

**Subject** Lead service line inventory and replacement plan

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### Overview

This bill requires community water systems to develop a service line inventory to identify service lines made of lead; provide notice of their service line composition to persons served by lead service lines; and develop and annually update a plan for the replacement, by July 1, 2032, of lead service lines in their service area.

A service line is a pipe that delivers water from a water main to a residence or building. Service lines made of lead may contribute to lead in drinking water; homes and buildings constructed before 1927, or between 1942 and 1947, may have a lead service line. A portion of the money Minnesota will receive through the federal Infrastructure Investment and Jobs Act must be used for lead service line replacement.

### Summary

Section	Description
1	<b>Findings; presence of lead in drinking water.</b> States findings regarding the threat to public health of lead in drinking water and the need to inventory and replace lead service lines.
2	<b>Definitions.</b> Adds § 144.3802. Defines terms for sections 144.3802 to 144.3807: commissioner, community water system, customer, lead service line, nonpaying customer, off-site owner, partial replacement, property owner, property owner side, service line, system side.
3	<b>Service line inventory.</b> Adds § 144.3803. Requires community water systems to develop a service line inventory in the state to identify service lines made of lead.

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**Subd. 1. Development of inventory.** Requires each community water system in the state to develop a service line inventory to identify service lines made of lead.

**Subd. 2. Initial count.** Requires community water systems to compile and submit to the commissioner, by September 1, 2022, an initial count of lead service lines and service lines of unknown composition, and the number of lead service lines planned to be replaced each year.

**Subd. 3. Initial inventory.** Requires community water systems to submit to the commissioner, by January 1, 2023, an initial service line inventory that includes the locations of identified and suspected lead service lines and service lines of unknown composition and other specified information. Following submission of this inventory, requires community water systems to use every reasonable method to locate lead service lines in the service area.

**Subd. 4. Updated inventory.** Requires community water systems to update lead service line inventories by July 1, 2023, and annually thereafter until all lead service lines in the service area are replaced. Lists information that must be included in the updated inventory, and allows the commissioner to require excavation to identify the composition of a service line if no other method can be used to identify service line composition.

**Subd. 5. Annual report.** Requires community water systems to report to the commissioner, information on their current service line inventory, progress in replacing lead service lines, and a statement that the community water system is in compliance with state law. These reports must be submitted beginning July 1, 2024, and annually thereafter until all lead service lines in the service area are replaced.

**Subd. 6. Public availability.** Requires community water systems to make their service line inventories available to government officials, and available on the website of the community water system or at another publicly accessible location.

4 **Written notice of service line composition.**

Adds § 144.3804. Establishes requirements for community water systems to provide notice of lead service lines to affected customers, nonpaying consumers, and off-site owners, and requires owners or operators of a multiunit dwelling served by a lead service line to provide notice to current and new residents of the multiunit dwelling.

**Subd. 1. Notice required.** Requires community water systems to provide customers and nonpaying consumers in the service area served by lead service lines, and off-site owners in the service area affected by lead service lines, with

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written notice of lead service line composition. Specifies how the notice must be provided and content of the notice.

**Subd. 2. Notice for multiunit dwellings.** If an owner or operator of a multiunit dwelling receives a notice under this section, establishes requirements for the owner or operator to provide notice to current and new residents of the multiunit dwelling.

**Subd. 3. Other languages.** If a community water system serves a service area in which the primary language of ten percent or more of the residents is a language other than English, requires the notice required by this section to be provided in English and in the other languages used by ten percent or more of the residents.

5 **Plan to replace lead service lines.**

Adds § 144.3805. Requires community water systems to develop and annually update plans to replace all lead service lines by July 1, 2032; lists plan requirements; prohibits partial replacement of lead service lines except as a last resort; and allows community water systems to apply for extensions of targets or deadlines related to lead service line replacement.

**Subd. 1. Initial plan; updated plan.** Requires community water systems to submit an initial plan to the commissioner for lead service line replacement, and to annually update the plan to conform with the system's updated service line inventory until all lead service lines are identified and replaced.

**Subd. 2. Plan requirements.** Lists plan requirements, including providing average annual replacement of at least ten percent of all lead service lines identified in the initial replacement plan, and providing for replacement of all lead service lines in the service area by July 1, 2032. States that a community water system is encouraged to complete replacement of lead service lines by July 1, 2032, but allows a community water system to continue lead service line replacement until July 1, 2037, if necessary.

**Subd. 3. Partial replacement of lead service lines.** Except in emergencies or as a last resort, prohibits a community water system from partially replacing a lead service line.

**Subd. 4. Suspension of water service not permitted.** Prohibits suspension of a customer's water service solely because customer denied the community water system access to the property owner side of the lead service line for replacement.

Section	Description
	<b>Subd. 5. Extension.</b> Allows extensions of targets or deadlines related to replacement of lead service lines if the community water system or local unit of government demonstrates the extension is necessary for certain reasons.
6	<b>Project costs.</b> Adds § 144.3806. Requires a local unit of government operating a community water system to fund replacement of lead service lines with state and federal funds available for this purpose, and provides that any rate or assessment levied to fund lead service line replacement must apply to all customers of the community water system.
7	<b>Rules.</b> Adds § 144.3807. Allows the commissioner to adopt rules to implement sections 144.3802 to 144.3807.
8	<b>Appropriation; lead service line replacement.</b> Makes a blank appropriation in fiscal year 2023 from the general fund to the Public Facilities Authority for grants to local units of government for replacement of lead service lines.



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