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May 13, 2025

The Honorable Susan R. Donovan, Chair  
House Committee on Health & Human Services  
State House  
82 Smith St.  
Providence, RI 02903

**RE: H 6304 – Relating to Health and Safety -- Lead Poisoning Prevention Act**

Dear Chair Donovan:

Please accept this letter regarding H 6304, legislation that proposes to amend the Lead Poisoning Prevention Act (LPPA) to, in part, to determine the existence or absence of lead within each public water connection and ensure that all mitigation measures and replacement of entire lead lines are consistent with the current version of the federal Lead and Copper Rule (the Lead and Copper Rule Improvements, or “LCRI”) including amendments to 40 C.F.R.141, Subpart I. There is no safe level of lead exposure.

The Rhode Island Department of Health (RIDOH) applauds the intent of this legislation, which will help protect Rhode Islanders from harmful lead exposure from public water lines. RIDOH would like to inform the Committee we are currently working with the Childhood Lead Action Project (CLAP) on proposed amendments to the LPPA via another bill—H5375—to better align the proposed changes with the intent of the legislation and federal requirements, including the LCRI. RIDOH has shared with CLAP some proposed changes to the LPPA that would seem to meet some of the goals of this bill. RIDOH welcomes the opportunity to speak with the sponsors/advocates of this bill to work on one set of changes to the LPPA that meets all parties’ goals. Some of RIDOH’s high-level thoughts regarding H 6304 are as follows:

- RIDOH is generally agreeable to making requirements consistent with the federal requirements. In fact, RIDOH seeks to propose a broader amendment to the Rhode Island Public Drinking Water Supply statute to require RIDOH to promulgate regulations at least as strict as the federal national primary drinking water regulations, including the LCRI.
- With respect to the proposed change in LPPA, Sec. 28(u), which adds an exception to the requirement to complete the replacement of all public and private lead service lines by June 24, 2033, based on access to the property—RIDOH is generally agreeable to allowing an exception to certain requirements based on physical/legal access. The LCRI likewise includes exceptions based on physical/legal access. However, RIDOH needs a better understanding of what this section, more broadly, seeks to accomplish (if/how it is intended to differ from the LCRI), and how we can make the provision work given RIDOH’s obligation to promulgate regulations that are at least as strict as the federal requirements. For example, this provision also includes a funding contingency, but the LCRI does not include such a contingency. RIDOH may be seen as imposing a requirement that is less strict than the LCRI, which may impact our ability to attain primary enforcement responsibility (primacy) for the LCRI from the EPA.

I thank you for the opportunity to comment on the proposed legislation and look forward to working with CLAP, the advocates of H 6304, the sponsor(s), and members of the Committee on amendments to

effectively implement the actions included in the bill and other legislative efforts focused on the replacement of lead service lines.

Sincerely,

A handwritten signature in black ink, reading "Jerome M. Larkin" with a stylized flourish at the end.

Jerome M. Larkin, MD  
Director

CC: The Honorable Members of the House Committee on Health and Human Services  
The Honorable William W. O'Brien  
Nicole McCarty, Chief Legal Counsel  
Lynne Urbani, Director of House Policy