GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H **D**

HOUSE BILL 272
PROPOSED COMMITTEE SUBSTITUTE H272-PCS40379-RI-5

Short Title: Revise Health Standard for Lead. (Public)

Sponsors:

Referred to:

March 15, 2021

A BILL TO BE ENTITLED

AN ACT TO UPDATE THE CHILDHOOD LEAD POISONING PREVENTION LAW TO ENSURE THAT YOUNG CHILDREN ARE NOT EXPOSED TO HAZARDOUS LEAD IN DRINKING WATER.

Whereas, the Childhood Lead Poisoning Prevention Program has been extremely effective in reducing rates of child lead poisoning in the State; and

Whereas, no amount of lead in water is safe for young children, with even low concentration levels associated with lowered IQ, increased aggression, and the occurrence of ADHD; and

Whereas, North Carolina's lead hazard threshold for drinking water consumed by young children, as set forth in the Childhood Lead Poisoning Prevention statute, is 15 parts per billion, a standard set more than two decades ago when the permanent harmful effects of lead at lower concentrations were not understood; and

Whereas, the Centers for Disease Control and Prevention, the Environmental Protection Agency, and the American Academy of Pediatrics now recommend that the action level be set as close to zero as possible; and

Whereas, lowering the definition of a lead hazard in young children's drinking water in the Childhood Lead Poisoning Prevention statute from 15 parts per billion to 10 parts per billion would extend lead exposure protection to 30,000 young children in child care settings, resulting in measurable benefits to children and society in the form of reduced crime, health care cost-savings, special education cost-savings, and avoided losses in lifetime earnings; and

Whereas, there is uniform support for this proposal in the health care and child care communities; and

Whereas, this proposal does not affect water utilities, which are regulated under the federal Safe Drinking Water Act and the Lead and Copper Rule; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-131.7(7) reads as rewritten:

"(7) "Lead poisoning hazard" means any of the following:

…

g. Any concentration of lead in drinking water equal to or greater than ~~15~~ 10 parts per billion."

SECTION 2. G.S. 130A-131.9C(i) reads as rewritten:

"(i) All remediation plans shall require that the lead poisoning hazards be reduced to the following levels:

…

(5) Fewer than ~~15~~ 10 parts per billion for lead in drinking water."

SECTION 3. The Commission for Public Health shall adopt temporary and permanent rules to implement this act.

SECTION 4. Nothing in this act, or in rules adopted pursuant to Section 3 of this act, shall be construed to alter or amend requirements applicable to public water systems, as that term is defined under G.S. 130A-313, under (i) Article 10 of this Chapter and rules adopted thereunder, (ii) the federal Safe Drinking Water Act, and (iii) the United States Environmental Protection Agency's Lead and Copper Rule under 40 C.F.R. Part 141, Subpart I.

SECTION 5. This act becomes effective on December 1, 2021.