



December 14, 2021

Honorable Gavin Newsom, Governor
 State of California
 State Capitol
 Sacramento, CA 95814

Dear Governor Newsom:

The undersigned organizations are writing to express our concern about California’s lead service line inventory and replacement program and to ask that you take immediate action, through the adoption of an Executive Order or agency emergency action, to ensure that Californians are protected against lead exposure that is highly likely to be caused by lead service line replacement activity.

The removal of lead pipes and fittings in our drinking water system is key to reducing public lead exposure. [However, removal or disturbance of lead pipes and fittings should be done carefully](#), and with safeguards in place that will prevent consumers from unwittingly ingesting lead released during and after the activity. As you may know, the CDC just reduced the blood lead reference value for children, and [pediatricians](#) will tell you that [no amount of lead, a severe neurotoxin, in our water is safe](#).

[Information we received from Public Records Act requests indicates that California water utilities up and down the state are replacing lead pipes and fittings.](#) These actions are needed to get lead out of drinking water in the long run, but when lead plumbing is replaced improperly, or only partially, the activity can release high levels of lead into people's homes for up to 18 months. [These replacements are happening without timely, strong, or consistently required health protections, and state regulators are allowing utilities to partially replace lead lines, the most hazardous method of lead pipe replacement.](#) The vast majority of these lead pipe replacements happening now are occurring without in-home water testing or the provision of \$20 table-top water filters, which would protect Californians from lead exposure.

Public Records Act data demonstrates that state regulators approved nearly 100 water utilities' plans to remove lead lines, and more than half of these removal plans have already been completed or are now underway. Upon first glance, these removals would appear to take California in the right direction, but closer scrutiny of state approval letters and other records reveals that regulators didn't require water utilities to follow even basic, nationally-recognized, health and safety standards when replacing or disturbing lead lines. These industry standards are required in other states, and are included within the proposed revisions to the federal Lead and Copper Rule.

Unfortunately, Public Records Act data also indicates that the sparse action regulators did take occurred nearly three years after many utilities had already begun replacement activities. As a result, some utilities removed lead lines before receiving even the limited state guidance on how to protect public health. For instance, the city of Sacramento told the state's water board in June 2020 that it had replaced the thousands of lines it oversees. But the Board hadn't yet approved the work, so it happened without any formal direction on public health protections. Similarly, state emails indicate that the cities of Gilroy, San Bernardino, and Placerville also replaced lines before Board approval.

Since raising our concerns about the lead service line removal activity, we have been meeting with regulators and utilities to try to identify a path forward that would ensure that public health is protected during removals. We have become increasingly dismayed, however, that the route offered would only require utilities to report the removals to the State Board *after they have happened -- and after public health has been jeopardized. Further, this reporting would not require notice or filters to protect people, and still allows for partial replacements.*

Residents need to be informed about any activity done on lead pipes or fittings because lead removal or disturbance can release lead particles into drinking water, and residents need to receive filters before lines are disturbed. In addition, residents' tap water must be tested after the activity to ensure that their drinking water isn't contaminated with lead. These safeguards are commonly embraced in other states, and are protective of public health. Several other states and cities have banned the partial replacement of lead service lines.

In order to protect Californians from continued lead exposure, and to avoid a drinking water crisis, we request that you issue an Executive Order, or emergency agency action, that immediately:

- Pauses lead service line replacements until a full inventory is conducted of all lead lines, including lead fittings and galvanized lines connected to lead fittings. Replacements would be allowed if utilities demonstrate and document that they are simultaneously removing the entire lead service line, all lead fittings, and any galvanized lines attached to lead fittings.
- Requires notice to all residents that have been or will be subject to any of these replacements, and ensures that filters are provided to these residents. This notice must include information about the harm of lead exposure and warning signs, the water system's plan to remove remaining lead or galvanized components, and if and when the replacement at their residence occurred.
- Requires provision of filters to residents for 18 months after the start of the construction.
- Requires pre- and post-construction water testing for affected residents and provides those test results to residents and the public.

Additionally, at least \$3.5 billion in federal money is coming to California for water infrastructure upgrades to ensure clean and safe drinking water. We look forward to working with the administration and legislature to ensure that funding is used for full lead service line replacements, including replacements of leaded galvanized lines and their attached leaded fittings, and to fully protect children's health. Please feel free to reach out to Susan Little, at slittle@ewg.org, Cori Bell, at cbell@nrdc.org, or Jenn Engstrom at jengstrom@calpirg.org if you need additional information.

Thank you for your attention to this important issue. We look forward to your response.

Sincerely,

Susan Little
Environmental Working Group

Cori Bell
Natural Resources Defense Council

Jenn Engstrom
CALPIRG

Aaron McCall
California Environmental Voters

Catherine Dodd
Families Advocating for Chemicals and Toxics Safety (FACTS)

Andria Ventura
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Kim Konte
Non-toxic Neighborhoods
Charlotte Brody
Healthy Babies Bright Futures

Theodora Scarato
Environmental Health Trust

Development of Court Skills (DOCs)

cc: Jared Blumenfeld, Secretary for Environmental Protection
Dr. Mark Ghaly, Secretary of the California Health and Human Services Agency
Joaquin Esquivel, Chair of the State Water Resources Control Board