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TTY: 771
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April 22, 2025

The Honorable Stephen M. Casey, Chair
House Committee on Housing and Municipal Government
State House
82 Smith St.
Providence, RI 02903

RE: H 5375 -- Relating to Health and Safety -- Lead Poisoning Prevention Act

Dear Chair Casey:

The Rhode Island Department of Health (RIDOH) would like to inform the committee that is currently working with the Childhood lead action project on proposed amendments to H 5375.

RIDOH proposes to amend the Rhode Island Public Drinking Water Supply statute, [R.I. Gen. Laws §§ 46-13-1 et seq.](#) (PDWS statute) and the Rhode Island Lead Poisoning Prevention Act, [R.I. Gen. Laws § 23-24.6-1, et seq.](#) (LPPA) as follows:

- In the PDWS statute, authorize RIDOH to promulgate regulations at least as strict as the federal National Primary Drinking Water Regulations (NPDWR) (i.e., use mandatory language, rather than the more discretionary language of “consistent with”). RIDOH is the State primacy agency responsible for enforcing the federal NPDWR promulgated under the federal Safe Drinking Water Act (SDWA). For a state to obtain and maintain primacy, it must adopt State regulations that are at least as stringent as the NPDWR.
- In the PDWS statute, amend the definition of “public water supply system” to match the definition of “public water system” as used in the NPDWR and SDWA. This change does not substantively change the meaning of the term “public water supply system,” the purpose is to clarify.
- Regarding the LPPA, address RIDOH’s authority to:
 - (i) Promulgate regulations consistent with Section 28 of the LPPA. The changes proposed clarify RIDOH’s authority to adopt regulations governing the LPPA’s new lead service line (LSL) requirements.
 - (ii) Enforce the lead service line-related provisions of the LPPA in accordance with its authority under the PDWS statute. The LPPA makes no mention of the PDWS statute (and RIDOH’s enforcement authority therein) or the PDW Regulations. There is a need to link the drinking water-related provisions of Section 28 of the LPPA to the PDWS statute so RIDOH can utilize its typical enforcement procedures, including issuance of penalties. To accomplish that goal, RIDOH is seeking an amendment to the LPPA to give RIDOH the power to enforce and issue penalties in accordance with the PDWS statute.
- Clarify certain provisions in Section 4 and Section 28 of the LPPA, including changes to make sure the requirements are not inconsistent with federal requirements.

These changes to the proposed legislation would ensure consistency with what RIDOH believes is the intent of the existing State law and to ensure that, where appropriate, it aligns with the federal Lead and Copper Rule Improvements.

I thank you for the opportunity to continue productive conversations on amendments to the PDWS and LPPA. We look forward to continuing to collaborate on this important public health legislation.

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 Housing and Municipal Government
The Honorable David Morales
Nicole McCarty, Esquire, Chief Legal Counsel
Lynne Urbani, Director of House Policy