

PUBLIC NOTICE

Local Governments and Rural Water Systems Improvements Board

P. O. Box 1700

Suite U-232

Jackson, Mississippi 39215-1700

The Mississippi Local Governments and Rural Water Systems Improvements Board (Board) has established a public comment period for the Draft Amendment #1 to the FY-2006 Intended Use Plan for the Drinking Water Systems Improvements Revolving Loan Fund (DWSIRLF) Program. The public comment period on this document extends from the date of this announcement through April 24, 2006, at 8:30 a.m. Written comments will be received until that time, at the following address:

Local Governments and Rural Water Systems Improvements Board
Tony Caldwell, P.E., Drinking Water SRF Director
Post Office Box 1700/ Suite U-234
Jackson, Mississippi 39215-1700

The Board will hold a public hearing at 9:00 a.m., Monday, April 24, 2006, in Room U-234, in the offices of the Mississippi Department of Health (MDH), located at 2423 North State Street (Underwood Building) in Jackson, Mississippi, to receive written or verbal comments on the document. Regardless of how the comments are received, equal consideration will be given by the Board to all comments prior to adoption of the plan.

The Draft Amendment #1 to the FY-2006 Intended Use Plan adds additional projects to the FY-2006 and After Planning List to allow funding of these projects during FY-2006, and revises various sections and appendices based on the latest funding projections and requests for clarification from the US EPA.

A copy of the document is available for viewing or downloading at www.msdh.state.ms.us/dwsrf. You may also contact Tony Caldwell or Bill Moody with MDH at 601-576-7518 to have a copy mailed to you, or to voice any questions or comments concerning the document.

**DRINKING WATER SYSTEMS IMPROVEMENTS
REVOLVING LOAN FUND PROGRAM**

DRAFT

**AMENDMENT NO. 1
TO THE
FY-2006 INTENDED USE PLAN**

**Presented to the Board for Approval
On March 17, 2006**



MISSISSIPPI DEPARTMENT OF HEALTH

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**LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS
IMPROVEMENTS BOARD
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LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS BOARD

DRINKING WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND

FY-2006 INTENDED USE PLAN

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Purpose of Draft Amendment No. 1 to the
FY-06 Intended Use Plan

The Purpose of this amendment is to revise the final FY-06 Intended Use Plan to reflect the following changes:

- **To amend Sections I.B., IV.A.i. & ii., V., VIII., and Appendices A, B, C, D, F to reflect changes associated with the revised capitalization grant allotment to \$8,229,300.**
- **To amend Section VI.A.iv. to clarify the Disadvantaged Communities category to as requested by the EPA.**
- **To amend Section VII.– for the addition of the following projects to the FY-2007 and After Planning List to allow for their funding in FY-06:**
 - **Dexter Water Association – Well, Treatment Plant, Tank, and Consolidation**
 - **City of Columbus – Distribution to un-served residences**
 - **Jayess-Topeka-Tilton Water Association – Distribution Improvements**
- **To amend Appendix F - Public Water System Management Program to reflect changes associated the recently adopted Mississippi Public Water System Supervision Program Plan as required by the EPA.**
- **To amend Appendix G to reflect changes associated with the required state 1:1 match due to the change in the capitalization grant allotment.**
- **To amend Section I.C. Appendix F and Appendix J to reflect changes in proposed dates associated with presenting this draft amendment to the board, the advertising of the amendment, public hearing of this amendment, and adoption of this amendment.**

I. Introduction

A. State of Mississippi's Drinking Water Revolving Loan Fund

The Safe Drinking Water Act Amendments of 1996 (SDWA) established the national Drinking Water State Revolving Fund (DWSRF) Program. That program allows the Environmental Protection Agency (EPA) to make capitalization grants to states, to in turn provide low cost loans to public water systems to help achieve or maintain compliance with SDWA requirements. Accordingly, the State Legislature (through Section 41-3-16, MS Code of 1972 Annotated) created what is now called the Drinking Water Systems Improvements Revolving Loan Fund (DWSIRLF) Program, to receive the federal DWSRF capitalization grants from EPA, and to provide the low cost loans to the State's public water systems to finance needed infrastructure improvements.

That same legislation created the "Local Governments and Rural Water Systems Improvements Board," to oversee the administration of the DWSIRLF Program. The Mississippi Department of Health, as the state's Drinking Water primacy agency, supplies the staff and facilities necessary to administer the program. The Board is composed of the following nine (9) members: the State Health Officer, who shall serve as chairman of the board; the Executive Director of the Mississippi Development Authority; the Executive Director of the Department of Environmental Quality; the Executive Director of the Department of Finance and Administration; the Executive Director of the Mississippi Association of Supervisors; the Executive Director of the Mississippi Municipal League; the Executive Director of the American Council on Engineering Companies; the State Director of the United States Department of Agriculture, Rural Development; and a manager of a rural water system. Each agency director may appoint a designee to serve in his or her place on the board. The rural water system manager is appointed by the Governor. In the creation of the program it was the intent of the Legislature that the Board endeavor to ensure that the costs of administration of the DWSIRLF Program are as low as possible, in order to provide the water consumers of Mississippi safe drinking water at affordable prices.

As a condition of receiving the DWSRF capitalization grants, the SDWA requires that each state annually prepare an Intended Use Plan (IUP). The IUP is designed to outline how a state will utilize DWSRF funds to assist in protecting public health. The DWSIRLF consists of both state and federal funds. Federal funds are provided to the states in the form of awarded capitalization grants. Each state's allotment of those grants is based on EPA's Needs Survey that is performed every four years. State matching funds totaling 20% of the federal grant amount are required to be deposited into the fund and have historically been provided through the issuance of bonds. The purpose of this IUP is to convey Mississippi's DWSRF plan for FY-2006 to EPA, other state agencies, the state's public water supplies, and the general public.

B. Program Overview

The basic framework under which the DWSIRLF Program operates is established by two documents. The first document is the Drinking Water State Revolving Fund Loan Program Operating Agreement (Operating Agreement) between the Mississippi State Department of Health and the Environmental Protection Agency, Region IV. This Operating Agreement was agreed to by both parties and approved on August 10, 1998. The Operating Agreement establishes the basic framework of the DWSIRLF that is not expected to change from year to year. The second document is this IUP, which describes how the State of Mississippi will obligate the 2006 DWSRF allotment of \$8,229,300 from October 2006 through September 2009, as shown in the capitalization grant application. This IUP will show in detail the following: the goals (both long term and short term), the structure, and the financial status of the loan program; the role of the set aside of activities within the state; and most importantly, the distribution of funds toward public water system improvement projects and the criteria used in determining their ranking within the priority system. If anyone would like to receive a copy of either of these documents they should contact Tony Caldwell or William Moody at (601) 576-7518 to request copies.

C. Public Input, Review, and Comment Procedures

To ensure that the public has an ample opportunity to review and comment upon the IUP, the Department and the Board follows the “Mississippi Administrative Procedures Law” prior to final submission to EPA. A public notice period of at least twenty-five (25) days allows for review and comment before a public hearing. A second filing with the Secretary of State’s Office occurs with the IUP becoming law 30 days later.

Public notice was given in *The Clarion Ledger*, a newspaper of statewide circulation, for a public hearing to receive any written and oral comments on this IUP. It was held at 9:00 a.m. on Monday, April 24, 2006. A transcript of the public hearing recording the comments and recommended solutions will be submitted to EPA along with the Final Intended Use Plan. If anyone would like to receive a copy of the public hearing transcript they should contact Tony Caldwell or William F. Moody at (601) 576-7518 to request copies. A copy of the “Mississippi Administrative Procedures Law” can be obtained from the Mississippi Secretary of State’s Office, and can also be found on the Mississippi Department of Health’s website at www.msdh.state.ms.us/dwsrf.

II. Goals of Mississippi’s Drinking Water Revolving Loan Fund

The Board has established certain goals for the DWSIRLF Program. Basic goals of the loan program include maintaining a financially sound DWSIRLF in perpetuity, meeting a portion of the drinking water needs in the State within a reasonable period of time, and funding projects in order of public health importance. The DWSIRLF program will help ensure that the nation's drinking water supplies remain safe and affordable, and that public water systems that receive funding will be properly operated and maintained. Congress and the State of Mississippi have placed particular emphasis on assisting smaller drinking water systems under the DWSIRLF, to ensure that these systems have

adequate technical, managerial, and financial resources to come into or maintain compliance and provide safe water.

A. Long-Term DWSRF Goals

1. The loan program is pursuing the possibility of administering the program entirely under the umbrella of the Mississippi Department of Health (MDH). In 1997, at the DWSIRLF's inception with the MDH, Mississippi Department of Environmental Quality (MDEQ) had 10 years experience in administering the Clean Water SRF Program. It was decided that to contract with MDEQ to help with the program's administration would allow the people of Mississippi to receive program benefits more quickly. Their assistance did indeed allow the DWSIRLF to operate as soon as possible; however, it was always the goal of MDH to administer the program completely once personnel had been hired and trained. A carefully planned transition period while continuing to provide loans and fund technical assistance will be of utmost importance, if and when this occurs.
2. Essential to achieving these goals is the determination of an interest rate and loan repayment term which will generate sufficient fund income to meet the State's needs within a reasonable period of time, but which is no more than private sector funding, so as to bring public water systems to the program and insure use of all available funds. Toward this end, the Board intends to implement the program as further described in Section IV. The long term priorities for funding are described in the Priority System in Section VI, which places first priority on projects that will bring existing drinking water facilities into compliance with national primary drinking water regulations and address the most serious risks to human health, as required by the federal Safe Drinking Water Act (SDWA). Other project categories will be funded in order of priority as established within the Priority System, and as available funds allow. All projects must be demonstrated to be technically, environmentally, financially and managerially sound through completion of a facilities plan, and its subsequent approval by MDEQ on behalf of MDH.

B. Short-Term DWSRF Goals

1. Continuing to refine the DWSIRLF Loan Program to make the loan program more attractive to the public water systems in the state through customer outreach to not only public water systems but also consulting engineering. This will involve "one on one" visits with engineering firms to understand from their point of view what could make the loan program more appealing. This also will include the possibility of revising some Standard Operating Procedures (SOPs) and other documents necessary to streamline approvals, document processing, and the loan award process;

2. Assisting applicants in addressing capacity assessment deficiencies found during annual inspections through solutions afforded to by the use of the technical assistance set-asides contracts;
3. Develop a web based system for tracking DWSIRLF projects and Bureau of Public Water Supply projects that will allow access to consulting engineers, contractors, and loan recipients to check approval/comment status;
4. Develop procedures to speed up approval/review processes of the various pieces to the loan program;
5. Maintain reasonable priorities and procedures which will help meet the long term drinking water improvement goals of the Board and the Loan Program by insuring that all available funds are used to the greatest benefit of the citizens of the State of Mississippi.

III. Structure of the Mississippi DWSRF

The Mississippi DWSIRLF is structured around three separate funds that sustain the program and help it achieve the short term and long term goals. The funds break down further to specific accounts for specific functions

A. DWSRF Loan/Operations Fund

This fund operates a majority of the functions of the Loan Program. These functions include: administration of the program, set aside operations, and most importantly supplying low interest loans to public water systems for eligible projects. The Loan Program is a reimbursement program. After the loan is awarded, costs associated with the planning design, and the construction of a project are reimbursed to the recipient. This fund contains the federal grants, loan repayments, and interest earnings.

i. Types of Eligible Projects:

There are many types of projects that are eligible for funding under the loan program. For a more detailed explanation of eligible costs for projects please reference Appendix A of the DWSIRLF Regulations.

ii. DWSRF Set-aside Accounts:

The set aside accounts reside under the umbrella of Loan/Operations Fund. There are separate accounts for each set aside. The set asides provide the following:

1. **Administrative Account:** For the process of administering the loan program and non-project related activities.
2. **Small System Technical Assistance:** For the purpose of providing technical assistance to small water system through the *Community Resources Group* (CRG)

3. State Program Management: For the purpose of providing additional financial support to MDH – Bureau of Public Water Supply for PWSS program support.

B. DWSIRLF State Match Funds

This is maintained separately from the DWSRF Loan/Operations Fund, because its primary purpose to account for state match money. As required by SDWA, the State of Mississippi must match the capitalization grant with State match funds equaling 20% of the allotment. Mississippi receives its 20% state match from the sale of General Obligation Bonds authorized by the State Legislature. Though maintained separately for accounting purposes, the state match fund is still considered to be under the “umbrella” or rather the protection of the SRF Fund.

C. DWSELF Loan Fund

This fund contains monies that are to be utilized only for public water supply loans which meet the definition of emergency. For further information see Appendix J.

IV. Financial Status of the DWSRF

This section outlines all sources of funding available to the DWSIRLF program and indicates intended uses. This section also describes the financial assistance terms available through the program.

A. Source and Use of Funds

Funding amounts and their use are outlined in appendix A. For FY-2006 the federal allotment and required state match will provide a total of \$6,912,612 in loans to the public water supplies of Mississippi, with \$1,316,688 being utilized for set-aside activities. Unobligated funds from the previous year, anticipated loan repayment, and interest earnings are additional sources of funding, which are not classified as state match.

i. Federal Allotment

The capitalization grant is estimated to be \$8,229,300 based on the FY-2006 appropriation.

ii. State Match Requirements

The State receives its 20% state match from the sale of General Obligation Bonds authorized by the State Legislature. The Legislature passed House Bill No. 209 to establish a Local Governments and Rural Water Systems Improvements Revolving Loan Program and authorized the sale of \$15,000,000 in General Obligation Bonds to be deposited into the Loan Fund. One of the purposes stated in the law for these funds is that, "All or any portion of the monies in the fund may be used to match any federal funds that are available for the same or related purposes for which funds are used and expended under this act." \$10,000,000 of

these General Obligation bonds were sold in May of 1997 and were deposited into the DWSIRLF fund on May 29, 1997. \$5,000,000 of these General Obligation bonds were sold and deposited into the DWSIRLF fund on October 5, 2000.

- \$3,294,840 was used as state match for the FY-97 Cap grant,
- \$1,654,340 was used as match for the FY-98 Cap grant,
- \$1,733,900 was used as match for the FY-99 Cap grant,
- \$1,802,020 was used as match for the FY-2000 Cap grant,
- \$1,809,480 was used as match for the FY-2001 cap grant,
- \$1,610,500 was used as match for the FY-2002 cap grant,
- \$1,600,820 was used as match for the FY-2003 cap grant,
- \$1,494,100 was used as match for \$7,470,500 of the FY-2004 cap grant.

During the Spring 2003 Legislative Session, the Legislature provided the Board with an additional \$130,000 in bonding authority. Additionally, during the Spring 2004 Legislative Session, the legislature authorized \$1,610,000 in general obligation bonds. A total of \$1,740,000 was deposited in the SRF Fund during the 1st Quarter of FY-2005 after an issuance cost of \$3,008 was deducted.

- \$129,776 was used as match for \$648,880 of the FY-2004 cap grant
- \$36,744 was used as match to finished the remaining FY-2004 cap grant
- \$1,573,780 will be used as match for \$7,868,900 of the FY-2005 cap grant.

During the 2006 Regular Legislative Session, the legislature is expected to authorize additional general obligation bonds in the amount of \$4,000,000, which will be sold and deposited in SRF Fund during the 1st Quarter of FY-2007. After issuance costs:

- \$83,320 will be used to match the remaining \$416,600 of the FY-2005 cap grant.
- \$1,645,860 will be used to match the FY-2006 cap grant.
- The remaining \$2,070,820 funds will be used to match future capitalization grants.

iii. Loan Increase Reserve

Beginning in FY-03 the Board began to make loan awards after approval of the facilities plans and loan application rather than after completion of design. This change in the loan award sequence increases the likelihood that bid overruns on some projects may be greater than the construction contingency included in the loan agreement. In order to provide needed loan increases to existing loans, the Board intends to set aside the amounts indicated in Appendix A for such loan increases to be awarded on a first-come, first-served basis. Any funds not obligated for these purposes by the end of the fiscal year may be made available for new loan awards to the highest ranking project(s) that is ready for loan award at the time funds become available.

B. Financial Planning Process

In accordance with the Board's desire to maintain a financially sound DWSIRLF loan fund in perpetuity, while at the same time meeting a substantial portion of the

drinking water needs in the State within a reasonable period of time, the following financial decisions were made regarding the fund.

i. Efficient Bond Management

The Board intends that the Department of Health apply for the entire State allotment under the federal Drinking Water SRF, including the set-asides described in Section V. below. The Board has decided that any bond proceeds be deposited into the DWSIRLF fund to be "banked" as State Match for federal DWSRF capitalization grants, and has made this entire amount immediately available for DWSIRLF loans.

ii. Interest Rate Determination

It is the Board's intention to adjust interest rates such that the demand will eventually equal the funds available. During the preplanning stages of this IUP, the project managers were polled as to a recommended interest rate for the FY-2006 loan year. An average of polled project managers is taken and is compared with the existing market rates to determine reasonability. In order to insure that this interest rate is at or below the prevailing market rates at the time a loan is made, this rate will be compared to the twenty year triple-A rated, tax-exempt insured revenue bond yield published by The Bond Market Association/ Bloomberg (Bloomberg Online, <http://www.bloomberg.com/markets/rates/index.html>).

iii. Investment

Investment Procedures for Excess Cash - According to the State Treasurer, the excess cash in the DWSIRLF is invested by the State Treasurer in securities prescribed in Section 27-105-33, et. Seq., of the Mississippi Code of 1972 Annotated, as amended. The securities in which State funds may be invested include certificates of deposit with qualified State depositories, repurchase agreements (fully secured by direct United States Treasury obligations, United States Government agency obligations, United States Government instrumentalities or United States Government sponsored enterprise obligations), direct United States Treasury obligations, United States Government agency obligations, United States Government instrumentalities or United States Government sponsored enterprise obligations, and any other open-ended or closed-ended management type investment company or investment trust registered under the provisions of 15 U.S.C. Section 80(a)-1 et.seq, provided that the portfolio is limited to direct obligations issued by the United States of America, United States Government agency obligations, United States Government instrumentalities or United States Government sponsored enterprise obligations and to repurchase agreements fully collateralized by the securities listed above for repurchase agreements.

C. Financial Terms of Loans

The following terms will be utilized for the purpose of making loans to the public water systems within the State of Mississippi.

- i. **Funding Limit**
DWSIRLF loans may not exceed \$1,500,000 as established by State law.
- ii. **Interest Rate**
All loan terms will be at 2.5% annual interest rate, compounded monthly, with a maximum 20-year repayment period. The interest will not accrue during construction, but will commence at the completion of the original construction period.
- iii. **Administration Fee**
Revenues to pay for DWSIRLF program administration cost will be received from an administration fee of 5% of the original eligible loan amount that shall be charged to all FY-2006 loan recipients. This administration fee is an eligible DWSIRLF loan cost and will be included in each loan agreement. Should any loan for a certain project be terminated and later awarded again, the new administration fee will be based upon the current eligible loan amount in the new loan award, allowing credit for any previously paid administration fees. There is approximately \$1,508,415.58 in this program administration fund at this time. The Department expects to receive an additional \$524,446 during the current year.
- iv. **Other Related Issues**
 1. *Type of Assistance Provided:* The only type of assistance to be provided under the DWSIRLF loan program will be loans to public entities which are authorized under State law to collect, treat, store and distribute piped water for human consumption, and to enter into a DWSIRLF loan agreement, and which have the ability to repay the DWSIRLF loan; for the construction of eligible drinking water production, treatment and distribution facilities.
 2. *Project Costs Eligibility:* Eligible/allowable project costs will include those project costs that are eligible, reasonable, necessary, allocable to the project, within the established project scope and budget, in conformance with the DWSIRLF regulations and approved by the MDEQ and MDH.
 3. *Loan Participation:* DWSIRLF loan participation will be at 100% of eligible project costs, less any funding made available from other agencies for these same eligible project costs.
 4. *Pre-Award Costs:* Project costs incurred prior to loan award will be DWSIRLF loan eligible provided:

- a. The debt is for work under a construction contract for which the notice to proceed was issued on or after October 1, 2005, and the DWSIRLF loan is awarded by September 30, 2006.
 - b. The project is in compliance with all applicable DWSIRLF program regulations and obtains Department of Health or Department of Environmental Quality approval of all applicable documents prior to award of the DWSIRLF loan.
 - c. The prospective loan recipient agrees that by incurring costs prior to loan award, it proceeds at its own risk and relieves the Board, the Department of Health, the Department of Environmental Quality and the Departments' staff of all responsibility and liability should such costs later be determined unallowable for any reason or should such funding not become available for any reason.
 - d. The prospective loan recipient agrees that by incurring costs prior to loan award, no future commitment of funding a refinanced project is provided.
5. *Priority List:* The FY-2006 Priority List expires on September 30, 2006. Projects listed in the FY-2006 Priority List that do not receive funding by this date will not be funded under the FY-2006 funding cycle, and will be subject to the requirements of the FY-2007 or subsequent Intended Use Plans and Priority Lists. Project detail information for the FY-2006 DWSIRLF projects is shown in Section VIII of this Intended Use Plan (IUP).

V. Set Aside Activities

The Safe Drinking Water Act allows each state to set-aside up to 31 percent of its federal capitalization grant to support non-project related drinking water program including: administration of the loan program, technical assistance to public water systems, state program management, and other special activities. The State plans to use \$1,316,688 of the federal grant to support these activities along with an additional \$822,930 of state money needed for state program management match. These non-project related programs will be operated by the Mississippi Department of Health within the agency itself or through contracts with other agencies or organizations services. Contracts between the Mississippi Department of Health and other agencies or organization will be approved by the Board. Workplans for the taken set asides are included as appendices within this IUP. Workplans provided will detail how funds will be expended. Additionally, progress report on the progress of the taken set asides will be included in the Annual Report.

A. Administration

The State intends to set aside funds from its FY-2006 Capitalization Grant for DWSIRLF administrative expenses to cover the cost of administering the DWSIRLF program. The Board intends to set aside the maximum 4% for administrative purposes as allowed by the SDWA. The bulk of this set aside will be used to pay salaries and fringe related expenses of program personnel dedicating time to the administration of the DWSIRLF. This set aside will also be used for travel, training and possible equipment needed to successfully operate the program. Costs beyond the total 4% of the set aside will be paid from the funds generated through the 5% administrative fee taken with each loan made.

B. Small System Technical Assistance

The State intends to set aside two (2%) percent of its FY-2006 Capitalization Grant to provide technical assistance to public water systems serving under 10,000 population. The State intends to with approval by the Board use this two (2%) percent set-aside to fund contracts for the following activities: Special Assistance to Referred Systems; Management Training for Water System Officials; On-Site Technical Assistance and Volunteer System Review Program; and Remedial Accounting Training. Each of these activities are described in detail in the State of Mississippi Small Systems Technical Assistance Set-Aside Work Plan included as Appendix F to this Intended Use Plan.

C. State Program Management

The State intends to take the full 10% set aside for State Program Management from the State's FY-2006 Capitalization Grant as authorized by Section 1452(g)(2) of the Safe Drinking Water Act of 1996 to be used for Public Water System Supervision (PWSS) activities conducted under Section 1443(a) of the act. These activities are described in more detail in the State of Mississippi State Program Management Set Aside Annual Work Plan included as Appendix G to this Intended Use Plan. The State must provide a dollar for dollar match (100% match) for Capitalization Grant funds used for these activities. This match is separate, and in addition to, the twenty (20%) percent State match required for the Capitalization Grant. The State is allowed to offset the 100% match requirement by claiming credit for State FY-2006 PWSS expenditures that exceed the State's FY-2006 PWSS match requirement. The State is further allowed to use State FY-93 PWSS expenditures to offset the 100% match requirement as long as this amount does not exceed the amount that can be claimed from FY-2006 State expenditures. A tabulation showing amount and source of funds to satisfy match requirements for the FY-2006 State Program Management set aside is furnished as Appendix H to this Intended Use Plan.

D. Local Assistance and Other State Programs

No new funds will be taken in the FY-2006 Capitalization grant for this set aside. However, since the previous year the Source Water Delineation and Assessment Program was completed on the state's 82 counties.

VI. Priority System

The SDWA provides the state with the flexibility to determine how to best utilize the capitalization grant. Bearing this in mind, the State of Mississippi has particular issues facing its public water systems that are unique to Mississippi. However, the SDWA requirements concerning priority include:

- Addressing the most serious risk to human health
- Necessary to ensure compliance with the requirement of the SDWA
- Assist system most in need, on a per household basis

A. Funding and Ranking Rationale

Projects will be placed on the fundable portion of the Priority List according to both priority ranking and readiness to proceed. The term “ready to proceed” means that all loan application requirements established in the program regulations are met, and all documents necessary for loan award are approved. If a project cannot reasonably be expected to meet the Priority System deadlines, then the project will not be placed on the current year priority list, but rather will be placed on the planning list. It is the Board’s judgment as to whether the project can be ready to proceed. Loans will be awarded for projects within the available funds in the following order: Projects above the funding line on the current year priority list that have met all Priority System deadlines will be funded when they are ready to proceed.

i. Funding Lists and Bypass Procedure

Should any projects on the FY-2006 Priority List shown above the funding line fail to comply with the deadlines in Section D., the project shall be bypassed and the funds reserved for said project will be released and first be made available to ensure that all projects above the funding line meeting priority system deadlines are funded, and then will be made available to the highest ranking project(s) shown below the funding line that is ready for loan award at the time funds become available. If no projects below the funding line are ready for loan award at the time funds become available, projects shown below the funding line will be funded on a first-come, first-served basis as they become ready for loan award and until the released funds are awarded. This same process will continue as each deadline passes and released funds become available.

ii. Loan Decreases

Any funds recovered from loan decreases during the year will be used to fund bid overruns if funds from the loan increase reserve are not sufficient to cover the bid overruns, then to ensure that all projects above the funding line meeting the priority system deadlines are funded for at least the amount shown on the priority list, and then will be used to fund other loans and/or increases on a first-come, first-served basis. Any funds not obligated for these purposes by the end of the

fiscal year may be made available for new loan awards ready to proceed on a first-come, first-served basis.

iii. Match for SPAP Grants

On October 10, 2001, EPA issued policy memorandum DWSRF 02-01 to notify regions and states of a change in policy regarding the use of Drinking Water State Revolving Fund monies for providing local match for SPAP grants. This change in EPA policy will allow the state to use non-federal, non-state match DWSIRLF funds to provide loans that can be used as local match for SPAP grants awarded for drinking water projects.

These non-federal, non-state match DWSIRLF loan funds may be made available to eligible SPAP grant recipients that are on the priority list, for use as local match funds for their SPAP grants, provided the grant is for loan eligible work. Such projects will be funded in accordance with the Priority System and until all non-federal, non-state match monies have been obligated or demand for such funds have been met.

iv. Disadvantaged Communities

The Board does not intend to implement a complete disadvantaged communities program at this time. However, in the wake of the devastation caused by Hurricane Katrina, all prior loan recipients in the lower six (most affected) Mississippi counties were contacted with regard to their ability to continue repayment of their associated loans. This resulted in requests for temporary suspension (“forbearance”) of repayment from some of those loan recipients, to allow time for their communities to rebuild. To accommodate those requests, the prior years’ DWSIRLF Intended Use Plans were amended (by public notice and public hearing) to allow restructuring of the associated DWSIRLF loan payment schedules. To avoid increasing the associated debt while these communities are rebuilding, interest on the loans will not accrue during the repayment forbearance period. To avoid increasing the respective repayment amounts, amortization of the affected loans will be extended by a period equal to their forbearance period. This will result in a total repayment period of more than 20 years, but not more than 30 years, as allowed by state and federal law for disadvantaged communities. The Board considers those hurricane-affected loan recipients requesting repayment forbearance to be “disadvantaged.”

B. Priority System Categories

Project categories are defined below. Projects in Category I will be funded each year to the extent the Board makes funds available. Projects in Categories II through XI are ranked in priority order. That is, all Category II projects are ranked higher than Category III projects, etc. Ranking is established in like manner through all remaining categories. Adjustments will be made as necessary to comply with small community set aside provisions of the Federal Safe Drinking Water Act and as established by the Board [Section 1542(a)(2) of SDWA]. As stated previously, the order of Categories II - XI is intended to give highest priority to those projects that

address the most serious risks to human health. Projects within each category will be ranked as described in Section C.

i. Category I - Previous Year Certified Projects

Priority for this category will be given to the previous year Category II projects to the maximum extent practicable. This category of projects includes projects that: (1) were listed immediately below the funding line on the previous year's Priority List within an amount of approximately 25% of that year's total available funds; (2) met all Priority System deadlines in the previous fiscal year; and (3) were not funded because of either a lack of DWSIRLF funds or did not receive an assurance of CDBG, ARC, RUS, or other match funding in the previous fiscal year. Within this category, projects will be ranked according to the current Priority Ranking Criteria.

ii. Category II - Primary Drinking Water Standards

Projects to facilitate compliance with Primary Drinking Water Standards. To qualify for this category projects must correct deficiencies resulting in non-compliance with the primary drinking water standards.

iii. Category III.- One Well

Projects to provide additional supply to systems that have neither a backup well nor an emergency tie-in, that is MDH approved, to another system to ensure safe drinking water, and thereby protecting the health of the existing population.

iv. Category IV - Pressure Deficiencies

Projects to correct documented deficiencies that result in existing systems routinely failing to maintain minimum acceptable dynamic pressure. Experience has shown that failure of water systems to maintain minimum acceptable dynamic pressure is the major cause of system contamination in Mississippi. System contamination that results from inadequate water system pressure is considered by the Mississippi State Department of Health to be one of the most serious drinking water related threats to public health in Mississippi.

v. Category V – Source Water Protection Projects

Projects to manage potential sources of contaminants/pollutants and/or prevent contaminants/pollutants from reaching sources of drinking water. To be eligible for loan participation potential contaminants/pollutants and source water protection areas must have been identified in the public water systems Source Water Assessment Plan Report (SWAPR) prepared by the Mississippi Department of Environmental Quality's Groundwater Planning Branch (GPB). If the public water system has not received its SWAPR from the GPB yet, or has documentation that may change its SWAP, it shall provide in the facilities plan suitable documentation of potential sources of contaminants/pollutants that is acceptable to the GPB before the project will be deemed eligible.

The projects will be ranked: first in order of the highest source water classification that would be negatively impacted by source water contaminants;

secondly, within each classification in order of the public water systems susceptibility assessment ranking as determined by the SPB; and thirdly, within each susceptibility assessment ranking in order of the highest number of connections served by the public water system. Source water classifications will be ranked in the following order: surface water sources; shallow (generally $\leq 300'$ in depth) unconfined water wells; shallow (generally $\leq 300'$ in depth) confined water wells; and deep confined water wells.

vi. Category VI - System Capacity Expansion To Serve Existing Unserved Residences/Businesses

Projects to either expand existing system capacity or construct a new drinking water system to ensure safe drinking water (source, treatment and/or distribution) to serve existing residences/businesses in currently unserved areas.

vii. Category VII - Back-up Water Supply Sources Projects

Projects to provide additional supply to systems with insufficient back-up water supply sources to ensure safe drinking water, and thereby protect the health of the existing population. As a minimum, a system using ground water should be able to lose any one of the wells supplying the system and still maintain minimum acceptable dynamic pressure throughout the entire system.

viii. Category VIII - Existing Facilities Upgrades (Meeting Primary Standards)

Projects to rehabilitate, replace, protect or upgrade deteriorated, worn, aged or obsolete equipment, facilities, etc., to assure continued, dependable operation of water systems where such systems are already meeting Primary Drinking Water Standards.

ix. Category IX - Secondary Drinking Water Standards Projects

Projects to provide treatment that brings systems into compliance with Secondary Drinking Water Regulations.

x. Category X - Consolidation Projects

Projects to consolidate separate systems into a single system for purposes other than included in Categories II through IX. Consolidation will also be considered in establishing priority ranking within all categories, as described in the Priority Ranking Criteria in Section C.

xi. Category XI – Other

Projects that do not meet the criteria of any other listed category, and have been determined loan eligible in accordance with the DWSIRLF loan program regulations.

C. Priority Ranking Criteria

The criteria for ranking projects within each category is intended to give priority to projects that: (1) benefit the most people per dollar expended; (2) assist systems most

in need on a per household affordability basis as required by the Safe Drinking Water Act; (3) use consolidation with other systems to correct existing deficiencies and improve management, (4) takes into consideration the systems current capacity, (5) encourages participate in short-term and long-term technical assistance programs, and (6) encourages participation in the Drinking Water Needs Survey. These considerations are addressed by the Priority Ranking Criteria in the following manner:

i. Benefit/Cost

Benefit/Cost points assigned to each project will be determined using the following formula:

$$\text{Benefit/Cost Points} = \frac{\text{Number of benefiting connections}}{\text{Total eligible cost of improvements (in \$1.0 millions)}}$$

The number of benefiting connections must be included in the facilities plan submitted by the applicant and is defined as the sum of individual connections **currently experiencing deficiencies that will be corrected by the improvement** and includes only existing residences, businesses, and public buildings. Applicants must furnish information (including hydraulic analysis, if necessary) to support their estimate of the number of benefiting connections. The total eligible cost is in millions of dollars (i.e., \$800,000 = \$0.8 M).

ii. Affordability Factor

An affordability factor will be assigned to each project to reflect the relative needs of applicants on a per household basis. The Benefit/Cost points calculated in Section B.i. will be adjusted using the affordability factor in the following formula:

$$\text{Adjusted Benefit/Cost Points} = (\text{Affordability Factor}) \times (\text{Benefit/Cost Points})$$

The affordability factor used in the calculation is defined as the ratio of the 2005 median household income for the State of Mississippi (\$33,792) to the 2005 median household income for the affected community and will be no less than 1.0 and no greater than 1.5. Median household incomes to be used in the calculations will be those displayed in the publication “The Sourcebook of Zip Code Demographics”, Seventeenth Edition or from the publishers website at <http://www.esribis.com/reports/ziplookup.html>. Where the affected community is included in more than one zip code area, an average will be used for the community’s median household income.

iii. Consolidation

Any project that includes consolidation (ownership and management) of separate existing systems into a single system will receive consolidation points equal to 0.5 times the Benefit/Cost points assigned to the project. The purpose of assigning consolidation points is to promote reliability, efficiency and economy of scale that

can be achieved with larger water systems while discouraging the proliferation of numerous separate small systems with their inherent inefficiencies and limitations. Projects, in any priority category, that do not include consolidation will receive zero consolidation points in the final calculation of total priority points.

$$\text{Consolidation Points} = 0.5 \times (\text{Benefit/Cost Points})$$

iv. System Capacity

Any project that includes scope of work to address critical design capacity issues (systems that are currently overloaded or within two (2) years of reaching their current design capacity, as determined by MDH) will receive additional priority points equal to 25% of the Benefit/Cost points assigned to the project. Documentation of the system capacity analysis and recommendations to address the design capacity issues must be addressed in the facilities plan to be eligible for these additional priority points.

$$\text{System Capacity Points} = 0.25 \times (\text{Benefit/Cost Points})$$

v. Participation in Short-Term & Long-Term Assistance Programs

The State with the Board's approval has contracted with Community Resources Group (CRG) to provide both short-term and long-term assistance to designated water systems in the state based on their scores on the latest Capacity Assessment Form (CAF). This assistance is provided at no cost to the water systems.

Participation by the water systems in these assistance programs is voluntary. However, any water system that has participated in either of these assistance programs within the past two years will be eligible to receive additional priority points. Water systems participating in one of these assistance programs will receive additional priority points equal to 5% of their Benefit/Cost Points. Water systems that have implemented all of the recommendations made by CRG will receive additional priority points equal to 5% of their Benefit/Cost Points for a total of 10%. Documentation of participation in either of these assistance programs and implementation of the recommendations made by CRG must be included in the facilities plan before additional priority points will be granted.

$$\text{Assistance Points} = \underline{\quad * \quad} \times \text{Benefit/Costs Points}$$

* 5% if the water system participates in the assistance, or 10% if the water system participates in the assistance and implements all recommendations

vi. Participation in the EPA Drinking Water Needs Survey

Any water system that participated in the most recent MDH Public Water Supply Improvements Needs Survey or the EPA Drinking Water Needs Survey by

satisfactorily completing and returning this form to MDH will be eligible to receive additional priority points equal to 10% of their Benefit/Cost Points.

$$\text{Needs Survey Points} = 0.10 \times \text{Benefit/Costs Points}$$

vii. Ranking Within Each Category

Within each category, projects will be ranked in order based on the total points assigned the project using the following formula:

$$\text{Total Priority Points} = \text{Adjusted Benefit/Cost Points} + \text{Consolidation Points} + \text{System Capacity Points} + \text{Assistance Program Points} + \text{Needs Survey Points}$$

Projects receiving the most priority points will be given the highest ranking on the Priority List. In cases of ties in the number of priority points, projects with the lowest median household income will receive the highest ranking.

viii. Small Community Set-Aside

Following completion of the ranking process, the Priority List will be reviewed to determine if at least 15% of funding for projects above the funding line is for public water systems which regularly serve fewer than 5,000 people, which the Board has defined as a small community for the purposes of this set-aside. If this is not the case, the Priority List will be adjusted by exchanging the lowest ranking projects above the funding line that serve 5,000 or more with the highest ranking projects below the funding line that serve fewer than 5,000, until the 15% requirement is satisfied.

It is anticipated that approximately 9.1% of all available DWSIRLF funds will be awarded to small communities with populations of 5,000 or less in FY-2006. No small communities were left off the fundable portion of the FY-06 Priority List that met the September 1, 2005 deadline for submitting a complete facilities plan.

Results To Date: Through the first nine years of the DWSIRLF program (FY-97 through FY-05) the program is averaging 23.9% of all available funds being awarded to small communities (population less than 10,000 as defined in the Safe Drinking Water Act). During this same nine year period, 42.0% of all funds awarded went to small communities (population less than 10,000). In FY-05 17.6% of all available DWSIRLF funds were awarded to small communities with populations less than 10,000.

D. Priority System Deadlines

- i. By October 1, 2005, the loan applicant must submit the complete DWSIRLF facilities plan, prepared in accordance with the DWSIRLF loan program regulations, to the Department of Environmental Quality.* A

complete DWSIRLF facilities plan includes: all IGR agency comments; proof of publication of advertisement for public hearing; a transcript of the public hearing comments; copies of any comments received from the public; and a summary of how each comment was addressed. The loan applicant should also submit one copy of the facilities plan to the Rural Utilities Service if the loan applicant has existing debt with Rural Utilities Service, along with a request for their approval to incur this additional debt.

Any significant changes made to the facilities plan (i.e., changes in the chosen alternative, location of the facility, cost increases that substantially affect the financial capability of the loan recipient, etc.) after this date will be considered a first submittal of the facilities plan. The loan applicant will then be considered to be in violation of the Priority System deadline and the project will be placed on the planning portion of the priority list, or if the change is made after adoption of the Intended Use Plan, funds reserved for this project may be released and made available to other projects. This deadline also applies to all projects competing for released funds during FY-06 and to be able to qualify for the Previous Year Certified Projects Category in the FY-07 IUP.

- ii. By May 1, 2006, a completed DWSIRLF loan application and all associated documents as described in the DWSIRLF regulations must be submitted to the Department of Environmental Quality. Prior to beginning these documents the potential applicant and/or its registered engineer must request and receive a DWSIRLF application and guidance, and should attend a pre-application conference with Department staff as early in the application process as practical. This deadline also applies to all projects competing for released funds during FY-06 and to be able to qualify for the Previous Year Certified Projects Category in the FY-07 IUP.
 - iii. By August 1, 2006, all approvable documents and responses to comments necessary for loan award must be submitted to the Department for its review and approval. This deadline also applies to all projects competing for released funds during FY-06 and to be able to qualify for the Previous Year Certified Projects Category in the FY-07 IUP.
- * **Due to the current funds availability and demand for FY-2006, all projects submitting a complete or draft facilities plan to date have been included on the fundable portion of the priority list.**

VII. FY-2006 Priority List

Final
Fiscal Year - 2006 Mississippi Drinking Water Systems Improvements
Revolving Loan Fund Program Priority List

Category IV: Pressure Deficiencies Projects

Project	Project Description	Zip Code	Priority Points	Service Area Population	Loan Amount Requested	Statewide Cum. \$
City of Tupelo	Distribution Improvements	38801	381	34211	\$643,335	\$643,335

Category VI: System Capacity Expansion to Serve Existing Unserved Residences/Businesses

Project	Project Description	Zip Code	Priority Points	Service Area Population	Loan Amount Requested	Statewide Cum. \$
Hillsdale Water Authority	Distribution	39455	1343	18060	\$1,130,302	\$1,773,637
Hillsdale Water Authority	Distribution	39455	1012	18060	\$1,499,926	\$3,273,563
Hillsdale Water Authority	Well, Distribution, and Tank	39455	1012	18060	\$1,499,926	\$4,773,489
West Jackson Co Util Dist	Unserved Area (200 Connections)	39564	466	16000	\$469,538	\$5,243,027
City of Gautier	Distribution	39553	216	17487	\$661,500	\$5,904,527
West Jackson Co Util Dist	Unserved Area (200 Conn.)	39564	174	16000	\$1,259,213	\$7,163,740
West Jackson Co Util Dist	Unserved Area (200 conn.), Well, and Tank	39564	146	16000	\$1,500,000	\$8,663,740

Category VII: Back-up Water Supply Sources Projects

Project	Project Description	Zip Code	Priority Points	Service Area Population	Loan Amount Requested	Statewide Cum. \$
Fannin Water Association	Standpipe and Well	39047	1994	4048	\$846,682	\$9,510,422

Category VIII: Existing Facilities Upgrade (Meeting Primary Standards)

Project	Project Description	Zip Code	Priority Points	Service Area Population	Loan Amount Requested	Statewide Cum. \$
City of Olive Branch	Distribution Improvements	38654	10440	21054	\$863,490	\$10,373,912
Town of Walnut Grove	Tank Rehab & Generator	39189	3139	1000	\$108,319	\$10,482,231

Final

Fiscal Year - 2007 and After Planning List Mississippi Drinking Water Systems Improvements Revolving Loan Fund

(Projects included on the Planning List did not meet the October 1, 2005 deadline for submission of a complete facilities plan. These projects have been ranked on the Planning List based on information provided on the Request for Ranking Form. A determination of project eligibility can not be completed until the facilities plan has been submitted and reviewed.)

Category II: Primary Drinking Water Standards Projects

Project	Project Description	Zip Code	Priority Points	Service Area Population	Possible Funding Yr	Loan Amount Requested	Statewide Cum. \$
City of Hazlehurst	Wells (3)	39083	1905	4437	FY-2007	\$1,485,225	\$1,485,225

Category III: One Well Projects

Project	Project Description	Zip Code	Priority Points	Service Area Population	Possible Funding Yr	Loan Amount Requested	Statewide Cum. \$
Walls Water Association	Elevated Storage Tank	38680	1786	8000	FY-2007	\$1,274,831	\$2,760,056
Dexter Water Association	Well, Treatment Plant, Elevated Tank, & System Consolidation	39667	444	263	FY-2007	\$462,000	\$3,222,056

Category IV: Pressure Deficiencies Projects

Project	Project Description	Zip Code	Priority Points	Service Area Population	Possible Funding Yr	Loan Amount Requested	Statewide Cum. \$
North Lauderdale Water Association	Distribution and Storage	39305	2325	10464	FY-2007	\$1,500,000	\$4,722,056
Yocona Water Association	Elevated Tank & Distribution	38655	1049	900	FY-2007	\$300,000	\$5,022,056

Category VI: System Capacity Expansion to Serve Existing Unserved Residences/Businesses

Project	Project Description	Zip Code	Priority Points	Service Area Population	Possible Funding Yr	Loan Amount Requested	Statewide Cum. \$
City of Gautier	Well and Elevated Tank	39553	6947	18850	FY-2007	\$1,492,365	\$6,514,421
Wheeler-Frankstown Water Assn	Supply, Storage, Treatment	38829	1673	4500	FY-2007	\$1,003,315	\$7,517,736
City of Columbus	Unserved residences	39702	214	30000	FY-2007	\$526,911	\$8,044,647

Category VII: Back-up Water Supply Sources Projects

Project	Project Description	Zip Code	Priority Points	Service Area Population	Possible Funding Yr	Loan Amount Requested	Statewide Cum. \$
City of Ocean Springs	Well and Distribution	39564	5431	19000	FY-2007	\$1,380,750	\$9,425,397
Walls Water Association	Water Well	38680	1560	8000	FY-2007	\$1,459,159	\$10,884,556

Category VIII: Existing Facilities Upgrade (Meeting Primary Standards)

Project	Project Description	Zip Code	Priority Points	Service Area Population	Possible Funding Yr	Loan Amount Requested	Statewide Cum. \$
City of Pearl	Water Well	39208	14238	22000	FY-2007	\$632,100	\$11,516,656
City of Ocean Springs	Upgrade Old Watermains	39564	7591	19000	FY-2007	\$988,000	\$12,504,656
Lampton Water Association	Elevate Tank Rehabilitation	39429	6264	1500	FY-2007	\$98,175	\$12,602,831
City of Pearl	Elevated Storage	39208	6000	22000	FY-2007	\$1,500,000	\$14,102,831
City of Ocean Springs	Old Water Meter Replacement	39564	5000	19000	FY-2007	\$1,500,000	\$15,602,831
Northeast Copiah Water Association	Elevated Storage Tank	39059	2571	3500	FY-2007	\$389,000	\$15,991,831
Evergreen Water Association	Well and Elevated Storage	39042	1319	3500	FY-2007	\$758,000	\$16,749,831
Jayess-Topeka-Tilton Water	Distribution Improvements	39641	1077	3385	FY-2007	\$236,250	\$16,986,081

Category X: Consolidation Projects

Project	Project Description	Zip Code	Priority Points	Service Area Population	Possible Funding Yr	Loan Amount Requested	Statewide Cum. \$
Bluefield Water Association	Consolidation with another PWS	39759	582	2000	FY-2007	\$1,497,510	\$18,483,591

VIII. FY-2006 Detailed Project List with Additional Information

			Project Schedule			Project Assistance					Technical Information		
Project Listing	No.	Population of Service Area	BCD*	CSD*	CCD*	Assist. Type	Assistance Amount	Interest Rate	Repay Period	Initial Repay Date	Project Category +#	Priority Ranking	Cross-Cutter Equivalency Project
City of Tupelo	FY-2006- 1	34211	9/1/2006	5/1/2007	1/1/2008	Loan	\$643,335.00	2.5%	20 years	5/1/2008	4	381	Yes
Hillsdale Water Authority	FY-2006- 2	18060	9/30/2006	4/1/2007	4/1/2008	Loan	\$1,130,302.00	2.5%	20 years	9/1/2008	6	1343	Yes
Hillsdale Water Authority	FY-2006- 3	18060	9/30/2006	4/1/2007	4/1/2008	Loan	\$1,499,926.00	2.5%	20 years	9/1/2008	6	1012	Yes
Hillsdale Water Authority	FY-2006- 4	18060	9/30/2006	4/1/2007	4/1/2008	Loan	\$1,499,926.00	2.5%	20 years	9/1/2008	6	1012	Yes
West Jackson Co Water Dist	FY-2006- 5	16000	9/30/2006	4/1/2007	4/1/2008	Loan	\$469,538.00	2.5%	20 years	8/1/2008	6	460	Yes
City of Gautier	FY-2006- 6	17487	6/30/2006	9/30/2006	1/26/2007	Loan	\$661,500.00	2.5%	20 years	9/1/2008	6	216	Yes
West Jackson Co Water Dist	FY-2006- 7	16000	9/30/2006	4/1/2007	4/1/2008	Loan	\$1,259,213.00	2.5%	20 years	8/1/2008	6	174	Yes
West Jackson Co Water Dist	FY-2006- 8	16000	7/1/2007	7/1/2008	9/30/2006	Loan	\$1,500,000.00	2.5%	20 years	8/1/2008	6	146	Yes
Fannin Water Association	FY-2006- 9	4048	9/30/2006	4/1/2007	4/1/2008	Loan	\$846,682.00	2.5%	20 years	10/1/2008	7	1994	Yes
City of Olive Branch	FY-2006- 10	21054	9/30/2006	4/1/2007	1/15/2008	Loan	\$863,490.00	2.5%	20 years	5/15/2008	8	10440	Yes
Town of Walnut Grove	FY-2006- 11	1000	11/1/2005	12/1/2005	3/31/2006	Loan	\$108,318.00	2.5%	20 years	7/1/2006	8	3139	Yes
Small System Technical Assistance	FY-2006- 12	N/A	N/A	N/A	N/A	Grant	<u>\$164,586.00</u>	N/A	N/A	N/A	12	N/A	N/A
Administrative Program	FY-2006- 13	N/A	N/A	N/A	N/A	Grant	<u>\$329,172.00</u>	N/A	N/A	N/A	12	N/A	N/A
State Program Management	FY-2006- 14	N/A	N/A	N/A	N/A	Grant	<u>\$822,930.00</u>	N/A	N/A	N/A	12	N/A	N/A

Grand Total \$11,798,919.00

- All of the above loan projects will require an environmental review in accordance with the State DWSIRLF regulation.

- These loan amounts include a 5% administrative fee charged to all FY-2006 loan recipients.

+ Project categories are defined in the Priority System on page 12 of this Intended Use Plan. Category 12 is just for set aside purposes and is not considered a project category

* BCD = Binding Commitment Date CSD = Construction State Date CCD = Construction Completion Date

The funds for these grant were set-aside from the FY-06 Capitalization grant before funds were made available for new loan awards.

IX. Expected Public Health Outcomes & Performance Measures

The objective of this program is to disperse all loan and grant funds available in a timely manner in order to achieve the public health protection benefits resulting from the projects identified in the FY-06 Intended Use Plan, and to ensure compliance with loan agreements, as required by state and federal laws and regulations.

By implementing this FY-06 Intended Use Plan and funding projects shown on the FY-06 Priority List (Section IV) the Local Governments and Rural Water Systems Improvements Board (Board) will have the means to plan for and fund projects that will address the most serious public health risks facing the public water supply systems in the state. The public health protection outcome of funding these projects will be: to provide additional supply to one (1) water system that has neither a backup well nor an emergency tie-in, and thereby protecting the health of the existing population; the elimination of pressure problems in five (5) public water systems, thereby minimizing the risk of system contamination which is one of the most serious water related threats to public health in Mississippi; and the funding of five (5) projects to rehabilitate, replace or upgrade deteriorated, worn, aged or obsolete equipment, facilities to assure continued, dependable operation of these water systems in order to protect human health. The success of Drinking Water Improvements SRF Loan Program will be defined by the ability of the MDH to successfully meet commitments in the FY-06 DWSRF Work Plan.

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Appendices

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A. State of Mississippi DWSRF Program FY-2006 Assumed Available Funds

The following breakdown of funds is based on an estimated actual appropriation of \$837,494,900 after applying the 0.476% and a 1% rescission and that the National Set-Aside Assumptions will remain the same and a State Allotment formula of 1.0% for the Drinking Water SRF in Federal FY-2006.

<u>FY-2006 National Title I DWSRF Appropriation</u>	\$	<u>822,930,000</u>
Mississippi Allotment [section 1452(m)]*	\$	<u>8,229,300</u>
FY-06 State Match Required (20% of Mississippi Allotment)	\$	<u>1,645,860</u>
 Bond Proceeds Available for State Match ¹	\$	<u>1,645,860</u>
Federal Funds Captured based on Available Match	\$+	<u>8,229,300</u>
Total FY-06 Federal and State Funds Available	\$	<u>9,875,160</u>
 Set-Asides		
DWSRF Administrative Expenses [section 1452(g)(2) - 4%]	\$	<u>329,172</u>
State Program Management [section 1452(g)(2)]	\$+	<u>822,930</u>
Small Systems Technical Assistance [section 1452(g)(2) - 2%]	\$+	<u>164,586</u>
Total Set-Asides	\$	<u>1,316,688</u>
 Total FY-06 Federal and State Funds Available	\$	<u>9,875,160</u>
Total Set-Asides	\$--	<u>-1,316,688</u>
Total FY-06 Federal and State Funds Available for Loan Obligation		<u>8,558,472</u>
 Total FY-06 Federal and State Funds Available for Loan Obligation	\$+	<u>8,558,472</u>
FY-05 Capitalization Grant Available for Obligation During FY-06	\$+	416,600
Bonds Proceeds Available for State Match for FY-05 Cap Grant ¹	\$+	83,320
<u>Additional Bond Proceeds Available to Match Future Cap Grants ¹</u>	<u>\$+</u>	<u>2,070,820</u>
Unobligated Funds Carried Over from FY-05 ²	\$+	10,039,763
Anticipated Loan Repayments Deposited (10/01/05 - 07/31/06)	\$+	4,536,550
Anticipated Interest on Fund Deposited (10/01/05 - 7/31/06)	\$+	<u>500,000</u>
Anticipated Hurricane Impact towards Repayments	\$-	-720,195
Anticipated Hurricane Impact towards Interest Earnings (10/1/05 - 7/31/06)	\$-	-47,497
Previously Approved Loan Increases (Lampton, Corinth, & ACL W/A)	\$-	-620,097
<u>Loan Increase Reserve ³</u>	<u>\$--</u>	<u>-750,000</u>
Total FY-06 Funds Available for New Loan Awards		<u>24,067,736</u>
Funds Needed for Projects above the Funding Line and Meeting Deadlines.	\$--	-10,482,231
Excess Funds Available for New Projects in FY-06		<u>13,585,505</u>

- MDH intends to apply for the entire Cap grant during FY-06. Some of the match funds for this Cap grant are expected to be provided after the end of FY-06, however the State will only obligate those federal funds that can be matched with bond proceeds available during FY-2006. The State will obligate all of the FY-06 Cap grant funds within the eight (8) quarters allowed by federal regulations.

1. See Section IV.A.ii. – State Match Funds on page 7 of this IUP. An additional \$83,320 of State Match is required to obtain the remaining \$416,600 of the FY-05 Capitalization Grant. It is anticipated that during the 2006 Legislative session, the necessary bond appropriation bill for the remaining FY-05 Capitalization grant and the complete FY-06 Capitalization Grant should be passed and match funds available during the 4th Quarter FY-2006.
2. See page 29.
3. See page 7.

State of Mississippi DWSRF Program FY-2005 End of Year Funds Report

The following breakdown of funds is based on an actual appropriation of \$842,945,000 after applying the 0.83% rescission, that the National Set-Aside Assumptions will remain the same, and a State allotment formula of 1.0% for the Drinking Water SRF in federal FY-2005.

<u>FY-2005 National Title I DWSRF Appropriation</u>	\$	842,945,000
Mississippi Allotment [section 1452(m)]*	\$	8,285,500
FY-05 State Match Required (20% of Mississippi Allotment)	\$	1,657,100
 Bond Proceeds Available for State Match ¹	 \$	 1,573,780
Federal Funds Captured based on Available Match	\$+	7,868,900
Total FY-05 Federal and State Funds Available	\$	9,442,680
 Set-Asides		
DWSRF Administrative Expenses [section 1452(g)(2) - 4%]	\$	331,420
State Program Management [section 1452(g)(2)]	\$+	828,550
Small Systems Technical Assistance [section 1452(g)(2) - 2%]	\$+	165,710
Total Set-Asides	\$	1,325,680
 Total FY-05 Federal and State Funds Available	 \$	 9,442,680
Total Set-Asides	\$--	-1,325,680
Total FY-05 Federal and State Funds Available for Loan Obligation		8,117,000
 Total FY-05 Federal and State Funds Available for Loan Obligation	 \$+	 8,117,000
FY-04 Capitalization Grant Available for Obligation During FY-05	\$+	832,600
Bonds Proceeds Available for State Match for FY-04 Cap Grant ¹	\$+	166,520
Unobligated Funds Carried Over from FY-04	\$+	3,627,721
Loan Repayments Deposited (10/01/04 - 09/30/05)	\$+	5,455,940
Interest on Fund Deposited (10/01/04 - 9/30/05)	\$+	420,431
Decrease Amendments (10/1/04 - 8/15/05)	\$+	419,107
Increase Amendments from Increase Reserve (10/1/04 - 7/13/05)	\$--	-166,235
Increase Amendments from Increase Reserve	\$--	-500,000
Remaining Loan Increase Reserve	\$	-
Total FY-05 Funds Available for New Loan Awards		18,373,084
Funds Needed for Projects above the Funding Line and Meeting Deadlines and for Projects Below Funding Line and Receiving Released Funds	\$--	-8,333,321
Excess Funds Available for New Projects in FY-05		10,039,763

- MDH applied for the entire Cap grant during FY-05. Some of the match funds for this Cap grant are expected to be provided after the end of FY-05, however the Board will only obligate those federal funds that can be matched with bond proceeds available during FY-2005. The Board intends to provide the required state match for the remainder

of the FY-05 Cap grant during FY-06 and will obligate all of the FY-05 Cap grant funds within the eight (8) quarters allowed by federal regulations.

1. See Section IV.A.ii. – State Match Funds on page 7 of this IUP. An additional \$83,320 of State Match is required to obtain the remaining \$416,600 of the FY-05 Capitalization Grant. It is anticipated that during the 2006 Legislative session, the necessary bond appropriation bill will be passed and match funds will be available during the 4th Quarter FY-2006.

B. Projected Schedule of Outlays

I. Projected Schedule for Projects and Grants

Projects	1Q FY-06	2Q FY-06	3Q FY-06	4Q FY-06	1Q FY-07	2Q FY-07	3Q FY-07	4Q FY-07	1Q FY-08	2Q FY-08	3Q FY-08	Totals
City of Tupelo	\$0	\$0	\$0	\$52,035	\$21,400	\$0	\$142,475	\$213,713	\$213,712	\$0	\$0	\$643,335
Hillsdale Water Authority	\$0	\$0	\$0	\$88,366	\$34,542	\$0	\$251,849	\$251,849	\$251,849	\$251,849	\$0	\$1,130,304
Hillsdale Water Authority	\$0	\$0	\$0	\$117,263	\$45,838	\$0	\$334,206	\$334,206	\$334,206	\$334,206	\$0	\$1,499,925
Hillsdale Water Authority	\$0	\$0	\$0	\$117,263	\$45,838	\$0	\$334,206	\$334,206	\$334,206	\$334,206	\$0	\$1,499,925
West Jackson Co Util Dist	\$0	\$0	\$0	\$37,807	\$15,975	\$0	\$103,939	\$103,939	\$103,939	\$103,939	\$0	\$469,538
City of Gautier	\$0	\$0	\$51,500	\$20,000	\$0	\$0	\$147,500	\$147,500	\$147,500	\$147,500	\$0	\$661,500
West Jackson Co Util Dist	\$0	\$0	\$0	\$103,838	\$43,875	\$0	\$277,875	\$277,875	\$277,875	\$277,875	\$0	\$1,259,213
West Jackson Co Util Dist	\$0	\$0	\$0	\$110,233	\$52,608	\$0	\$330,698	\$330,698	\$330,698	\$345,065	\$0	\$1,500,000
Fannin Water Association	\$0	\$0	\$0	\$67,758	\$90,064	\$0	\$0	\$187,871	\$187,871	\$187,871	\$125,247	\$846,682
City of Olive Branch	\$0	\$0	\$0	\$74,132	\$33,013	\$0	\$238,846	\$238,846	\$238,846	\$39,807	\$0	\$863,490
Town of Walnut Grove	\$9,459	\$51,580	\$47,280	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$108,319
Total FY-06 Projects	\$9,459	\$51,580	\$98,780	\$788,695	\$383,153	\$0	\$2,161,594	\$2,420,703	\$2,420,702	\$2,022,318	\$125,247	\$10,482,231
FY-07 Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total All Projects	\$9,459	\$51,580	\$98,780	\$788,695	\$382,153	\$0	\$2,161,594	\$2,420,703	\$2,420,702	\$2,022,318	\$125,247	\$10,482,231
Federal FY-2005 Cap. Grant (3.97%)	\$0	\$0	\$0	\$416,600	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$416,600
State Match FY-2005 (0.79%)	\$0	\$0	\$0	\$83,320	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$83,320
Federal FY-2006 Cap. Grant (59.9%)	\$0	\$0	\$0	\$0	\$309,473	\$0	\$1,745,919	\$1,955,202	\$1,955,201	<u>\$906,817</u>	\$0	<u>\$6,912,612</u>
State Match FY-2006 (14.3%)	\$0	\$0	\$0	\$0	\$73,680	\$0	\$415,675	\$465,501	\$465,501	<u>\$225,503</u>	\$0	<u>\$1,645,860</u>
Other Funding (21.0%)	\$9,459	\$51,580	\$98,780	\$288,775	\$0	\$0	\$0	\$0	\$0	<u>\$889,998</u>	\$125,247	\$1,463,839
Total Funding	\$9,459	\$51,580	\$98,780	\$788,695	\$383,153	\$0	\$2,161,594	\$2,420,703	\$2,420,702	\$2,022,318	\$125,247	\$10,482,231

* Other Funds include DWSIRLF Bond proceeds, DWSIRLF Loan Repayments, and money recovered from loan amendments

II. Projected Schedule of Outlays for Set Asides

Federal Set-Asides	3Q FY-06	4Q FY-06	1Q FY-07	2Q FY-07	3Q FY-07	4Q FY-07	1Q FY-08	Totals
Small Tech Assistance	\$0	\$0	<u>\$41,146</u>	<u>\$41,147</u>	<u>\$41,146</u>	<u>\$41,147</u>	\$0	<u>\$164,586</u>
State Program Management	\$0	\$0	<u>\$205,732</u>	<u>\$205,733</u>	<u>\$205,732</u>	<u>\$205,733</u>	\$0	<u>\$822,930</u>
Administrative Program	\$0	\$0	<u>\$82,293</u>	<u>\$82,293</u>	<u>\$82,293</u>	<u>\$82,293</u>	\$0	<u>\$329,172</u>
Total Set-Asides	\$0	\$0	<u>\$329,171</u>	<u>\$329,173</u>	<u>\$329,171</u>	<u>\$329,173</u>	\$0	<u>\$1,316,668</u>

C. Projected Payment (Federal Letter of Credit) Schedule

Payment (LOC) <u>Number</u>	Payment (LOC) <u>Date</u>	Payment (LOC) <u>Amount</u>	Cumulative (LOC) <u>Amount</u>
FY-2006 No. 1 of 4	1 st Quarter FY-2007	\$ 2,000,000	\$ 2,000,000
FY-2006 No. 2 of 4	2 nd Quarter FY-2007	\$ 2,000,000	\$ 4,000,000
FY-2006 No. 3 of 4	3 rd Quarter FY-2007	\$ 2,500,000	\$ 6,500,000
FY-2006 No. 4 of 4	4 th Quarter FY-2007	<u>\$ 1,729,300</u>	<u>\$ 8,229,300</u>

D. Projected Schedule of Drawdowns Against Federal Letter of Credit

<u>Outlay Quarter</u>	<u>Federal Outlay Amount</u>	<u>Cumulative Outlay Amount</u>
1Q FY-2007	\$ 640,000	\$ 640,000
2Q FY-2007	\$ 330,000	\$ 970,000
3Q FY-2007	\$ 2,080,000	\$ 3,050,000
4Q FY-2007	\$ 2,300,000	\$ 5,350,000
1Q FY-2008	\$ 2,000,000	\$ 7,350,000
2Q FY-2008	\$ 879,300	\$ 8,229,300

E. Mississippi Small Systems Technical Assistance Set-Aside Workplan

INTRODUCTION

The Mississippi Department of Health, Bureau of Public Water Supply proposes to use the Small Systems Technical Assistance Set-aside of the Drinking Water State Revolving Loan Fund in an assistance and training program directed at improving the technical, managerial, and financial capabilities of small community public water systems (systems) in the state. The goal of this program is to assure that assistance is provided to all small community public water systems that require such assistance to maintain adequate technical, financial, and managerial capabilities necessary to comply with requirements of the Safe Drinking Water Act.

SELECTION PROCESS

A request for proposals (RFP) was published in the legal section of *The Clarion-Ledger* on April 4th and 11th, 2002 with a submittal deadline of 3:00 p.m. on April 19, 2002. Those responding to the RFP were mailed an information packet the day the request was received. The proposals received by the potential contractors were evaluated by the Department and then presented to the Board on April 22, 2002, and a decision was made that day as to the contract recipients. Contracts outside the Mississippi Department of Health require Board approval. All of the contracts described below are for a two year period with an option to renew for an additional two years. The contract was awarded to the Community Resources Group (CRG) in 2002, and renewed for another two years in 2004.

PROGRAM ACTIVITIES

The proposed technical assistance program has since been expanded into four major categories (see below) of activities that will be accomplished through contracts with qualified organizations that are experienced in providing the type of support required by each activity. These categories may be updated and/or revised as a result of work plan reviews that will be conducted annually during the life of the program. Amendments will be submitted whenever activities or budgets change and when required to extend the term of the work plan.

1. **Long term technical assistance** - This assistance is comprehensive in nature and is provided to an equivalent of thirty (30) small public water systems annually. At a minimum, the contractor will provide comprehensive assistance to at least fifteen (15) public water systems per contract year. The Mississippi Department of Health (MDH) will provide a list of 55 systems that are to receive this assistance to the contractor at the beginning of each contract year. Within 30 days of the start date for that contract year, the contractor will identify with the help of the Department which 15 systems are to receive comprehensive technical assistance, complete an initial assessment of the needs of each of the 15 systems, and develop a work plan for each water system. The contractor shall submit the assessment and work plan for each system to MDH for approval prior to beginning to provide technical assistance. MDH shall use its latest report of Capacity Ratings of Public Water Systems, along with the recommendations of MDH staff and the contractor, to identify those public water systems

that are to receive this assistance.

Activity Objective - provide long-term on-site comprehensive technical assistance to resolve problems identified by contractor. 15 systems will be chosen from a list of 55.

Reporting/Evaluation - written progress reports using a format approved by MDH will be furnished monthly to MDH and members of the Board by the contractor. The reports shall identify progress made on the work plan developed for each system. The contractor shall meet with the Board on a quarterly basis to update the Board on accomplishments under this contract and answer any questions the Board might have regarding the implementation of this contract.

2. **Intermediate technical assistance** - This assistance is selective in nature and consists of 1 or more additional contact or non-contact hours for public water systems previously receiving short-term assistance or systems requiring assistance beyond standard short-term assistance. Selection of systems will be based on the list supplied by the Mississippi Department of Health for the remaining forty (40) public water system from the initial list of fifty-five (55). Intermediate technical assistance project will be counted toward the minimum thirty (30) required comprehensive projects at a ratio of 2:1 (two intermediate projects will be the equivalent of one comprehensive project).

Activity Objective - provide intermediate on-site technical assistance to selected systems covering the subject(s) determined by the contractor to be most needed.

Reporting/Evaluation - written progress reports using a format approved by MDH will be furnished monthly to MDH and members of the Board by the contractor. The reports shall identify the assistance provided to each system. The contractor shall meet with the Board on a quarterly basis to update the Board on accomplishments under this contract and answer any questions the Board might have regarding the implementation of this contract.

3. **Limited or unplanned assistance** - This assistance is selective in nature and consists of other public water systems that are referred by MDH on an as needed basis. 4-10 contact hours for each system at a minimum would be required. Under special circumstances, the contractor (with MDH approval) may provide additional technical assistance (above the 10 hour maximum) to select systems.

Activity Objectives - provide short-term (4-10 contact hours) on-site technical assistance to MDH referred systems covering the subject(s) determined by the contractor to be most needed.

Reporting/Evaluation - written progress reports using a format approved by MDH will be furnished monthly to MDH and members of the Board by the contractor. The reports shall identify the assistance provided to each system. The contractor shall meet with the Board on a quarterly basis to update the Board on accomplishments under this contract and answer any questions the Board might have regarding the implementation of this contract.

4. **Peer review assistance** - Through the use of trained volunteers, this assistance will be

conducted on-site with the systems either selected from a list provided to the contractor by MDH or with prior MDH approval. A cooperative agreement between the contractor and the Mississippi Water and Pollution Control Operators' Association will help provide qualified volunteers to serve as peer review team members. There will be a minimum of 20 peer reviews per contract year with at least one peer review per month. Each volunteer shall be paid \$50 per day for each actual peer review in which the volunteer participates. The contractor will maintain a directory of trained volunteers.

Activity Objectives - provide short-term (less 8 contact hours) on-site technical assistance to selected systems covering the subject(s) determined by the contractor to be most needed.

Reporting/Evaluation - copies of all completed peer review reports will be provided to both MDH and the Board within 30 days of completion of each peer review. Written progress reports using a format approved by MDH will be furnished monthly to MDH and members of the Board by the contractor. The name of the system undergoing the peer review shall be removed and be identified by a code only known to the contractor. The report shall include: an assessment of which type of capacity was the worst at the time of the visit; a listing of all suggested remedial action; officials present shall be listed by title; an evaluation form (previously approved by MDH) rating the assistance provided that was completed by the system; any conditions currently or potentially endangering public health; and any other related items. The contractor shall meet with the Board on a quarterly basis to update the Board on accomplishments under this contract and answer any questions the Board might have regarding the implementation of this contract.

5. **Management Training for Water System Officials** - Section 41-26-101 of the Mississippi Code of 1972, Annotated, states "Each member elected or reelected after June 30, 1998, to serve on a governing board of any community public water system, except systems operated by municipalities with a population greater than two thousand five hundred (2,500), shall attend a minimum of eight (8) hours of management training within two (2) years following the election of that board member. If a board member has undergone training and is reelected to the board, that board member shall not be required to attend training. The management training shall be organized by the State Department of Health. The management training shall include information on water system management and financing, rate setting and structures, operations and maintenance, applicable laws and regulations, ethics, the duties and responsibilities of the association and other organizations. The department shall develop and provide all training materials. To avoid board members having to interfere with their jobs or employment, management training sessions may be divided into segments and, to the greatest extent possible, shall be scheduled for evening sessions. The department shall conduct management training on a regional basis." The contractor shall: serve as the coordinator for MDH in regards to all activities related to the implementation of the training program in the state; randomly attend training sessions to ensure the established curriculum is being followed and that the curriculum is relevant and effective; manage the board member training curriculum review committee; continue to update the established computerized database to accurately track the most current status of each board member attending the program; and other related duties.

Activity Objective - manage those activities related to the effective training of the members of the governing boards of small community public water systems.

Reporting/Evaluation - Randomly attend at least 2 sessions/contract year/training organization unannounced and furnish both MDH and the Board members a written report within 7 days of attendance in order to prepare a report to MDH and the Board members including the following information: review of presentation by trainer(s); any needed remedial action; attendee comments; attendance roster; and other related items. Written and oral quarterly reports shall be furnished to MDH and the Board members that include: attendee evaluation of the trainers and training material; contractor evaluation of trainer(s); attendee comments; attendance rosters; needed remedial action; curriculum review committee meetings; itemized costs of training organization(s). Monthly reports containing the above information shall be submitted to MDH along with the invoices for work performed under the contract. MDH, affected board members, and affected entities shall be provided with periodic reports listing those board members who have not completed the board member training and the time remaining for completion of the training.

AGENCY RESPONSIBILITIES

The Mississippi Department of Health will conduct Small Systems Technical Assistance Set-aside activities through Board approved contracts with providers who will be selected following procedures of the State of Mississippi Personal Services Contract Procurement Regulations. All providers will report to and be responsible to the MDH for all contract activities. No additional FTE requirement is anticipated for state agencies to implement the provisions of this set-aside.

**F. Mississippi State Program Management Set Aside Annual Workplan
Section 1452(g)(2)
Safe Drinking Water Act Amendments of 1996**

PUBLIC WATER SYSTEM MANAGEMENT PROGRAM

BACKGROUND

On March 22, 2006, a legal notice will be published to request public comments on the Draft FY-06 Intended Use Plan (IUP) that will set aside \$822,930 of the State's FY-06 DWSRF capitalization grant for State Program Management activities to support the Mississippi Department of Health, FY-06 Public Water Systems Supervision Program (FY-06 PWSS Program) as allowed under Section 1452(g)(2) of the Safe Drinking Water Act Amendments of 1996. After a public comment period a public hearing was held on April 24, 2006, to receive and consider comments from the public on the draft IUP. No comments were received during the public comment period and no one from the public attended the public hearing. The Final FY-06 IUP was presented to the Board for adoption during the scheduled meeting on May 5, 2006. The Final IUP will be effective on June 5, 2006.

This work plan describes how FY-06 DWSRF State Program Management set aside funds will be expended to support the FY-07 PWSS Program. The PWSS program is under a one year contract.

FUNDING AMOUNT

The State reserves \$822,930 of its FY-06 Drinking Water State Revolving Fund capitalization grant to be set aside for State Program Management activities to support the FY-07 PWSS Program. The reserved amount represents 10% of the State's expected FY-06 capitalization grant and is specified for expenditure during FY-06.

Dollar Breakdown

Administrative/Staffing	<u>\$473,132</u>
Fringe Benefits	<u>\$141,940</u>
Capacity Assessment Processing Costs	<u>\$ 5,000</u>
Contractual Agreements	<u>\$ 76,768</u>
Indirect Costs	<u>\$126,090</u>
Total Funding Amount	<u>\$822,930</u>

NUMBER OF FTE's PROJECTED FOR IMPLEMENTING THIS SET ASIDE

The State projects forty-four (44) FTEs will be required to implement the FY-07 PWSS Program. 7.6 of those FTEs will be funded by this set-aside. \$615,072 will be reserved from the FY-06 DWSRF Capitalization Grant for salaries and fringe benefits for State Program Management activities.

This amount will fund salary and fringe benefits for the following positions:

Position	Quantity (FTE)
Environmental Engineer IV	3
Environmental Engineer III	2
Environmental Engineer-In-Training	1
Division Director I	1
Branch Director I	0.2
Deputy Director II	0.2
Business Systems Analyst II	<u>0.2</u>
Total FTEs	7.6

The remaining \$207,858 will be used for indirect costs, supplies and possible contractual services for technical assistance needed to accomplish the requirements of the FY-07 PWSS Program.

GOALS, OBJECTIVES, OUTPUT AND DELIVERABLES

One of the set-asides authorized under the 1996 SDWA amendments is the management of the state program, which can use up to 10 % of the federal allotment. These funds will support public water system supervision program activities as required to maintain state primacy and also to support the activities of the Drinking Water State Revolving Loan Fund. MDH FY-06 Work plan outlines in detail the aspects of the PWSS that are supported by this set-aside. Items covered by the set-aside include: (1) State Primacy Requirements, (2) Non-Primacy Requirements, and (3) Auxiliary Services.

Primacy Requirements

As required to maintain state primacy, MDH maintains the public water system supervision programs on an ongoing or as needed basis. These programs include: revising current primacy programs by adopting new Federal regulations as needed; coordinating for Mid-Year and End of Year review with EPA Regional Office; maintaining an sanitary survey program with discrepancy follow-up; participating in state data verification audits; ensuring PWSs are utilizing approved laboratories and a certification program for those laboratories is in place; participating in the EPA Regional oversight; operating in accordance with requirements of the National Primary Drinking Water Regulations; maintaining an active water system design and construction plan and specification review program; ensuring labs used by PWSs within the state capable of the workload created by regulations; participating in PWS and PWSS training on rule requirements; informing Region 4 on any special state initiatives under the rules or Provisions of the SDWA; maintaining records for all rule/policies, enforce reporting and record keeping as required; maintaining appropriate administrative penalty authority; implementing the PWS definition; attending state/EPA planning and implementation meetings; ensuring that newly permitted public water systems have design/construction capable of compliance with the present

and upcoming SDWA regulations; ensuring analytical methods are being applied to demonstrate compliance with the regulations; notify (if necessary) EPA of intent not to adopt to implement any portion of the rules; and responding to EPA requests for information or verification of state rules implementation.

Additionally, MDH will provide annually summaries of the status of each effective variance and exemption to EPA and of community PWSs that are allowed to monitor less frequently than monthly and non-community PWSs that are allowed to monitor less frequently than quarterly to EPA. MDH will also oversee and enforce requirements for rules and regulations adopted with approved federal primacy. These regulations include the SDWA and all applicable rules of the SDWA.

Non-primacy Requirements

In addition to the requirements of the public water system supervision program, monies from this set-aside provide support to activities that are of a non-primacy nature. Meaning these activities are not required to maintain state primacy. However, to run a highly effective, efficient program and most importantly protect the public health, these activities are vital.

Capacity Assessment Program (CD)

As required by the SDWA, each state is required to develop and implement a Public Water System Capacity Development Program in order to receive full funding annually under the DWSRF Program. Public water system capacity assessment is a full evaluation of the technical, managerial, and financial ability to provide safe drinking water to its customers by complying with all state and Federal regulations. In accordance with the Federal requirements, MDH has developed and implemented a CD program for both new and existing public water systems. The MDH capacity development program takes the form of a rating that each community water system (CWS) and non-transient non-community water system (NTNCWS) receives at their annual sanitary survey. The criteria used in the rating system incorporates laws, regulations, and other valuable information to evaluate the areas of technical, managerial, and financial capacity. The program is also designed to evolve from year to year through an annual meeting of an advisory committee that will make suggestions as to possible changes and/or additions to the rating criteria. As required by regulation, an annual report is made to the Governor on the efficacy of the strategy and progress towards improving the capacity of public water systems in the state. Additionally, annual documentation of ongoing implementation of the CD strategy is to be provided with SRF grant application.

Unregulated Contaminant Monitoring Rule

This particular aspect of the PWSS involves informing systems greater than 10,000 population and systems less than 10,000 population in the state monitoring plan of their responsibilities to monitor for Unregulated Contaminant Monitoring Rule; assisting the EPA in sampling systems in the state monitoring plan as determined by the state and EPA in the UCMR Partnership Agreement; adding vulnerable systems to the plan for

monitoring UCMR List 3 contaminants based on guidance; review UCMR data from public water systems to ensure that it meets quality assurance and PWS reporting requirements necessary; informing EPA of potential changes needed in the data and with mutual agreement of the state and EPA make changes to the data; and responding as requested by the EPA for information on verification of state UCMR implementation.

Operator Certification

As dictated by the SDWA and required to maintain full funding for the DWSRLF, operator certification is an essential part of the public water system supervision program. Activities required in order to maintain the operator certification program include: providing documentation and evaluation of ongoing program implementation for all annual program submittals subsequent to the initial submittal; supply as required certification of changes and documentation of those change that are made to the regulations of statutes; perform internal and external program reviews as required by state law.

Source Water Assessment Program

On an annual basis, MDH reports to EPA on Source Water Assessment Program implementation activities. In FY97, a set-aside for DWSRLF allowed MDH to subcontract to the Mississippi Department of Environmental Quality to perform the source water assessment. The assessment has been completed and a report has been supplied to all of Mississippi's Public Water Supplies.

Auxiliary Services

These services include various aspects related to data management, compliance and enforcement of the Public Water Supply Supervision Program.

Information Management and SDWIS/Fed Reporting

These ongoing activities include: overseeing and enforcing requirements of data management and SDWIS/Fed reporting; reporting the state's PWSS inventory at least annually to SDWIS/Fed; reporting the state's violations and enforcement actions at least quarterly; participating in EPA/state data managers conference calls; identifying the data manager and alternate for the purpose of making secure transmissions of data intended for SDWIS/FED through EPA's Central Data Exchange; establishing and following quality assurance procedures to ensure that PWS data eventually entered in SDWIS/FED is of the highest reliability and maximum value to the public.

Inspection Strategy

This activity includes overseeing and enforcing requirements of the regulatory requirements.

Management System for Non-compliant Systems

These activities include: Overseeing and enforcing requirements of management system for non-compliant systems; provide current versions of its enforcement response guide; assurances that the EPA has up-to-date information.

Rule Task Force

This requires participation in the Rule Writing Task Force and Rule Workshops.

Enforcement and Management of Significant Non-compliers (SNC's)

Activities of this auxiliary service include: overseeing and complying with the requirements of management significant non-compliers (SNC's); and reporting the State's response to instances of significant noncompliance at public water systems.

The commitments as stated here and in the PWSS Work plan are adopted as commitments of the State Program Management set aside.

SCHEDULE FOR COMPLETING ACTIVITIES

The schedule for completing State Program activities under this work plan will be the schedule established by dates entered in the "Date Due" column of the MDH FY-06 PWSS Work plan.

AGENCY RESPONSIBILITIES

The Mississippi State Department of Health is the agency responsible for implementing required activities under the State Program Management set aside.

EVALUATION PROCESS TO ASSESS THE SUCCESS OF SET ASIDE ACTIVITIES

The success of State Program Activities will be defined by the ability of the MDH to successfully meet commitments in the FY-06 PWSS Work plan. Quarterly and annual reports/submittals required by the PWSS program include documentation and evaluation of ongoing program implementation and success in meeting stated commitments.

G. Mississippi State Program Management Set Aside Match Requirements

Mississippi 1:1 Requirement for FY 2006 State Program Management Set-aside

	FY 1993	FY 2006
PWSS Grant	\$769,600	\$1,245,300
State Required Match for PWSS Grant	\$256,533	\$415,100
Actual State PWSS Contribution	\$256,533	\$1,931,500
State PWSS Overmatch	\$ 0	\$1,516,400
State PWSS Expenditures <u>Eligible</u> for 1:1 SPM Match	\$134,078	\$1,516,400
State PWSS Expenditures <u>Claimed</u> for 1:1 SPM Match	\$134,078	<u>\$ 822,930</u>

Mississippi requests \$822,930 of its FY-2006 DWSRF Capitalization Grant be set aside for State Program Management (SPM) to support Public Water Supply Supervision (PWSS) activities. To comply with the additional 1:1 match requirement for SPM set-asides, \$822,930 in additional State funds will be required. The State provided \$1,516,400 above the State's PWSS match requirement in FY-2006. In accordance with Section 1452(g)(2) of the Safe Drinking Water Act of 1996, the State claims \$822,930 from its FY-2006 PWSS overmatch as credit to satisfy the \$822,930 additional State match required to set aside \$822,930 of its FY-2006 Capitalization Grant for SPM activities.

H. Coordination Schedules for Jointly Funded Projects

FY-2006 DWSIRLF COORDINATION SCHEDULES FOR JOINTLY FUNDED PROJECTS			
These schedules are designed to help assure coordination between the DWSIRLF Program and the Appalachian Regional Commission (ARC) Grant Program, Community Development Block Grant (CDBG) Program, and Rural Utilities Service (RUS) Grant and Loan Program. These schedules are, however, subject to change due to the timing of federal appropriations or program changes.			
Date(s)	Schedule Item(s)/Deadline(s)		
	ARC	CDBG	RUS*
May 1, 2005	Mississippi Appalachian Regional Office (MARO) notifies potential applicants & local Planning & Development Districts of the September 1, 2005, deadline for submitting complete ARC grants applications.	(N/A)	(N/A)
Sept 1, 2005	All FY-06 ARC project applications due at MARO in Tupelo, MS by 5:00 p.m. Proposals received afterward will only be considered as "back-up" projects.	(N/A)	(N/A)
Oct 1, 2005**	Deadline for loan applicant to submit a complete DWSIRLF facilities plan to MS Department of Environmental Quality (MDEQ). The plan must reflect anticipated ARC funding, and must indicate if the loan applicant intends to proceed with the project; 1) only if ARC funds are received, or 2) regardless of ARC funding.**	Deadline for loan applicant to submit a complete DWSIRLF facilities plan to MS Department of Environmental Quality (MDEQ). The plan must reflect anticipated CDBG funding, and must indicate if the loan applicant intends to proceed with the project; 1) only if CDBG funds are received, or 2) regardless of CDBG funding.**	Deadline for loan applicant to submit a complete DWSIRLF facilities plan to MS Department of Environmental Quality (MDEQ). The plan must reflect anticipated RUS funding, and must indicate if the loan applicant intends to proceed with the project; 1) only if RUS funds are received, or 2) regardless of RUS funding.**
Oct, 2005	MS Dept of Health (MDH) notifies MARO of loan applicants who have submitted complete facilities plans which indicate anticipated FY-2006 ARC funding. MARO notifies MDH of ARC grant applicants who submitted pre-applications which indicate anticipated FY-06 DWSIRLF funding.	MS Dept of Health (MDH) notifies Mississippi Development Authority (MDA) of loan applicants who have submitted facilities plans which indicate anticipated FY-2006 CDBG funding.	MS Dept of Health (MDH) notifies U. S. Department of Agriculture, Rural Utilities Service (RUS) of loan applicants who have submitted facilities plans which indicate anticipated FY-2006 RUS funding
Nov 15, 2005	MARO completes review of FY-06 projects and briefs Governor on proposed Priority 1 and Priority 2 project list, as well as projects not eligible to be funded.		
Nov 15-30, 2005	MARO notifies local Planning & Development Districts of projects that have been selected for the P1 (fundable priority list). MARO will copy MDH on these notification letters if grantee has indicated that it is pursuing DWSIRLF loan funds for the project. MDH will not award a DWSIRLF loan until this notification from MARO is provided.	(N/A)	(N/A)

	ARC	CDBG	RUS
TBA***	(N/A)	CDBG program application workshops.***	(N/A)
Nov, 2005	MDH advertises Draft DWSIRLF FY-2006 Intended Use Plan for public comment.	MDH advertises Draft DWSIRLF FY-2006 Intended Use Plan for public comment.	MDH advertises Draft DWSIRLF FY-2006 Intended Use Plan for public comment.
Dec 30, 2005	Deadline for all FY-06 Priority 1 documentation and forms to be submitted to MARO.	(N/A)	(N/A)
Dec, 2005	Board adopts FY-2006 DWSIRLF Intended Use Plan accounting for anticipated ARC award amounts if identified in facilities plan.	Board adopts FY-2004 DWSIRLF Intended Use Plan, accounting for anticipated CDBG award amounts if identified in facilities plan.	Board adopts FY-2006 DWSIRLF Intended Use Plan, accounting for anticipated RUS award amounts if identified in facilities plan.
Jan 20, 2006	(N/A)	Deadline for a CDBG grant applicant to submit a water viability review form to MDA.	(N/A)
Jan, 2006	MDH notifies MARO of projects included on final FY-2006 Priority List that anticipate receiving FY-2006 ARC funds.	MDH notifies MDA of projects included on the final FY-2006 Priority List that anticipate receiving FY-2006 CDBG funds.	MDH notifies RUS of projects included on the final FY-2006 Priority List that anticipate receiving FY-2006 RUS funds.
Feb 1, 2006	MARO sends project applications to ARC-Washington to start final funding approval process.	(N/A)	(N/A)
Feb 16, 2006	(N/A)	CDBG public facilities applications, along with one copy of the DWSIRLF loan application with maps and appropriate attachments, will be accepted from 2/16/2005 until 4:00 p.m. on 2/17/05.	(N/A)
Feb- Jun, 2006	ARC-Washington starts the final funding approval process and awards ARC grants during the spring or summer of 2006.	(N/A)	(N/A)
Mar, 2005	(N/A)	MDA provides notification to MDEQ that complete CDBG applications have been received.	(N/A)
May 1, 2006**	Deadline for loan applicants to submit a completed DWSIRLF loan application to MDEQ for the total DWSIRLF eligible costs, less the amount of anticipated ARC award to be applied to DWSIRLF eligible costs.**	Deadline for loan applicants to submit a completed DWSIRLF loan application to MDEQ for the total DWSIRLF eligible costs, less amount of anticipated CDBG award to be applied to the DWSIRLF eligible costs.** (NOTE: If the loan recipient is pursuing a CDBG grant to cover part of the cost of construction, the loan recipient has the option to include the anticipated CDBG grant amount in the detailed cost breakdown in the application, or may request 100% DWSIRLF funding with the possibility of amending the loan application later if the loan recipient is awarded a CDBG grant prior to receipt of bids for construction. However, the DWSIRLF loan application must be consistent with the DWSIRLF facilities plan for the project.)	Deadline for loan applicants to submit complete DWSIRLF loan applications to MDEQ for the total DWSIRLF eligible costs, less amount of anticipated RUS award to be applied to DWSIRLF eligible costs.** (NOTE: If the loan recipient is pursuing an RUS grant/loan to cover part of the cost of construction, the loan recipient has the option to include the anticipated RUS grant/loan amount in the detailed cost breakdown in the application, or may request 100% DWSIRLF funding with the possibility of amending the loan application later if the loan recipient is awarded an RUS grant/loan prior to receipt of bids for construction. However, the DWSIRLF loan application must be consistent with the DWSIRLF facilities plan for the project)

	ARC	CDBG	RUS
May, 2006	(N/A)	MDA provides notification to MDH of which projects fall within the funding range for CDBG grants for construction contingent upon matching funds being in place. (NOTE: MDH will not award a DWSIRLF loan until this notification from MDA is provided.)	(N/A)
Jun, 2006	MDH provides notification to MARO that complete DWSIRLF loan applications have been received.	MDH provides notification to MDA that complete DWSIRLF loan applications have been received.	MDH provides notification to RUS that complete DWSIRLF loan applications have been received.
(Upon Grant Award)	MARO provides notification to MDH that ARC awards have been made.	(N/A)	(N/A)
Aug 1, 2006**	All approvable documents and responses to comments necessary for loan award must be submitted to MDEQ for review and approval.**	All approvable documents and responses to comments necessary for loan award must be submitted to MDEQ for review and approval.**	All approvable documents and responses to comments necessary for loan award must be submitted to MDEQ for review and approval.**
May-Sep, 2006	Loan applicants receive DWSIRLF loan awards from MDH. The amount of the loan will be the total DWSIRLF eligible cost less the ARC award amount to be applied to DWSIRLF eligible costs.	Loan applicants receive DWSIRLF loan awards from MDH. The amount of the loan will be the total DWSIRLF eligible cost less the CDBG award amount to be applied to DWSIRLF eligible costs.	Loan applicants receive DWSIRLF loan awards from MDH. The amount of the loan will be the total DWSIRLF eligible cost less the RUS award amount to be applied to DWSIRLF eligible costs. If loan applicant desires DWSIRLF loan award prior to RUS award, loan applicant must provide MDEQ with a copy of letter from RUS which states their project will be funded only contingent upon receipt of DWSIRLF matching funds. MDH will not award a DWSIRLF loan until that notification from RUS is provided.
(Upon Loan Award)	MDH sends a copy of the award letter to MARO.	MDH sends a copy of the award letter to MDA.	MDH sends a copy of the award letter to RUS.

* **General Guidance regarding DWSIRLF/RUS coordination:** The RUS is an agency of the United States Department of Agriculture which provides loans and grants for water and wastewater projects. Eligible applicants must be public bodies, nonprofit organizations, or Indian tribes that serve communities with populations under 10,000. RUS funds may be used in conjunction with other Federal, State, or local moneys. Applications for RUS funds will be accepted at any time during the year, and involve an environmental review that includes public notifications and comment periods. RUS projects are funded at any time during the year as long as funds are available. RUS funds are allocated by Congress in October of each year, and are usually spent as complete applications are received. Therefore, it is generally to the applicant's advantage to file applications earlier in the year. To receive an application package or other information, contact Rural Utilities Service, 100 West Capitol Street, Suite 831, Jackson, MS 39269; telephone: (601) 965-5460; fax: (601) 965-4566.

** **FY-2006 DWSIRLF Priority System Deadline**

*** **“To Be Announced” (Date has not yet been set.)**

I. Drinking Water Systems Emergency Loan Fund Program

Section 41-3-16, Mississippi Code of 1972, as amended, created the Drinking Water Systems Emergency Loan Fund Program. This program provides loans to counties, municipalities, districts, or other (tax exempt) water organizations for emergency construction, repair or replacement of drinking water facilities. This entirely state funded loan program provides a ready funding source for such emergency projects without all the federal cross-cutter requirements required in the Drinking Water Improvements program thereby saving valuable time and expense. This Emergency Loan Fund Program eliminates the need to address emergency loans in the Drinking Water Systems Improvements Revolving Loan Fund Program. The Board encourages eligible water organizations throughout the state to utilize this program whenever emergency drinking water projects are needed.

The basic provisions of this program are: 1) a current interest rate of 2.0%; 2) a maximum single loan amount of \$500,000; 3) a maximum repayment period of five (5) years; and 4) the project must meet the definition of an emergency as established in the program regulations. It is also important to note that loan recipients do not pay interest during the original construction period (capitalized interest), and that loan repayments do not begin until after project completion.

Allowable costs for the project may not be incurred prior to the budget period established in the loan agreement, which may not begin more than 30 days prior to receipt of the loan application.

Costs for the project will be paid on a reimbursement basis, based upon the actual allowable expenditures of the loan recipient.

J. Certifications

In addition to the ten (10) assurances included below, the State acknowledges that there are six (6) additional assurances that the State has agreed to in either the Operating Agreement between the State and EPA Region IV or the annual capitalization grants. These two documents are hereby incorporated into this IUP by reference

1. The State certifies that all drinking water facility projects in this Intended Use Plan identified in Section VII as being subject to the federal cross-cutting requirements are or will be in compliance with all such requirements prior to the State entering into an assistance agreement with the recipient.
2. The State certifies that it will make an annual report to the Regional Administrator on the actual uses of the funds and how the State has met the goals and objectives for the previous two fiscal years as identified in the IUP's; and to annually have conducted an independent audit of the funds to be conducted in accordance with generally accepted government accounting standards.
3. The State certifies that this Intended Use Plan will be subjected to public review and comment prior to final submission to EPA. The State certifies that it will follow the "Mississippi Administrative Procedures Law" in seeking public review and comments on this Intended Use Plan. A copy of the "Mississippi Administrative Procedures Law" can be obtained from the Mississippi Secretary of State's Office, and can also be found on the Mississippi Department of Health's website at www.msdh.state.ms.us/dwsrf.

A public hearing will be held at 9:00 a.m. on Monday, April 24, 2006 to receive written and oral comments on this Intended Use Plan. A transcript of the public hearing recording the comments and recommended solutions will be submitted to EPA along with the Final Intended Use Plan. If anyone would like to receive a copy of the public hearing transcript they should contact Tony Caldwell at (601) 576-7653 to request copies.

4. The State certifies that all drinking water facility projects in this Intended Use Plan are on the project Priority List developed pursuant to the requirements of Section 1452(b)(3)(B), SDWA.
5. The State certifies that it will enter into binding commitments for 120% of the amount of each payment (LOC) under the capitalization grant within one year after receipt of each payment (LOC).
6. The State certifies that it will commit and expend all DWSIRLF Fund monies as efficiently as possible, and to disburse the funds in a timely and expeditious manner.

7. The State certifies that it will conduct environmental reviews on all DWSIRLF cross-cutter equivalency projects in accordance with the State environmental review process.
8. The State certifies that prior to adding any new projects to the FY-2007 and After Planning List for the purpose of funding such a project during FY-2006, that the State will follow the “Mississippi Administrative Procedures Law” in amending this Intended Use Plan in order to allow for public review and comments.
9. The State certifies that it has developed and implemented a capacity development strategy to assist public water systems in acquiring and maintaining technical, managerial, and financial capacity as required in Section 1420(c) of the 1996 Amendments to the Safe Drinking Water Act. This capacity development program is currently approved by EPA.
10. The State certifies the State’s Operator Certification Program is currently approved by EPA.