

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 34.
PUBLIC UTILITIES.

CHAPTER 21A.
LEAD SERVICE LINE REPLACEMENT ASSISTANCE.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE
CHAPTER 21A. LEAD SERVICE LINE REPLACEMENT
ASSISTANCE.

TABLE OF CONTENTS

[§ 34-2151. Establishment of the Lead Service Line Priority Replacement Assistance Fund.](#).....

[§ 34-2152. Funding.](#).....

[§ 34-2153. Eligibility criteria.](#).....

[§ 34-2154. Administering of grants.](#).....

[§ 34-2155. Rules and procedures.](#).....

[§ 34-2156. Non-liability of the District and the Water and Sewer Authority.](#).....

[§ 34-2157. Applicability.\[Repealed\]](#).....

CHAPTER 21A. LEAD SERVICE LINE REPLACEMENT ASSISTANCE.

§ 34-2151. ESTABLISHMENT OF THE LEAD SERVICE LINE PRIORITY REPLACEMENT ASSISTANCE FUND.

(a) There is established within the General Fund of the District of Columbia a nonlapsing Lead Service Line Priority Replacement Assistance Fund ("Fund") to be administered by the Mayor, in consultation with the District of Columbia Water and Sewer Authority ("WASA").

(b) The purpose of the Fund shall be to provide grants to eligible District homeowners up to \$2,500 to assist them in the replacement of the portion of their lead service line that is located on their private property.

(c) Payments to eligible homeowners are subject to appropriation and the availability of funds. This chapter does not establish a right to funds on the part of any person.

(Dec. 7, 2004, D.C. Law 15-205, § 6012, 51 DCR 8441.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 6012 of Fiscal Year 2005 Budget Support Emergency Act of 2004 (D.C. Act 15-486, August 2, 2004, 51 DCR 8236).

For temporary (90 day) addition, see § 6012 of Fiscal Year 2005 Budget Support Congressional Review Emergency Act of 2004 (D.C. Act 15-594, October 26, 2004, 51 DCR 11725).

Legislative History of Laws

Law 15-205, the "Fiscal Year 2005 Budget Support Act of 2004", was introduced in Council and assigned Bill No. 15-768, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 14, 2004, and June 29, 2004, respectively. Signed by the Mayor on August 2, 2004, it was assigned Act No. 15-487 and transmitted to both Houses of Congress for its review. D.C. Law 15-205 became effective on December 7, 2004.

Miscellaneous Notes

Short title of subtitle B of title VI of Law 15-205: Section 6011 of D.C. Law 15-205 provided that subtitle B of title VI of the act may be cited as the Lead Service Line Priority Replacement Assistance Act of 2004.

§ 34-2152. FUNDING.

(a) The Fund shall be comprised of:

- (1) General revenue funds appropriated by a line item in the budget submitted pursuant to § 1-204.46 and authorized by Congress in an appropriations act for the purposes of the Fund;
- (2) Grants from any source to the Fund or to the District of Columbia for the purposes of the Fund;
- (3) Capital funds appropriated for the purposes of the Fund; and
- (4) Interest earned from the deposit or investment of monies of the Fund.

(b) The monies shall be deposited into the Fund without regard to fiscal year limitation pursuant to an act of Congress, and shall not revert to the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available for the purpose of the Fund, subject to authorization by Congress.

(c) The Mayor shall include in the fiscal year 2006 budget estimates of the District an amount as may be necessary for capitalization of the Fund.

(Dec. 7, 2004, D.C. Law 15-205, § 6013, 51 DCR 8441.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 6013 of Fiscal Year 2005 Budget Support Emergency Act of 2004 (D.C. Act 15-486, August 2, 2004, 51 DCR 8236).

For temporary (90 day) addition, see § 6013 of Fiscal Year 2005 Budget Support Congressional Review Emergency Act of 2004 (D.C. Act 15-594, October 26, 2004, 51 DCR 11725).

Legislative History of Laws

For Law 15-205, see notes following § 34-2151.

§ 34-2153. ELIGIBILITY CRITERIA.

(a) To be eligible for an assistance grant from the Fund, a household must:

- (1) Have an aggregate income of 60% or less than the area median income for a household of like size in the Washington Metropolitan Statistical Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development; and
- (2) Have a known lead service line.

(b) Grants shall be awarded, to the extent reasonably possible, according to the following priority:

- (1) Households with a tap water test that shows a lead level at or above 15 parts per billion and that include:
 - (A) A child under the age of 6 years;
 - (B) A pregnant woman; or
 - (C) A woman who is nursing;
- (2) Households with a tap water test that shows a lead level below 15 parts per billion and which include:
 - (A) A child under the age of 6 years;
 - (B) A pregnant woman; or
 - (C) A woman who is nursing; and
- (3) To all other eligible households.

(c) Grants under this section shall be awarded as follows:

- (1) The District shall pay 100% of the replacement costs of lead service lines, up to \$2,000, for eligible households with incomes of 20% or less of the area median income for a household of like size;
- (2) The District shall pay 80% of the replacement costs of lead service lines, up to \$2,000, for eligible households with incomes of 21% to 30% of the area median income for a household of like size;
- (3) The District shall pay 60% of the replacement costs of lead service lines, up to \$2,000, for eligible households with incomes of 31% to 40% of the area median income for a household of like size;
- (4) The District shall pay 50% of the replacement costs of lead service lines, up to \$2,000, for eligible households with incomes of 41% to 60% of the area median income for a household of like size.

(d) If funds are not sufficient to pay for the replacement costs of lead service lines for all eligible households under this section, priority shall be given to providing grants to the eligible households with the lowest total income in the priority established under subsection (b) of this section.

(Dec. 7, 2004, D.C. Law 15-205, § 6014, 51 DCR 8441; Mar. 2, 2007, D.C. Law 16-191, §§ 23, 57, 53 DCR 6794.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 16-191, in subsec. (a)(2), validated a previously made technical correction.

Emergency Act Amendments

For temporary (90 day) addition, see § 6014 of Fiscal Year 2005 Budget Support Emergency Act of 2004 (D.C. Act 15-486, August 2, 2004, 51 DCR 8236).

For temporary (90 day) addition, see § 6014 of Fiscal Year 2005 Budget Support Congressional Review Emergency Act of 2004 (D.C. Act 15-594, October 26, 2004, 51 DCR 11725).

For Law 15-205, see notes following § 34-2151.

For Law 16-191, see notes following § 34-209.

§ 34-2154. ADMINISTERING OF GRANTS.

WASA shall administer the grants under this chapter. A household requesting a grant for assistance in replacing a lead service line on private property shall apply to WASA for the grant, and WASA shall determine whether the household meets the eligibility criteria of § 34-2153(a). Upon determination by WASA that a household is eligible for a grant under this chapter, WASA or a subcontractor of WASA shall replace the service line on private property at cost and shall credit the household for the amount of the grant for which it is eligible against the costs of replacement.

(Dec. 7, 2004, D.C. Law 15-205, § 6015, 51 DCR 8441.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 6015 of Fiscal Year 2005 Budget Support Emergency Act of 2004 (D.C. Act 15-486, August 2, 2004, 51 DCR 8236).

For temporary (90 day) addition, see § 6015 of Fiscal Year 2005 Budget Support Congressional Review Emergency Act of 2004 (D.C. Act 15-594, October 26, 2004, 51 DCR 11725).

Legislative History of Laws

For Law 15-205, see notes following § 34-2151.

§ 34-2155. RULES AND PROCEDURES.

The Mayor, in consultation with WASA, is authorized to promulgate rules and to establish procedures to implement this chapter.

(Dec. 7, 2004, D.C. Law 15-205, § 6016, 51 DCR 8441.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 6016 of Fiscal Year 2005 Budget Support Emergency Act of 2004 (D.C. Act 15-486, August 2, 2004, 51 DCR 8236).

For temporary (90 day) addition, see § 6016 of Fiscal Year 2005 Budget Support Congressional Review Emergency Act of 2004 (D.C. Act 15-594, October 26, 2004, 51 DCR 11725).

Legislative History of Laws

For Law 15-205, see notes following § 34-2151.

§ 34-2156. NON-LIABILITY OF THE DISTRICT AND THE WATER AND SEWER AUTHORITY.

The replacement of a lead service line that is located on private property and that is funded, in whole or in part, pursuant to this chapter shall not be the responsibility of the District or WASA. Neither the District nor WASA shall be liable for any negligent acts or acts of omission associated with the replacement of lead service lines, and the District shall incur no liability associated with the replacement of the lines.

(Dec. 7, 2004, D.C. Law 15-205, § 6017, 51 DCR 8441.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 6017 of Fiscal Year 2005 Budget Support Emergency Act of 2004 (D.C. Act 15-486, August 2, 2004, 51 DCR 8236).

For temporary (90 day) addition, see § 6017 of Fiscal Year 2005 Budget Support Congressional Review Emergency Act of 2004 (D.C. Act 15-594, October 26, 2004, 51 DCR 11725).

Legislative History of Laws

For Law 15-205, see notes following § 34-2151.

§ 34-2157. APPLICABILITY.[REPEALED]

(Dec. 7, 2004, D.C. Law 15-205, § 6018, 51 DCR 8441; Aug. 16, 2008, D.C. Law 17-219, § 7058, 55 DCR 7598.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 6018 of Fiscal Year 2005 Budget Support Emergency Act of 2004 (D.C. Act 15-486, August 2, 2004, 51 DCR 8236).

For temporary (90 day) addition, see § 6018 of Fiscal Year 2005 Budget Support Congressional Review Emergency Act of 2004 (D.C. Act 15-594, October 26, 2004, 51 DCR 11725).

Legislative History of Laws

For Law 15-205, see notes following § 4-204.61.

For Law 17-219, see notes following § 34-808.01.