



**New York State Senate
Joint Senate Standing Committee on Health and
Senate Standing Committee on Housing, Construction and Community Development
Public Hearing on Childhood Lead Poisoning Prevention in New York State
November 30, 2021
Albany, NY**

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Thank you for the opportunity to provide testimony on the critical topic of childhood lead poisoning prevention in New York State. Today, my testimony will address the problem of lead in drinking water, specifically the need to remove lead service lines.

Experts agree that there is no safe level of lead for children. Children are exposed to lead from a variety of sources – particularly lead paint and drinking water. Drinking water contributes 20% of the total lead exposure for children, a significant pathway.

My organization, NRDC, has been involved in this issue over decades. Our most recent involvement was representing our community partners in litigation in Flint, MI; Newark, NJ; and Benton Harbor, MI.

Lead service lines are the pipes that run from the water main to a residence. They are small pipes, sized to the population of residences. They are not found in larger buildings, such as apartment buildings or schools, because those buildings need bigger pipes to provide drinking water for the larger population to be served. Those bigger pipes do not contain lead.

What's important to remember here is that these lead pipes are the equivalent of drinking water through a lead straw. Just as I would never give my grandnephew a lead sippy cup, I wouldn't want him drinking from anything that is made of lead, including pipes. As long as there is a lead pipe in the house kids are in danger of ingesting lead, which is why we need to get all the lead lines out ASAP.

The recently enacted federal Bipartisan Infrastructure legislation will provide \$15 billion to the states to remove lead service lines. This will be transformative.

New York stands to receive nearly \$600 million from the federal government to remove lead service lines. The state needs to get ready for this funding and develop a gold standard lead service line replacement program for utilities to follow.

A gold standard program starts with an accurate inventory of lead service lines. This is not that simple given the age of these lines, inadequate historical records, and lack of other reliable data. However, it's not insurmountable, either.

Once the inventory is completed, the utilities will need to develop an engineering plan – that is, how will this work proceed? There are some best practices that should be included in a utility’s plan.

A key part of the plan is education, communication, and community involvement – in other words, tell the residents what the problem is and what to expect. Tell them where the lead service lines are and how the work will proceed. Obtain their input.

Next, prioritize neighborhoods already burdened by lead, such as lower-income Black and other minority communities with older housing where children tend to have a greater chance of elevated blood lead levels from all sources.

The program must also fully fund complete lead service line replacement, including goosenecks and pigtails, which can also contain lead. Partial replacements must be prohibited because it can increase the amount of lead in the water.

The replacement program should NOT require the consent of the property owner, especially since many landlords may be absent and difficult to reach for consent. Indeed, Newark passed an ordinance addressing this important point.

The material used in the replacement is also important. Utilities should use copper, not plastic replacement service lines, because plastic can leach toxic chemicals.

Lead testing and filters are also important. The utility should conduct water lead testing before and after LSL replacement, and also provide filters – with information on the importance of using filters and proper installation of filters – for at least six months after lead service line replacement.

The speed of construction is also important. Many communities have waited far too long for lead-free drinking water. Newark replaced its lead service lines in 2 years and Benton Harbor is pledging to complete the replacements in 18 months.

Finally, LSL replacements should be conducted by union labor, with workers paid a prevailing wage, and where possible, by using apprenticeship programs to open employment opportunities to local community members.

We would be happy to engage with the Committees further to provide more detail of these recommendations. New York should be poised to develop and implement a gold standard lead service line replacement program to protect our children.

Thank you.