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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO HEALTH AND SAFETY -- LEAD POISONING PREVENTION ACT

Introduced By: Senators Ruggerio, Lawson, LaMountain, Britto, McKenney, and
Bissaillon

Date Introduced: April 16, 2025

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-24.6-28 of the General Laws in Chapter 23-24.6 entitled "Lead
2 Poisoning Prevention Act" is hereby amended to read as follows:

3 **23-24.6-28. Lead water supply replacement.**

4 (a) Water suppliers shall develop a service line inventory no later than October 16, 2024,
5 to determine the existence or absence of lead within each water connection in its service area. This
6 inventory shall be completed in accordance with all applicable state and federal requirements
7 including, but not limited to, the IJJA. Water suppliers shall include in their inventories a list of all
8 private side lead service replacements performed in their service areas since January 1, 2018.
9 Transient non-community water systems are exempt from this section.

10 (b) The service line inventory shall include all service lines and shall classify which are:

11 (1) Lead service lines;

12 (2) Non-lead; and

13 (3) Lead status unknown.

14 (c)(1) Once completed, each water supplier shall provide a copy of its inventory to the
15 department and to the Rhode Island infrastructure bank. This inventory shall be posted on the
16 department's website and on the water supplier's website. Water suppliers without a website shall
17 make the most recent service line inventory available in a publicly accessible location in each
18 community they serve.

19 (2) The department shall: ~~ensure public access to the lead service line inventory.~~

1 ~~(i) Establish a webpage that serves as a public dashboard to track progress towards the~~
2 ~~deadline in subsection (a) of this section for each public water supply system;~~

3 ~~(ii) Publish and maintain online a map of the location of each service line and identify~~
4 ~~whether it is a lead service line or may be of unknown material and allow this map to serve as~~
5 ~~compliance for participating public water supply systems with requirements at 40 C.F.R. §~~
6 ~~141.84(a)(8) that direct the systems to make the service line materials inventory publicly accessible;~~
7 ~~and~~

8 ~~(iii) Define disadvantaged communities consistent with federal guidance.~~

9 (d) When conducting the inventory of service lines in its distribution system for the initial
10 inventory pursuant to this section, a water supplier shall use any information on lead and galvanized
11 iron or steel that it has identified pursuant to applicable state and federal requirements.

12 (e) Water suppliers may utilize the following to develop a service line inventory:

13 (1) Visual inspection during planned maintenance, meter replacement, and main
14 replacement projects;

15 (2) Solicitation and receipt of comments, complaints, and other input from customers in
16 the service area;

17 (3) Historical building records and other available data from the American Water Works
18 Association or other industry research groups; and/or

19 (4) Any other procedures and resources, including from 40 C.F.R. § 141.84(a)(3), the water
20 supplier deems appropriate for identifying lead service lines.

21 (f)(1) Within thirty (30) days of identifying a lead service line, the water supplier shall
22 provide written notice to the property owner, the tenants of the building, and the director of the
23 presence of lead service lines or lead status unknown service lines. The notice shall be multilingual
24 and include information describing the sources of lead in drinking water, description of the health
25 effects of lead exposure, and steps customers can take to mitigate exposure to lead in drinking
26 water. This notice shall include lead service line replacement instructions and contact information
27 to schedule a service line inspection and replacement.

28 (2) Mitigation measures shall ~~include, but not be limited to:~~ be consistent with the current
29 version of the Lead and Copper Rule including 40 C.F.R. 141, Subpart I.

30 ~~(i) A water supplier providing a filter pitcher or point of use device certified by an~~
31 ~~American Standards Institute accredited certifier to reduce lead;~~

32 ~~(ii) Instructions to use the filter; and~~

33 ~~(iii) Six (6) months of filter replacement cartridges.~~

34 (g) A water supplier without an established lead service line replacement program shall

1 coordinate with the department and the Rhode Island infrastructure bank to develop a replacement
2 program.

3 (h) A water supplier shall develop and submit to the department a lead service replacement
4 plan in accordance with the rules and regulations of the Environmental Protection Agency Lead
5 and Copper Rule Improvements.

6 (i) The department and the Rhode Island infrastructure bank shall coordinate with water
7 suppliers to implement lead replacement programs, including assisting with providing financial
8 assistance to the extent the funds are available.

9 (j) The department and the Rhode Island infrastructure bank shall assist water suppliers
10 with grants, loans, or other financial assistance to ensure that public service lines containing lead
11 are replaced in accordance with this chapter.

12 (k) Based on the inventories provided pursuant to subsection (a) of this section, the
13 department, the water suppliers, and the Rhode Island infrastructure bank shall determine the
14 estimated total cost associated with all private side replacements. Consistent with any applicable
15 federal law and regulation and to the extent funds are available, the Rhode Island infrastructure
16 bank shall utilize federal funds allocated under section 50105 of the IIJA for the specific purpose
17 of reducing lead in drinking water, to enable water suppliers to meet all eligible private side lead
18 service replacement cost.

19 (l) In the event total costs exceed available federal funding allocated under section 50105
20 of the IIJA, the Rhode Island infrastructure bank may request appropriations in one or more fiscal
21 years from the general assembly sufficient to meet the outstanding total cost of all identified
22 outstanding private side lead service line replacements.

23 (m) For properties with a lead service line or a lead status unknown service line [at the](#)
24 [request of the homeowner or tenant](#), water suppliers shall inspect, at no cost to the property owner,
25 the private side service lines to determine whether lead or galvanized iron or steel is present. If lead
26 is detected in the private service line, the private service line shall be replaced in accordance with
27 all applicable federal and state requirements.

28 (n) The water supplier shall replace the entire lead service line [consistent with the current](#)
29 [version of the Lead and Copper Rule including from 40 C.F.R.141, Subpart L.](#) ~~if lead is present in~~
30 ~~the public side. The water supplier shall replace the entire lead service line with minor disruption~~
31 ~~to water service unless there is either an emergency or all persons served by the service line object~~
32 ~~to the replacement in writing.~~ Transient non-community water systems shall be exempt from lead
33 service line replacements.

34 (o) In the event a property owner refuses to allow the inspection or replacement of private

1 side service lines, the water supplier shall file notice of all attempts to inspect or replace the private
2 side service lines and the property owner's refusal to allow inspection or replacement services with
3 the department. The notice shall state at a minimum: the date and time of each attempt; the name
4 of the person who refused each attempt; and the name and signature of the person who made each
5 attempt. The address where each refusal took place shall be published on the appropriate
6 department website to ensure occupants of the building have notice of the potential lead in the
7 service line. The notice shall be filed within thirty (30) days following the second refusal by the
8 property owner. The notice shall be written as a multilingual document. In the event that a water
9 service line in a rental property is found to contain lead and the property owner declines or is
10 unresponsive, the tenant shall be entitled to make a second (2nd) request to the property owner for
11 service line replacement. If the property owner refuses or fails to respond within sixty (60) days,
12 the tenant shall have the option to terminate the lease. Upon termination, the property owner may
13 not withhold the tenant's security deposit based upon the tenant's exercise of their termination
14 rights under this section.

15 (p) If the property is a rental property, the owner shall inform the tenants of the presence
16 of lead in accordance with § 23-24.6-15(b). If the owner fails to provide tenants with timely
17 notification of the existence of lead in service lines to the building the owner shall be subject to
18 civil penalty in accordance with § 23-24.6-27.

19 (q) When a property owner transfers the ownership of property, they shall disclose the
20 presence of lead service lines. Pursuant to § 5-20.8-11, every contract for the transfer or purchase
21 and sale of real estate that is or may be served by a service line containing lead shall provide that
22 potential purchasers be permitted a ten-day (10) period, unless the parties mutually agree upon a
23 different period of time, to conduct a risk assessment or an inspection of the property's water
24 service lines for the presence of lead hazards before becoming obligated under the contract to
25 transfer or purchase. Parties may mutually agree to waive a risk assessment or an inspection.

26 (r) The department and the Rhode Island infrastructure bank shall prioritize the allocation
27 of funds for private lead service line replacements in accordance with all federal requirements and
28 based on the percentage of private lead service lines present within a water supplier service area,
29 which shall be based on factors including, but not limited to:

30 (1) Targeting known lead service lines;
31 (2) Targeting available funds to lead service line replacements for disadvantaged water
32 suppliers; and

33 (3) Targeting populations most sensitive to the effects of lead.

34 (s) Upon award of funds for lead service replacements, water suppliers shall prioritize

1 projects within their service area to disadvantaged customers and those who are most sensitive to
2 the effects of lead.

3 (t) For any award of one million dollars (\$1,000,000) or greater to a water supplier for a
4 lead service line replacement project, the Rhode Island infrastructure bank shall require water
5 suppliers and their contractors to participate in an approved apprenticeship program for all
6 apprenticeable crafts or trades that will be employed on the project at the time of bid.

7 (u) Contingent upon available funding, [and access to property](#), each water supplier shall
8 complete the replacement of all public and private lead service lines in its service area within ten
9 (10) years of the effective date of this section [June 24, 2023] unless otherwise provided in this
10 section. All lead service line replacement projects funded under this section shall be completed in
11 accordance with all applicable state and federal requirements including, but not limited to, the IIIA
12 and related federal regulations and guidance.

13 (v) Upon completion of the lead service line inventory or no earlier than January 1, 2025,
14 any water supplier that provided financing to its customers for private side lead service replacement
15 after January 1, 2018, may be eligible for reimbursement from the state for costs associated with
16 private side lead service replacements financed by its customers. State reimbursement shall be
17 subject to appropriation by the general assembly. The water supplier shall submit request for
18 reimbursements to the department. Within ninety (90) days of receipt of funds from the state, the
19 water supplier shall reimburse each customer for costs incurred in connection with their private
20 side lead service replacement project.

21 (w) Each water supplier shall provide an annual report to the governor, president of the
22 senate, speaker of the house, director of the department of health, and executive director of the
23 Rhode Island infrastructure bank within ninety (90) days of the end of each fiscal year. The report
24 shall contain information, including, but not limited to: the number of public service lines per
25 community served and the number replaced; the number of private service lines per community
26 served and the number replaced; an estimated number of service lines to be replaced; property type;
27 number of private service line inspections conducted; and annual expense to replace service lines.
28 Water suppliers whose initial inventories contain only non-lead service lines are not required to
29 provide subsequent annual reports required in this section.

30 (x) Water suppliers may coordinate with the department and nonprofit lead advocacy
31 organizations to reach residents in communities with lead infrastructure. This coordination may
32 include, but is not limited to, developing education materials, awareness communications, and
33 outreach campaigns.

34 (y) The department shall enforce the provisions of this section.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- LEAD POISONING PREVENTION ACT

- 1 This act would require that the department ensures there is public access to lead service
2 lines and determine the existence or absence of lead within each water connection in its service.
3 This act would also ensure that all mitigation measures and replacement of entire lead lines are
4 consistent with the current version of the Lead and Copper Rule including from 40 C.F.R.141,
5 Subpart I.
6 This act would take effect upon passage.

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