

STATE OF NEW YORK

4869

2023-2024 Regular Sessions

IN ASSEMBLY

February 24, 2023

Introduced by M. of A. KELLES -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to enacting the lead pipe right to know act

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "lead pipe right to know act".

3 § 2. The public health law is amended by adding a new section 1114-b
4 to read as follows:

5 § 1114-b. Service line inventories and mapping. 1. Definitions. For
6 the purposes of this section:

7 (a) "Service line" means any piping, tubing, and fittings connecting a
8 water main to a building that serves a customer of a covered public
9 water system. "Service line" includes the portion of the service line
10 between the water main and the curb box, and the portion of the service
11 line between the curb box and the building.

12 (b) "Gooseneck, pigtail, or connector" means a short section of
13 piping, typically not exceeding two feet, which can be bent and used for
14 connections between rigid portions of a service line.

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

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

23 2. Each covered public water system shall, by reviewing their written
24 records, develop a service line inventory to identify the material
25 composition of all service lines connected to its distribution system.

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

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1 Service line inventories shall be developed in accordance with the
2 provisions of this section.

3 3. Each service line connected to a covered public water system's
4 distribution system shall be listed in service line inventories and
5 classified as one of the categories set forth in paragraphs (a) through
6 (f) of this subdivision. Where the portion of the service line between
7 the water main and the curb box is of a different material than the
8 portion of the service line between the curb box and the building,
9 service line inventories shall list and classify each portion of the
10 service line separately.

11 (a) "Lead" where the service line is made of lead. Service lines with
12 goosenecks, pigtails, or connectors made of lead shall be classified as
13 lead, regardless of the material of the service line to which goose-
14 necks, pigtails, or connectors made of lead are attached. Covered public
15 water systems may divide service lines classified as lead into two
16 subcategories with one for service lines made of lead and the other for
17 service lines with only goosenecks, pigtails, or connectors made of
18 lead.

19 (b) "Galvanized" where the service line is a galvanized service line,
20 regardless of the material of the service line that a galvanized service
21 line is or was downstream of. Covered public water systems may divide
22 service lines classified as galvanized into two subcategories with one
23 for galvanized service lines that are or were downstream of a service
24 line classified as lead and the other for galvanized service lines that
25 are not or were not downstream of a service line classified as lead.

26 (c) "Copper" where the service line is made of copper.

27 (d) "Plastic" where the service line is made of plastic.

28 (e) "Other material" where a service line is made of a material other
29 than lead, galvanized, copper, or plastic.

30 (f) "Unknown" where the service line material is not known to be lead,
31 galvanized, copper, plastic, or other material, such as where there is
32 no documented evidence supporting material classification.

33 4. Each service line inventory shall also include:

34 (a) the street address of each service line; and

35 (b) the total number of service lines classified as lead, galvanized,
36 copper, plastic, other material, or unknown connected to the covered
37 public water system's distribution system.

38 5. No later than ninety days after the effective date of this section,
39 each covered public water system shall electronically submit to the
40 department an initial service line inventory. The department may
41 prescribe data management means and methods for inventory submissions by
42 public water systems for uniformity purposes.

43 6. Covered public water systems whose inventories contain any service
44 lines classified as lead, galvanized, or unknown shall electronically
45 submit updated service line inventories to the department at least annu-
46 ally. Updated service line inventories shall reflect information gath-
47 ered during any service line replacements or service line material
48 inspections that may have been conducted. Updated service line invento-
49 ries shall additionally include:

50 (a) for each service line classified as one of the classifications in
51 paragraphs (a) through (e) of subdivision three of this section,
52 supporting information detailing the reasons why each such service line
53 was given the classification;

54 (b) for each service line classified as unknown, a description detail-
55 ing the steps being taken to determine the material composition of the
56 service line;

1 (c) the total number of service lines classified as lead, galvanized,
2 or unknown that were replaced over the course of the previous year; and
3 (d) the total number of service lines classified as unknown that were
4 determined to be lead, galvanized, copper, plastic, or other material
5 over the course of the previous year.

6 7. Each covered public water system shall make its most recent service
7 line inventory available to the public on its website if it or its
8 affiliated local government entity maintains and operates a website.

9 8. No later than thirty days after receiving initial and updated
10 service line inventories, the department shall make such inventories
11 available to the public on the department's website.

12 9. No later than one hundred eighty days after the effective date of
13 this section, the department shall make the information from each
14 service line inventory available to the public on the department's
15 website in the form of an interactive map or maps. Such interactive map
16 or maps shall include, for each service line:

17 (a) Material classification;

18 (b) Street address; and

19 (c) The basis for the service line classification in paragraphs (a)
20 through (e) of subdivision three of this section.

21 10. The department's interactive map or maps shall be searchable by
22 address, and color-coded where applicable to designate material classi-
23 fication. The department's interactive map or maps shall be updated at
24 least annually, in conjunction with the submission of updated service
25 line inventories by covered public water systems.

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

28 § 3. This act shall take effect immediately.