://www.ci.cumberland.md.us/731/UCMR-5-Public-Notification</a>

\* PA DEP maximum contaminant level for Fluoride is 2 ppm

<b>DEFINITIONS</b>
<b>Maximum Contaminant Level (MCL)</b> - The highest level of a contaminant that is allowed in drinking water. MCL's are set as close to the MCLG's as feasible using best available treatment technology
<b>Maximum Contaminant Level Goal (MCLG)</b> - The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLG's allow for a margin of safety
<b>Maximum Residual Disinfectant Level (MRDL)</b> - Set by the USEPA - The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLs do not reflect the benefits of the use of disinfectants to control microbial contaminants
<b>Action Level (AL)</b> - The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow
<b>Treatment Technique (TT)</b> - A required process intended to reduce the level of a contaminant in drinking water
<b>Waiver, Variance, or Exception</b> - State or EPA permission not to meet an MCL or a treatment technique under certain conditions
<b>NTU – Nephelometric Turbidity</b>
<b>pCi/L – Picocuries per liter (a measure of radioactivity)</b>
<b>Oocysts/L - Oocyst per liter</b>
<b>ppb – Parts per billion</b>
<b>ppm - Parts per million</b>
<b>ppt - Parts per trillion</b>
<b>S.U. – Standard Units</b>
<b>LRAA - Locational running annual average</b>
<b>mpn - Most probable number</b>
<b>NA - Not Applicable</b>

### General Drinking Water Information

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline at (800) 426-4791.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the Safe Drinking Water Hotline (800-426-4791).

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. FDA regulations establish limits for contaminants in bottled water which must provide the same protection for public health. See the **2023 Water Quality Data Chart** that summarizes water testing results for the **2023** calendar year.

### Water Treatment

Surface water treatment facilities like Cumberland's are designed and operated to take a raw water source of variable quality and produce consistent high quality drinking water. Multiple treatment processes are provided in series and each process represents a barrier to prevent the passage of particulate matter, cysts and other microbial contaminants. Our Water Treatment Facility utilizes barriers which include clarification, filtration, and disinfection.

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include:

- Microbial contaminants such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.
- Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.
- Radioactive contaminants, which can be naturally occurring or be the result of oil and gas production and mining activities.

### **Additional Information Regarding Lead**

Lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing.

The City of Cumberland – Utilities Division is responsible for providing high quality drinking water and removing lead pipes, but cannot control the variety of materials used in plumbing components in your home. You share the responsibility for protecting yourself and your family from the lead in your home plumbing. You can take responsibility by identifying and removing lead materials within your home plumbing and taking steps to reduce your family's risk.

Before drinking tap water, flush your pipes for several minutes by running your tap, taking a shower, doing laundry or a load of dishes. You can also use a filter certified by an American National Standards Institute accredited certifier to reduce lead in drinking water. If you are concerned about lead in your water and wish to have your water tested, contact City of Cumberland – Utilities Division (301-759-6464 or [WaterQuestions@cumberlandmd.gov](mailto:WaterQuestions@cumberlandmd.gov)). Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available at <http://www.epa.gov/safewater/lead>.

### **PFAS – or Per- and Polyfluoroalkyl Substances**

PFAS – short for per- and polyfluoroalkyl substances – refers to a large group of more than 4,000 human-made chemicals that have been used since the 1940s in a range of products, including stain- and water-resistant fabrics and carpeting, cleaning products, paints, cookware, food packaging and fire-fighting foams. These uses of PFAS have led to PFAS entering our environment, where they have been measured by several states in soil, surface water, groundwater, and seafood. Some PFAS can last a long time in the environment and in the human body and can accumulate in the food chain.

The Maryland Department of the Environment (MDE) conducted a PFAS monitoring program for Community Water Systems from 2020 to 2022. The results are available on MDE's website: <https://mde.maryland.gov/PublicHealth/Pages/PFAS-Landing-Page.aspx>.

The Environmental Protection Agency (EPA) proposed regulations for 6 PFAS compounds in drinking water in March 2023. The MCLs for PFOA and PFOS are proposed to be 4.0 parts per trillion (ppt). The proposal for HFPO-DA (GenX), PFBS, PFNA and PFHxS is to use a Hazard Index of 1.0 (unitless) to determine if the combined levels of these PFAS pose a risk and require action.

**Water Conservation:** Our water resources are not unlimited – they are affected everyday by precipitation, population growth, economic development and pollution. The most cost-effective way to protect your water resources is through conservation. Visit <http://www.epa.gov/watersense/> for water conservation tips, facts, information, and online activities for you and your family.

**At Home Pollution Prevention:** Prevent the flow of pollution into local waterways is to prevent water from leaving your property as you perform daily activities.

**Around the Home:** Sweep up trash, dirt, and debris and place it in the garbage. Use Safer Choice products <https://www.epa.gov/saferchoice>, that contain ingredients that are safer for human health and the environment.

**In the Yard:** Yard waste has the potential to carry hazardous landscaping chemicals like pesticides, herbicides and fertilizers into your local watershed. Sweep up yard waste instead of hosing it away. Reduce bacteria in our waterways by picking up litter from around your yard and neighborhood and carry bags to pick up after your pet.

**This Water Quality Report is available to view at any time on City of Cumberland's website:**

[www.ci.cumberland.md.us](http://www.ci.cumberland.md.us) and via the web-link: <http://tinyurl.com/cpshwod>

**FOR MORE INFORMATION OR QUESTIONS:** Call 301-759-6464 or Email [WaterQuestions@cumberlandmd.gov](mailto:WaterQuestions@cumberlandmd.gov)

**Other water distribution systems in your area include:**

**LaVale Sanitary Commission at 301-729-1638 \* Allegany County Sanitary District at 301-777-5942**

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Due to the holidays, the Cumberland Historic Preservation Commission Meeting for the month of July will be held on the third Wednesday, July 17th, at 4pm in the City Hall Council Chambers.

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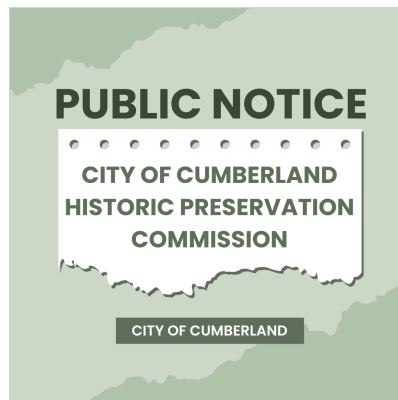
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# Lead Service Line Survey

## City of Cumberland Customer Lead Service Line Survey

The City of Cumberland needs your help to complete an inventory of all water service line pipes connected to the public water system.

Check your home for lead pipes, then complete our online survey to tell us what you find, no matter what type of pipes you find!

Why does the City of Cumberland need information about the water service pipe material in my home?

## EPA Regulatory Changes for Drinking Water

The U.S. Environmental Protection Agency (EPA) first established a lead and copper rule in 1991 to help reduce exposure and associated health effects from lead in drinking water. EPA revised the rule in 2021, requiring action by water service providers across the country. By 2024, all water utilities are required to determine where lead pipes exist in their systems, including the pipes on the customer side that connect to the public system.

The City of Cumberland has an inventory of our underground infrastructure, which helps us manage maintenance and prioritization of repair and replacement

of pipes. We need the cooperation of our customers to help us complete the inventory, showing all private side connections and pipe materials.

The information provided will help us meet regulatory requirements, as well as apply for infrastructure grants available in the future!

### **We Need Your Help**

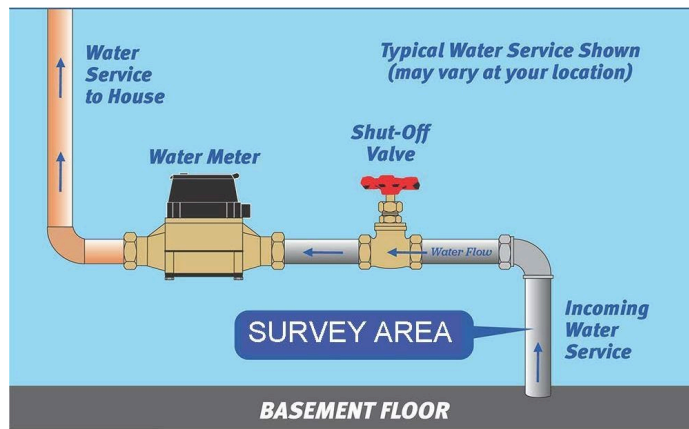
Please complete our online **Service Line Survey** to inform us of the material used for the water service line coming into your property. It is the pipe connected to your water meter. ***If you are not sure of the material, use the Steps to Check Your Service Line below or [this video link](#), then complete the survey.***

## **GO TO SURVEY**

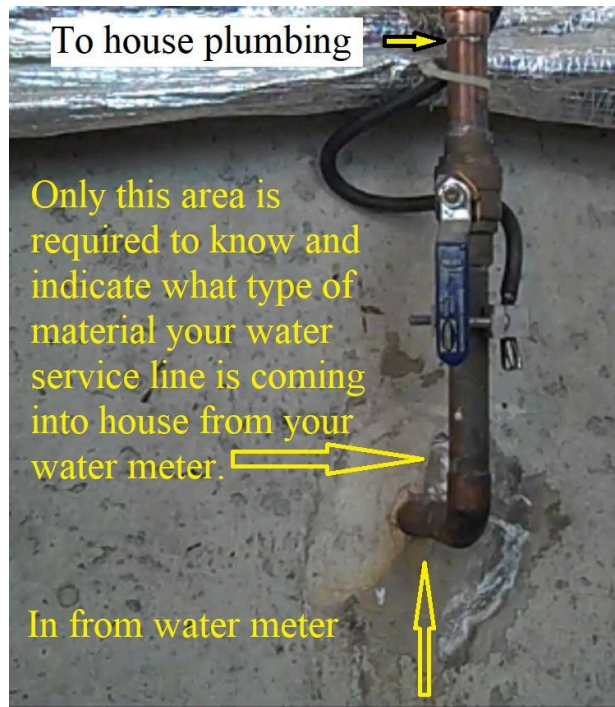
### **Steps to Check Your Service Line**

*Materials Needed: Key or coin, strong magnet, phone or tablet (to take picture)*

- Find the water meter on your property. This can be in a basement, crawl space or other exterior wall.
- Look for the pipe that comes through the wall of your home and connects to the meter.
- Use a key or coin to gently scratch the pipe like you would scratch a lottery ticket. If the pipe is painted, use sandpaper to expose the metal first.
- Place the magnet on the pipe to see if it sticks to the pipe.
- Determine your pipe material.
- Take a picture of the service line (incoming water service).
- Complete the **SURVEY**.



**NOTE:** Your meter may be inside the building (picture above) or outside the building (picture below). For this survey, look for the **incoming water service** entering the wall or floor and before the shut-off valve.



### Helpful tips to determine your pipe material

#### IF YOUR PIPE IS COPPER:

The pipe may appear dull brown on the outside but will be the color of a bright penny if gently scratched. Magnet won't stick.



**IF YOUR PIPE IS LEAD:**

The pipe will appear dull and soft but will turn a shiny silver color when scratched. Magnet won't stick.



**IF YOUR PIPE IS GALVANIZED STEEL:**

The scratched area will remain a dull gray. If you have a galvanized steel pipe, you may still have a lead gooseneck on your service line. Magnet will stick.

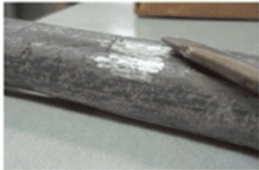


**IF YOUR PIPE IS PLASTIC OR PVC:**

If the service line is blue, white or black, does not appear to be any of the other materials listed above, and a magnet will not stick to the surface, your service line is most likely plastic.



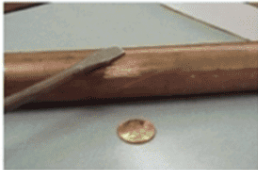
**MORE TIPS:**



**Lead Pipes**

**The Scratch Test**  
If the scraped area is shiny and silver, your service line is lead.

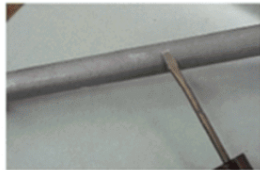
**The Magnet Test**  
A magnet will not stick to a lead pipe.



**Copper Pipes**

**The Scratch Test**  
If the scraped area is copper in color, like a penny, your service line is copper.

**The Magnet Test**  
A magnet will not stick to a copper pipe.



**Galvanized Pipes**

**The Scratch Test**  
If the scraped area remains a dull gray, your service line is galvanized steel.

**The Magnet Test**  
A magnet sticks to a galvanized pipe.

 Government Websites by CivicPlus®

**Learn More About Lead in Drinking Water**

The City's annual **Consumer Confidence Report** details information about lead in drinking water.

# City of Cumberland's Service Line Inventory Program

The City of Cumberland needs your help to complete an inventory of all water service line pipes connected to the public water system.

Check your home for lead pipes, then complete our online survey to tell us what you find, no matter what type of pipes you find!

[raquel.ketterman@cumberlandmd.gov](mailto:raquel.ketterman@cumberlandmd.gov) [Switch account](#)



The name, email, and photo associated with your Google account will be recorded when you upload files and submit this form

\* Indicates required question

Please select type: \*

- Homeowner (Living in House)
- Renter (Living in House)
- Landlord
- Other

Service Account Number (Located top left of Utility Bill):

Your answer

Street Address: \*

Your answer



City: \*

Cumberland

State: \*

Maryland

Zip Code: \*

21502

First Name: \*

Your answer

Last Name: \*

Your answer

Phone Number: \*

Your answer



Service Line Material: \*

- Lead
- Copper
- Galvanized
- Plastic
- Unknown

Estimated Year of Service Line Installation:

Your answer

Year Your Home/Business was Built

Your answer

Verification Options \*

- Upload a Picture
- Request a Site Visit (Water Distribution will contact you to schedule verification)

Please Attach a Picture of Your Service Line Where It Enters Your Home or Business \*

 Add file



Submit

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## **SIDE 1 OF POSTCARD**

### **CITY OF CUMBERLAND WATER SERVICE LINE SURVEY**

The City of Cumberland is required to collect data on all service lines connected to the public water system.

#### **What material is your home (or business) water service line?**

The Service line is the water pipe entering into your basement or crawl space.

Connect to the survey on the City's website to easily report the service line material in your house!

All you need a flashlight, a magnet, a coin and your cell phone. A photo of the waterline and connection to the internet is needed to complete the survey!

**Get the link  
and survey!**



## **SIDE 2 OF POSTCARD**

### **Why does the City of Cumberland need information about the water service pipe material in my home?**

The U.S. Environmental Protection Agency (EPA) first established a lead and copper rule in 1991 to help reduce exposure and associated health effects from lead in drinking water. EPA revised the rule in 2021, requiring action by water service providers across the country. By 2024, all water utilities are required to determine where lead pipes exist in their systems, including the pipes on the customer side that connect to the public system.

The City of Cumberland has an inventory of our underground public infrastructure, which helps us manage maintenance and prioritization of repair and replacement of pipes. We need the cooperation of our customers to help us complete the inventory, showing all private side connections and pipe materials.

The information provided will help the City meet these new regulatory requirements.

For more information on the survey and Cumberland's water quality information, visit the City's website <https://www.ci.cumberland.md.us/> and search "Drinking Water".



# EVITTS CREEK WATER COMPANY

1032 Lake Gordon Road, Bedford, PA 15522

Phone (814) 767-9552,

Fax (814) 767-1081

Dear Water Customer,

## **WE NEED YOUR HELP**

### **City of Cumberland Customer Lead Service Line Survey**

The Evitts Creek Water Company needs your help to complete an inventory of all water service line pipes connected to the public water system.

Follow the instructions on the City of Cumberland website to check your home for lead pipes, then complete our online survey to tell us what you find **OR** Call the Water Filtration Plant to schedule a time to have one of our Operators come to your home and assist you with this material identification, [814-767-9552](tel:814-767-9552). Our plant staff is regularly available Monday- Friday 7AM-3PM, or we can schedule evening/weekend assistance in advance. Also, help with identification can be requested through the survey itself.

Why does the City of Cumberland need information about the water service pipe material in my home?

### **EPA Regulatory Changes for Drinking Water**

The U.S. Environmental Protection Agency (EPA) first established a lead and copper rule in 1991 to help reduce exposure and associated health effects from lead in drinking water. EPA revised the rule in 2021, requiring action by water service providers across the country. By 2024, all water utilities are required to determine if and where lead pipes exist in their systems, including the pipes on the customer owned side that connect homes to the public system.

The City of Cumberland has an inventory of our underground infrastructure, which helps us manage maintenance and prioritization of repair and replacement of pipes. We need the cooperation of our customers to help us complete the inventory, showing all private side connections and pipe materials.

The information provided will help us meet regulatory requirements, as well as apply for infrastructure grants available in the future!

## **How to find/use the survey on the City of Cumberland Website**

Go to the City of Cumberland Website at: <https://ci.cumberland.md.us/>

Use the following tabs to get to the survey:

- Government
  - Departments
    - Engineering Division
      - Environmental Branch
        - Drinking Water
          - Lead Service Line Survey

Here you will find instructions on what you will need to complete the survey, and instructions on how to complete it. The regulations require a picture of the pipe be submitted, or actual visual verification by a Water Department representative, selection of one of these options will be required to complete the survey.

If any further assistance is needed, or you would like more information about this process, or the regulation itself. Call the Water Filtration Plant at 814-767-9552.

**PWSID # 4050028**



# CITY OF CUMBERLAND MARYLAND

## DEPARTMENT OF ENGINEERING

### Press Release

#### City of Cumberland Lead Service Line Survey

The City of Cumberland needs the community's help to complete an inventory of all private water service line pipes connected to the public water system.

Check your home or business for the type of service line pipe. Then please complete the City's online Lead Service Line Survey to inform us of the material of the water service line coming into your property.

The City has provided information on how and where to check your service line material on the City's website.

To prepare for the survey you will need a flashlight, a magnet, a coin and a cell phone or tablet capable of taking a picture to upload to the survey to the internet. You will need to first locate your service line in the basement or crawl space. Follow the helpful steps shown on the City's website to determine the pipe material. Take a photograph of the service line and attach it to the survey, and click submit.

Why does the City of Cumberland need information about the water service pipe material in my home?

The U.S. Environmental Protection Agency (EPA) first established a lead and copper rule in 1991 to help reduce exposure and associated health effects from lead in drinking water. EPA revised the rule in 2021, requiring action by water service providers across the country. By 2024, all water utilities are required to determine where lead pipes exist in their systems, including the pipes on the customer side that connect to the public system.

The City of Cumberland has an inventory of our underground public infrastructure, which helps us manage maintenance and prioritization of repair and replacement of pipes. We need the cooperation of our customers to help us complete the inventory, showing all private side connections and pipe materials.

The information provided will help the City meet these new regulatory requirements.

For more information on the survey and Cumberland's water quality information, visit the City's website <https://www.ci.cumberland.md.us/>, click on "Lead Service Line Survey" under Popular Links on the main page.

#### MAYOR

RAYMOND M. MORRIS

#### COUNCIL

RICHARD J. CIONI, JR.  
EUGENE T. FRAZIER  
JAMES L. FURSTENBERG, III  
LAURIE P. MARCHINI

#### CITY ADMINISTRATOR

JEFFREY F. SILKA, ICMA-CM

#### CITY ENGINEER

ROBERT L. SMITH, P.E.



MEMBER MARYLAND  
MUNICIPAL LEAGUE (MML)

57 N. LIBERTY STREET, CUMBERLAND, MD 21502 [www.cumberlandmd.gov](http://www.cumberlandmd.gov)  
VOICE (301)759-6600 • FAX (301)759-6608 • TDD (800)735-2258

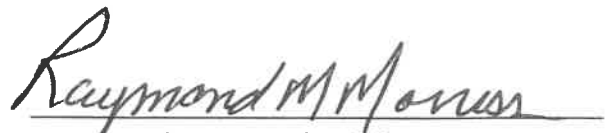
**- Order -**  
*of the*  
**Mayor and City Council of Cumberland**  
MARYLAND

ORDER NO. 27,509

DATE: July 16, 2024

**ORDERED, By the Mayor and City Council of Cumberland, Maryland**

THAT, the execution of Tariff Supplement No. 001 to the Tariff Water – Pa. P.U.C. No. 4 implementing the Evitt's Creek Water Company's Lead Service Line Replacement Program, addressing the Company's efforts to replace company-owned and customer-owned Lead Service Lines be and is hereby approved.

  
Raymond M. Morriss, Mayor

JUL 16 2024

# Council Agenda Summary

Meeting Date: 7/16/2024

Key Staff Contact: Robert Smith, P.E.

***Item Title:***

Pennsylvania PA P.U.C. Supplement No. 001 to Tariff Water – PA P.U.C. No. 4

***Summary of project/issue/purchase/contract, etc for Council:***

**LIST OF CHANGES MADE by this Supplement**

**Change:**

Tariff Supplement No. 001 implements the Company's Lead Service Line Replacement Program, which addresses the Company's efforts to replace company-owned and customer-owned Lead Service Lines.

***Amount of Award:*** N/A

***Budget number:*** N/A

***Grant, bond, etc. reference:*** N/A

Supplement No. 001 to  
Tariff Water - Pa. P.U.C. No. 4

EVITTS CREEK WATER COMPANY  
RATES, RULES AND REGULATIONS GOVERNING  
THE PROVISION OF WATER SERVICE  
TO THE PUBLIC IN CUMBERLAND VALLEY TOWNSHIP, BEDFORD COUNTY,  
PENNSYLVANIA

ISSUED: (Issued Date)

EFFECTIVE: (Effective Date)

BY: Robert Smith, Director of Engineering and Utilities  
57 North Liberty Street, Cumberland, MD 21502  
301-759-6600

**NOTICE**

THIS TARIFF SUPPLEMENT IMPLEMENTS THE COMPANY'S LEAD  
SERVICE LINE REPLACEMENT PROGRAM.

Issued: \_\_\_\_\_, 202X

Effective: \_\_\_\_\_, 202X

LIST OF CHANGES MADE by this Supplement

Change:

Tariff Supplement No. 001 implements the Company's Lead Service Line Replacement Program, which addresses the Company's efforts to replace company-owned and customer-owned Lead Service Lines. (C)

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**PART V: LEAD SERVICE LINE REPLACEMENT (LSLR) PROGRAM**

(1) Supersession

This section of the Company’s tariff supersedes all other conflicting provisions of this tariff for purposes of implementing the Company’s LSLR Program.

(2) Definitions

The following words and phrases, when used in Part V of this tariff, shall have the meanings assigned below unless the context clearly indicates otherwise:

Curb Stop: A water service shutoff valve located in a water service line near the curb or edge of the street and between the water main and the building.

Customer: A party contracting with an entity for service.

Customer-owned Lead Service Line (Customer-owned LSL): The portion of the lead service line extending from the curb, property line or entity connection to an entity’s water meter or, if the entity’s meter is located outside of the structure or water is not metered by the entity, at the first shutoff valve located within the interior of the structure.

Company: Evitts Creek Water Company

Company-owned Lead Service Line (Company-owned LSL): The portion of the lead service line extending from the Company’s main to the Curb Stop.

Distribution system improvement charge (DSIC): The term as defined in 52 Pa. Code § 121.2.

Entity: A public utility as defined in 66 Pa.C.S. § 102 (relating to definitions) engaged in diverting, developing, pumping, impounding, distributing or furnishing water service to or for the public for compensation, a municipal corporation as defined in 52 Pa. Code § 65.52 (relating to definitions), and an authority as defined in 66 Pa.C.S. § 3201(1) (relating to definitions).

Galvanized service line: Iron or steel piping that has been dipped in zinc to prevent corrosion and rusting.

Independent Legal Restrictions: Commission regulations or Orders which otherwise prevent termination of water service at a property including but not limited to winter moratorium, medical certifications, or Commission directed moratoriums or suspensions.

Lead service line (LSL): A service line made of lead that connects the water main to a building inlet and a lead pigtail, gooseneck or other fitting that is connected to the lead line. A galvanized service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material.

Lead service line replacement (LSLR): A service line, whether entity-owned or customer-owned, installed to replace a lead service line.

Lead service line replacement plan (LSLR Plan): A plan and supporting documents submitted to and approved by the Commission that specify how an entity intends to implement its lead service line replacement program.

Lead service line replacement program (LSLR Program): A program submitted to and approved by the Commission for the replacement of lead service lines by an entity.

Lead service line replacement project (LSLR Project): An entity-scheduled lead service line replacement activity either in conjunction with main replacements or as part of a lead service line replacement program.

Lead service line replacement project area (LSLR Project Area): The area encompassing an entity's scheduled lead service line replacement activities, which includes the area within a 1-mile radius of a lead service line replacement project if served by the entity.

LSLR Project Commencement: Installation of the first lead service line replacement within a lead service line replacement project area.

Partial lead service line replacement (Partial LSLR): A lead service line replacement that does not replace both the entity-owned and customer-owned portions of a lead service line.

Property Owner Agreement: An agreement between the Company and a property owner for the replacement of a customer-owned LSL that allows the Company's employees and contractors to gain access to their private property in order to replace their customer-owned LSL prior to the initiation of any work by the Company to replace the customer-owned LSL.

Service line: The pipe and appurtenances which connect any main to an entity's water meter or, if the entity's water meter is located outside of the structure or the connection is not metered by the entity, at the first shutoff valve located within the interior of the structure.

(3) LSLR Plan

Notwithstanding the Rules in this tariff relating to customer responsibility for customer service lines, the Company will replace customer-owned LSLs pursuant to its LSLR Program and LSLR Plan as initially approved by the Commission at Docket No. P-2024-\_\_\_\_\_, together with future Commission-approved updates. The Company may

modify its annual cap for LSLRs with Commission approval. The costs incurred by the Company to undertake remediation efforts pursuant to its LSLR Plan shall be recoverable in the Company's DSIC, PENNVEST Surcharge, and in base rates, as applicable.

The Company's LSLR Plan applies to any LSL serving any customer, the replacement of which is operationally feasible, and where the property owner authorizes the replacement or replaces the line in accordance with the Company's LSLR Program.

(4) LSLR Annual Cap

The Company will cap LSLR Projects at one (1) customer-owned LSLRs on an annual basis. If a customer reimbursement provided pursuant to this tariff or an emergency LSLR causes the Company to exceed its annual cap, the Company will increase its current annual cap by the number of emergency repairs and/or reimbursements and decrease its annual cap by the same amount for the following year only.

(5) LSL Replacements

The Company will offer to replace customer-owned LSLs at no direct cost to the customer or property owner, if the customer is not the property owner: (i) at any residential or non-residential property where the Company replaces a Company-owned main connected to a customer-owned LSL; (ii) at any property where the Company replaces a company-owned LSL connected to a customer-owned LSL; and (iii) at any property with a private-side only LSL located within a LSLR Project Area where LSLRs are performed; (iv) when the Company's operations crew replaces a Company-owned facility regardless of material, in emergencies, including line breaks, leaks, or other unplanned emergency replacements, that is a LSL or that is connected to a LSL; (v) and any other circumstance as required to avoid the replacement of a partial LSL.

Except in the case of non-owner occupied properties at which the Company has received the customer's acceptance of the Company's offer to replace the customer-owned LSL as set forth in Section (7) below, the Company shall enter into a property owner Agreement with the property owner for replacement of a customer-owned LSL that allows the Company's employees and contractors to gain access to their private property in order to replace their customer-owned LSL prior to the initiation of any work by the Company to replace the customer-owned LSL. The Property Owner Agreement shall be in a form provided by the Company and shall include provisions that require property owners to release and hold harmless the Company from any and all claims, causes of action, damages or losses, of any nature, whatsoever with respect to the work performed by the Company or its contractors that are not covered by the Company's LSLR Program warranty.

(6) Customer Refusal

Except as set forth below, if after being notified of the Company's offer to replace at no cost a customer-owned LSL, the property owner has not provided an executed Property Owner Agreement authorizing the replacement of the customer service line or has refused replacement, the Company will (1) provide the customer and property owner, if the

customer is not the property owner, with a complete disclosure of the known health hazards from the continued use of a LSL, (2) inform the customer or property owner, if the customer is not the property owner, that refusal or failure to accept will require replacement of the customer-owned LSL, at the customer or property owner's expense, within 1 year from LSLR Project Commencement for the customer or property owner, if the customer is not the property owner, to be eligible for reimbursement, and (3) communicate to the customer and property owner, if the customer is not the property owner, that failure to allow the Company to complete the LSLR or to replace the customer-owned LSL concurrent with the Company replacing the Company-owned LSL will lead to termination of water service under the provisions of this tariff prior to the Company replacing the Company-Owned LSL.

If the customer or property owner, if the customer is not the property owner, does not sign the Property Owner Agreement or refuses replacement of the customer-owned LSL within ten days after the Company undertakes the aforementioned steps, the Company will require the customer or property owner, if the customer is not the property owner, to sign a form documenting their refusal. If the customer or property owner refuses or fails to sign the refusal form, the Company will make a record of and document the customer's refusal or failure to sign the refusal form. The Company will then schedule to replace its portion of the Company-owned LSL and notify the customer in writing of this replacement no later than ten days prior to the scheduled replacement and terminate water service at that location the day prior to replacing the Company-owned LSL. The Company will proceed with termination of water service to a location irrespective of whether Independent Legal Restrictions would otherwise delay or prohibit termination. Such notice and termination shall be deemed consistent with Chapter 14 of the Public Utility Code. Moreover, in these instances, the Company is not required to comply with termination procedures described in other portions of its tariff or the Commission's regulations.

At any time prior to completing termination, or, within ten days after termination, the property owner executes the Property Owner Agreement, water service will be restored to the property, provided that service will not be restored until either both the Company-owned LSL and the customer-owned LSL have been replaced or, in the Company's sole discretion, an alternative, non-lead temporary bypass is installed until both the Company-owned LSL and the customer-owned LSL have been replaced.

The Company will not connect an Applicant to water service where a property owner previously refused or failed to accept the Company's offer of a LSLR until the Applicant verifies the replacement of the customer-owned LSL by providing a paid invoice from a licensed contractor or a notarized statement from a licensed contractor attesting to completion of the LSLR.

(7) Service Line Demarcation

If a shutoff valve is not located within 12 inches of the structure wall of the property, the Company may install a shutoff valve during the LSLR to serve as a point of demarcation between the property's service line and the property's interior water distribution piping.

The Company shall perfect its ownership of the portion of the service line located within the then-existing right-of-way in conformance with its tariff to ensure that the Company can obtain necessary permits during the planning phase of a LSLR Project.

(8) Prohibition on Partial LSLRs and Notice Requirements

Neither a customer nor a property owner may install a Partial LSLR. A Partial LSLR installed after July 23, 2022, must result in termination of service until both the Company-owned LSL and customer-owned LSL have been replaced. The Company will proceed with immediate termination of water service to a location being served by a partial LSLR installed after July 23, 2022, irrespective of whether Independent Legal Restrictions would otherwise delay or prohibit termination. Such termination shall be deemed consistent with Chapter 14 of the Public Utility Code. Moreover, in these instances, the Company is not required to comply with termination procedures described in other portions of its tariff or the Commission's regulations.

Where a customer or a property owner, if the customer is not the property owner, elects to replace the customer-owned LSL, the customer or property owner shall replace the customer-owned LSL concurrent with the Company replacing the Company-owned LSL, provided that the customer or property owner, if the customer is not the property owner, provides the Company at least 180 days' notice prior to replacing the customer-owned LSL.

The Company shall not connect an Applicant for water service to the Company-owned service line at a property where a customer or property owner, if the customer is not the property owner, previously refused or failed to accept the Company's offer of a LSLR until the Applicant verifies the replacement of the customer-owned LSL by providing a paid invoice from a licensed contractor or a verified statement from a licensed contractor attesting to completion of the LSLR.

(9) Reimbursement

Where a customer or property owner, if the customer is not the property owner, has replaced its own customer-owned LSL, the customer or property owner shall submit to the Company a reimbursement form, which may be provided by the Company to a customer or property owner by mail or email upon request or on the Company's website, and which must be completed by the customer or property owner and provided to the Company by mail, email, fax, or hand delivery as specified by the Company on its reimbursement form, which contains, at a minimum, a detailed estimate and paid invoice from a licensed contractor verifying the replacement of the customer-owned LSL. Instead of a detailed estimate, a verified statement from the contractor attesting to completion of a LSLR may be sufficient in the Company's discretion. A paid invoice must be submitted.

Upon submission of the reimbursement form, the Company will review the information that was provided within 90 days of receiving the reimbursement form to determine eligibility for a reimbursement. If sufficient information has not been provided at the time of submitting the reimbursement form, the Company will contact the customer or

property owner to request the necessary information to determine eligibility. The Company will have an additional 45 days from the time it receives the additional information to determine a customer’s eligibility for reimbursement.

A customer or property owner, if the customer is not the property owner, is eligible to receive a reimbursement if the customer or property owner’s service address is located within a LSLR Project Area and the customer-owned LSL is replaced within one year before or from LSLR Project Commencement. A customer or property owner, if the customer is not the property owner, located within a LSLR Project Area is eligible for a reimbursement of LSLR expenses up to 125% of the average cost the Company would have incurred to perform the replacement of a similarly-sized service line, not to exceed the actual cost to the customer or property owner.

Reimbursements will be paid directly to the customer or property owner, if the customer is not the property owner, through the issuance of a check. The Company will issue a check within 90 days after verifying that the customer or property owner is eligible for reimbursement.

(10) Warranty

For customer-owned LSLs replaced by the Company or its contractor, the Company will provide a two-year warranty for materials and workmanship of the Company’s LSLR work, including the Company’s restoration of surfaces consistent with this tariff, commencing from the date the LSLR is complete. This warranty shall cover repairs and replacements conducted by the Company or its contractor of the LSLR work up to a maximum warranty coverage amount of 125% of the Company’s cost for the LSLR work, so long as the customer allows access to the property for repairs.

The warranty does not cover, among other things, damage caused by natural disasters, acts of God, fires, terrorism, excavation activities, acts of sabotage, or deliberate damage. The Company shall have no liability for any damages not covered by the warranty.

(11) Limitation of Liability

The Company’s liability relating to LSLR efforts is limited as set forth in this tariff.

(12) Restoration

The Company will backfill to the previous grade any trenches excavated as part of the LSLR process and will fill and seal any wall or floor penetrations in the private home. The Company will restore roadways and sidewalks within the public right-of-way. No other restoration will be conducted for LSLRs. The Company will not replace any landscaping, interior finishes, paving, seeding, or walkways. All restoration costs shall be borne by the customer or property owner, if the customer is not the property owner, unless otherwise required by the Company’s LSLR Program warranty.

(13) Ownership of Replacement Service Line

After a customer-owned LSL is replaced by the Company, the customer shall continue to own the customer portion of the Service Line and shall have full responsibility for the repair, replacement and maintenance of the new customer portion of the Service Line.



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE  
REFER TO OUR FILE

June 5, 2024

Docket No. L-2020-3019521

To: *All Water Public Utilities*

RE: Act 120 of 2018 – Chapter 65 Lead Service Line Replacement Implementation Outreach

**SECOND NOTICE**

The purpose of this Secretarial Letter is to remind all water public utilities, or entities as defined in 52 Pa. Code § 65.1, that Chapter 65, Subchapter B – Lead Service Line Replacements, became effective upon publication in the *Pennsylvania Bulletin* on July 23, 2022, and requires each entity to file a petition with the Commission for approval of a Lead Service Line Replacement (LSLR) program prior to the deadlines identified below.

**Class A public utilities or authorities with Commission-approved preexisting LSLR activities:**

- No later than effective date of the rates established under the entity's next base rate case filed after the effective date of the regulations, on July 23, 2022, or within 2 years of effective date, by July 22, 2024, whichever comes first.

**Class B and C public utilities or municipal corporations:**

- Within 2 years of effective date of the regulations, by July 22, 2024.

In a LSLR program petition, each entity is directed to include, among other things, a LSLR plan, a *pro forma* tariff or *pro forma* tariff supplement containing the proposed changes (without an effective date), and information required by the Commission for filings under 66 Pa.C.S. § 1308. Additionally, as part of its petition, each entity will need to include a service line inventory that complies with the United States Environmental Protection Agency regulation at 40 CFR § 141.1—143.20 as enforced by the Pennsylvania Department of Environmental Protection. Following Commission approval of a LSLR program petition, the entity will be directed to file a tariff or tariff supplement effectuating its LSLR program as approved by the Commission.

To assist Class B and C public utilities and municipal corporations submit a LSLR program petition for approval to the Commission, the Commission's Bureau of Technical Utility Services has developed a LSLR program petition and plan template (LSLR Petition & Plan Template) and a model *pro forma* tariff supplement (LSLR Pro Forma Tariff) for LSLR programs. These documents have been made available on the Commission's website at the following location (scroll towards the bottom of the page):

LSLR Petition & Plan Template – <https://www.puc.pa.gov/filing-resources/forms/waterwastewater-forms/>

LSLR Pro Forma Tariff – <https://www.puc.pa.gov/filing-resources/forms/waterwastewater-forms/>

When filing a LSLR program petition with the Commission’s Secretary’s Bureau, each entity shall serve copies of its petition upon the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and the parties of record in the entity’s most recent base rate case.

Further details regarding the LSLR program petition requirements can be found in the Commission’s March 14, 2022, Final Rulemaking Order and Annex A thereto as published in the *Pennsylvania Bulletin*. Entities may also reference these documents on the Commission’s website at the following URLs:

Final Rulemaking Order – <https://www.puc.pa.gov/pdocs/1737282.pdf>  
Annex A (LSLRs) – <https://www.puc.pa.gov/pdocs/1737278.pdf>

Entities are encouraged to seek potentially available public funds and long-term financing programs to help reduce the cost of a LSLR program to ratepayers. The Pennsylvania Infrastructure Investment Authority (PENNVEST) has funding amounts available for LSLRs through the Drinking Water State Revolving Fund for each of the next five years, through Fiscal Year 2026-2027. Details of PENNVEST’s program, funding availability, eligible projects and application procedure may be found on its website at the following URL:

<https://www.pennvest.pa.gov/Information/Funding-Programs/Pages/IIJA.aspx>

Any questions about this letter can be directed to Matthew Lamb, P.E., (717) 783-1001 ([mlamb@pa.gov](mailto:mlamb@pa.gov)), or to Clint McKinley, (717) 783-6161 ([cmckinley@pa.gov](mailto:cmckinley@pa.gov)), in the Bureau of Technical Utility Services.

Sincerely,



Rosemary Chiavetta  
Secretary

cc: Patrick Cicero, Office of Consumer Advocate, [ra-oca@paoca.org](mailto:ra-oca@paoca.org)  
Christine Hoover, Office of Consumer Advocate, [choover@paoca.org](mailto:choover@paoca.org)  
NazAarah Sabree, Office of Small Business Advocate, [ra-sba@pa.gov](mailto:ra-sba@pa.gov)  
Sharon E. Webb, Office of Small Business Advocate, [swebb@pa.gov](mailto:swebb@pa.gov)  
Allison Kaster, Bureau of Investigation & Enforcement, [akaster@pa.gov](mailto:akaster@pa.gov)  
Robert Reily, Pennsylvania Department of Environmental Protection, [rreiley@pa.gov](mailto:rreiley@pa.gov)  
Marc Lucca, National Assoc. of Water Companies – PA Chapter, [malucca@aquaamerica.com](mailto:malucca@aquaamerica.com)