

The background of the slide is a light gray gradient with several realistic water droplets of various sizes scattered across it. The droplets have highlights and shadows, giving them a three-dimensional appearance. The text is centered on the slide.

LEADING ON LEAD ACT

WISCONSIN SENATE BILL 48 / ASSEMBLY BILL 78

SENATOR ROBERT COWLES (R-WISC.)

REPRESENTATIVE JEREMY THIESFELDT (R-WISC.)

WISCONSIN'S LEAD LATERAL PROBLEM

- BLOOD LEAD LEVELS IN CHILDREN ARE DECLINING NATIONWIDE, BUT THE BLOOD LEAD LEVEL FINDINGS FOR CHILDREN TESTED IN WISCONSIN EXCEEDED THE NATIONWIDE AVERAGE BY ALMOST 65%.
 - WHILE WISCONSIN REPRESENTS ONLY 1.8% OF THE TOTAL US POPULATION, WE ACCOUNTED FOR 8% OF THE CHILDREN THAT HAD BLOOD LEAD LEVELS FIVE TIMES HIGHER THAN THE EPA THRESHOLD FOR PUBLIC HEALTH ACTION.
- THERE ARE SEVERAL HEALTH CONCERNS WHEN A PERSON (ESPECIALLY A CHILD) IS EXPOSED TO LEAD IN DRINKING WATER.
 - EPA IDENTIFIES THAT EXPOSURE TO LEAD CAN CAUSE DAMAGE TO A PERSON'S BRAIN, RED BLOOD CELLS, AND KIDNEYS AND CAUSE LOW IQ, HEARING IMPAIRMENT, REDUCED ATTENTION SPAN, AND POOR CLASSROOM PERFORMANCE.
- LEAD SERVICE LINES WERE INSTALLED IN THE LATE 1800S—EARLY 1900S.
- 117 COMMUNITIES IN WISCONSIN REPORT HAVING KNOWN LEAD SERVICE LINES.
- THERE ARE AN ESTIMATED 176,000 LEAD SERVICE LINES IN WISCONSIN.
- 64 WATER SYSTEMS IN WISCONSIN EXCEED THE FEDERAL LEAD STANDARDS.
- FEDERAL SAFE DRINKING WATER ACT FUNDING IS NOT GUARANTEED LONG-TERM.

CURRENT LEAD ABATEMENT PRACTICES

- CORROSION INHIBITORS ARE CURRENTLY THE MOST COMMON SOLUTION USED BY WATER UTILITIES
 - BUT MANY CORROSION INHIBITORS ADD PHOSPHORUS TO WASTEWATER SYSTEMS THAT REQUIRE COSTLY REMOVAL AND TREATMENT.
- FEDERAL SAFE DRINKING WATER LOAN PROGRAM: \$11.8 M IN SFY 2017.
- OTHER METHODS (FILTERS, ETC.) ARE GENERALLY SHORT-TERM BAND-AIDS.
- IF PROPERTY OWNERS DO NOT AGREE TO REPLACE THE PORTION OF THE SERVICE LINE THAT THEY OWN, UTILITIES CAN EITHER:
 - LEAVE THE LINE IN PLACE → LEAD REMAINS AND CUSTOMERS CONTINUE TO PAY FOR CORROSION INHIBITORS AND WATER TREATMENT
 - REPLACE THE UTILITY-OWNED PORTION OF THE LINE → LEAD LEVELS INCREASE AND COSTS TO CUSTOMERS AND UTILITIES RISE

**ONLY LONG-TERM SOLUTION IS ONE-TIME COST OF
REPLACING THE ENTIRE LEAD SERVICE LINE!**

FUNCTION OF THE LEADING ON LEAD ACT

Municipality

Must enact an ordinance:

- Permits the water public utility to provide a grant, a loan, or both
- Local governments will have the flexibility and control to establish the program that best serves the needs of its community.

Public Water Utility

Must submit an application to the PSC for review:

- A description of the proposed financial assistance to be provided to property owners
- A description of the method for funding the financial assistance
- A description of the customers served by the public utility that would be eligible for financial assistance
- Any other information that the PSC requests (current construction schedules, lead levels, current lead abatement practices, etc).

WI Public Service Commission

Must investigate and either deny or approve the application:

- PSC is required to investigate the application.
 - As part of its investigation, the PSC may hold a public hearing on the application or approve within 90 days.
- The PSC must grant its approval if it finds that a public utility's proposal is not unjust, unreasonable, or unfairly discriminatory and meets certain requirements
 - The grant does not exceed one-half of the total cost.
 - Loans may not be forgiven.
 - Financial Assistance must be uniform by either percentage or specified dollar amount for all eligible property owners.

BENEFITS OF THE LEADING ON LEAD PROCESS

- IDENTIFIES THAT A “ONE-SIZE-FITS-ALL” APPROACH CAN NOT WORK FOR EACH MUNICIPALITY.
 - LEAD PIPE ABETMENT IS ACCOMPANIED BY DIVERSE CHALLENGES THAT AFFECT EACH MUNICIPALITY DIFFERENTLY.
- PROVIDES LOCAL CONTROL TO MUNICIPALITIES TO DETERMINE THE FEASIBILITY AND NEED TO CREATE A FINANCIAL ASSISTANCE PROGRAM FOR THEMSELVES.
 - INCLUDES OPPORTUNITIES FOR CUSTOMERS TO PROVIDE INPUT BEFORE FINANCIAL ASSISTANCE PROGRAMS ARE ESTABLISHED.
 - DOES NOT AFFECT NEIGHBORING COMMUNITIES OR COMMUNITIES THAT SHARE A WATER UTILITY.
- DOES NOT AFFECT LOCAL OR STATE BUDGETS
 - THE BILL ONLY ALLOWS ALLOCATED RATE MONEY TO BE USED SPECIFICALLY FOR LEAD SERVICE LINE REPLACEMENT FINANCIAL ASSISTANCE, NOT FOR ADDITIONAL PUBLIC INFRASTRUCTURE FUNDING.
- DOES NOT AUTOMATICALLY RAISE WATER RATES.
 - WHILE UTILITIES MAY REQUEST APPROVAL TO RAISE REVENUES FOR LEAD SERVICE LINE REPLACEMENT PROGRAMS, THAT REQUEST WILL ONLY BE ONE OF MANY FACTORS CONSIDERED DURING THE RATE REVIEW PROCESS, AND CAN FIND THAT CURRENT RATES CAN PROVIDE THE NECESSARY FUNDING FOR THE PROGRAM.
- CAN LOWER RATES IN THE LONG RUN.
 - ONCE A COMMUNITY HAS REPLACED ALL ITS LEAD SERVICE LINES, PSC CAN REDUCE RATES AND ADDITIONAL SAVINGS WILL BE REALIZED BY THE REDUCTION OF CORROSION INHIBITORS IN THE WATER SYSTEM AND WASTEWATER TREATMENT WILL NO LONGER BE REQUIRED TO REMOVE THAT PHOSPHORUS SOURCE.
 - THIS WILL SAVE MONEY WHILE ALSO HELPING TO ATTAIN CLEAN WATER ACT COMPLIANCE

GETTING THE LEADING ON LEAD ACT THROUGH THE WISCONSIN LEGISLATURE

- SUMMER 2016- RESEARCH AND DEVELOPMENT
- FEBRUARY 2017- INTRODUCED WITH BROAD BIPARTISAN SUPPORT
 - 57 CO-SPONSORS (43% OF THE ENTIRE WI LEGISLATURE)
 - 34 REGISTERED ORGANIZATIONS IN SUPPORT
 - KEY SUPPORTERS: PUBLIC HEALTH ADVOCACY GROUPS, REALTORS ASSOC., WISC. LEAGUE OF MUNICIPALITIES, RURAL WATER ASSOC., WATER UTILITIES, ENVIRONMENTAL ADVOCACY GROUPS.
- MARCH 2017- HEARD IN SENATE COMMITTEE
 - AMENDED TO BETTER DEVELOP APPLICATION PROCESS AND ADD CONDITIONS TO CONTROL REPLACEMENT COSTS
- JUNE 2017- HEARD IN ASSEMBLY COMMITTEE
 - AMENDED FURTHER AT THE REQUEST OF ASSEMBLY COMMITTEE MEMBERS
- OCTOBER 2017- PASSED IN SENATE- 33-0 VOTE
- NOVEMBER 2017-AMENDED AND PASSED IN ASSEMBLY- UNANIMOUS VOICE VOTE
- NEXT STEPS:
 - CONCURRENCE WITH ASSEMBLY AMENDMENTS BY THE FULL SENATE
 - SIGNED BY GOVERNOR INTO LAW
 - IMPLEMENTATION