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October 11, 2013

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PUBLIC UTILITIES COMMISSION

Mrs. Luly Massaro
Commission Clerk
RI Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

The Hon. Angel Taveras
Mayor

Boyce Spinelli
General Manager

RE: Dk 4406: Commission Record Requests 10/8/2013

Dear Mrs. Massaro:

BOARD OF DIRECTORS

Brett P. Smiley
Chairman

Enclosed for filing is an original and seven copies of PW's responses to the following Commission record requests from the Technical Session on 10/8/2013:

Joseph D. Cataldi
Vice Chairman

- PW web link for LSR/Main Replacement.
- Consent Agreements with RIDOH.
- Monthly reports to RIDOH on PH Level(CD-ROM)
- Updated accounting on funding IFR account.

Michael L. Pearis
Ex-Officio

Michael A. Solomon
City Council President

Providence Water anticipates filing the remaining Commission record requests early next week.

Michael J. Correia
City Councilman

If you have any questions you can contact me at extension 7217.

Andy M. Andujar
Member

Sincerely,

Joan S. Badway
Member

Carissa R. Richard
Secretary

Mary L. Deignan-White
Senior Manager of Regulatory

William E. O'Gara, Esq.
Legal Advisor

Enclosures
cc: service list

Member

Rhode Island Water Works Assn.
New England Water Works Assn.
American Water Works Assn.
Water Research Foundation

An EPA WaterSense Partner

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Providence Water
Docket # 4406
Commission Record Request 10/8/13

1. Does Providence Water put LSR's/Main Replacement information online?

Answer: Providence Water provides specific project information on the Providence Water website under Departments/Engineering/Infrastructure Projects.
<http://www.provwater.com/projects/present/wmr/>

Providence Water
Docket # 4406
Commission Record Request 10/8/13

4. Please provide the 2012 and 2013 Consent Agreement with the Rhode Island Department of Health.

Answer: Please see attached Exhibits 4A and 4B.

CRR
4-A

DEPARTMENT OF HEALTH
OFFICE OF DRINKING WATER QUALITY

vs.

A.H. FILE NO. (DWQ)

Providence Water Supply Board

CONSENT ORDER

WHEREAS, the Department of Health (Health) has responsibility for safe drinking water and regulatory authority over public water systems in the state of Rhode Island; and

WHEREAS, the City of Providence public drinking water system (Providence Water) supplies water to people in the state of Rhode Island; and

WHEREAS, Health drinking water regulations in accordance with EPA standards require water testing for lead contamination; and

WHEREAS, Providence Water samplings taken in accordance with Health regulations *and* EPA standards have demonstrated a lead level which exceeds the satisfactory level and triggers a lead service line replacement program whereby seven percent (7%) of the service lines, as determined in 2005, must be replaced annually; and

WHEREAS, Providence Water is up to date through calendar year 2011 on its 7% service line replacements; and

WHEREAS; Provided Providence Water remains up to date on its lead service line replacements at a rate of 7% each year, no regulatory action by Health is warranted; and

WHEREAS, concerns that have been raised about the effectiveness of partial lead service line replacement in reducing lead exposure through water and the abatement of lead contained in water supplied by Providence Water; and

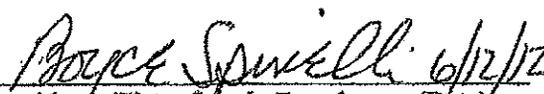
WHEREAS, Health has a lead abatement program designed to address the issue of lead reaching the citizenry of Rhode Island;

NOW, THEREFORE, Health and Providence Water agree to the following:

1. Health will grant Providence Water a stay during the 2012 season on its 7% service line replacement requirement.
2. Providence Water will contribute \$500,000 to Health's lead abatement program.

3. Providence Water will convene an expert advisory panel to evaluate corrosion control treatment in the Providence Water's water system, including consideration of simultaneous compliance issues. Costs of convening the panel, such as travel and hotel accommodations, shall be borne by the Providence Water. The panel shall be composed of representatives from Health, academia, and water supply professionals. Providence Water shall submit a proposal by June 30, 2012 to Health for approval detailing the membership, how and approximately how often the panel shall meet, and the proposed agenda for the panel. As soon as practicable, but no later than August 31, 2012, the expert panel shall provide a report and recommendations, including additional studies and/or treatment adjustments needed to achieve the lead action level. Upon approval by Health, studies and treatment adjustments shall be implemented by the system.
4. Providence Water shall remain on standard monitoring, as specified in the Rules and Regulations Pertaining to Public Drinking Water [R46-13-DWQ] (Regulations), Section 6.86 (a) through (d), and Water Quality Parameter monitoring as specified in Section 6.87(a) through (c). Providence Water shall also continue to meet the requirements regarding public education as specified in the Regulations, Section 6.85, and reporting requirements as specified in Section 6.90.
5. Prior to commencing scheduled or emergency system repairs or water main infrastructure replacement work which require partial or full service line replacements during 2012, Providence Water shall comply with the provisions of Section 6.84(d), regarding notification and education. Also, Providence Water shall provide NSF/ANSI-certified point-of-use water pitcher treatment units and one replaceable filter to affected residents who may experience short-term elevated lead levels in drinking water as a result of a partial lead service line replacement.
6. Outside of the lead service line replacements which shall take place under system repairs, Providence Water shall use best efforts to solicit and conduct additional full lead line replacements. Providence Water shall prioritize such best efforts in areas with the greatest numbers of vulnerable populations including day care centers and schools. For these full line replacements, Providence Water shall follow the requirements provided in Item #5 above.
7. Should Providence Water, after having been given reasonable notice of any alleged deficiencies, and a reasonable opportunity to cure any such deficiencies in performance relative to this agreement, fail to meet the requirements of items one (1) through six (6) above, a Tier 2 Treatment Technique violation shall be issued, for failure to replace at least 7% of lead service lines during 2012.

This Consent Order is satisfactory and accepted by both parties. The terms of this Order shall become effective upon signing by both parties.


Providence Water Supply Board (Date)
PWS#1592024


Michael Fine, MD (Date)
Director of Health
R.I. Department of Health

CRR
4-B

Department of Health
Three Capitol Hill
Providence, RI 02908-5097
TTY: 711
www.health.ri.gov



DEPARTMENT OF HEALTH
OFFICE OF DRINKING WATER QUALITY

vs

PROVIDENCE WATER SUPPLY BOARD

CONSENT ORDER

WHEREAS, the Department of Health (HEALTH) has responsibility for safe drinking water and regulatory authority over public water systems in the state of Rhode Island; and

WHEREAS, the City of Providence public drinking water system (Providence Water) supplies water to people in the state of Rhode Island; and

WHEREAS, HEALTH drinking water regulations in accordance with EPA standards require water testing for lead contamination; and

WHEREAS, Providence Water samples taken in accordance with HEALTH regulations and EPA standards have demonstrated a lead level which exceeds the satisfactory level and triggers a lead service line replacement program whereby seven percent (7%) of the service lines, as determined in 2005, must be replaced annually; and

WHEREAS, Providence Water was up to date through calendar year 2011 on its 7% service line replacements; and

WHEREAS, concerns have been raised about the effectiveness of partial lead service line replacement in reducing lead exposure through water and the abatement of lead contained in water supplied by Providence Water; and

WHEREAS, potentially more effective ways to reduce lead exposure through water and the abatement of lead contained in water supplied by Providence Water have been tentatively identified, including optimized treatment, a system wide unidirectional flushing program, and an extensive infrastructure program consisting of cleaning, lining, and main replacement of the estimated 50 to 55% of the distribution system that is composed of unlined cast iron pipe; and

WHEREAS, HEALTH has a lead abatement program designed to address the issue of lead reaching the citizenry of Rhode Island;

NOW, THEREFORE, HEALTH and Providence Water agree to the following:

1. HEALTH will grant Providence Water a stay during the 2013 season on its 7% service line replacement requirement. In lieu of lead service line replacement, Providence Water shall continue/initiate the following activities.
2. Providence Water will contribute \$250,000 to HEALTH's Lead Abatement Program.
3. Providence Water will continue consultation with its expert advisory panel to evaluate corrosion control treatment in the Providence Water's water system, including consideration of simultaneous compliance issues. Costs of convening the panel, such as travel and hotel accommodations, shall be borne by the Providence Water Supply Board. The panel shall continue to be composed of representatives from academia, and water supply professionals; its composition shall not change except with the approval of HEALTH. As soon as practicable, but no later than August 31, 2013, the expert panel shall provide a report and recommendations, including piloting recommendations for treatment adjustments needed to achieve the optimal corrosion control. Upon approval by HEALTH, studies and treatment adjustments shall be implemented by the system.
4. Providence Water shall continue using experimental lead pipe loops to examine alternative treatment schemes for optimization of corrosion control. All experimental loops shall conform to HEALTH's Pilot Study Requirements, attached herein, as applicable, unless relief is granted. The experimental pipe loop study results shall be provided to HEALTH monthly. HEALTH anticipates that the pipe loops shall be fully constructed with conditioning to begin no later than June 1, 2013, and that piloting recommendations provided by the Expert Panel to begin no later than September 30, 2013.
5. Providence Water shall initiate measures to address the condition of Providence Water distribution system, which is believed to be contributing to the presence of lead in the water. These measures shall include but not be limited to presence of lead in the water. *release*
 - A system-wide unidirectional flushing program (UDF). A schedule and implementation plan for UDF shall be submitted to HEALTH for approval no later than June 1, 2013. The UDF plan will be aggressive in approach and shall include at least 10% of the distribution system by 12/1/13, an additional 15% of the distribution system by 12/1/14 and an additional 20% of the distribution system by 12/1/15.
 - An extensive infrastructure program consisting of a plan and schedule for cleaning and lining, or main replacement of the estimated 50 to 55% of the distribution system that is composed of unlined cast iron pipe shall be submitted to HEALTH by September 1, 2013. This program shall include a detailed asset inventory and condition assessment for all unlined cast iron pipe in the ProvWater transmission/distribution system. Where the condition of a section of pipe is not known, the plan shall include a schedule for condition assessment, including the criteria upon which main replacement is being prioritized. It shall include sufficient

detail that when combined with the approved Infrastructure Replacement Plan, HEALTH will be able to verify that the program is being implemented on schedule and inclusive of all unlined cast iron pipe present in the ProvWater transmission/distribution system. The program shall, to the degree possible, designate and prioritize those pipes that are most problematic to water quality. ProvWater shall comply with the terms of the approved IFR plan regarding main rehabilitation and replacement, which is understood to mean unlined cast iron mains, for the State fiscal years 2014, 2015, and 2016, in the amounts of \$12,000,000 (FY2014), \$15,500,000 (FY2015), and \$16,425,000 (FY2016).

6. Until such time as corrosion control has been deemed optimized, HEALTH shall be provided a monthly update on all activity related corrosion control.
7. Providence Water shall remain on standard monitoring, as specified in the Rules and Regulations Pertaining to Public Drinking Water [R46-13-DWQ] (Regulations), Section 6.86 (a) through (d), and Water Quality Parameter monitoring as specified in Section 6.87(a) through (c). Providence Water shall also continue to meet the requirements regarding public education as specified in the Regulations, Section 6.85, and reporting requirements as specified in Section 6.90.
8. Prior to commencing scheduled or emergency system repairs or water main infrastructure replacement work which requires partial or full service line replacements during 2013, Providence Water shall comply with the provisions of Section 6.84(d), regarding notification and education. Also, Providence Water shall provide NSF/ANSI-certified point-of-use water pitcher treatment units and one replaceable filter to affected residents who may experience short-term elevated lead levels in drinking water as a result of a partial lead service line replacement.
9. Outside of the lead service line replacements which shall take place under system repairs, Providence Water shall use best efforts to solicit and conduct additional full lead line replacements. Providence Water shall prioritize such best efforts in areas with the greatest numbers of vulnerable populations including day care centers and schools. For these full line replacements, Providence Water shall follow the requirements provided in Item #7 above. A detailed plan to accomplish this task shall be submitted no later than June 1, 2013.
10. Should Providence Water, after having been given reasonable notice of any alleged deficiencies, and a reasonable opportunity to cure any such deficiencies in performance relating to this agreement, fail to meet the requirements of items one (1) through six (6) above, an administrative fine calculated by Health to exceed the economic benefit of non-compliance with this order shall be paid.
11. Should Providence Water feel that the requirements of this Consent Agreement cannot be met within budget, time or managerial constraints, and that the terms need to be modified, Providence Water shall notify this office immediately, and request a meeting at which a detailed justification of the requested modification shall be presented, including a description

of the efforts made to comply with the terms as written.

12. This consent agreement shall be renegotiated and updated by January 1, 2014 to reflect changes to the Safe Drinking Water Act "Lead and Copper Rule" that may or may not be promulgated by the EPA.

This Consent Order is satisfactory and accepted by both parties. The terms of this Order shall become effective upon signing by both parties.

Bayce Spinelli

Providence Water Supply Board (Date)
PWS#1592024

Michael Fine 9/17/2013

Michael Fine, MD (Date)
Director of Health
R.I. Department of Health

Providence Water
Docket # 4406
Commission Record Request 10/8/13

8. Please provide an updated accounting of funding in the IFR account.

Answer: Attached is an updated accounting of the IFR Fund through September 30, 2013.

Providence Water
IFR Fund
As of 9/30/13

Cash Balance	\$ 3,289,811.43
Due From Operating	\$ 8,610,215.88
Due To Operations	\$ (1,514,763.97)
Due To Operations	<u>\$ (382,285.35)</u>
Cash & Due From balance	<u>\$ 10,002,977.99</u>

For RR 10/8/13 # 8

Providence Water
Docket # 4406
Commission Record Request 10/8/13

6. Please provide a copy of all monthly reports submitted to RIDOH on PH levels since February 2013.

Answer: Please see attached Exhibits 6A through 6G.