
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Allen, Chair

2021 - 2022 Regular

Bill No: AB 1931
Author: Luz Rivas
Version: 5/19/2022
Urgency: No
Consultant: Gabrielle Meindl

Hearing Date: 6/22/2022
Fiscal: Yes

SUBJECT: Community water systems: lead pipes

DIGEST: Prohibits a person or a community water system (CWS) from conducting a partial lead service line (LSL) replacement. Requires a CWS to create a new inventory of all LSLs in its distribution system, including those on the customer side, and create a timeline for the replacement or removal of lead services lines that the CWS owns.

ANALYSIS:

Existing law:

- 1) Requires, pursuant to the federal Safe Drinking Water Act (SDWA) and California SDWA, drinking water to meet specified standards for contamination (maximum contaminant levels (MCL)) as set by the United States Environmental Protection Agency (US EPA) or the State Water Resources Control Board (State Water Board). (Health and Safety Code (HSC) § 116270)
- 2) Requires any person who owns a public water system to ensure that the system complies with primary and secondary drinking water standards and provides a reliable and adequate supply of pure, wholesome, healthful, and potable water. (HSC § 116555 (a))
- 3) Defines "Community water system" as a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents of the area served by the system. (HSC § 116275(i))
- 4) Prohibits the use of any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not "lead free" in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption. (HSC § 116875(a))

- 5) Requires, by July 1, 2018, a public water system to compile an inventory of known lead user service lines in use in its distribution system and identify areas that may have lead user service lines in use in its distribution system. (HSC § 116885 (a))
- 6) Establishes as the policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. (Water Code § 106.3)

This bill:

- 1) Defines "lead service-line" (LSL) as a service line made of any of the following: a lead pipe; a lead pigtail, lead gooseneck, or other lead fitting or connector that is connected to the service line; and a galvanized service line that is, was, or was likely connected to a lead pipe, lead pigtail, lead gooseneck, or other lead fitting or connector.
- 2) Defines "partial lead service-line replacement" as the replacement or removal of only a portion, or part, of a LSL.
- 3) Requires a CWS to replace or remove all LSLs that the CWS owns in its service area.
- 4) Requires a CWS, when replacing or removing a LSL, to replace or remove the entire service line within 30 days of the start of construction. This requirement only applies to the part of the LSL that the CWS owns.
- 5) Requires a CWS, if the CWS does not own the entire service line, to notify the owner of the line that their part of the line contains lead and should be replaced. Requires the CWS to assist the property owner in identifying state or federal funding to help the property owner pay for this replacement.
- 6) Requires a CWS to provide residents with kitchen area filters and replacement cartridges once every three months until the full LSL is replaced.
- 7) Requires a CWS, before commencing a lead service-line replacement, removal, or disturbance to, at least 90 days before the replacement, removal, or disturbance, provide a written notice to the owner and residents of all buildings and units served by the line.
- 8) Requires a CWS, prior to and after, the replacement, removal, or disturbance of a LSL to conduct at least one tap water test before and at least four follow-up

water tests after.

- 9) Requires a CWS to create an inventory of known and unknown LSLs in use in its distribution system; identify areas that have or may have had LSLs in use in its distribution system; and, create a timeline for the replacement or removal of the known and unknown LSLs for the service lines that the CWS owns.
- 10) Requires a CWS to provide the inventory of lead services lines, timeline for replacement or removal, and lead exposure prevention plan to the State Water Board by June 1, 2023.
- 11) Requires the State Water Board to review the inventory, timeline and lead exposure prevention plan submitted by a CWS and authorizes the State Water Board to approve the inventory, timeline and lead exposure prevention plan if it meets the requirements of this bill.
- 12) Requires the State Water Board to post, on or before August 1, 2023, each approved inventory, timeline and lead exposure prevention plan.
- 13) Requires the State Water Board, when receiving funds under the federal Infrastructure Investment and Jobs Act for replacing or removing LSLs, to use some of the funds as grants to CWSs for the purpose of funding the removal or replacement of LSLs that are not owned by the CWS but are owned by customers within the CWSs jurisdiction.

Background

- 1) *Lead.* Lead has been listed under California's Proposition 65 since 1987 as a substance that can cause reproductive damage and birth defects, and has been listed as a chemical known to cause cancer since 1992. Lead exposure and lead poisoning are also associated with cognitive and other health impacts, especially to children, that appear irreversible. There is no level of lead that has been proven safe, either for children or for adults.
- 2) *Lead in water.* Concern about lead in drinking water has heightened since the Flint, Michigan water crisis, and, in fact, some of the most prevalent sources of lead in drinking water are from pipes, fixtures, and associated hardware from which the lead can leach. Nearly all lead in users' tap water does not come from the primary water source or from the municipal treatment plant, but is a result of corrosion resulting from materials containing lead coming into contact with water after it leaves the treatment plant. Lead can enter a building's drinking water by leaching from lead service connections, from lead solder used in

copper piping, and from brass fixtures.

The amount of lead in tap water can depend on several factors, including the age and material of the pipes, concentration of lead in water delivered by the public utility, and corrosiveness of the water.

According to the State Water Board's Division of Drinking Water (DDW), LSLs like those used in Flint, and other areas of the country, are not common in California. Based on the data submitted by water systems per the Leyva bills discussed below (SB 1398, Leyva, 2016 and SB 427, Leyva 2017), the current inventory on the water system side reported that out of the 2,737 water systems inventoried (i.e., over 10,000,000 user service lines) there was one lead pipe service line identified. The data identified, however, 10,992 lead components, like goosenecks, and 59,179 unidentified user service lines as of July 2020.

California's water agencies regularly test for lead in their systems and at the tap to comply with both the state and federal laws, including the EPA's Lead and Copper Rule (LCR). Water agencies also actively utilize corrosion control measures to prevent any lead that might be present from leaching into tap water.

Data from the DDW indicates that California's water systems consistently meet state and federal standards and California water customers receive water at the tap that is well below the maximum allowed level for lead of 15 parts per billion.

- 3) *Efforts to test lead in drinking water.* Given the impacts of lead on children, California has made it a priority in recent years to address lead in drinking water by testing the taps at institutions that cater to children.

In 2017, AB 746 (Gonzalez, Chapter 746, Statutes of 2017) was enacted to require CWSs that serve a schoolsite built before January 1, 2010, to test for lead in the potable faucets of the schoolsite on or before July 1, 2019. Concurrently, the State Water Board required approximately 1,200 CWSs to test the drinking water for lead at any school that requested it.

Furthermore, in 2018, the Legislature enacted AB 2370 (Holden, Chapter 676, Statutes of 2018) to require the state to test drinking water at all licensed childcare centers and recommended remediation strategies if lead is detected, including faucet replacement. Last year, Budget Act of 2019-20 included \$5 million to start that testing process ahead of AB 2370 implementation given the fact lead exposure to babies and toddlers is the most critical.

- 4) *New Lead and Copper Rule (LCRR)*. The State Water Board (through the DDW) enforces the LCR, which follows the US EPA's LCR, and is used to protect the public's drinking water from metals that can adversely affect public health. The LCR requires water systems to monitor lead and copper levels at the consumers' taps. If action levels for lead or copper are exceeded, installation or modifications to corrosion control treatment is required. If the action level for lead is exceeded, public notification is required.

The US EPA issued revisions to the federal LCR on January 15, 2021. US EPA's new rule (i.e., LCRR), which takes effect January 1, 2024, strengthens every aspect of the LCR to better protect children and communities from the risks of lead exposure and uses science-based testing protocols to find more sources of lead in drinking water. The new rule also triggers actions to address lead earlier in more communities and reduces lead by more effectively managing corrosion control treatment, closing loopholes, and replacing more LSLs in their entirety.

The LCRR establishes a lower threshold of 10 ppb, that when exceeded, requires more and rapid implementation of corrosion control treatment to reduce lead in drinking water. Additionally, water systems will be required to fully replace at least 3 percent of LSLs each year when 10 percent of sampling results are above 15 ppb. Under the new rule, water systems are required to:

- a. Create an inventory of all LSLs and lead fittings on both the water-system owned portion of the meter, as well as the customer-owned portion of the meter;
 - b. Develop a plan to replace LSLs as soon as sample results are above the trigger or action level;
 - c. Offer to replace the customer-owned LSL and fittings, at the customer's expense, at the same time as it replaces a LSL on the water-system side;
 - d. Replace the water system-owned portion of a LSL when a customer chooses to replace their customer-owned portion of the line; and
 - e. Annually send notice to the customer, reminding them of the presence of the LSL or lead fitting if a customer opts out of replacement.
- 5) *New general requirements for lead service-line inventory in the LCRR*. All CWSs must comply with the LCRR and must develop an initial service line material inventory to identify the materials of service lines connected to the public water distribution system by October 16, 2024. Though the LCRR does not define a "service line," they define a "LSL" as "A portion of pipe that is made of lead, which connects the water main to the building inlet." The inventory must include all service lines connected to the water system's distribution system, regardless of ownership status. If the service line ownership

is shared, the inventory would include both the portion of the service line owned by the water system and the customer-owned portion of the service line.

- 6) *LCRR definition of a LSL, gooseneck and galvanized line.* LSL means a portion of pipe that is made of lead, which connects the water main to the building inlet. A LSL may be owned by the water system, owned by the property owner, or both. A galvanized service line is considered a LSL if it ever was or is currently *downstream* of any LSL or service line of unknown material. If the only lead piping serving the home is a lead gooseneck, pigtail, or connector, and it is not a galvanized service line that is considered a LSL, then the service line is not a LSL. Gooseneck, pigtail, or connector is a short section of piping, typically not exceeding two feet, which can be bent and used for connections between rigid service piping. Lead goosenecks, pigtails, and connectors are not considered part of the LSL but may be required to be replaced. Galvanized service line means iron or steel piping that has been dipped in zinc to prevent corrosion and rusting.
- 7) *Requirements of California Law versus the LCRR.* SB 1398 (Leyva, Chapter 731, Statutes of 2016) which was amended by SB 427 (Leyva, Chapter 238, Statutes of 2017) required all CWSs to compile an inventory of known partial or total lead user service lines in use in its distribution system by July 1, 2018. The submission deadline for the final user service line inventory was July 1, 2020. The definition of "user service line" includes the service line from the water main to the meter, which is typically the water-system-owned portion of the line. While California's law requires that all lead from the water main to the meter be inventoried and replaced, the LCRR only requires replacement of 3 percent of LSL each year when 10 percent of sampling is above 15 ppb.

According to the State Water Board, all CWS have verified materials used in their distribution system user service lines and, if necessary, submitted a timeline for replacement of any service lines containing lead or unknown materials. The timelines include a spreadsheet and a letter or short report signed by a representative of the water system describing how the timeline for replacement was developed. The State Water Board expects the identified user service lines to be replaced as soon as possible and depending on the number of lines to be replaced, should not take longer than 10 years.

The data collected by CWSs can be used to complete a portion of the LCRR inventory requirements, but the LCRR inventory must also include the portion of the service line from the meter to the building inlet, or the customer-owned portion of the total service line.

The US EPA has not provided any specific guidance to public water systems concerning the requirements of the proposed LCRR, especially regarding the material service line inventory requirements. Guidance from US EPA on the updated LCRR is expected by the summer of 2022, and will directly impact the changes implemented at the state level.

- 8) *Partial Line Replacement*. While the requirements of SB 1398 and SB 427 do not apply to water lines on the customer's side of the meter, if the water system determines that a LSL is also on the customer side of the meter, DDW highly recommends that the water system notify the customer of the LSL and if possible, assist in the replacement. If there is lead or galvanized pipe on the customer's side, and if the water system only replaces the lead user service line on the water system side of the meter, this is called a partial replacement. Because there can be an increase in the levels of lead in drinking water to the customer tap after partial replacement, DDW strongly discourages partial LSL replacements.

The LCRR promotes full Lead Service Line Replacement (LSLR) by allowing only full LSLR to count towards the LSL replacement rate. And, while it *does not prohibit partial replacements*, it requires the following notification and risk mitigation actions, including requiring water systems to:

- a. Provide pitcher filters/cartridges to each customer for six months after replacement;
- b. Collect a lead tap sample at locations served by the replaced line within 3 to 6 months after replacement;
- c. Inform consumers annually that they are served by LSL or lead status unknown service line;
- d. Provide updated health effects language in all public education material; and
- e. Provide, upon request, public education materials be in other languages.

In March 2022, DDW began to issue permit amendments to water systems actively replacing an unknown material user service line or a user service line containing lead, with requirements that followed the LCRR. DDW has placed additional customer protection measures—including public notification, customer flushing instructions, pitcher filter requirements, and the offer of post-construction sampling—on water systems with approved replacement plan timelines. The protections are enforceable as amended permit provisions.

- 9) *Federal Infrastructure Funds*. US EPA announced that it will allocate \$2.9 billion in Bipartisan Infrastructure Law funding to states, Tribes, and territories to remove LSLs. This 2022 allocation is the first of five allotments that will

provide \$15 billion in dedicated funding for lead service line replacements. In addition to the dedicated investment in LSLs, the Law provides an additional \$11.7 billion in general funding through the Drinking Water State Revolving Fund (DWSRF), which can also be utilized for lead removal projects.

Comments

- 1) *Purpose of Bill.* According to the author, "AB 1931 is necessary to protect Californians from lead exposure that is caused by lead service line replacements. The state is taking important and necessary steps to replace toxic lead plumbing in our state, but it is vital that replacements are done properly and with safety precautions in place to avoid increased lead exposure. Replacing just part of a lead service line, such as a lead fitting, can release lead from other parts of the system, resulting in lead spikes in drinking water for months. Lead is a potent neurotoxin and is especially toxic to young children. Even low levels of exposure can interfere with thought processes, lower children's IQ, and cause attention and behavioral problems — all of which have compounding effects over the course of one's lifetime. Lead exposure hurts communities of color the most, and we know this to be true in California.

"No amount of lead exposure is ever safe and we must ensure that California is doing all it can to protect its residents from lead exposure through polluted drinking water. Water is a precious resource in our drought-prone state and polluting this limited resource with lead and delivering it to homes is unacceptable."

- 2) *Duplication and conflict with the pending federal rule.* Appropriate regulation of lead in drinking water is critical to public health. Existing state and federal law and regulations have established a comprehensive structure for addressing lead in water distribution systems. Further, as mentioned above, the new federal LCRR, which takes effect in 2024, is poised to strengthen protections for children and communities from the risks of lead exposure in our drinking water supply. Additionally, US EPA is developing a new proposed rule, the Lead and Copper Rule Improvements (LCRI), to further strengthen the LCRR. US EPA plans to finalize the LCRI before the LCRR compliance deadline. Given that the Biden Administration is in the process of strengthening the new federal requirements for LSL replacements, AB 1931 could result in conflicting or duplicative and different requirements for what is already a complex program. Water agencies opposed to this measure worry that "the State Water Board's (and local water agencies') costs to implement AB 1931 could be wasted if the federal requirements that are under development conflict

with or are different from AB 1931.”

- 3) *Internal inconsistencies.* This bill is internally inconsistent. Subdivision (c) specifies a CWS need only replace the LSLs it owns. However, subdivision (d) prohibits a CWS from performing a partial LSL replacement – thereby restricting a CWS from replacing the service lines it owns unless it also replaces those it doesn’t.

Community Water Systems do not have the authority to replace these service lines without the consent of the private-side owner. Therefore, if a CWS does not obtain the consent of a private-side owner to replace their service line, then any replacement of the line that the CWS owns would qualify as a partial LSL replacement—meaning that this provision can stop an entire LSL replacement project from going forward if even a single private-side owner refuses to have their service lines replaced. Additionally, because this bill also prohibits individual persons from conducting partial LSL replacements, private-side owners would be unable to replace a LSL on their property unless they coordinated with their CWS on a system-wide effort. It would also be difficult to enforce this prohibition against private persons who replace a leaking or broken service line on their property and discover lead. Under this bill, an individual who replaces a leaking or broken LSL would be violating the law, but neither CWSs nor the State Water Board have jurisdiction over private-side service lines and could not enforce that prohibition.

- 4) *Inventory requirements and deadlines do not align with the LCRR.* The bill would require a CWS to conduct an inventory of (1) all known or unknown LSLs in its distribution system and (2) areas that may have had LSLs. CWSs must produce a timeline for the replacement or removal of known or unknown service lines that the CWS owns. CWSs must also identify any partial LSL replacements it has conducted within the last ten years, and develop a prevention plan detailing how it will protect consumers from any past or future LSL disturbances. The inventory, timeline, and lead exposure prevention plan must be provided to the State Water Board by June 1, 2023. Much of this requirement duplicates work already done by CWSs and is more than a year ahead of the LCRR deadline for those inventory requirements. Further, the LCRR does not require CWSs to inventory past LSL replacements and only requires CWSs to develop a plan to replace LSLs if water sample results are above the trigger or action level.
- 5) *Definitional problems.* Many of the bill’s definitions contain problematic elements, are vague and conflict with the pending LCRR. For example, the bill’s proposed definition of LSL includes non-lead lines with lead fittings and

connectors *and* galvanized lines that “is, was, or was likely connected to a lead pipe...” This definition conflicts with the LCRR definition, which expressly excludes non-lead lines with lead connectors.

Further, whereas the LCRR only requires replacement of galvanized lines that are or were *downstream* of a LSL, this bill would require replacement of a galvanized line up or downstream that “was likely” to have been connected to a LSL. This distinction of location is important. The LCRR does not identify galvanized lines upstream of a LSL as a problem. Additionally, a “was likely” standard is open-ended and would be difficult both for water systems to implement, and for the State Water Board to monitor and enforce.

- 6) *Problematic vague standards.* In addition to being used in this bill’s definition of galvanized lines, the word “likely” and “may” appear multiple times within the bill in various contexts, including:
- a) A CWS must provide notice to a resident or customer if it identifies a “likely LSL.”
 - b) Residences or buildings located in areas that the CWS identifies as “having, likely having been serviced by, or likely being serviced by” LSLs must be provided filters.

The use of such vague terms are open-ended and subject to interpretation, which also means they could be subject to litigation. Additionally, the use of the word “likely” fails to establish a concrete standard that can be applied to determinations regarding service lines and the potential need for their removal.

- 7) *Indefinite requirements for filters and testing.* The bill is also ambiguous as to how long filters need to be provided. Subdivision (e)(4) indicates that filters must be provided for eighteen months after construction is completed. But subdivision (g) requires provision of filters for residences and buildings located in areas identified as “having, likely having been serviced by, or likely being serviced by” LSL until full LSL replacement is completed—so what happens if the customer refuses to cooperate?

Further, the bill outlines testing requirements once there is a replacement, removal, or disturbance of a lead line until the water tests at less than one (1) part per billion. The federal and state action level for lead is fifteen (15) parts per billion and the detection limit for purposes of reporting is five (5) parts per billion. According to information provided by public water agencies, older faucets and plumbing fixtures can contain lead and thus result in detections above one (1) part per billion. If a customer has an older faucet they don’t want

to, or can't afford to replace at their own expense, sampling could continue indefinitely regardless of any actions that could be taken by the water system.

- 8) *Concerns Related to Partial Replacements.* Numerous studies have concluded that the replacement of the utility-side LSLs without a corresponding replacement of the customer-side lead water lines may result in elevated lead levels in the water delivered to the customer and subsequent proper procedures and precautions should be taken. These elevated lead levels are due, in part, to the disturbance of the corrosion control or protective scale that occurs during disturbances associated with replacing the LSLs and fittings.

Supporters of the bill contend information received from Public Records Act (PRA) requests indicates that the state's water utilities are replacing lead pipes and fittings without strong health protections, and that state regulators are allowing utilities to partially replace lead lines (where galvanized lines attached to lead fittings are not consistently removed). Supporters note that partial replacements can release high levels of lead from other parts of the system into people's homes for up to 18 months, and that this practice is prohibited in other states, such as Michigan, Illinois and New Jersey. There is a lack of agreement between the bill's supporters, water agencies and state regulators on this issue.

- 9) *A Possible Path Forward.* Ensuring proper procedures to prevent lead exposure to customers during LSL replacements is important to protecting public health. However, given the pending changes to the federal LCRR and the numerous concerns outlined above, the committee may wish to consider narrowing the scope of the bill. The proposed committee amendments detailed below focus on three components: taking advantage of federal funding opportunities for LSL/galvanized line (downstream of LSLs or lead fittings) replacement on the customer side; setting a high bar for the allowance of partial LSL replacements; and allowing a narrow exemption for emergency LSL repair. More specifically, the committee may wish to amend the bill as follows:

- a) *In Section 1, strike (a)-(o).*
- b) *In Section 1, amend (q) to prioritize funding for disadvantaged communities and additionally authorize funding for: the replacement of customer-side galvanized lines downstream of LSLs and lead fittings; pitcher filters to reduce lead; tap sampling and laboratory analysis; and notice requirements and other customer outreach, including funding community-based organizations to conduct outreach.*
- c) *Codify additional customer protection measures for LSL replacements included in the State Water Board's permit amendment requirements discussed above, including public notification, customer flushing*

instructions, pitcher filter requirements, and the offer of post-construction sampling and additionally apply these provisions to the replacement of galvanized lines downstream of a LSL or lead fitting.

- d) Direct CWS, when replacing an unknown or lead service lines, to offer to replace the customer side of the line and seek available federal funding to cover any and all customer replacement costs.*
- e) Provide specified limitations on partial LSL.*
- f) Provide a limited exemption to these requirements in the event of an emergency repair.*
- g) Specify that these provisions only be in effect until the state adoption of the federal LCRR, as specified.*
- h) Make other technical and conforming changes.*

10) *Outstanding issues.* This bill is still a work in progress. The Committee may wish to direct the author to continue to work with Committee staff, stakeholders, and the State Water Board to come up with an appropriate definition of “galvanized line” and consider if any redress is needed to mitigate any potential lead contamination due to recent partial LSL replacements conducted in compliance with SB 1398 (Leyva, 2016).

11) *Committee amendments. Staff recommends the committee adopt the bolded amendments in comment 9.*

Related/Prior Legislation

SB 526 (Min 2021) would have prohibited partial LSL replacements. The Senate Environmental Quality Committee hearing for the bill was cancelled at the request of the author.

AB 2728 (Chen, 2018) would have authorized the State Water Board to establish a grant program to provide funding for the replacement of corroded or lead-containing plumbing and service lines that adversely impact drinking water standards. This bill was held in the Assembly Appropriations Committee.

SB 1398 (Leyva, Chapter 731, Statutes of 2016). Requires CWSs to compile an inventory of all known leaded service lines used in their systems, identify areas that may have LSLs in use in their systems, and establish a timeline for replacing those known leaded service lines.

SB 427 (Leyva, Chapter 238, Statutes of 2017). Makes clarifying changes to current law related to LSL identification and replacement.

SOURCE: California Public Interest Research Group (CALPIRG), Environmental Working Group, and Natural Resources Defense Council

SUPPORT:

Active San Gabriel Valley
California Environmental Voters (formerly Clcv)
Calpirg, California Public Interest Research Group
Center for Environmental Health
Center for Food Safety; the
Children Now
Clean Water Action
Coalition for Economic Survival (CES)
Coalition of California Welfare Rights Organizations
Environment California
Environmental Working Group
Facts: Families Advocating for Chemical & Toxins Safety
Friends Committee on Legislation of California
Laane (Los Angeles Alliance for A New Economy)
Lead and Environmental Hazards Association
Los Angeles Waterkeeper
Natural Resources Defense Council (NRDC)
Nontoxic Neighborhoods
Physicians for Social Responsibility - San Francisco Bay Area Chapter
Planning and Conservation League
See-la (social Eco Education-la)
Western Center on Law & Poverty

OPPOSITION:

Association of California Water Agencies (ACWA)
California Municipal Utilities Association
California-nevada Section, American Water Works Association

ARGUMENTS IN SUPPORT: According to a coalition of organizations in support, including Clean Water Action, the Environmental Working Group, and the Natural Resources Defense Council, "The undersigned organizations are writing in support of AB 1931 (L. Rivas), a bill that would require California water agencies to complete full LSL replacements, cease partial replacements and immediately employ safeguards to ensure that Californians are protected against lead exposure caused by LSL replacement activity.

“The removal of lead pipes, lead fittings, and galvanized pipes that are or were attached to those pipes or fittings, in our drinking water system is key to reducing public lead exposure. However, removal or disturbance of these leaded plumbing parts must be done carefully and with the use of safeguards that will prevent consumers from unwittingly ingesting lead released during and after the activity. As you may know, the CDC just reduced the blood lead reference value for children, and pediatricians will tell you that no amount of lead, a severe neurotoxin, in our water is safe.

“Because partial replacements can release lead particles into drinking water, residents need to be informed about any activity done on these components or galvanized lines well before construction begins, and water testing and provision of filters are necessary to protect people from lead exposure via their home drinking water. Furthermore, California should prohibit the partial replacement of lead pipes, lead fittings, or galvanized lines that are or were attached to leaded pipes or components...“Finally, several billion dollars of federal money is coming to California over the next five years to pay for LSL removals. The United States Environmental Protection Agency’s guidelines for the use of these funds require states to use the money to fully remove LSLs, and allow funds to pay for removal of leaded fittings and galvanized lines that are or were attached to a lead component. These federal funds can also pay for any filters and drinking water testing provided to customers as part of a replacement project.”

ARGUMENTS IN OPPOSITION: According to the California Municipal Utilities Association and the California Nevada Section of the American Water Works Association, “CMUA and CA-NV AWWA members’ highest priority is delivering a safe and reliable water supply to their customers. This includes maintenance of complex distribution systems with thousands of miles of pipes made from a variety of materials. For decades our members have worked to remove lead pipes from their systems and protect public health, and California has been a leader in this space.”

“Unfortunately, AB 1931 is not the right approach to enhance these lead-related public health protections. We appreciate the author’s desire to address any remaining lead in pipes that deliver drinking water and protect public health, but AB 1931 is unnecessary given the state of lead service lines in California, and existing and pending state and federal requirements that have established a comprehensive structure for addressing lead in water distribution systems - both on the water system and customer side. In many areas the bill is inconsistent, conflicts or is duplicative of existing statutes or regulations. Further, it would add additional and unnecessary costs to the state and public water systems as the State Board is working to implement the federal regulations.”

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