STATE OF NEW YORK

8055

IN SENATE

January 5, 2024

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law, in relation to information on service lines to be reported by public water systems

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 1114-b of the public health law, as added by a chapter of the laws of 2023 amending the public health law relating to enacting the lead pipe right to know act, as proposed in legislative bills numbers S. 5512 and A. 6115, is amended to read as follows:

§ 1114-b. Service line inventories and mapping. 1. Definitions. For the purposes of this section:

(a) "Service line" means any piping connecting a water main to a building inlet.

(b) "Gooseneck, pigtail, or connector" means a short section of piping, typically not exceeding two feet, which can be bent and used for connections between rigid portions of a service line**, as defined in 40 CFR 141.2**.

(c) "Galvanized service line" means iron or steel piping that has been dipped in zinc to prevent corrosion and rusting.

(d) "Covered public water system" means (i) a public water system that serves at least [~~five~~] **fifteen** service connections used by year-round residents or regularly serves at least twenty-five year-round residents; or (ii) a public water system that regularly serves at least twenty-five of the same people, four hours or more per day, for four or more days per week, for twenty-six or more weeks per year.

2. Each covered public water system shall submit a service line inventory, in a format to be developed by the department, that identifies the location, material composition, and other details of all service lines connected to its distribution system. Each covered public water system shall also submit an inventory summary form, in a format to be developed by the department, summarizing the data identified in the service line inventory. [~~The~~] **Notwithstanding subdivisions three and four of this section, the** development of service line inventories and inventory

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD08102-03-4

summary forms shall comply with requirements promulgated by the United States environmental protection agency [~~as well as comply with the provisions of this section~~].

3. Each service line [~~connected to a covered public water system's distribution system~~] shall be listed in service line inventories. Each covered public water system shall include for each service line the information listed in this subdivision. [~~For some categories, the~~] **The** covered public water system may mark "unknown" where documented evidence is not currently available:

(a) street address;

(b) town;

(c) zip code;

(d) **if known,** whether a gooseneck, pigtail, or connector made of lead is present;

(e) **if known,** the material composition of both the public portion and customer portion of the service line;

(f) **if known,** whether the public portion or customer portion of the service line was ever made of lead;

(g) the verification method used to determine the material composition of both the public portion and customer portion of the service line;

(h) **if known,** the installation or replacement date of both the public portion and customer portion of the service line;

(i) **if known,** the diameter of both the public portion and customer portion of the service line;

(j) **if known,** whether lead solder is present;

(k) **if known,** the building type; and

(l) **if known,** whether a point of use or point of entry treatment system is present.

4. Inventory summary forms shall include, but not be limited to, the following information about each covered water system:

(a) water system name and identification number;

(b) contact information for the owner or licensed operator of record completing the form;

(c) the total number of service lines in the distribution system;

(d) the total number of lead service lines, including the total number of lead public service line portions and the total number of lead customer service line portions;

(e) the total number of galvanized service lines requiring replacement **as defined in 40 CFR 141.84**, including the total number of galvanized public service line portions **requiring replacement** and the total number of galvanized customer service line portions **requiring replacement**;

(f) the total number of non-lead service lines, including the total number of non-lead public service line portions and the total number of non-lead customer service line portions;

(g) the total number of service lines of unknown material, including the total number of unknown public service line portions and the total number of unknown customer service line portions;

(h) the total number of public service line portions identified by historical records, field inspections, customer identification with photo or other verification, excavation, sequential sampling, [~~and~~] statistical analysis/predictive modeling**, or other method determined by the covered public water system to accurately identify service line materials**;

(i) the total number of customer service portions identified by historical records, field inspections, customer identification with photo or other verification, excavation, sequential sampling, and

statistical analysis/predictive modeling**, or other method determined by the covered public water system to accurately identify service line materials**;

(j) a description of how the service line inventory will be accessible to the public; and

(k) a certification verifying the accuracy of the information.

5. Each covered public water system shall electronically submit to the department an initial service line inventory and an initial inventory summary form no later than October sixteenth, two thousand twenty-four. The department may prescribe data management means and methods for electronic submissions by covered public water systems for uniformity purposes.

6. Covered public water systems whose inventories contain any service lines classified as lead, galvanized **requiring replacement as defined in 40 CFR 141.84**, or unknown shall electronically submit updated service line inventories and inventory summary forms to the department at least annually. Updated service line inventories and inventory summary forms shall reflect information gathered during any service line replacements or service line material inspections that may have been conducted. Updated inventory summary forms shall additionally include:

(a) a description detailing the steps being taken to determine the material composition of unknown service lines;

(b) the total number of service lines classified as lead, galvanized **requiring replacement**, or unknown that were replaced over the course of the previous year; and

(c) the total number of service lines classified as unknown that were determined to be lead, galvanized **requiring replacement**, or other material over the course of the previous year.

7. Each covered public water system which operates its own website shall make its most recent service line inventory and inventory summary form available to the public on its website.

8. No later than [~~thirty~~] **one hundred twenty** days after receiving initial and updated service line inventories and inventory summary forms, the department shall make such inventories and inventory summary forms available to the public [~~on~~] **through** the department's website. Each local health department shall include a link on its website to the website [~~operated~~] **maintained** by the department for hosting service line inventories and inventory summary forms.

9. No later than [~~three hundred sixty days after~~] October sixteenth, two thousand [~~twenty-four~~] **twenty-six**, the department shall make the information from the service line inventories of covered public water systems serving more than ten thousand people **and fewer than two million people** available to the public on the department's website in the form of an interactive map or maps. Such interactive map or maps shall include, for each service line:

(a) material classification, including the material classification of both the public and customer portions of a service line;

(b) street address; and

(c) the verification method for the service line classification.

10. The department's interactive map or maps shall be searchable by address, and color-coded where applicable to designate material classification. The department's interactive map or maps shall be updated at least annually, in conjunction with the submission of updated service line inventories by covered public water systems. The department may choose not to create an interactive map when a covered public water system certifies that it maintains and updates its own interactive map**,**

and shall include a link to such interactive map on the department's website.

11. The department shall adopt such rules and regulations as it deems necessary and proper to implement the provisions of this section.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 amending the public health law relating to enacting the lead pipe right to know act, as proposed in legislative bills numbers S. 5512 and A. 6115, takes effect.