The recent lead in drinking water crisis in the Flint, Michigan water system has created nationwide concern about the potential health hazards of lead in drinking water. The professionally operated public and private water utilities, who provide drinking water to millions of Americans, are acutely aware of the health hazards associated with lead in drinking water and the potential harm to the public, especially young children with developing brains. This potential health risk is one of the reasons water suppliers nationwide, including Illinois, have been required by the Federal EPA to test for lead in drinking water since 1992. Therefore, it is important to keep several points in mind prior to any proposed changes to the current Federal lead testing legislation. First, lead is not typically found in the source water, lakes, rivers or wells, or in water distribution mains located in city streets and parkways. Sources of lead in drinking water is more likely introduced through lead service lines (the line from the water main to the customer’s home, business or school) or through the customer’s interior plumbing, including faucets. Lead material from the service lines, interior plumbing, faucets and soldered connections may leach into the water if the lead is exposed to the water and there is little, or no, movement of the water through the pipes over a period of time. While utilities typically own some part of the water service line, the majority of lead materials in water systems are owned by private property owners and not the water utilities. Many utilities are precluded from doing work on private property due to local ordinances.

Recently proposed legislation in Illinois contains strategies involving large scale mitigation of lead in drinking water and who should pay for sampling water in public and private schools and licensed day care centers. Proposed legislation has put the costs associated with testing for lead in drinking water at schools on the public and private water utilities. Water utilities, rightfully so, are asking why they should bear the burden of paying for the testing when the majority of issues related to lead in drinking water are related to private property issues.

Schools have also complained that the proposed legislation would be yet another unfunded mandate if they were required to bear the cost of testing. Several proactive school districts in Illinois have already made the decision, and have agreed, to test for lead at their own expense. While it has been suggested that water utilities simply increase their rates to cover the cost of testing at schools, water utilities typically have no such authority to unilaterally increase rates due to any State imposed legislative directive. Rates must be approved by the local governing body, often a city council, or water commission, and there is no assurance that a rate increases might be approved for such purpose.

The other basic principle related to this matter is that water bills are typically paid by “rate payers”, those that use water from a public or private water utility. Schools are typically funded by “tax payers”. Those that live within a taxing district and pay taxes for costs associated with owning and operating schools. Because school districts and water utilities often have different customer bases, requiring the water utility rate payers to cover the cost of
testing for lead in a publicly funded tax-paying school district would be an unfunded mandate for the water utilities and their rate payers. Private schools and day care centers are businesses and lead testing is another cost of doing business.

An example of this scenario can be seen in School District U-46. School District U-46, the second largest school district in IL, has a multitude of schools in 11 different Illinois communities. That means that 11 water utilities provide drinking water to U-46 schools. If the school district were to be responsible for water sampling at all of their schools within the district, it would simplify the process and all costs associated could be allocated appropriately. This scenario also allows the costs for the sampling to come from a broader base such as state funds that are allocated to the school districts.

A significant consideration that has been given very little priority is the role of public education. The water industry stands ready to work with school staff and the public to educate consumers on ways to mitigate the risk of lead in drinking water. Utilities have resources to offer involving lead awareness education including very easy ways to reduce the risk of consuming water with unacceptable levels of lead. This education can be provided in a variety of formats such as Facebook, the utility website, door hangers or bill stuffers, newspapers, etc. The water industry is also interested in working with schools to identify potential problem sites within the school and mitigation strategies.

The water industry believes that lead in drinking water is a shared responsibility between the water provider and the water customers. In addition to the public education efforts that we are prepared to offer, we support these three additional priorities:

**Corrosion Control and Monitoring** – The water utility must provide water that is non-corrosive. The water utility will perform a variety of tests during the treatment process and in final water at the plant and in the distribution system to assure the water is non-corrosive. Corrosivity testing should also be performed prior to changing source water or making treatment changes.

**Lead Service Identification and Field Sampling** – The water utility will review and update their records to determine the age of service lines and the materials used in construction of those lines. The water utility will also perform field inspections to verify the presence of lead pipe.

**Lead Service Line Replacement/Lead Abatement** – The water utility will develop a systematic approach to replace lead service lines. Water utilities will not reconnect lead service lines when performing main replacements.

In conclusion, lead in drinking water is in the national spotlight and efforts are underway throughout America to handle this problem expeditiously. Although this problem won’t be solved overnight, cooperative efforts between water suppliers, school districts and the public to test and identify problem areas is a giant step in the right direction. A complete and successful lead mitigation program will take time and financial resources from multiple sources. Water utilities are typically the subject matter experts and are ready and willing to assist with their knowledge and public information resources. Schools have a moral and financial obligation to test their drinking water for lead contamination from their plumbing systems. The State of Illinois and
Federal legislators need to understand this is a national issue and infrastructure rehabilitation and mitigation of outdated materials in our environment and water systems need appropriate funding sources. The state needs to understand many of the schools and water utilities are more than 100 years old and these types of problems need to be solved in a cooperative manner.

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