

Types of Proactive State Policies Supporting LSL Replacement

Environmental Defense Fund recognizes proactive state policies in five categories:

1. *Set goal of fully replacing LSLs in the state.* A goal is useful in framing state and local policies. However, it may have little effect without other proactive policies to implement it.
2. *Enable communities to secure funding for LSL replacement on private property beyond the [state revolving loan program](#).* The two main mechanisms are providing grants to communities and allowing utilities to use rates paid by customers to replace LSLs on private property. For this second mechanism, many states restrict the use of rate funds to replace LSLs on private property. Some states have adopted proactive policies to overcome this barrier by providing grants or forgivable loans or by enacting specific policies to allow utilities to use rates paid by customers to replace LSLs on private property.
3. *Require an inventory of known and potential LSLs and make the information available to the public.* An inventory enables states and utilities to make a realistic assessment of the resources needed, set priorities, and take action to replace LSLs. Without an accurate inventory, the state relies on estimates developed by the [AWWA in 2016](#) from a survey of its member utilities. It extrapolated a number based on the size and region of the respondents. While the AWWA numbers for a state are useful, they are only rough estimates. In addition to developing an accurate inventory, it is important to make the information available to the public in a user-friendly format to enable property owners and residents to make informed choices.
4. *Mandate replacement practices designed to ensure that customers are protected from lead when LSLs are replaced.* Replacing an LSL can temporarily increase the amount of lead in drinking water. Lead-safe replacement practices prevent this increase in customer's exposure to lead. These practices require the customer's cooperation. While there are no model policies, the Lead Service Line Replacement Collaborative provides [examples of work practices](#) to consider. Those practices include flushing the system following replacement and notifying the customer and residents about precautions they need to take during and after the work.
5. *Requiring disclosure of known or potential LSLs by property owners to potential buyers or renters.* We summarized [state residential seller disclosure policies](#) in a March 2017 report. As of September 2017, no states had disclosure policies for renters.