

**2022  
Intended Use Plan  
Drinking Water  
State Revolving Fund Emerging  
Contaminants**

**Prepared by the  
Georgia Environmental Finance Authority**

**September 23, 2022**



**2022 Intended Use Plan  
Georgia Environmental Finance Authority  
Drinking Water State Revolving Fund Emerging Contaminants**

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## Introduction

Section 1452(b) of the Safe Drinking Water Act (SDWA) Amendments of 1996 requires each state to annually prepare an Intended Use Plan (IUP) identifying the use of funds from the Drinking Water State Revolving Fund (DWSRF) allotment to support the goal of protecting public health. With the Bipartisan Infrastructure Law (BIL) signed on November 15, 2021 by President Biden, funding has been allocated to reduce exposure to perfluoroalkyl and polyfluoroalkyl substances (PFAS) and additional emerging contaminants through their drinking water. This IUP outlines Georgia's proposed uses of the FY2022 DWSRF Emerging Contaminants allotment of \$17,804,000.

The Georgia Environmental Finance Authority (GEFA) was created by the Georgia General Assembly in 1986 as the successor agency to the Georgia Development Authority, Environmental Facilities Program. GEFA assists local governments in financing the construction, extension, rehabilitation and replacement, and securitization of public works facilities. The GEFA board of directors consists of three ex-officio members and eight members appointed by the governor. Under an interagency agreement, the Georgia Environmental Protection Division (GAEPD) provides professional services to the DWSRF. The services include, but are not limited to:

- Project reviews and approvals;
- Planning and project development;
- Information tracking;
- Updating files;
- Information gathering and development of the National Needs Survey;
- Issuing and approving Notices of No Significant Impacts (NONSI) and Categorical Exclusions (CE);
- Assistance with the National Information Management System (NIMS);
- The Public Benefit Reporting (PBR) database; and
- Administration of EPD's set-aside activities.

## DWSRF Emerging Contaminants Project Solicitation Process

GAEPD began sampling for PFOS/PFOA in December 2021 in the northwestern region of the state. EPD identified three communities as high priority with limits above the previous EPA Health Advisory. These three communities are Chatsworth Water Works Commission, city of Calhoun, and the city of White. GEFA reached out to these three communities for more information and determined the current project need is \$8,315,401.

In March of 2023 EPA announced and released the proposed National Primary Drinking Water Regulations for PFAS. Based on this new information and rising cost of materials and equipment, communities are anticipating cost will be much greater than expected to treat for PFAS and other emerging contaminants. The current need for the city of Chatsworth, the city of Calhoun and the city of White is \$33,800,000.

On February 13, 2023, EPA announced the FY2022 and FY2023 BIL Appropriations for the Emerging Contaminants in Small or Disadvantaged Communities Grant (EC-SDC grant). The allotment for Georgia is

\$54,572,000. Due to news funds becoming available, GEFA reevaluated community needs. GEFA has identified four additional communities that are in need of assistance to address PFAS/emerging contaminants, the city of Summerville, the city of Tennille, the city of Lyerly. GEFA has determined that all three of these cities meet the eligibility activities and criteria of the EC-SDC grant. In addition to these three cities, the city of White who was listed on this original IUP, meets the EC-SDC grant criteria. Therefore, GEFA is proposing to remove the city of White from this IUP and add them to the EC-SDC grant workplan.

### **DWSRF Emerging Contaminants Comprehensive List**

The DWSRF emerging contaminants comprehensive list (Attachment 1) was created from the drinking water projects recommended by the GAEPD. The comprehensive list comprises the impacted community, their current population, the anticipated project funding costs, their current affordability score per SRF guidelines, and a detailed description of the project. The GEFA board of directors reserves the right to fund lower priority projects over higher priority projects if, in the opinion of GEFA, a higher priority project has not taken the necessary steps to prepare for funding and initiation of construction (e.g., GEFA has not received a complete and approvable financial application, the project is not ready to proceed, or the community withdraws its project from consideration). Additionally, if a qualified project becomes viable within the funding year, Georgia may amend its comprehensive list through a public meeting to accommodate those communities that decide to participate in the DWSRF emerging contaminants after the capitalization grant has been awarded. GEFA will collaborate with GAEPD to include any new projects on the comprehensive list.

### **DWSRF Emerging Contaminants Fundable List and Estimated Disbursement Schedule**

The DWSRF project list with an estimated disbursement schedule is located in Attachment 2. GEFA created this disbursement schedule based on the eight quarters identified in the 2022 DWSRF payment schedule located in Attachment 3, which indicates the timeframe for requesting the DWSRF capitalization grant allotment from the EPA Automated Standard Application for Payments (ASAP) System.

The DWSRF Emerging Contaminants assistance includes financing as outlined in the applicable appropriations language. Assistance will be provided to municipalities and water/sewer authorities created by the Georgia legislature for the construction, expansion, and improvements to publicly owned drinking water facilities. All construction projects will meet the requirements of the Federal Water Pollution Control Act with respect to Davis-Bacon requirements in section 513 and American Iron and Steel (AIS) requirements in section 608.

### **Terms and Conditions of Financing**

#### ***DWSRF Emerging Contaminants Financing Terms***

For a project or activity to be eligible for funding under this appropriation, it must be otherwise DWSRF eligible, and the primary purpose must be to address emerging contaminants in drinking water, focusing on perfluoroalkyl and polyfluoroalkyl substances.

### **Four Percent Administration**

Georgia intends to withhold use of the capitalization grant for administrative purposes. Based on the FY2022 allotment of \$17,804,000, \$0 are allocated for administrative support to manage and operate the DWSRF. A detailed account of the personnel costs associated with the 4 percent account are found in Attachment 5.

### Sources and Use of Funds

Georgia is anticipating funding FY 2022 emerging contaminants projects using the EPA Bipartisan Infrastructure Law (BIL) Emerging Contaminants Capitalization Grant. Per the BIL, no state match is required for the EPA Emerging Contaminants Grant. The estimated sources and uses of funds in the FY 2022 DWSRF emerging contaminants program are as follows:

#### Sources:

2022 EPA DWSRF BIL Emerging Contaminants Cap Grant:	\$17,804,000
State Match:	\$0
	<b>Total: \$17,804,000</b>

#### Uses:

Project Assistance:	\$17,804,000
Administrative Costs:	\$0
	<b>Total: \$17,804,000</b>

Projects on the DWSRF Project List are ranked by their respective priority and will be funded according to availability of funds. Projects that are not funded from the Project List will be considered for funding in subsequent years. Georgia intends to manage its disbursements to borrowers to ensure that State funds are spent first in order to ensure that the proportionality requirement is met. This is necessary to ensure that borrowers that are funded from federal capitalization grants are able to receive requisitioned funds in a timely manner.

### Criteria and Method for Distribution of Funds

Attachment 8 explains Georgia's criteria used to distribute funds to DWSRF emerging contaminants focused projects. Only those cities and counties that have been designated as a "Qualified Local Government" and are in compliance with O.C.G.A. Section 36-70-20 and appear on the comprehensive list may receive a DWSRF loan commitment. Communities within the Metropolitan North Georgia Water Planning District (MNGWPD) that are in compliance or making a good faith effort toward compliance with the MNGWPD plans are eligible for DWSRF funding. Lastly, only those communities that are in compliance with plumbing code standards as codified in O.C.G.A. Section 12-5-4 will be eligible for funding through GEFA. Eligible project costs include planning, design, engineering, and construction. Ineligible costs include maintenance and operation expenditures, projects needed primarily for fire protection, or projects to facilitate future growth. No loan will be executed until environmental approval has been issued and financial requirements have been met.

### DWSRF Goals and Objectives

#### Long-term Goals

1. Ensure PFOS/PFOA impacted communities have the funding needed to implement remediation strategies.

### **Short—term Goals**

1. Collaborate with GAEPD to determine PFOS/PFOA impacted communities.
2. Collaborate with other agencies to determine funding options for impacted communities.
3. Expand the outreach activities to ensure that systems are aware of and understand DWSRF assistance options and the application process by presenting at statewide workshops and conferences to publicize the DWSRF program.

### **20 Percent State Match Requirement**

President Biden signed the Bipartisan Infrastructure Law (BIL) on November 15, 2021. With this law's enactment, these funds must be distributed to communities entirely as forgivable loans or grants. States are not required to provide matching funds.

### **Assurances and Specific Proposals**

In addition to the assurances that accompany the capitalization grant application (Standard Form 424) for the 2022 funds, GEFA further agrees to adhere to all the certifications covered within the Operating Agreement with EPA Region 4. The specific certifications are:

1. Capitalization grant agreement
2. Payment schedule
3. State matching funds
4. Commitment of 120 percent in one year
5. All funds - timely expenditures
6. Enforceable requirements of the Safe Drinking Water Act
7. Cross cutting issues
8. State law and procedures
9. State accounting and auditing procedures
10. Recipient accounting and auditing procedures
11. Annual report
12. Limitations on eligibility
13. Environmental review process
14. Maintain the fund
15. Perpetuity
16. Types of assistance
17. Priority list
18. Limitations of double benefits
19. Consistency with planning requirements
20. Annual audit
21. Intended use plan
22. Annual federal oversight review and technical assistance
23. Dispute resolution
24. Reserve the right to transfer up to 33 percent of grant amount between programs
25. NIMS
26. PBR

The Georgia SDWA of 1977, as amended, and the Rules for Safe Drinking Water, as amended, require that before constructing a public water system EPD must approve of: 1) the source of water supply and 2) the means and methods of treating, purifying, storing, and distributing water to the public. Furthermore, before placing the public water system in operation, the owner must obtain a permit to operate from EPD. Through the construction approval procedures and the issuance of operating permits, EPD ensures that public water systems are built and operated with adequate technical capacity to comply with existing and future state and federal drinking water regulations and standards. EPD also requires that public water systems have a certified operator. EPD supports several operator training and technical assistance programs to ensure that water systems and their operators maintain an adequate level of technical capacity.

As in previous years, DWSRF program managers will continue to coordinate with the EPA Region 4 office on items such as quarterly and annual reports, annual reviews, National Need Surveys, collection of NIMS data no less than quarterly, training opportunities, attendance at regional and national conferences, workshops, and various administrative program efforts.

### **Public Participation**

This IUP is subject to review and comment by the public prior to incorporation into the 2023 capitalization grant application. A public notice was placed in the *Fulton Daily Report* on Thursday, May 18, 2023, announcing a public meeting on the DWSRF Supplemental and Base Grant IUPs on Thursday, June, 15 2023, at 10:00 a.m. via conference call. A summary for the public meeting can be found within Attachment 9.

**Attachment 1 – Comprehensive List (Drinking Water Projects)**



**Attachment 2  
Drinking Water State Revolving Fund  
2022 Comprehensive List**

<b>Community</b>	<b>2019 Pop.</b>	<b>Total Project Cost</b>	<b>Affordability Score</b>	<b>Est. Notice to Proceed</b>	<b>Est. Construction Start</b>	<b>Est. Project Completion</b>	<b>Project Description</b>
City of Calhoun	17,088	\$7,000,000	24	02/30/2024	3/30/24	3/30/2025	There are a total of four (4) pressure filter trains at Brittany Drive. Each vessel includes a clarifier and three filter cells. The media volume for each train is slightly larger but comparable to the volume of a gravity filter mentioned above. We anticipate replacing the anthracite media in each vessel with the same Filtrasorb 820 granular activated carbon. We estimated the cost for each train from the May 23, 2022 quote. We increased the estimated cost due to the filter volume being slightly larger (935 cuft. vs 832 cuft.), and the labor to remove the existing media should be greater in the pressure vessels than the gravity filters. The same applies to the pressure vessels that once a filter have been converted to GAC, the GAC will need to be changed out once PFAS break-thru begins. We would expect the change out cost to be similar to the conversion cost quoted. This cost does not include the option for an RO plant, this only includes an initial study for the existing MGD plant.
City of Chatsworth	4,247	\$25,000,000	27	5/31/2024	6/30/24	10/30/2026	Chatsworth Water Works Commission currently supplies water from the Eton Spring, Oneal Spring, Carters Lake, and Nix Spring. To continue to meet demand, the City of Chatsworth plans to construct a Reverse-Osmosis Treatment Plant at either Eton Spring, Carters Lake, or Lake Conasaga to supply water to its population. The final cost will depend on the engineering study for which site provides the optimal solution and if additional easements will be needed.

**Attachment 2 - Fundable List and Estimated Disbursement Schedule  
GEFA  
Fundable Priority List of Anticipated Loan Recipients**

Attachment 2 Drinking Water State Revolving Fund Estimated Disbursement Schedule													
PROJECT	GRANT AMOUNT	NOTICE TO	CONSTR.	TARGET	1st	2nd	3rd	4th	1st	2nd	3rd	4th	TOTAL DISBURS.
		PROCEED DATE	START DATE	COMPL. DATE	Qtr	Qtr	Qtr	Qtr	Qtr	Qtr	Qtr	Qtr	
					04/23-6/23	7/23-9/23	10/23-12/23	1/24-3/24	4/24-6/24	7/24-9/24	10/24-12/24	1/25-3/25	
City of Calhoun	\$7,000,000	2/2024	3/2024	03/2025	0	2,000,000	2,000,000	2,000,000	1,000,000	-	-	-	\$7,000,000
City of Chatsworth*	\$10,804,000	5/2024	6/2024	10/2026	0	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	804,000	-	\$10,804,000
<b>TOTAL</b>	<b>\$17,804,000</b>				<b>\$0</b>	<b>\$4,000,000</b>	<b>\$4,000,000</b>	<b>\$4,000,000</b>	<b>\$3,000,000</b>	<b>\$2,000,000</b>	<b>\$804,000</b>	<b>\$0</b>	<b>\$17,804,000</b>

\*The recipient must direct at least 25 percent of these additional subsidy funds to disadvantaged communities (as defined by the state under SDWA 1452(d)) or public water systems serving fewer than 25,000 persons. The city of Chatsworth meets both criteria.

**Attachment 3 - ASAP DWSRF Payment Schedule  
Drinking Water State Revolving Fund**

<b>Attachment 3 ASAP Payment Schedule Drinking Water State Revolving Fund Emerging Contaminants</b>			
Payment No.	Federal Fiscal Year		Amount (\$)
	Quarter	Date	
1	3 <sup>rd</sup>	7/2022 - 9/2022	\$0
2	4 <sup>th</sup>	10/2022 - 12/2022	\$17,804,000
3	1 <sup>st</sup>	1/2023 - 3/2023	\$0
4	2 <sup>nd</sup>	4/2023 - 6/2023	\$0
5	3 <sup>rd</sup>	7/2023 - 9/2023	\$0
6	4 <sup>th</sup>	10/2023 - 12/2023	\$0
7	1 <sup>st</sup>	1/2024 - 3/2024	\$0
8	2 <sup>nd</sup>	4/2024 - 6/2024	\$0
<b>TOTAL</b>			<b>\$17,804,000</b>

**Attachment 4 - DWSRF 2 Percent, 4 Percent, 10 Percent, and 15 Percent Set-Aside Work Plan**

The Safe Drinking Water Act (SDWA) Amendments of 1996 include a section authorizing states to provide funding for certain non-project activities called set-asides. States are required to describe, in their Intended Use Plans (IUP) the amount of funds that they will use for these activities. If a state does not expend all its set-asides, the state may transfer the monies to the DWSRF project account.

**4 Percent Administration (2022 - \$0)**

<b>Set-Aside Activity</b>	<b>Activity</b>	<b>Cost</b>	<b>Comments</b>
DWSRF Administration	Activities include project reviews and approvals; planning; project development; information tracking; information gathering and development of the National Needs Survey; project ranking; issuing Notices of No Significant Impact (NONSI) and Categorical Exclusions (CE); construction management; MBE/WBE requirements; project inspections; assistance with the National Information Management System (NIMS); and administration of EPD's set-aside activities all programmatic, financial, and legal aspects of making loans with DWSRF funds.	EPD Contract: \$0  GEFA administration: \$0	EPD and GEFA administration cost to be incorporated in DWSRF General Supplemental application
	<b>Total</b>	<b>\$0</b>	

**2 Percent Small System Technical Assistance (2022 - \$0)**

<b>Set-Aside Activity</b>	<b>Activity</b>	<b>Cost</b>	<b>Comments</b>
Small System Technical Assistance	Georgia Rural Water Association (GRWA): technical assistance field visits to governmentally owned and non-governmentally owned public water systems, perform visits during the contract period to provide assistance.  Assistance to provide statewide technical support to small systems.	GRWA Contract: \$0  \$0	GRWA technical assistance cost to be incorporated in DWSRF General Supplemental application
	<b>Total</b>	<b>\$0</b>	

**10 Percent Assistance to State Programs (2022 - \$0)**

<b>Set-Aside Activity</b>	<b>Activity</b>	<b>Cost</b>	<b>Comments</b>
Assistance to State Programs		EPD Contract: \$0	EPD contract cost to be incorporated in DWSRF General Supplemental application
	<b>Total</b>	<b>\$0</b>	

**15 Percent Small System Technical Assistance (2022 - \$0)**

<b>Set-Aside Activity</b>	<b>Activity</b>	<b>Cost</b>	<b>Comments</b>
Technical Assistance and Financial Assistance		EPD Contract: \$0	EPD contract cost to be incorporated in DWSRF General Supplemental application
	<b>Total</b>	<b>\$0</b>	

## Attachment 5 - 2022 DWSRF Affordability Criteria



Drinking Water State Revolving Fund Affordability Criteria

**1. Median Household Income (MHI)**

State Percentiles	25th Percentile (4 points)	50th Percentile (3 points)	75th Percentile (2 points)	100th Percentile (1 point)
MHI	\$32,699	\$42,444	\$54,555	\$54,556 and higher

**2. Unemployment Percent**

State Percentiles	25th Percentile (1 point)	50th Percentile (2 points)	75th Percentile (3 points)	100th Percentile (4 points)
Unemployment Percent	2.0%	3.1%	4.6%	4.7% and higher

**3. Percentage Not in Labor Force**

State Percentiles	25th Percentile (1 point)	50th Percentile (2 points)	75th Percentile (3 points)	100th Percentile (4 points)
Percentage Not in Labor Force	36.9%	43.5%	50.3%	50.4% and higher

**4. Poverty Rate**

State Percentiles	25th Percentile (1 point)	50th Percentile (2 points)	75th Percentile (3 points)	100th Percentile (4 points)
Poverty Rate	12.3%	20.0%	27.4%	27.5% and higher

**5. Percentage on Social Security**

State Percentiles	25th Percentile (1 point)	50th Percentile (2 points)	75th Percentile (3 points)	100th Percentile (4 points)
Percentage on Social Security	29.2%	36.1%	43.3%	43.4% and higher

**6. Percentage on SSI**

State Percentiles	25th Percentile (1 point)	50th Percentile (2 points)	75th Percentile (3 points)	100th Percentile (4 points)
Percentage on SSI	3.9%	6.8%	10.4%	10.5% and higher

**7. Percentage with Cash Public Assistance**

State Percentiles	25th Percentile (1 point)	50th Percentile (2 points)	75th Percentile (3 points)	100th Percentile (4 points)
Percentage with Cash Public Assistance	0.2%	1.3%	2.3%	2.4% and higher

**8. Percentage with SNAP**

State Percentiles	25th Percentile (1 point)	50th Percentile (2 points)	75th Percentile (3 points)	100th Percentile (4 points)
Percentage with SNAP	10.8%	18.8%	25.2%	25.3% and higher

**9. Age Dependency Ratio**

State Percentiles	25th Percentile (1 point)	50th Percentile (2 points)	75th Percentile (3 points)	100th Percentile (4 points)
Age Dependency Ratio	58.6	67.4	77.3	77.4 and higher

**10. Population Trend**

The following will be the categories used for determining scoring for change in population from 2011 to 2019.

- Positive growth or no growth (1 point)
- Between -0.01% to -1% (2 points)
- Between -1.01% and -2% (3 points)
- Greater than -2% (4 points)

## Attachment 6 - Public Meeting Summary IUP



Georgia Environmental Finance Authority  
IUP Meeting Minutes  
Atlanta, Georgia 30303  
Thursday, June 15, 2023  
10:00 a.m.

### **Call to Order**

The meeting will be held on Thursday, June 15, 2023, at 10:00 a.m. at the Georgia Environmental Finance Authority (GEFA) boardroom located in Atlanta, Georgia.

GEFA staff present at the meeting were:

Amanda Carroll  
Lisa Golphin  
Jill Causse

Public participants present at the meeting were:

Taylor Savoie with Puris  
Sarah Rowley with Sunbelt Consulting  
Cortney Gunter with Nicholson Water Authority  
Brian Henderson with Still Waters Engineering

Amanda Carroll welcomed everyone and introduced the staff in attendance. After discussing the purpose for the public meeting was to present and receive comments on the drafted 2023 Base and Supplemental Clean Water and Drinking Water State Revolving Funds IUPs, the 2022 Lead Service Line Replacement (LSLR) IUP, and the 2022 DWSRF Emerging Contaminant IUP, she opened the floor for comments.

### **Comments from Speakers**

Taylor Savoie asked about eligible projects under the LSLR program.  
Sarah Rowley asked about the projects listed in attachment 2 of the LSLR IUP.

The meeting was adjourned at 11:00 a.m.



**Attachment 7 - Loan Program Policies**  
**January 2021**



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**GEORGIA ENVIRONMENTAL FINANCE AUTHORITY**

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**1. PURPOSE**

The Georgia Environmental Finance Authority (GEFA) provides affordable financing to local governments throughout Georgia to develop environmental infrastructure that protects public health, preserves natural resources, and promotes economic development. GEFA sustains this mission through effective, efficient, and prudent management of these public resources.

**2. APPLICABILITY**

Loan program policies govern the use of funds managed within the:

- Georgia Fund,
- Georgia Reservoir Fund,
- Clean Water State Revolving Fund (CWSRF), and
- Drinking Water State Revolving Fund (DWSRF).

**3. SUB-PROGRAMS**

**Georgia Fund**

- **Emergency Loan Program** – The GEFA executive director has the authority to approve emergency loans to assist communities with financing improvements that are necessary to eliminate actual or potential public health hazards. Emergency loans are ratified at the next scheduled board meeting. The applicant must determine and document the emergency nature of the project and apply O.C.G.A. Section 36-91-22(e), which outlines the local government actions needed to classify a project as an emergency. Relevant terms are addressed in these policies.

**4. ELIGIBLE RECIPIENTS**

**Type of Entity**

- GEFA can provide financing to the following entities:
  - Local governments and instrumentalities of the state;
  - Municipal corporations;

- County or local water, sewer, or sanitary districts;
- State or local authorities, boards, or political subdivisions created by the General Assembly or pursuant to the Constitution and laws of the state; and
- Nongovernmental entities with an approved land conservation project.

### Minimum Recipient Qualifications

- **Qualified Local Government** – Municipalities and counties must be certified as Qualified Local Governments by the Georgia Department of Community Affairs (DCA).
- **Service Delivery Strategy** – Municipalities, counties, and authorities must be included in a DCA-verified Service Delivery Strategy. The project for which an applicant seeks financing must be consistent with the verified strategy.
- **State Audit Requirements** – Municipalities, counties, authorities, and nongovernmental entities must be in compliance with state audit requirements.
- **Metro Plan Compliance** – Municipalities, counties, and authorities located within the Metropolitan North Georgia Water Planning District (MNGWPD) can receive GEFA financing if the director of the Georgia Environmental Protection Division (EPD) has certified that the applicant/recipient is in compliance or is making a good faith effort to comply with all MNGWPD plans and/or enforcement measures.
- **Updated Building Codes** – Municipalities and counties must adopt and enforce O.C.G.A. Section 8-2-3 relating to the installation of high-efficiency plumbing fixtures.
- **Current Loan Agreements** – A current GEFA borrower can receive additional GEFA financing only if the borrower is in compliance with the existing credit documents, e.g., loan agreement and promissory note.
- **Nongovernmental Entities** – Nongovernmental entities must be a nonprofit organization with a primary purpose of permanently protecting or conserving land and natural resources, as evidenced by their organizational documents.

## 5. ELIGIBLE PROJECTS

GEFA's loan programs provide financing for a broad range of water, wastewater, sewer, stormwater, nonpoint source pollution prevention, land conservation, and solid waste projects. Specific project eligibility varies by program. The types of projects eligible for financing in each program and the minimum project requirements are listed below.

- **Georgia Fund** – May finance projects consistent with O.C.G.A. Section 50-23-4 to:
  - Supply, distribute, and treat water
  - Collect, treat, or dispose of sewage or solid waste
- **Georgia Reservoir Fund** – May finance projects consistent with O.C.G.A. Section 50-23-28 to:
  - Expand the capacity of existing reservoirs or other sources for water supply
  - Establish new reservoirs or other sources for water supply
- **CWSRF** – May finance projects consistent with the federal Clean Water Act to:
  - Construct municipal wastewater facilities
  - Control nonpoint source pollution, including projects that permanently protect conservation land
- **DWSRF** – May finance projects consistent with the federal Safe Drinking Water Act to:

- Install or upgrade facilities to improve drinking water quality or pressure, protect water sources, and provide storage create or consolidate water systems

### **Minimum Project Eligibility Requirements Under the Federal State Revolving Fund Programs**

In addition to meeting the other applicable eligibility requirements outlined in these policies, projects receiving funding through the CWSRF or DWSRF must comply with applicable federal statutes, rules, and regulations. These requirements include, but are not limited to:

- Each project must be included in an Intended Use Plan submitted by GEFA to the U.S. Environmental Protection Agency (EPA).
- Each project must successfully complete the State Environmental Review Process, which is administered by EPD, and receive a Notice of No Significant Impact or Categorical Exclusion.
- Each recipient must certify compliance with Title VI of the Civil Rights Act by completing EPA Form 4700-4.
- Each DWSRF project and CWSRF treatment works project must comply with applicable federal procurement and labor rules, including Disadvantaged Business Enterprise utilization, Equal Employment Opportunity, the Davis Bacon Act, and requirements that may arise in future federal law or future federal assistance agreements.
- Each DWSRF project and CWSRF treatment works project must incorporate iron and steel products produced in the U.S. (“American Iron and Steel Requirement”).
- Each CWSRF treatment works project must certify that a Fiscal Sustainability Plan has been developed and is being implemented for the project or certify that a Fiscal Sustainability Plan will be developed and implemented for the project.

## **6. ELIGIBLE ACTIVITIES**

Recipients of GEFA financing may use GEFA funds for the following activities related to an eligible project:

- Feasibility analysis
- Project design
- Construction, grading, site preparation, dredging, etc.
- Land and easement acquisition needed for project implementation
- Stream or wetland mitigation
- Administrative and/or legal services
- System purchase

**Engineering, Legal, and Administrative Costs** – GEFA funds may be utilized for engineering, design, administrative costs, facilities planning, and land acquisition provided that these costs are necessary for the completion of the project defined by the scope of work and identified in the budget of the approved loan agreement. Such eligible costs incurred prior to the execution of a loan agreement are eligible for reimbursement with a GEFA loan. GEFA also offers engineering-only loans for these preliminary soft costs needed to facilitate the construction of an eligible project. GEFA will review and apply a standard to all project budgets.

**Purchase of Existing Systems** – An application that proposes to purchase an existing water and/or wastewater system must be accompanied by a certification of the value of the system by a registered professional engineer. GEFA will require other information as needed to document the content and costs of the purchase.

GEFA's loan agreement provides additional information about activities for which a borrower may or may not use GEFA funds.

## 7. PROGRAM MAXIMUMS

Loans available from GEFA are subject to the following maximums.

### Georgia Fund

- The maximum loan amount is \$3,000,000 per borrower per year.
- The maximum loan amount for emergency loans is \$500,000 per project.
- The standard amortization period is 20 years or the useful life of the project.

### Georgia Reservoir Fund

- The maximum loan amount will be determined based on availability of funds.
- The length of the amortization period shall be determined on a case-by-case basis consistent with O.C.G.A. Section 50-23-28.
- The maximum amortization period is 40 years.

### CWSRF

- The maximum loan amount is \$25,000,000 per borrower per year.
- The maximum loan amount for engineering loans is \$2,000,000 per project.
- The maximum amortization period is 30 years not to exceed the useful life of the project.

### DWSRF

- The maximum loan amount is \$25,000,000 per borrower per year.
- The maximum loan amount for engineering loans is \$2,000,000 per project.
- The maximum amortization period is 40 years for communities designated as "disadvantaged" based on GEFA's affordability criteria not to exceed the useful life of the project.

## 8. INTEREST RATES

GEFA indexes its interest rates to the true interest cost (to the nearest hundredth of one percent) received by the state on its 20-year, competitively-bid, general obligation bond issue. This is GEFA's benchmark rate; however, the interest rate adjustments described below may apply.

**Federal Loans** – For CWSRF and DWSRF loans, GEFA will charge an interest rate that is 50 basis points (0.50 percent) below GEFA's benchmark rate. **Interest Rate Concessions** – GEFA provides the following interest rate concessions for eligible borrowers or eligible projects under the specified funding programs. Interest rate concessions shall not be used in combination.

- **WaterFirst** – Communities that receive the WaterFirst designation may receive an interest rate 100 basis points (1 percent) below the prevailing interest rate for the program through which it is to be funded.
- **PlanFirst** – Communities designated as a PlanFirst Community may receive an interest rate 50 basis points (0.50 percent) below the prevailing interest rate for the program through which it is to be funded.

- **Conservation** – Communities seeking financing for eligible energy, land, or water conservation projects may receive an interest rate 100 basis points (1 percent) below the prevailing interest rate for the program through which it is to be funded as outlined in GEFA's Water Conservation Financing guidance.
- **Special Loan Terms** – The GEFA board may approve loans with different interest rates or specialized terms, e.g., principal forgiveness, consistent with specific program objectives and/or relevant federal requirements.

## 9. FEES

GEFA may assess certain fees to loan recipients.

**Origination Fee** – GEFA will charge an origination fee of 1.25 percent pursuant to the loan agreement.

**Loan Servicing Fees** – Under specific circumstances, GEFA may charge the following loan servicing fees:

- GEFA may assess a non-sufficient funds fee (NSF) if the borrower fails to have sufficient funds in its designated bank account at the time the payment is drafted. The payment due may be for any type of payment due under the credit documents including origination fees, construction interest, monthly principal and interest payments, or any other fee. GEFA will charge the NSF fee to the borrower for each loan for which payment is due and not available.
- GEFA may assess a late fee for any payment not received by the 15th of the month in which the payment is due. This will be in addition to any NSF fees assessed in the same month.
- GEFA may assess a monthly Loan Continuation Fee in the event the borrower fails to draw funds within six months (180 days) of loan agreement execution.

For details about the fees, refer to the Loan Servicing Fee Schedule available at [gefa.georgia.gov/loan-documents](http://gefa.georgia.gov/loan-documents).

## 10. LOAN SECURITY

GEFA requires a revenue and full-faith-and-credit pledge of each borrower and any other special loan condition GEFA may deem necessary, e.g., debt service reserve, etc.

For borrowers, such as authorities, that lack taxation powers or lack adequate taxation capacity to provide a full-faith-and-credit pledge equal to the value of the loan, the following requirements will need to be fulfilled prior to execution of loan:

- A debt service coverage ratio of 1.25x or greater
- A debt service coverage ratio of less than 1.25x, but equal to or greater than 1.05x – a reserve in the amount of one year's debt service on the proposed debt must be deposited into a separate bank account that names GEFA as the beneficiary, prohibits the borrower from withdrawing funds without GEFA's written consent, and requires the bank to submit quarterly statements of activity and account balance information directly to GEFA.
- A debt service coverage ratio of less than 1.05x – Additional security through an agreement with the authority's local government that is willing and able to provide a full-faith-and-credit pledge to back the loan.
- For nongovernmental entity borrowers, a deed to secure debt will be required.

## 11. RELEASE OF GEFA FUNDS DURING CONSTRUCTION

GEFA monitors construction and endorses GEFA payments in accordance with the loan agreement. To allow monitoring, the loan or grant recipient must notify GEFA prior to commencing construction.

## **12. LOAN EXECUTION DEADLINE**

If the loan agreement is not fully executed within six months (180 days) from the date of board approval, GEFA reserves the right to terminate its commitment.

## **13. LOAN RESTRUCTURING**

Loan restructuring is the changing of terms and/or conditions of an existing loan. The range of restructuring options may include adjusting the interest rate of a loan, changing the amortization period of a loan, or changing the repayment schedule to adjust allocation between interest and principal. GEFA will consider a borrower's request to restructure its existing GEFA loan(s) on a case-by-case basis if the borrower is experiencing financial hardship. In evaluating a restructuring request, GEFA will consider at a minimum the following indicators of financial hardship:

- The borrower's debt service coverage ratio history.
- The type and extent of efforts undertaken by the borrower to improve its financial condition, including enhancing revenues from rate increases or raising of ad valorem taxes and/or reducing costs.
- Emergency or exigent circumstances beyond the control of the borrower that impose a long-term and severe financial hardship.

Under no circumstances will loan principal be forgiven.

## **14. LOAN REFINANCING**

Loan refinancing uses loan funds to pay off an existing debt obligation, thereby satisfying the terms of the existing debt agreement and cancelling the existing obligation. GEFA will consider requests to refinance existing GEFA debt on a case-by-case basis if one of the following conditions is met:

- The community is requesting a loan from GEFA to finance an eligible, time-sensitive, and critical project, but needs to consolidate existing GEFA debt into the new loan to afford the new project.
- The community has an engineering loan it would like to refinance with the proceeds of a construction loan from GEFA, thereby combining the engineering loan and the construction loan into one loan.

## **15. CREDIT ANALYSIS**

GEFA requires a minimum debt service coverage of 1.05 times in the first year of repayment and each subsequent year of the outstanding GEFA debt.