



Testimony on  
A-2697/S-1783

Requiring Lead Service Line Inventories

Senate Environment and Energy Committee

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Dear Sen. Smith, Sen. Greenstein, and members of the committee:

New Jersey Future is a nonpartisan, nonprofit organization that believes our state can be a great place for everyone with a strong, prosperous economy; safe, healthy communities; and abundant open spaces. All of this can happen if we make smart decisions about what we build and where we build.

New Jersey Future generally supports this bill, which is vital to addressing the issue of lead in drinking water in New Jersey, but recommends amendments in the areas outlined below.

### Inventory Deadline

- A-2697 requires that each public water system compile an inventory of active lead service lines within its service area within one year of enactment. Recognizing that most utilities lack good records, and since verification often requires some type of excavation, boring, or access to the property, other states that have mandated an inventory have generally provided more time for the initial results; for example, Washington (two years), California (21 months), Michigan (17 months), and Illinois (16 months).
- Several states (e.g., Michigan) have created two deadlines: an initial date for a preliminary inventory, which is largely based on what can be determined from the utility's existing records, and a subsequent deadline for a more comprehensive review. The latter often reflects updated information generated by utility field staff, either as part of a program dedicated to that effort or during regular replacements of water meters or water mains.

### Annual Updates

- Typically, the best practice in crafting an inventory is to build a base of information and then improve it gradually over time through annual updates. Ideally, those updates would be integrated into each utility's normal reporting regimen. While A-2697 requires that the New Jersey Department of Environmental Protection (NJDEP) file a report with the governor and Legislature within two years of enactment, it does not presently require that the underlying data be updated periodically. Annual updates and regular reporting (i.e., by utility and as a statewide summary) are key to monitoring progress over the long term. Also note that the federal American Infrastructure Act that was enacted into law in 2018 requires the U.S. Environmental Protection Agency (USEPA) to work with states to develop a needs assessment, including the removal of lead service lines, to help determine future funding for the State Revolving Fund program. Having the most recent inventory information would place New Jersey in the best position possible to maximize its share of that funding.

## Public and Privately-Owned Lead Service Lines

- Some other states, such as California, limited the inventory to the publicly-owned portion of the lead service lines, excluding the portion of the pipe that is privately owned. A-2697 does not differentiate, referencing only an "... inventory of lead service lines." To ensure complete clarity, and to avoid inconsistencies across the many different utilities that will do this work, it would be helpful if the bill stipulated clearly that both public and privately-owned lead service lines should be included.

## Goosenecks

- Within A-2697, the "service line" is defined as the "... pipe, tubing and fittings connecting a water main to an individual water meter or service connection ...". It does not mention specifically the term "goosenecks," which is an industry reference that is generally understood to mean the connection between the water main and the service line and, in some cases, between the service line and the meter. That connection may contain lead and ideally should be part of the proposed inventory. While the bill's existing definition may suffice, it seems wise to include the term "gooseneck" in the definition, or as part of the guidance to be generated by NJDEP, to ensure consistency across all utilities.

## Transparency

- Transparency of this inventory data is critical to the successful elimination of lead service lines, a point that the USEPA has recognized and recommended. Increasing awareness of the location and extent of lead service lines helps protect the public health and helps accelerate efforts to address the problem. A-2697 does require that the inventory results be made available to state and local government officials and to residents of each public water system; however, it does not indicate the manner or frequency of that reporting. Based on requirements established in the federal Lead and Copper Rule, NJDEP's Bureau of Water System Engineering presently collects lead service line information electronically from water systems that exceed the lead action level in tap samples. Since that system is operational, the bill could make reference to it as a way to encourage transparency of lead inventory results.

Thank you for the opportunity to testify. Please feel free to contact me with any questions.