

STATE OF NEW YORK

5512

2023-2024 Regular Sessions

IN SENATE

March 6, 2023

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed 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 connecting a water main to a
8 building inlet.

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

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

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

20 2. Each covered public water system shall submit a service line inven-
21 tory, in a format to be developed by the department, that identifies the
22 location, material composition, and other details of all service lines
23 connected to its distribution system. Each covered public water system
24 shall also submit an inventory summary form, in a format to be developed
25 by the department, summarizing the data identified in the service line

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

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1 inventory. The development of service line inventories and inventory
2 summary forms shall comply with requirements promulgated by the United
3 States environmental protection agency as well as comply with the
4 provisions of this section.

5 3. Each service line connected to a covered public water system's
6 distribution system shall be listed in service line inventories. Each
7 covered public water system shall include for each service line the
8 information listed in this subdivision. For some categories, the covered
9 public water system may mark "unknown" where documented evidence is not
10 currently available:

- 11 (a) street address;
- 12 (b) town;
- 13 (c) zip code;
- 14 (d) whether a gooseneck, pigtail, or connector made of lead is pres-
15 ent;
- 16 (e) the material composition of both the public portion and customer
17 portion of the service line;
- 18 (f) whether the public portion or customer portion of the service line
19 was ever made of lead;
- 20 (g) the verification method used to determine the material composition
21 of both the public portion and customer portion of the service line;
- 22 (h) the installation or replacement date of both the public portion
23 and customer portion of the service line;
- 24 (i) the diameter of both the public portion and customer portion of
25 the service line;
- 26 (j) whether lead solder is present;
- 27 (k) the building type; and
- 28 (l) whether a point of use or point of entry treatment system is pres-
29 ent.

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

- 32 (a) water system name and identification number;
- 33 (b) contact information for the owner or licensed operator of record
34 completing the form;
- 35 (c) the total number of service lines in the distribution system;
- 36 (d) the total number of lead service lines, including the total number
37 of lead public service line portions and the total number of lead
38 customer service line portions;
- 39 (e) the total number of galvanized service lines requiring replace-
40 ment, including the total number of galvanized public service line
41 portions and the total number of galvanized customer service line
42 portions;
- 43 (f) the total number of non-lead service lines, including the total
44 number of non-lead public service line portions and the total number of
45 non-lead customer service line portions;
- 46 (g) the total number of service lines of unknown material, including
47 the total number of unknown public service line portions and the total
48 number of unknown customer service line portions;
- 49 (h) the total number of public service line portions identified by
50 historical records, field inspections, customer identification with
51 photo or other verification, excavation, sequential sampling, and
52 statistical analysis/predictive modeling;
- 53 (i) the total number of customer service portions identified by
54 historical records, field inspections, customer identification with
55 photo or other verification, excavation, sequential sampling, and
56 statistical analysis/predictive modeling;

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

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

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

10 6. Covered public water systems whose inventories contain any service
11 lines classified as lead, galvanized, or unknown shall electronically
12 submit updated service line inventories and inventory summary forms to
13 the department at least annually. Updated service line inventories and
14 inventory summary forms shall reflect information gathered during any
15 service line replacements or service line material inspections that may
16 have been conducted. Updated inventory summary forms shall additionally
17 include:

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

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

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

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

28 8. No later than thirty days after receiving initial and updated
29 service line inventories and inventory summary forms, the department
30 shall make such inventories and inventory summary forms available to the
31 public on the department's website. Each local health department shall
32 include a link on its website to the website operated by the department
33 for hosting service line inventories and inventory summary forms.

34 9. No later than three hundred sixty days after October sixteenth, two
35 thousand twenty-four, the department shall make the information from the
36 service line inventories of covered public water systems serving more
37 than ten thousand people available to the public on the department's
38 website in the form of an interactive map or maps. Such interactive map
39 or maps shall include, for each service line:

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

42 (b) street address; and

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

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

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

53 § 3. This act shall take effect immediately.