



# Prevalence of Lead Contamination Beyond Flint and Changes in State Policies

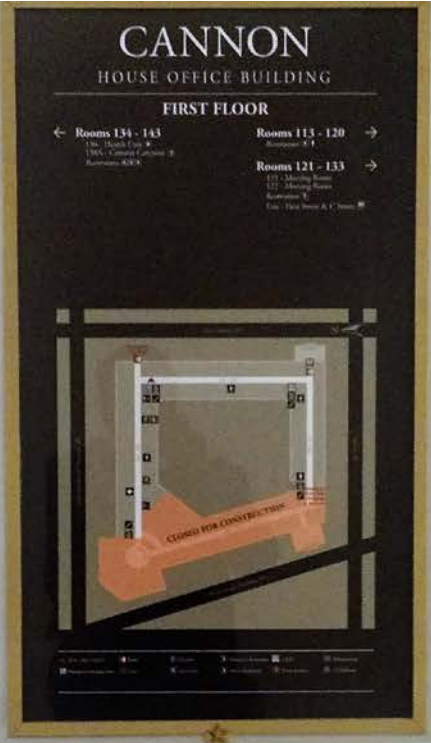
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Northeast-Midwest Institute

Congressional Briefing – Cannon HOB 303

June 6, 2019



OUT OF  
SERVICE



OUT OF  
SERVICE



# Flint and After-effects



## Case Study: Flint, Michigan Water Crisis

**flushing**post

**Many Parks in Queens Have Lead-Contaminated Water Fountains: Study**

**“” PRI®**

**Newark, NJ, has a lead contamination problem in its water**

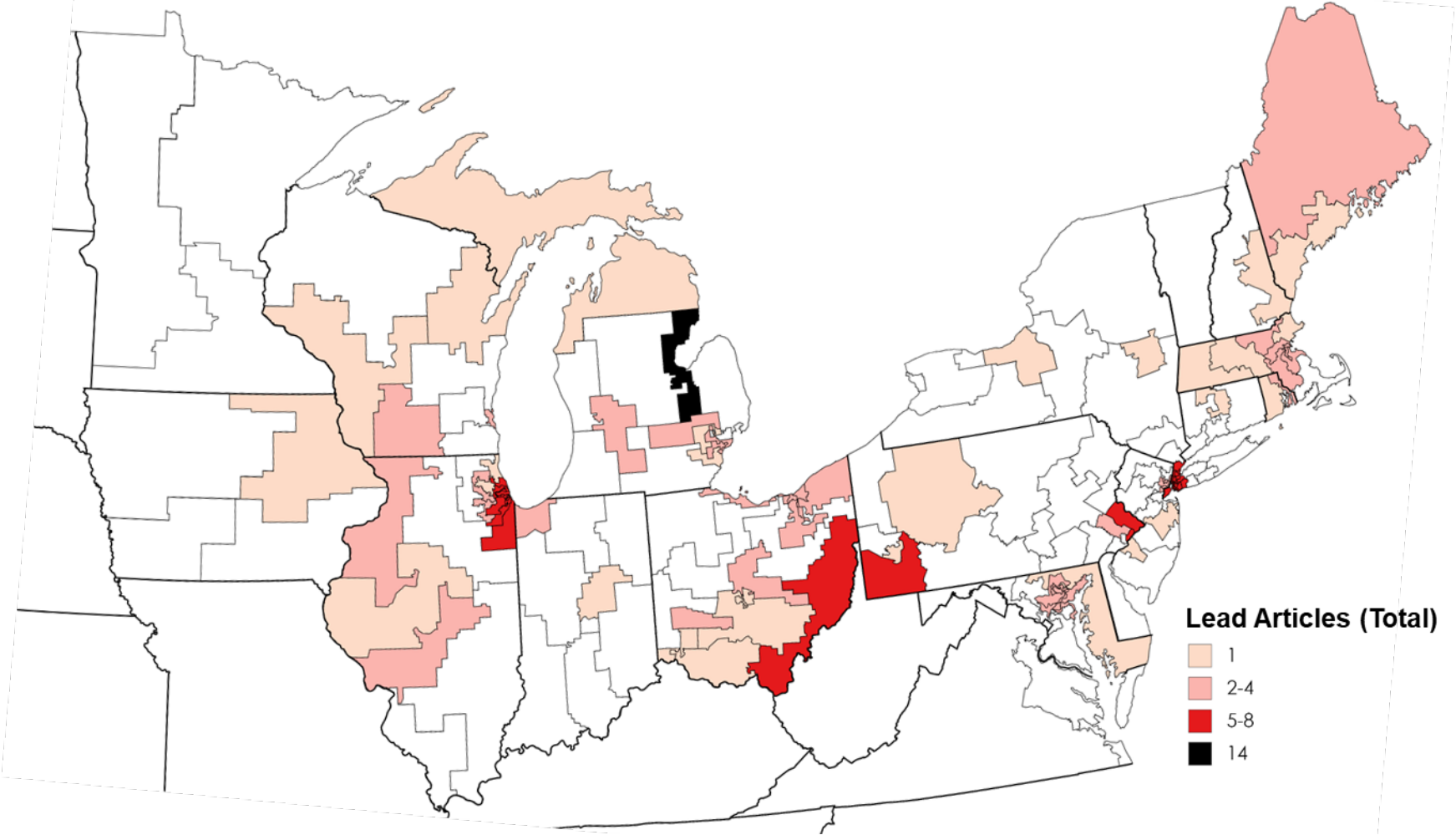
## A map of the United States with the Northeast-Midwest (NEMW) region highlighted in gray. The highlighted states include Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine. The rest of the United States, including Alaska and Hawaii, is shown in white with black outlines for state boundaries.



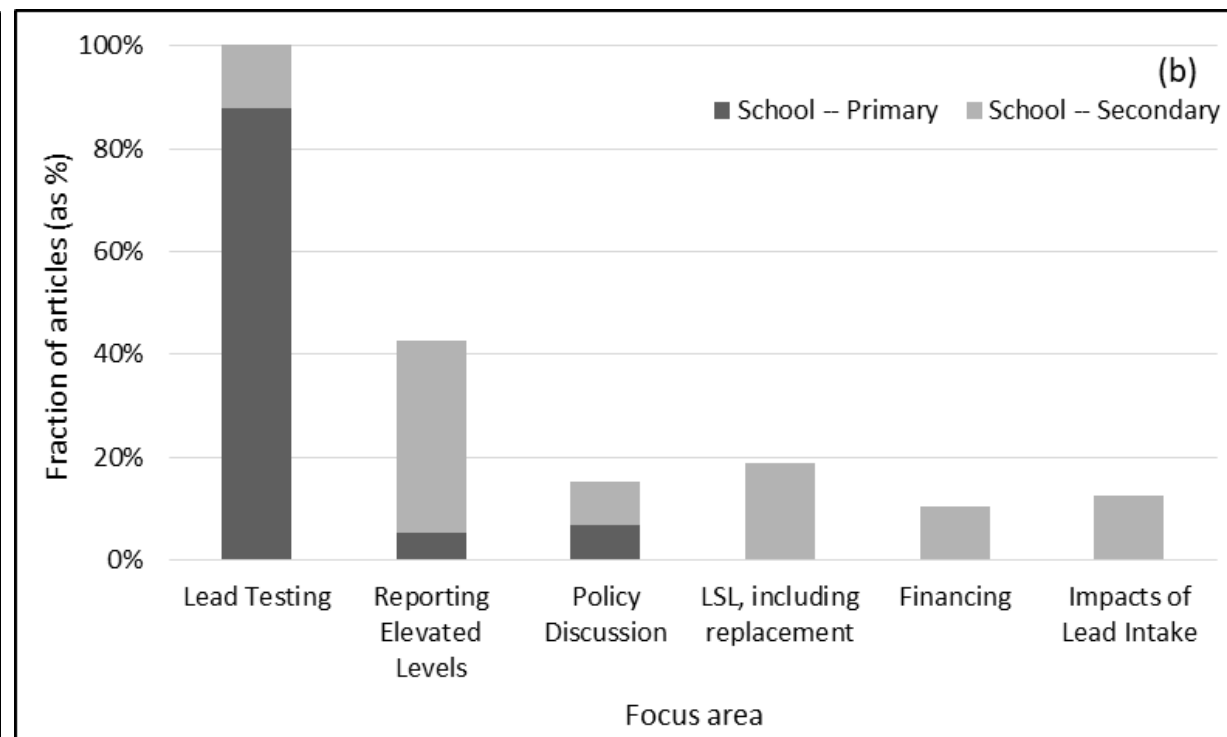
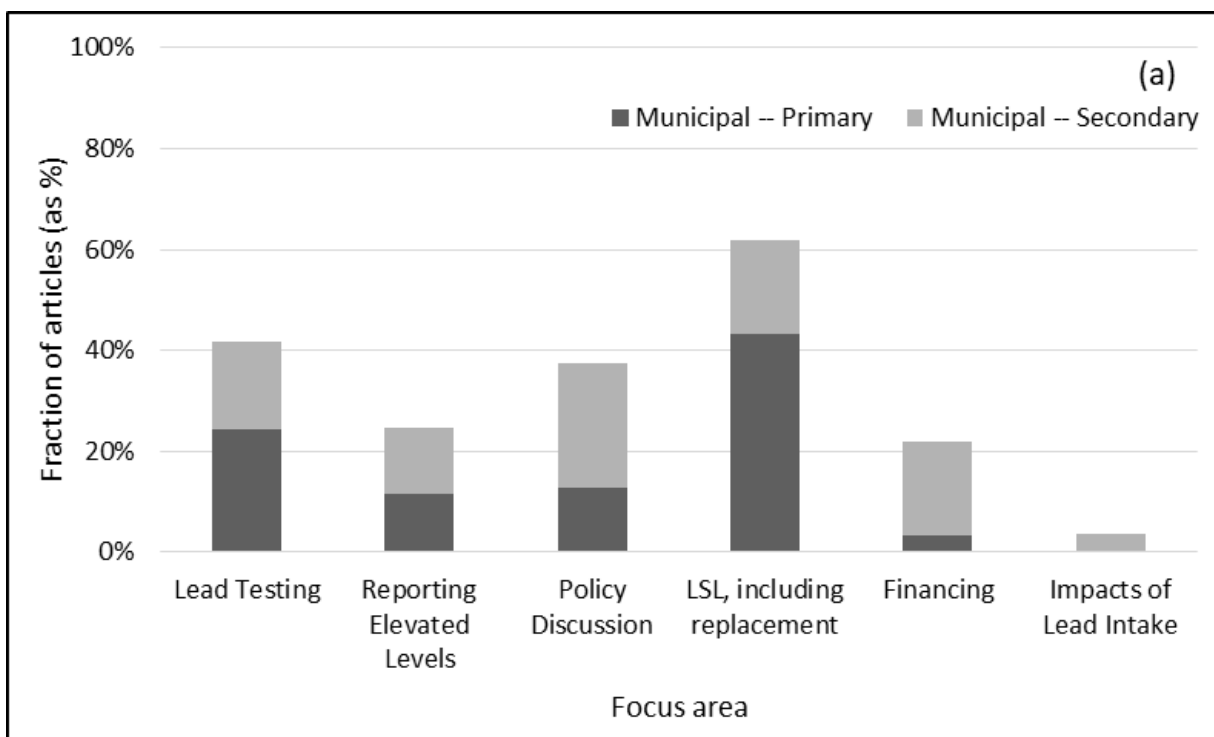
**Lead Articles (Total)**

- 1-5
- 6-10
- 11-15
- 16-20
- 21+

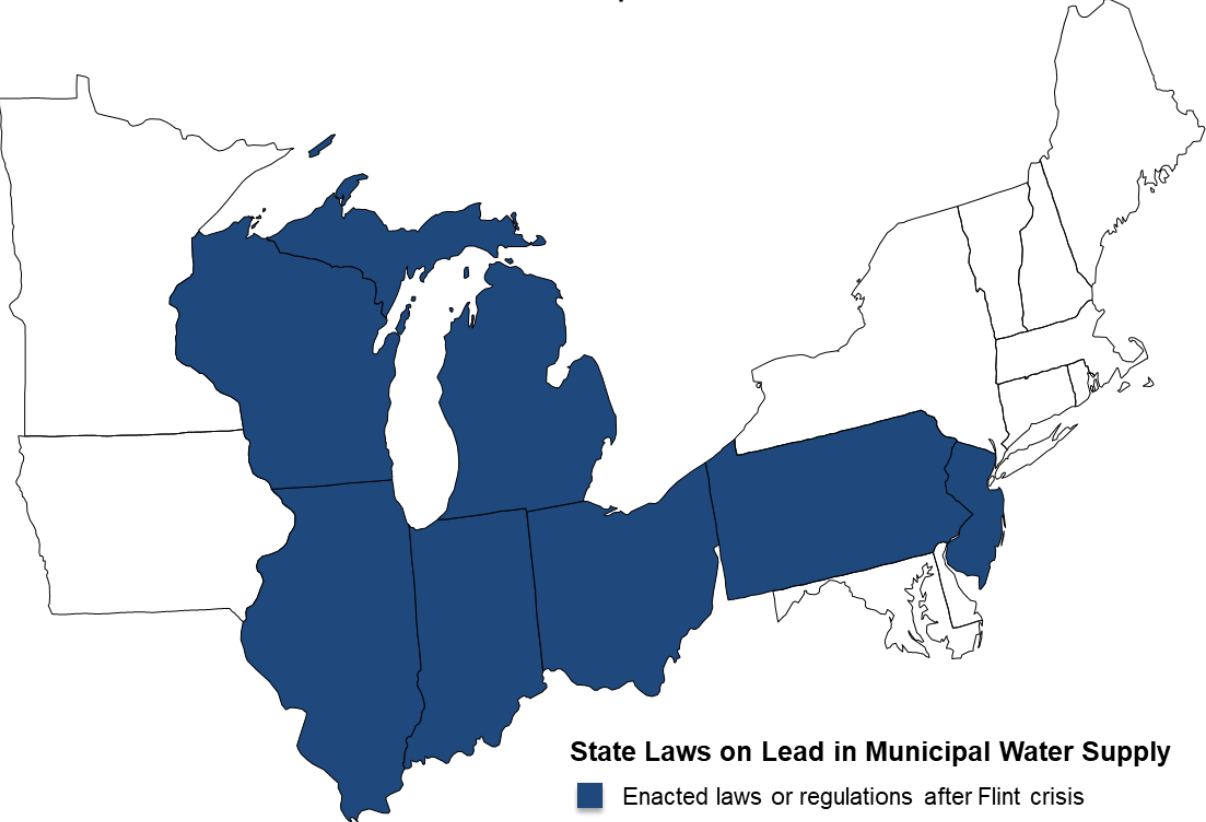
# Media Coverage of the Lead Contamination Issue by Congressional District



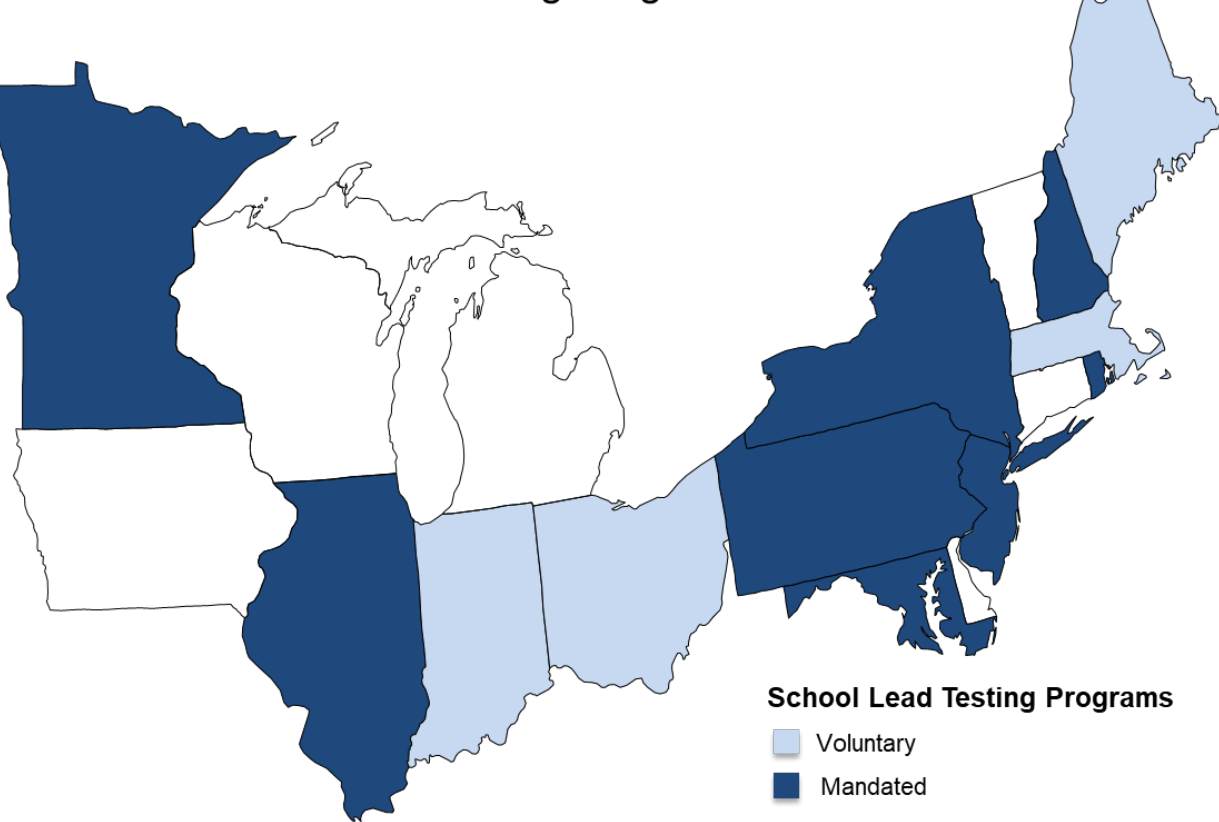
# Article Focus



Post-Flint Laws on Lead in Municipal Water in NEMW States



Post-Flint School Lead Testing Programs in NEMW States





**Table 1. State laws and regulations on municipal lead in water issues enacted since the Flint crisis**

State	Source regulation or law	Description	Issue addressed	Themes	Law effective
<b>Ohio</b>	Sub H.B. 512	Requires water systems to identify and map areas known or likely to contain LSLs; maps to be updated every 5 years	LSL	Risk identification	September 9, 2016
<b>Illinois</b>	Public Act 99-0922	CWSs are required to create a comprehensive LSL inventory (including privately owned) and provide notice to affected occupants. Utilities, including IOUs, allowed to charge a hazard recovery fee to undertake activities	LSL	Risk identification, financing	January 16, 2017
<b>Michigan</b>	Public Act 478	Requires cities to provide notices to residents of dangerous lead levels in drinking water within three days of being informed of the contamination by the PWS	LCR	Public notification	March 29, 2017
<b>Indiana</b>	Public Law 91; HEA-1519 (2017)	Allows the Indiana Utility Regulatory Commission to approve a request from IOUs to fold the cost of LSL replacement into water rates paid by customers	LSL	Financing	April 20, 2017
<b>Pennsylvania</b>	Act No. 44; HB 674	Authorizes municipalities to replace or remediate private water and sewer laterals using public funds and municipal employees if the work improves public health	LSL	Financing	October 30, 2017
<b>Wisconsin</b>	Act 137 (2017); SB 48	Allows water utilities to provide assistance to homeowners in replacing LSLs	LSL	Financing, affordability	February 21, 2018
<b>Michigan</b>	Revisions to the state LCR*	Revised LCR to set 12 ppb as the action level; mandates replacement of LSLs at the rate of 5% every year over a 20-year period and institutes a ban on partial replacements	LCR, LSL	Risk identification, replacement	June 14, 2018
<b>New Jersey</b>	Public Law 2018, Chapter 114	Authorizes special assessments and bond issuance to replace LSLs; allows utilities to remediate private LSLs, if undertaken as an environmental infrastructure project.	LSL	Financing	August 24, 2018
<b>Ohio</b>	PWS-06-001*	Requires PWS to provide notification to residents 45 days before making repairs to lead service lines, and provide filters for upto three months after repair completion	LCR, LSL	Public notification, risk management	November 1, 2018

**Table 2. State laws on mandatory lead testing enacted since the Flint crisis**

State	Source regulation or law	Law effective	Applicable Schools		Daycare Centers
			Public	Private	
<b>Rhode Island</b>	2016-H 8127 Substitute A: Lead and Copper Drinking Water Protection Act	July 12, 2016	All		Licensed centers
<b>New Jersey</b>	State Board of Education Regulation N.J.A.C. 6A:26-12.4 Safe Drinking Water	July 13, 2016	All		State-funded centers
<b>New York</b>	A.10740/S.815; 10 NYCRR Subpart 67-4 Lead Testing in School Drinking Water	September 6, 2016*	All		
<b>Illinois</b>	SB 550; Public Act 99-0922	January 16, 2017	Elementary^	Elementary^	Licensed centers; home and group daycare
<b>Maryland</b>	HB 270 (2017); Code of MD Regulations (COMAR) 26.16.07 Lead in Drinking Water - Public and Nonpublic Schools	May 4, 2017	All	All	
<b>Minnesota</b>	H.F. No. 890 – K-12 Omnibus Bill; Minnesota Statutes, Section 121A.335 Lead in School Drinking Water	May 30, 2017	All		
<b>New Hampshire</b>	SB 247 Prevention of Childhood Lead Poisoning	February 8, 2018	All	All	Licensed centers
<b>Pennsylvania</b>	2018 Act 39 Public School Code of 1949 - Omnibus Amendments; HB 1448	June 22, 2018	All <sup>\$</sup>	All <sup>\$</sup>	

**Table 3. Lead testing program details**

State	Action level (AL)	Frequency of testing		State funding availability for testing and remediation
		Current mandate <sup>#</sup>	Testing cycle	
<b>Rhode Island</b>	15 ppb	April 2017		Testing
<b>New Jersey</b>	15 ppb	July 2017	6 years	Testing
<b>New York</b>	15 ppb	October 2016	5 years	Testing and remediation <sup>&amp;</sup>
<b>Illinois</b>	2 ppb	December 2018		
<b>Maryland</b>	20 ppb	July 2020*	3 years	
<b>Minnesota</b>	2 ppb and 20 ppb <sup>@</sup>	July 2023 <sup>^</sup>	5 years	Testing and remediation
<b>New Hampshire</b>	15 ppb	July 2019	5 years	
<b>Pennsylvania</b>	15 ppb	June 2019 <sup>\$</sup>	Annual	

# Next Steps in Research and Policy

- Comprehensive and systematic research
- Financing strategies
- Cooperative federalism – the essential role of states
- Focus on daycare centers
- Ongoing monitoring
- Public education and outreach

# Thank You

- NEMWI staff available for discussion
- Report accessible on [www.nemw.org](http://www.nemw.org)
- Related:
  - Great Lakes
  - Water quality
  - Nutrients and conservation
  - Trade and manufacturing



## Lead in Drinking Water: Post-Flint Media Coverage and Policy Changes in the Northeast-Midwest Region

*A report published by The Northeast-Midwest Institute*



November 2018

More information about the Northeast-Midwest Institute is available at [www.nemw.org](http://www.nemw.org)