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Res. No. 430

Resolution calling upon the New York State Legislature to pass, and the Governor to sign S6892/A7878, the Lead Pipe Replacement Act, which requires water utilities across New York State to replace all lead pipes, regardless of the ownership status, at no cost to customers

By Council Member Williams

Whereas, Lead is a naturally occurring metal, exposure to which can cause significant health and developmental issues in humans, particularly when exposure occurs during pregnancy or childhood; and

Whereas, Common ways that people are exposed to lead are through ingesting contaminated food or water, ingesting paint chips, or through the inhalation of lead dust; and

Whereas, Children younger than six are at heightened risk of lead exposure, in part because lead is easily absorbed into developing nervous systems; and

Whereas, According to the United States Environmental Protection Agency (EPA) and the Centers for Disease Control and Prevention (CDC), there is no known safe level of lead in a child's blood, as even low levels of lead in a child's bloodstream can cause permanent damage, including developmental delays, behavioral issues, learning difficulties, and neurological damage; and

Whereas, Service lines connecting buildings to New York City's water distribution infrastructure, as well as piping and plumbing fixtures within buildings, can act as a source of lead contamination, when such pipes and fixtures are constructed from lead; and

Whereas, From 1911 to 1936, the New York Department of Water Supply, Gas and Electricity, a precursor to the current Department of Environmental Protection (DEP) mandated the use of lead pipes for 2-inch service lines installations, only prohibiting the use of lead service lines in new construction in 1961; and

Whereas, According to inventory data from DEP, confirmed lead service lines comprise approximately 14% of citywide service lines, with an additional 15% of service lines of unknown or possibly lead status; and

Whereas, Queens has the highest number of confirmed lead service lines, with nearly 1 in 5 lines in the borough made of lead, followed by the Bronx with 18% of service lines, both higher than the citywide average of 14%; and

Whereas, In certain communities like Jamaica, Queens, and Pelham-Throggs Neck in the Bronx, the percentage of buildings with lead service lines can be as high as 25%, with 41% of the known lead service lines citywide concentrated in environmental justice or disadvantaged communities; and

Whereas, While New York City's drinking water distribution system delivers lead free water to buildings, and treats the municipal water supply with food grade phosphoric acid and sodium hydroxide, food safe additives that react with lead to form a solid coating inside pipes, reducing solubility and minimizing the likelihood of lead leaching from pipes into the water, even low levels of lead exposure can result in negative health outcomes; and

Whereas, In October of 2024, the United States Environmental Protection Agency, under the Biden administration, released the Final Lead and Copper Rule Improvements, which requires local governments to identify and replace all lead service lines by 2037; and

Whereas, S.6892/A.7878 in the New York State Legislature, also known as the Lead Pipe Replacement Act (the Act), sponsored by State Senator Gustavo Riviera and Assembly Member Amy Paulin would require public water systems that serve at least 15 year round service connections or 25 of the same people for at least 4 hours a day, 4 days a week, for 6 months out of the year to offer free lead service line replacements at no direct charge to customers; and

Whereas, The Act would also require property owners who decline an offer from a public water system to replace service lines to effectuate such replacement at their own expense within 45 days of being notified of

the free service line replacement program, and outlines processes by which a water system may access property to conduct a service line replacement in the event of a non-responsive property owner; and

Whereas, The Act would also require that lead service lines be replaced with copper piping unless soil conditions preclude their use, and require that covered public water systems, to the extent feasible, prioritize service line replacements in disadvantaged communities, and at daycares, schools, and homes with children with elevated blood lead levels; and

Whereas, To the extent possible, covered water systems would be required to plan service line replacements in coordination with street repavings, planned infrastructure improvements, or in conjunction with other municipal infrastructure projects, and would prohibit water systems from conducting partial lead service line replacements unless part of an emergency repair; and

Whereas, The Act would also require covered water systems to provide free lead filters to any customer with a confirmed lead line who requests one, would authorize local health departments to make funding available for service line replacements, and require covered water systems to publicly report on the progress of their service line replacement efforts; and

Whereas, Because a municipal entity acting on behalf of New York City mandated the use of lead service lines for decades, City government bears a direct responsibility for the widespread use of lead service lines across the 5 boroughs, and has a moral obligation to residents to mitigate this public health hazard; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign S6892/A7878, the Lead Pipe Replacement Act, which requires water utilities across New York State to replace all lead pipes, regardless of the ownership status, at no cost to customers.

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