

Could you tell me where to find the federal law that allows for work to be done on private property (see original note down below)? John Barton from Treasury wants this information and I know you can find it faster than I.

From: Wyant, Dan (DEQ)
Sent: Monday, September 28, 2015 4:49 PM
To: Pallone, Maggie (DEQ); Busch, Stephen (DEQ); Butler, Sonya (DEQ)
Cc: Wurfel, Brad (DEQ)
Subject: FW: Use of SRF to replace lead service lines

Let's discuss.

Dan Wyant, Director
Department of Environmental Quality
517-284-6700 (New Number)

From: Hedman, Susan [<mailto:hedman.susan@epa.gov>]
Sent: Monday, September 28, 2015 4:36 PM
To: Wyant, Dan (DEQ)
Subject: Use of SRF to replace lead service lines

Hi Dan –

Here's a quick answer to your question about using SRF to replace lead service lines. Under the federal SRF program, SRF funds can be used to replace lead service lines on both public and private property. (We don't know if Michigan rules allow for the use of SRF funding on private property, but presumably you know whether that's the case.) If you have additional questions, your staff can follow up with Steve Marquardt, Chief of the R5 Water Division State and Tribal Program Section. His number is 312-353-3214.

Please keep me posted on the time for the event later this week.

Thanks,

Susan

Susan Hedman
Region 5 Administrator/Great Lakes National Program Manager
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Eligibility of Replacement of Lead Service Lines on Private Property Under the DWSRF.

FROM: Joanne Hogan
Attorney- Advisor
Civil Rights and Financial Law Office
Office of General Counsel

THROUGH: Wendel Askew
Assistant General Counsel
Civil Rights and Financial Law Office
Office of General Counsel

Ken Redden
Deputy Associate General Counsel
Civil Rights and Financial Law Office
Office of General Counsel

TO: Peter Shanaghan
Team Leader
Drinking Water State Revolving Fund Team
Office of Ground Water and Drinking Water, Office of Water

Question Presented.

You have asked whether financial assistance from a State's Drinking Water State Revolving Loan Fund can be used by eligible entities to fund projects that involve replacing lead service lines that may be on private property and that connect to private dwellings.

Brief Answer

We believe that lead service line projects, regardless of the ownership of the property on which the pipe is placed, may be funded by a State's DWSRF so long as the loans are made to an eligible entity and all other requirements of the DWSRF are met.