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17 A BILL

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22 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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26  
27 To require that all lead service lines in the District on both public and private property be  
28 replaced with non-lead lines by December 31, 2030, to prohibit the practice of partial  
29 lead service line replacements, to prohibit the installation of new lead, brass, or  
30 galvanized steel service lines, to require, by October 1, 2024, that owners of private  
31 property serviced by a lead service line enroll in the Lead Service Line Replacement  
32 Program or replace the lead service line themselves, to prescribe how owners of private  
33 property may provide proof to DC Water that their service line does not contain lead, to  
34 prescribe how DC Water is to treat properties with service lines of unknown composition,  
35 to prescribe acceptable methods of testing service lines for lead, to establish robust notice  
36 and public education requirements, to establish the Lead Service Line Replacement  
37 Program to provide lead service line replacements at District properties at no cost to the  
38 property owner, to establish a schedule by which DC Water is to prioritize properties for  
39 lead service line replacements, to establish a high-priority lead service line replacement  
40 program to prioritize replacement of lead service lines at child development facilities,  
41 multi-unit residential properties, properties that previously underwent a partial lead  
42 service line replacement, and homes with emergency service line repairs, to establish  
43 plumbing system flushing protocols following a lead service line replacement, to require  
44 DC Water to maintain a service line inventory and prescribe the contents of that  
45 inventory, to mandate that DC Water provide water filtration devices and replacement  
46 cartridges to all properties serviced by a service line made of lead or of unknown

47 composition until at least 6 months after the property’s lead service line is replaced, to  
48 require that, as a condition of a real property sale or transfer, a purchaser enroll in the  
49 Lead Service Line Replacement Program or replace the lead service line, to authorize  
50 occupants, including a tenant, to enroll in the Lead Service Line Replacement Program  
51 on behalf of a property owner, to prescribe certain rights and protections for occupants  
52 residing at a property serviced by a lead service line, to require that the Department of  
53 Energy and Environment engage community-based organizations (“CBO”) to review  
54 contractor lead service line replacements, to set deadlines for residents to comply with the  
55 requirements of this act, to prescribe notice and DC Water and CBO outreach  
56 requirements where a property owner has not complied with the requirements of this act  
57 by a date certain, to prescribe penalties, including fines and restrictions on access to  
58 District-issued permits and licenses where a prop7rty owner has not complied with the  
59 requirements of this act by a date certain, to prescribe the manner in which information  
60 about the Lead Service Line Replacement Program, lead exposure risks, and other  
61 information is to be shared with the public via a public education campaign, to set data  
62 reporting requirements on spending, program administration, and property owner  
63 compliance with this act, to clarify that District and federal funding for lead service line  
64 replacements shall not be used for water main replacements unless DC Water determines  
65 the lead service line replacement would cause the main to fail, and to require the Mayor  
66 to issue regulations to implement this act; and, to amend the Fiscal Year 2005 Budget  
67 Support Act of 2004 to remove language establishing the Lead Pipe Replacement  
68 Assistance Program and permitting, in certain instances, DC Water from completing  
69 partial lead service line replacements, and to amend permissible uses of the Lead Service  
70 Line Priority Replacement Assistance Fund.

71  
72 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
73 act may be cited as the “Lead-Free DC Omnibus Amendment Act of 2023”.

74 **TITLE I. LEAD SERVICE LINE REPLACEMENTS.**

75 **Sec. 101. Definitions.**

76 (a) “Adequate proof” means test-pitting or inspection of a service line:

77 (1) At a minimum of one location on the service line on public property and one  
78 location on private property, each excavation covering at least two feet of the service line; and

79 (2) Undertaken by a licensed and certified plumber.

80 (b) “Child development facility” means a licensed community-based center, home, or  
81 other structure, regardless of its name, that provides care, supervision, guidance, and other  
82 services for infants, toddlers, and preschoolers on a regular basis. The term “child development

83 facility” does not include a child development center or program that is sponsored or run by a  
84 public or private school.

85 (c) “Census block group” means geographic scale at which the Census Bureau reports  
86 data from the American Community Survey, consisting of 600 to 3,000 individuals on average.

87 (d) “Community-based organization” means an organization operated by a nonprofit  
88 entity or faith-based organization that provides services to residents of the District.

89 (e) “Historic brass service line” means those service lines that DC Water had identified as  
90 brass based on existing service line data, plumbers’ records, home build dates, information on  
91 known and likely locations of brass service lines, or combined with tap cards and other  
92 engineering project data but have not been field-verified;

93 (f) “Historic copper service line” means those service lines that DC Water had identified  
94 as copper based on existing service line data, plumbers’ records, home build dates, information  
95 on known and likely locations of copper service lines, or combined with tap cards, and other  
96 engineering project data but have not been field-verified;

97 (g) “Lead service line” means a water service line containing any lead, and shall include  
98 a:

99 (1) Brass service line; or

100 (2) Galvanized service line.

101 (h) “Multi-unit residential property” means a residential building with 2 or more dwelling  
102 units.

103 (i) “Public property” means all lands, properties, and holdings owned or leased by or  
104 under the control of the District, and shall include properties under the control of the District of  
105 Columbia Housing Authority.

106 (j) "Public space" means all the publicly owned property between the property lines on a  
107 street,, as such property lines are shown in the records of the District, and includes any roadway,  
108 tree space, sidewalk, or parking between such property lines.

109 (k) "Private property" means all lands, properties, and holdings owned by private entities  
110 in the District, and shall include federal properties on District land.

111 (l) "Private space" means the bounds of all privately owned property as demarcated by  
112 the property lines on a street, as such property lines are shown in the records of the District.

113 (m) "Property line" means the line of demarcation between privately owned property  
114 fronting or abutting a street and the publicly owned property in the line of such street.

115 (n) "Replacement of a lead service line" means:

116 (1) Replacement of all portions of a service line with a non-lead material where  
117 the service line is a lead service line;

118 (2) Replacement and leveling of dirt and soil displaced during excavation and  
119 replacement landscaping as required under this act;

120 (3) Replacement or restoration of interior and exterior walls and floors damaged  
121 or demolished during replacement of a lead service line to a safe and habitable condition;

122 (4) Flushing household plumbing according to AWWA C810-17, or any standard  
123 that revises or replaces this standard deemed to be equally or more protective, prior to returning  
124 property to water service after the lead service line replacement; and

125 (5) Provision of filters in accordance with section 108 of this act.

126 (o) "Service line" means all portions of a water service line in both public and private  
127 space, including the discharge of the corporation fitting to customer site piping, to the building

128 plumbing at the first shut-off valve inside the building, or 18 inches inside the building,  
129 whichever is shorter, and including goosenecks and pigtails.

130 (p) “Service line of unknown composition” means a service line that:

131 (1) Is made of an unknown material, unidentified material, or materials  
132 categorized as historic brass or historic copper;

133 (1) Has not been replaced by an approved contractor; and

134 (2) Has not had the service line composition assessed using testing pitting.

135 (q) “Test pitting” means excavation to expose a section of water service to determine the  
136 location, size, and material type of existing water services.

137

138 **Sec. 102. Lead service line mandates.**

139 (a) The District of Columbia Water and Sewer Authority shall, by December 31, 2030:

140 (1) Replace all lead service lines in public and private space servicing private  
141 properties;

142 (2) Be in receipt of written declaration from a licensed and approved contractor  
143 that the property is not serviced by a lead service line; or

144 (3) Have a verified inventory record, including photographic evidence, for every  
145 service line in the district documenting that no portion of the service line contains lead, brass, or  
146 galvanized steel piping components.

147 (b) The Mayor shall replace all lead services line in public and private space on public  
148 property, including property under the control of the District of Columbia Housing Authority, by  
149 December 31, 2030.

150 (c) As of the effective date of this act, no public or private entity or person in the District  
151 shall:

152 (1) Replace the portion of a service line that is in the public space at a property  
153 unless it also replaces the portion of the lead service line that is in private space; or

154 (1) Replace the portion of a service line that is in private space at a property  
155 unless it also replaces the portion of the lead service line that is in the public space; or

156 (d) No service line shall be installed in the District that contains lead, brass, or galvanized  
157 steel piping components.

158

159 **Sec. 103. Lead service line replacements at private properties.**

160 (a) On or before October 1, 2024, the owner of private property in the District (“property  
161 owner”) shall:

162 (1) If the private property is serviced by a lead service line or service line of  
163 unknown composition:

164 (A) Enroll in the Lead Service Line Replacement Program pursuant to  
165 Section 104 of this act; or

166 (B) Replace the service line themselves in accordance with subsection (b)  
167 of this section; or

168 (2) If the private property is not serviced by a lead service line, comply with  
169 subsection (c) of this section.

170 (b)(1) Where the property owner elects to replace the lead service line themselves, the  
171 property owner shall:

172 (A) Complete the replacement using an approved contractor within 1 year  
173 of receipt of notice from DC Water provided pursuant to subsection (d) of this section;

174 (B) Pay all costs for the lead service line replacement; and

175 (C) Provide DC Water with proof that the lead service line has been  
176 replaced.

177 (2)(A) Proof provided to DC Water pursuant to paragraph (1)(C) of this  
178 subsection shall include at a minimum, in original or copy:

179 (i) The permit issued to a contractor approved by DC Water to  
180 complete lead service line replacement work;

181 (ii) An invoice from the contractor who completed the work;

182 (iii) The estimate along with any report of the work completed; and

183 (iv) An inspection report, including photos that can be uploaded  
184 into DC Water's inventory database, verifying the replacement and the composition of the new  
185 service line.

186 (B) DC Water shall post on its website information on how residents may  
187 comply with this paragraph, including posting examples of each of the documents required under  
188 subparagraph (A) and a means for uploading documents directly to the agency's Geographic  
189 Information System database or other similar database.

190 (4)(A)(i) DC Water shall publish on its website a list of approved contractors for  
191 property owners to use for the replacement of a lead service line. The list shall be updated at  
192 least once per fiscal year.

193 (ii) If a property owner seeks to use a contractor not on the list  
194 required by subparagraph (A)(i) of this paragraph, the property owner shall first receive written  
195 approval from DC Water to use that contractor.

196 (B) At least biannually, DC Water shall make available free trainings to  
197 employees of approved contractors on proper execution of lead service line replacements, test  
198 pitting, flushing, the risks posed by lead service lines and exposure to lead in water, especially to  
199 fetuses and young children, the requirements of this act, and the Lead Service Line Replacement  
200 Program.

201 (C)(i) A contract for a lead service line replacement where a property  
202 owner elects to pay for the lead service line replacement themselves shall specify that:

203 (I) The composition of the service line will be assessed  
204 using test pitting or inspection;

205 (II) The timeline for the replacement;

206 (III) Replacement of a lead service line means removal and  
207 replacement of all portions of a service line in both public and private space, including the  
208 discharge of the corporation fitting to customer site piping, to the building plumbing at the first  
209 shut-off valve inside the building, or 18 inches inside the building, whichever is shorter, and  
210 including goosenecks and pigtails; and

211 (IV) The contract will flush the household plumbing according to  
212 AWWA C810-17, or any standard that revises or replaces this standard deemed to be  
213 equally or more protective, prior to returning property to water service after the lead  
214 service line replacement.(ii) DC Water shall post on the agency website a sample  
215 contract.



216 (5) DC Water may grant an owner electing to replace the lead service line  
217 themselves with extension of up to two years to complete the replacement where the property  
218 owner demonstrates to DC Water that the property owner has made good faith effort to comply  
219 with the act, and the replacement has been scheduled within the extension period.

220 (c)(1) Where a property is, according to DC Water’s database, not serviced by a lead  
221 service line and:

222 (A) Where the lead service line was replaced pursuant to subsection (b) of  
223 this section, the property owner shall provide written proof to DC Water that all sections of the  
224 service line have been replaced by an approved contractor with materials not containing lead.

225 Proof under this subparagraph may include:

226 (i) Documentation, including photos, from a licensed and certified  
227 plumber providing adequate proof that the property is not serviced by a lead service line; or

228 (ii) Evidence that the lead service line was previously replaced by  
229 an approved contractor.

230 (B)(i) Where DC Water has proof verifying that the property is not  
231 serviced by a lead service line, DC Water shall not require that the property owner provide  
232 documentation that their property is not serviced by a lead service line.

233 (ii) For these properties, on or before October 1, 2023, DC Water  
234 shall provide written confirmation to the property owner of which parts of the service line, if any,  
235 the agency has determined are non-lead, and, where all portions of the service line are confirmed  
236 non-lead, that the property owner is not required to submit additional proof to DC Water to  
237 comply with this act.

238 (C) Where DC Water does not have proof verifying that the property is not  
239 serviced by a lead service line, DC Water shall:

240 (i) Treat the property as served by a service line of unknown  
241 composition until in receipt of proof; and

242 (ii) Request proof of the property owner.

243 (2) For the purposes of this subsection, “proof” means materials that provide  
244 physical verification that the property is not serviced by a lead service line, and shall include  
245 photos of the service line, contractor records and invoices, and as-built drawings, blueprints, or  
246 other similar records for the property; provided that, DC Water may limit use of certain records  
247 based on accuracy and reliability.

248 (d)(1) Where a service line is tested and found to contain any amount of lead, the  
249 property shall be designated and treated by DC Water as a property serviced by a lead service  
250 line, even where the property has previously undergone a lead service line replacement or other  
251 lead mitigation. Where DC Water determines that the status of a property’s service line is to  
252 change from non-lead to lead, DC Water shall provide written notice to the property within 10  
253 days of learning that the service line contains lead.

254 (2)(A) DC Water shall accept the results of the following tests to determine  
255 whether a non-lead service line contains lead: test pitting, scratch testing, magnet testing, surface  
256 swabbing, tap sampling (flushed, sequential, or targeted), traditional or vacuum excavation, or  
257 other methods as approved by the Department of Energy and Environmental or DC Water.

258 (e)(1) On or before October 1, 2023, DC Water shall provide notice to the property  
259 owners of all properties with known lead services lines and service lines of unknown  
260 composition of the requirement that the property owner enroll in the Lead Service Line

261 Replacement Program or replace the service line pursuant to subsection (b) of this section.

262 Notice to owners under this subsection shall include:

263 (A) A statement that no level of lead exposure is safe, that all people  
264 exposed to lead are at risk, the specific health risks to children from lead exposure, and that  
265 replacement of lead service lines is the only way to fully prevent harm to persons from drinking  
266 water delivered through lead service lines;

267 (B) A description of property owners' options for complying with this  
268 Act;

269 (C) A description of the lead service line replacement process and  
270 anticipated timeline per the prioritization model developed pursuant to Section 105 of this act;

271 (D) Information on the importance of filtering drinking water provided to  
272 the property by a lead service line, how the property owner or occupants at the property may  
273 access filtration devices, potential sources of lead in household plumbing other than a service  
274 line, and how the property owner or occupant at the property may safely use filtration devices;

275 (E) For properties serviced by service lines of unknown composition or  
276 service lines without reliable documentation that they do not contain lead, information on how  
277 their service line will be assessed, the limitations of at home testing methods, and the importance  
278 of using filtration devices for at least six months after the service line is replaced to filter any  
279 drinking water delivered through service lines at the property;

280 (F) Notice that a property owner may test their service line using the  
281 methods described at subsection (d) and submit that test result to DC Water to confirm their  
282 service line contains lead, and information on why such testing is insufficient to confirm that the  
283 service line does not contain lead; and

284 (G) Website and contact information that property owners may use to  
285 learn more about lead service line replacement and express concerns or questions.

286 (f)(1) DC Water shall determine that a lead service line is non-lead only using test pitting  
287 and where the agency is in receipt of adequate proof. The results of other testing methods shall  
288 not be dispositive on whether a property is serviced by a lead service line for the purposes of this  
289 act..

290 (2) To assist private property owners who elect to replace a service line  
291 themselves pursuant to section 103(b) of this act, DC Water shall post on the agency website  
292 guidance for residents on what should be included in a contract for a lead service line  
293 replacement, including:

294 (A)(i) A sample contract for a lead service line replacement;

295 (ii) A blank template contract for a lead service line replacement;

296 and

297 (iii) Information on what must be included in the terms of the  
298 contract, including the elements listed at subsection (b)(4)(C).

299 (B) Fact sheets and other documentation outlining the health consequences  
300 of lead exposure for children and adults.

301

302 **Sec. 104. Lead Service Line Replacement Program.**

303 (a)(1) On or before October 1, 2024, the District of Columbia Water and Sewer Authority  
304 (“DC Water”) shall establish a Lead Service Line Replacement Program (“Program”), which  
305 shall provide for the replacement of all portions of a lead service line servicing eligible private  
306 properties at no cost to the property owner

307 (2) DC Water shall schedule replacements according to the prioritization method  
308 described in section 105 and as otherwise required by this act.

309 (b)(1) DC Water shall deem a property eligible for the Program where the property owner  
310 completes and submits to DC Water a right to entry form (“form”) consenting to provide  
311 approved contractors and community-based organizations engaged pursuant to section 111 of  
312 this act access to the property to undertake a service line replacement and remedial work  
313 necessary to return the property to its original state.

314 (c)(1) The form shall be developed by DC Water in consultation with the Department of  
315 Buildings, and shall:

316 (A) Be written at no more than a 5th grade reading level and be translated  
317 into any non-English language spoken by a limited or no-English proficient population that  
318 constitutes 3% or 500 individuals, whichever is less, in the District of Columbia; and

319 (B) Be made available online on the DC Water and Department of  
320 Buildings website, accessible by both mobile phone and computer, and hard-copy format at at  
321 least all District public library facilities, recreation centers, and police precincts.

322 (2) Prior to its finalization, DC Water shall test the form with at least one focus  
323 group made up of District residents reflecting the demographic and cultural diversity of the  
324 District.

325 (d) DC Water shall provide copies of submitted forms to the Rental Accommodation  
326 Division in the Department of Housing and Community Development.

327 (e)(1) DC Water shall provide notice to property owners and all occupants at the property  
328 of the date of the planned lead service line replacement at least 1 year, 1 month, and 3 days  
329 before the scheduled date of the replacement.

330 (2) Where a lead service line replacement at a private property is scheduled by  
331 DC Water for a date less than 1 year after the effective date of this act, DC Water shall provide  
332 notice to the property owner of the date of the planned lead service line replacement within 1  
333 month after the effective date of the act.

334 (3)(A) Notice under this subsection shall include phone calls, text messages,  
335 emails, and door hangers, where DC Water has the information necessary to contact the property  
336 owner and occupant via those means.

337 (B) For the purposes of compliance with this subsection, DC Water shall  
338 utilize existing customer account data, including customer addresses, phone numbers, and email  
339 addresses provided to DC Water for billing purposes, and shall furnish this data to community-  
340 based organizations engaged under this Act to support outreach and engagement with residents.

341 (f) DC Water shall pay all costs to replace a lead service line, including all costs to  
342 determine the composition of the service line, replace the lead service line, and any remedial  
343 work necessary to return the property to its original condition or as close as possible to its  
344 original condition.

345 (g)(1) DC Water shall contract with approved contractors to undertake lead service line  
346 replacements under the Program.

347 (2)(A) DC Water shall submit to the Council a Standard Operating Procedure for  
348 contracts for lead service line replacement services, which shall include clearly defined roles and  
349 responsibilities for DC Water staff and contractors, and planned timelines and sequence of events  
350 to implement all the provisions of this act, including public notice requirements, flushing  
351 protocols, filter distribution, property and landscape restoration, and data collection and  
352 reporting.

353 (B) The Standard Operating Procedure shall not be effective until  
354 approved by the Council.

355 (3) DC Water shall include the following in any contract for lead service line  
356 replacement services:

357 (A) Consent by the contractor to:

358 (i) Monthly coordination meetings with the DC Water program  
359 manager or project staff and other contractors to identify opportunities and challenges for  
360 improving the lead service line replacement process;

361 (ii) Real-time review by DC Water and a community-based  
362 organization (“CBO”) pursuant to section 111 of this act of the contractor’s work under the  
363 contract,

364 (iii) Payment of invoices only upon a finding by DC Water or the  
365 CBO that all program elements are implemented as required under the Act and per contract  
366 specifications;

367 (B) The approved Standard Operating Procedure developed pursuant to  
368 paragraph (2), with language clearly denoting contractor responsibilities under the Standard  
369 Operating Procedure, included as terms of the contract;

370 (C) Language clearly stating:

371 (I) That the composition of all service lines will be assessed  
372 using test pitting and so as to establish adequate proof;

373 (II) The agency’s definition of lead service lines, which  
374 shall conform with section 101(n) of this act; and

375 (III) A list of the work expected of the contractor to replace  
376 the lead service line, which shall include and conform with all elements listed at section 101(o)  
377 of this act; and

378 (D) A requirement that all service line data are properly entered in DC  
379 Water’s database or otherwise submitted to DC Water per their explicit direction.

380 (E) Summaries of monthly coordination meetings with the DC Water  
381 program manager or project staff and other contractors to identify opportunities and challenges  
382 for improving the lead service line replacement process.

383 (4) DC Water shall revise all agency regulations, protocols, and policies to be  
384 consistent with this act and the Standard Operating Procedure.

385

386 **Sec. 105. Prioritization**

387 (a)(1) On or before October 1, 2024, the District of Columbia Water and Sewer Authority  
388 (“DC Water”) shall develop and publish on the agency website a priority schedule for lead  
389 service line replacements at the census block group scale through the Lead Service Line  
390 Replacement Program (“priority schedule”) in accordance with this section.

391 (2) DC Water shall score blocks for replacement under the priority schedule as  
392 follows:

Parameter	Description	Weight
Consequences of Lead	US Census American Community Survey Data on the percentage of Black or African American Households in the Census Block Group	1.5
	US Census American Community Survey Data on the average median income in the Census Block Group	1.5



	The number of children 5 years and under in the Census Block Group	2
Service Line Material	Probability of lead, brass, or galvanized service line at each property, averaged across the Census Block Group	5

393 (3) For purposes of scoring the probability of lead in a service line material in the  
394 priority schedule, DC Water shall assess the following scores:

395 (A) For lead and galvanized service lines, 10;

396 (B) For service lines of unknown composition, 5;

397 (C) For historic brass service lines, 4.7;

398 (D) For historic copper service lines, 2; and

399 (E) For other or non-lead service lines; 0.

400 (4) DC Water shall update the priority schedule at least annually.

401 (b)(1) On or before October 1, 2024, DC Water shall establish a high-priority lead service  
402 line replacement program (“high-priority program”). DC Water shall replace all lead service  
403 lines servicing these properties by October 1, 2025.

404 (2) Properties in the high-priority program shall include:

405 (A) Child development facilities (“facilities”);

406 (B) Multi-unit residential properties;

407 (C) Properties that previously underwent a partial lead service line  
408 replacement; and

409 (D) Homes with emergency service line repairs or other urgent unplanned  
410 work requiring replacement of any portion of a lead service line.

411 (3)(A) For facilities that come online after October 1, 2024:

412 (i) The Office of the State Superintendent of Education shall  
413 provide written notice to DC Water that the facility is opening; and

414 (ii) DC Water shall replace lead service lines if present at these  
415 properties within 1 year after receipt of the notice provided under this subparagraph.

416 (B) Written notice under subparagraph (A)(i) may also be submitted to DC  
417 Water by the facility or the parent or guardian of an enrollee, where the facility or parent or  
418 guardian provides DC Water with evidence of the child development facilities' opening date and  
419 a point of contact, including a phone number or email address, for the child development facility.

420

421 **Sec. 106. Post-replacement flushing protocol.**

422 Upon receipt of confirmation from a contractor of the completion of a lead service line  
423 replacement, DC Water shall:

424 (1) As soon as possible, and before restoring water service after a lead service line  
425 replacement:

426 (A) Flush the plumbing system at the property or provide the property  
427 owner and current occupants with instructions on how to flush the plumbing system; and

428 (B) Provide, install, and/or maintain filtration device, providing a 6 month  
429 supply of filter cartridges and education on how and why it is important to maintain the filter for  
430 6 months following lead service line replacement.

431 (2) Maintain and replace filter cartridges provided to occupants pursuant to  
432 section 108 of this act for at least six months following the lead service line replacement.

433

434 **Sec. 107. Service line inventory.**

435 DC Water shall maintain an inventory that identifies the material of all service lines  
436 serving District properties. The inventory shall be made available to the public on the DC Water  
437 website, and include, where in DC Water's possession:

438 (1) For each property with a service line:

439 (A) The current material composing all portions of the service line, broken  
440 down by composition of the service line in public space and private space;

441 (B) The date the service line was replaced or verified, if any; and

442 (D) Photos or other copies of written documentation provided to the  
443 property owner or occupants confirming the service line material, where available; and

444 (2) Information on service line replacement practices, including for each property  
445 that has had a lead service line replaced:

446 (A) The composition of the service line material removed;

447 (B) Date of the removal, if known;

448 (C) Data on whether the replacement was of the entire service line or only  
449 the portion of the line in the public space or private space;

450 (D) Photos of the verified pipe material prior to replacement, where made  
451 available to DC water;

452 (E) Photos of the completed service line replacement, where made  
453 available to DC Water; and

454 (G) Photos or scanned documents of contractors' certifications, with the  
455 contractor's signature, that flushing was completed in accordance with AWWA C810-17 and  
456 that the occupant was provided a filter before restoring water service.

457

458           **Sec. 108. Water filters.**

459           (a) Within 14 days after providing notice to an owner of a residential property pursuant to  
460 Section 103(e) of this act, the District of Columbia Water and Sewer Authority (“DC Water”)  
461 shall provide at no cost:

462                   (1) Pitcher-style filters as follows:

463                           (A) For single family properties, one pitcher and at least a 6 month supply  
464 of filter cartridges; and

465                           (B) For multi-unit residential properties, at least one filter unit per unit; or

466                   (2) Point-of-use filters for all drinking water sources; and

467                   (b)(1)(A) Filters provided pursuant to this section shall meet the current NSF/ANSI 42  
468 standard for particulate Class I reduction and the NSF/ANSI 53 standard for lead reduction, or  
469 any standard that revises or replaces this standard deemed to be equally or more effective at lead  
470 reduction.

471                           (B) The Department of Energy and Environment may issue regulations to  
472 adopt different standards for filters from those established by this section, where the different  
473 standard meets or exceeds the NSF/ANSI 42 standard for particulate Class I reduction and the  
474 NSF/ANSI 53 standard for lead reduction.

475                   (2) DC Water shall replace a broken filter, upon notice from the property owner  
476 or occupant. DC Water may require a property owner to return the broken filter or provide other  
477 evidence that the filter is broken to the agency.

478                   (c)(1) DC Water shall provide a property owner or occupant eligible to receive filters  
479 under subsection (a) of this section with filter cartridge replacements in a volume or frequency  
480 such that the property owner or occupant can replace the filter cartridge in accordance with

481 manufacturer's recommendations until the lead service line is replaced and for 6 months  
482 afterwards; or

483 (2) DC Water shall prepare an automated customer alert system that reminds  
484 residents about filter change schedules via their designated preferred communication method  
485 with the agency.

486 (d) The Mayor shall make pitcher-style filters and filter cartridges available to all  
487 enrollees in the Special Supplementation Nutrition Program for Women, Infants, and Children  
488 and the Supplemental Nutrition Assistance Program, regardless of whether the enrollee's  
489 residence is served by a lead service line.

490

491 **Sec. 109. Real property sales and transfers.**

492 (a) As a condition of sale or transfer of any real property in the District of Columbia  
493 serviced by a lead service line or, the buyer shall, prior to closing:

494 (1)(A)(i) Enroll in the Lead Service Line Replacement Program; and

495 (ii) Complete and submit to DC Water a right to entry form

496 agreeing to allow authorized contractors access to the property to undertake the replacement and  
497 any necessary remedial work; or

498 (B) Comply with section 103(b) and (c) of this act; and

499 (2) Request from DC Water and include with closing documents documentation  
500 of the property being serviced by a non-lead service line or of DC Water's schedule for lead  
501 service line replacement at property.

502 (b) DC Water shall provide the documentation listed at subsection (a)(2) within 7 days of  
503 receiving the request.

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**Sec. 110. Rental properties.**

(a)(1)(A) A current occupant, including a tenant, may submit the right to entry form (“form”) described at section 104(b) of this act on the property owner’s behalf; provided, that the current occupant shall provide DC Water with proof that the individual currently resides at the property.

(B) Where DC Water receives a form from an occupant, but DC Water has knowledge that the property owner has complied with section 103 of this act, DC Water shall not enroll the property in the Lead Service Line Replacement Program and shall provide notice to the occupant that submitted the form of the property owner’s compliance with section 4(b) of this act.

(2)(A) Where, pursuant to section 104 of this act, a property owner fails to submit the right to entry form (“form”) to DC Water by January 1, 2025, or comply with section 103(b) this act, DC Water shall attempt to contact current occupants at the property, including a tenant, to request that an occupant submit the form by June 1, 2025.

(B) If, by June 1, 2025, DC Water has not received the form from the property owner or occupant, nor has other knowledge of the property’s owner’s compliance with section 103(b) of this act, DC Water shall engage a community-based organization to perform outreach to the owner and occupant to address their concerns about replacement.

(3) Where the form is provided to DC Water by a current occupant, no liability shall incur to the occupant, DC Water, DC Water’s contractors, or the District for the replacement of the lead service line, where the replacement is completed by an approved contractor.

527 (b) A landlord shall reimburse tenants for relocation expenses where a lead service line  
528 replacement requires the tenant to leave the property overnight or for a longer period.  
529 Reimbursement may be provided by the landlord by direct payment to the tenant or as a  
530 reduction in the amount of the tenant’s rent owed.

531 (c) A landlord may not use costs associated with a lead service line replacement or the  
532 benefits of having a non-lead service line as a basis for increasing rent for current tenants.

533 (d)(1) Where, on October 1, 2026, the owner of a multi-unit residential property has  
534 failed to comply with Section 103(a) or (b) of this act, a tenant residing at that property or a  
535 tenants’ rights organization may bring an action in the Superior Court to recover or obtain the  
536 following:

537 (A) Equitable relief, including requiring the landlord to complete the lead  
538 service line replacement by a date certain;

539 (B) Incidental and compensatory damages; and

540 (C) Reasonable attorney’s fees and costs.

541 (e) For the purposes of this subsection:

542 (1) “Landlord” shall include the District of Columbia Housing Authority  
543 (“DCHA”);

544 (2) “Relocation expenses” shall have the same meaning as at D.C. Official Code §  
545 8-231.01(33); and

546 (3) “Tenant” shall include residents at a facility owned or under the control of  
547 DCHA.

548

549 **Sec. 114. Contractor work verifications.**

550 (a) The District Department of Energy and Environment (“DOEE”) shall engage at least  
551 one community-based organization (“CBO”) to review lead service line verifications and  
552 replacements undertaken pursuant to this act for compliance with the act, the project contractor’s  
553 contract with the District, DC Water, or property owner, and Districts laws and regulations.

554 (b) The CBO engaged by DOEE under subsection (a) of this section shall review at  
555 random at least 5% of each approved contractor’s lead service line replacements in a given  
556 month. The CBO shall directly observe the contractor’s work to verify service line material and,  
557 where appropriate, replace the service line at these properties.

558 (c)(1) The CBO shall report results of its reviews to DOEE, DC Water, and the Council  
559 monthly, and those reports shall include recommendations for additional contractor training,  
560 where deemed necessary.

561 (2) Where the CBO provides 3 reports in a calendar year pursuant to paragraph  
562 (1) that include findings of material errors in a particular contractor’s work, DC Water shall  
563 terminate any contracts with that contractor and remove them from the approved contractor list.

564

565 **Sec 112. Compliance.**

566 (a)(1) The Mayor shall contract with community-based organizations (“CBO”) to  
567 provide public education on the risks posed by lead service lines and exposure to lead in water,  
568 especially to fetuses and young children, the requirements of this act, the Lead Service Line  
569 Replacement Program (“Program”), and access to and proper usage of lead filters.

570 (2) Where, as of April 1, 2024, a property owner has failed to comply with section  
571 103(a) of this act:



572 (A) DC Water shall contact the property owner via email and telephone  
573 about the Program, including the requirements under this act, the Program, including how to  
574 enroll, access to and proper usage of lead filters, and the risks posed by lead service lines and  
575 exposure to lead in water; and

576 (B)(i) DC Water shall provide the name and contact information of the  
577 property owner to CBOs with a contract for public education pursuant to this subsection; and

578 (ii) CBOs shall directly engage those property owners about the  
579 requirements on the Act, the Program, including how to enroll, access to and proper usage of  
580 lead filters, and the risks posed by lead service lines and exposure to lead in water.

581 (b)(1) Where, as of October 1, 2025, a property owner has failed to comply with section  
582 103(a) or (b) of this act, the Mayor shall fine the property owner at least \$250 per month until the  
583 property owner is in compliance.

584 (A) Where the property is a residential property with multiple units, this  
585 fine shall be assessed against the property owner per unit.

586 (B) The Mayor may forgive fines under this paragraph where the property  
587 owner provides evidence to the Mayor that the lead service line replacement at the property has  
588 been scheduled.

589 (2) If, by October 1, 2026, a property owner assessed fines pursuant to this  
590 subsection submits proof to the District of Columbia Water and Sewer Authority of the  
591 replacement of the lead service line in accordance with section 103(c) of this act, the Mayor may  
592 reduce or forgive the amount of fines assessed to that property owner.

593 (c) Where, as of October 1, 2026, a property owner has failed to comply with section  
594 103(a) or 4(b) of this act, the Mayor shall deem the property owner ineligible to:

595 (1) For commercial properties, receive or renew a business license to operate a  
596 business on the property;

597 (2) For residential properties, receive or renew a certificate of occupancy for any  
598 structure on the property; and

599 (3) For all property types, obtain a permit to perform construction or  
600 improvements on the property unless the permit is for replacement of the lead service line.

601 (d)(1) Where, as of October 1, 2027, a property owner has failed to comply with section  
602 103(a) and (b) of this act, the Attorney General of the District of Columbia may initiate a civil  
603 action against the property owner to compel the property’s owner’s compliance with the act.

604 (2) In a civil action initiated by the Attorney General for violations of this section,  
605 the Attorney General may obtain equitable relief, civil penalties up to \$5,000 per residential unit  
606 at the property, and reasonable fees and costs.

607

608 **Section 113. Public education.**

609 (a)(1) By October 1, 2024, the District of Columbia Water and Sewer Authority (“DC  
610 Water”) and the Department of Energy and Environment (“DOEE”) shall, in consultation with  
611 District community-based-organizations (“CBO”) that have a focus on mitigating lead in water,  
612 environmental health, and child welfare, launch a public education and outreach campaign on the  
613 risks posed by lead service lines and exposure to lead in drinking water, especially to fetuses and  
614 young children, the requirements of this act, the Lead Service Line Replacement Program  
615 (“Program”), access to and proper usage of lead filters, and the District’s lead registry.

616 (2) DC Water or DOEE shall present at at least one meeting of each Advisory  
617 Neighborhood Commission as part of this public outreach campaign.

618 (3) In developing the public outreach campaign, DC Water and DOEE shall  
619 prioritize outreach to the following:

620 (A) Pregnant women and women of child-bearing age;

621 (B) Seniors and senior centers; and

622 (C) Residential properties that have undergone a partial lead service line  
623 replacement and are still served by a lead service line.

624 (b) The Mayor shall post in a conspicuous location at all District of Columbia Public  
625 Library libraries, Department of Parks and Recreation recreational facilities, District of  
626 Columbia Schools public schools, Metropolitan Police Department precincts, and Washington  
627 Metropolitan Area Transit Authority stations signage on the requirements of this act and the  
628 Program, including a method for residents to access the Program website and a telephone  
629 number through which residents may learn about the Program.

630 (c) All communications to property owners and occupants under this act shall be  
631 available in print format and web format accessible by both mobile phone and computer, and  
632 written at no more than a 5th grade reading level and be translated into any non-English language  
633 spoken by a limited or no-English proficient population that constitutes 3% or 500 individuals,  
634 whichever is less, in the District of Columbia.

635

636 **Sec. 114. Reporting.**

637 (a) By October 1, 2024, DC Water and Mayor shall submit to the Council a report with  
638 the following information:

639 (1) An updated budget and schedule through fiscal year 2030 for the replacement  
640 of all lead service lines in the District, including estimated program costs for all District  
641 agencies;

642 (2) A schedule and map or maps showing, in sequence, planned lead service line  
643 replacements under the Lead Service Line Replacement Program established under section 104,  
644 by census block group, and under the high-priority program established at section 105(b) of this  
645 act.

646 (3) The number of lead service lines remaining in the District and the total  
647 number of private property owners who have received notices of unknown or lead service lines  
648 on their property pursuant to this act, broken down by:

649 (A) Ward;

650 (B) Census tract;

651 (C) Advisory Neighborhood Commission;

652 (D) Commercial versus residential property; and

653 (E) For residential properties, whether the property is single occupancy or  
654 multi-unit;

655 (4) The number of properties with a partial lead service line replacement, broken  
656 down by:

657 (A) Ward;

658 (B) Census tract;

659 (C) Advisory Neighborhood Commission;

660 (D) Commercial versus residential property; and

661 (E) For residential properties, whether the property is single occupancy or  
662 multi-unit;

663 (5) A list of contractors approved by DC Water to complete lead service line  
664 replacements, and an estimate of the number of contractors needed to replace all lead service  
665 lines by 2030.

666 (b) Beginning April 1, 2024, DC Water shall submit quarterly reports to District of  
667 Columbia Auditor and Council Committee with jurisdiction over DC Water providing, for the  
668 three-month period immediately preceding one month before the report's due date, the  
669 following:

670 (1) An account of DC Water expenses incurred during that period to implement  
671 the Program and replace lead service lines, broken down by element in the budget submitted  
672 pursuant to subsection (a)(1) of this section, including the program support budget;

673 (2) The monthly average cost per lead service line replacement; and

674 (3) The number of lead service lines replaced.

675 (c)(1) On December 1, 2024, and at least each year thereafter:

676 (A) The District of Columbia Water and Sewer Authority ("DC Water")  
677 shall post on the agency website and submit to the Council the following data for the preceding  
678 fiscal year:

679 (i) The number of lead service lines replaced to date, those in  
680 progress, and the number still to be replaced, including break downs of:

681 (I) The number of child development facilities that have  
682 had lead service lines replaced to date, confirmed to be non-lead, those in progress, and the  
683 number still to be replaced; and

684 (II) The number of multi-unit residential properties that  
685 have had lead service lines replaced to date, confirmed to be non-lead, those in progress, and the  
686 number still to be replaced;

687 (ii) The number of service lines of unknown composition that have  
688 been assessed since the effective date of this act, the number determined to be lead, confirmed  
689 non-lead, and the number yet to be assessed;

690 (iii) The total number of property owners that provided proof of  
691 lead remediation compliance under section 103(c) of this act or registered for the Program in  
692 accordance with Section 103(a), broken down by:

693 (iv) The number of properties to which DC Water has provided  
694 with lead filters and the number eligible for filters but not received them from DC Water;

695 (v) An updated budget, current identified funding levels, and  
696 unmet funding needs; and

697 (vi) A summary of barriers to implementation of the Program and  
698 recommendations for solving or removing these barriers;

699 (B) DC Health shall post on the agency website and submit to the Council  
700 data on the number of lead filters that the agency has provided to residents pursuant to this act;

701 and

702 (C) CBOs engaged pursuant to this act may submit to the Council a  
703 summary of barriers to implementation of the Program and recommendations for solving or  
704 removing these barriers.

705 (2) For the data elements provided under paragraph (1)(A)(i), (ii), (iii), (iv), and  
706 (vi), DC Water shall provide the data broken down by:

- 707 (A) Ward;  
708 (B) Census tract;  
709 (C) Advisory Neighborhood Commission;  
710 (D) Commercial versus residential property; and  
711 (E) For residential properties, whether the property is single occupancy or  
712 multi-unit.

713 (b) On January 1, 2029, the Attorney General shall post on the agency website and  
714 submit to the Council data on the number of property owners against which the Attorney General  
715 has brought a claim pursuant to Section 112(d) of this act, and the number of properties and  
716 residential units implicated in those claims.

717 (c) By October 1, 2026, the District of Columbia Auditor shall transmit a report to the  
718 Council on compliance with this act and the District's efforts to replace lead service lines by  
719 2030. To support this report, DC Water shall provide the Auditor with necessary data, including  
720 the data informing the reports submitted to the Council pursuant to subsection (a) of this section.

721 (d) DC Water shall retain historical data on the composition of service lines serving  
722 private and public properties, in public and private space, and make that data available to the  
723 public via the agency website.

724

725 **Sec. 115. Funding.**

726 Funds made available from the following sources shall not be used by the District of  
727 Columbia Water and Sewer Authority ("DC Water") to fund water main replacements unless DC  
728 Water concludes that a lead service line replacement would cause the failure of the water main:

- 729 (1) Amounts deposited in the Lead Service Line Replacement Fund;

730 (2) Funds provided to DC Water by the District of Columbia to implement this  
731 Act; or  
732 (2) Federal funding awarded to DC Water to support lead service line  
733 replacements.

734

735 **Sec. 116. Regulations.**

736 (e) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
737 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), shall issue  
738 rules to implement the provisions of this act.

739

740 **TITLE II. LEAD SERVICE LINE PROGRAM AMENDMENTS**

741 Sec. 201. The Fiscal Year 2005 Budget Support Act of 2004, effective December 7, 2004  
742 (D.C. Law 15-2005; D.C. Official Code § 34-2151, *et seq.*), is amended as follows:

743 (1) Section 6012 (D.C. Official Code § 34-2151) to read as follows:

744 “(a) There is established within the General Fund of the District of Columbia a  
745 nonlapsing Lead Service Line Priority Replacement Assistance Fund (“Fund”) to be  
746 administered by the Mayor, in consultation with the District of Columbia Water and Sewer  
747 Authority (“WASA”).

748 “(2) There shall be deposited in the Fund the following amounts:

749 “(A) General revenue funds appropriated by a line item in the budget  
750 submitted pursuant to § 1-204.46 and authorized by Congress in an appropriations act for the  
751 purposes of the Fund;



752                           “(B) Grants from any source to the Fund or to the District of Columbia for  
753 the purposes of the Fund;

754                           “(C) Money allocated to or deposited in the fund by the Mayor, or funds  
755 appropriated for the Fund, including capital funds;

756                           “(D) Amounts collected as fines and penalties under the Lead Service Line  
757 Replacement Omnibus Amendment Act of 2022 (“Act’); and

758                           “(E) Interest earned from the deposit or investment of monies of the Fund.

759                           “(3) The Fund shall be used to:

760                           (A) Until October 1, 2024, to provide grants to eligible District  
761 homeowners up to \$2,500 to assist them in the replacement of the portion of their lead service  
762 line that is located on their private property.

763                           “(B) Implement the provisions of the act; and

764                           “(C) To support lead service line replacements, including public  
765 education, filters, and community engagement.

766                           “(4) The Director is authorized to enter into intra-District transfers from the Fund  
767 and other agreements with DC Water, District Department of Transportation, Department of  
768 Buildings, and Department of Health, as necessary to implement provisions of the act.

769                           “(5) Payments to eligible homeowners under paragraph (3)(A) are subject to  
770 appropriation and the availability of funds. This section does not establish a right to funds on the  
771 part of any person.

772                           “(6)(A) The money deposited into the Fund shall not revert to the unassigned fund  
773 balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any

774 other time, but shall be continually available for the purpose of the Fund, subject to authorization  
775 by Congress.

776 “(B) Subject to authorization in an approved budget and financial plan,  
777 any funds appropriated in the Fund shall be continually available without regard to fiscal year  
778 limitation.”.

779 (2) Effective October 1, 2024, sections 6013, 6014, 6015, 6016, 6017, 6019a,  
780 6019b, 6019c, 6019d, and 6019f (D.C. Official Code § 35-1215 through § 35-2156, § 35-2158  
781 through § 35-2161, and § 35-2163) are repealed.

### 782 **TITLE III. FISCAL IMPACT AND EFFECTIVE DATE**

783 Sec. 301. Fiscal impact statement.

784 The Council adopts the fiscal impact statement in the committee report as the fiscal  
785 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
786 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

787 Sec. 302. Effective date.

788 This act shall take effect following approval by the Mayor (or in the event of veto by the  
789 Mayor, action by Council to override the veto), a 30-day period of congressional review as  
790 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
791 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
792 Columbia Register.