
SUBSTITUTE SENATE BILL 5745

State of Washington

65th Legislature

2017 Regular Session

By Senate Ways & Means (originally sponsored by Senators Kuderer, Keiser, Hasegawa, and Chase)

READ FIRST TIME 02/24/17.

1 AN ACT Relating to addressing contaminated drinking water
2 stemming from the lead content in drinking water infrastructure,
3 including pipes, connections, and fixtures; adding a new section to
4 chapter 70.119A RCW; adding a new section chapter 28A.310 RCW; and
5 adding a new section to chapter 43.20 RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.119A
8 RCW to read as follows:

9 (1)(a) By July 1, 2020, each public water system must fully
10 replace all utility-owned lead service lines to a school or an early
11 childhood program. The public water system must bear the cost
12 associated with the replacement required under this section. The
13 public water system must perform utility-owned lead service line
14 replacements in coordination with the relevant local government,
15 school district, and school or early childhood program. To the extent
16 possible, the public water system must work with the property owner
17 to coordinate complete utility-owned service line replacement as
18 needed to minimize disruption and to ensure drinking water quality.

19 (b) No later than sixty days after completing the replacement of
20 all utility-owned lead service lines consistent with (a) of this
21 subsection, a public water system must submit a report to the

1 department certifying the public water system's compliance with (a)
2 of this subsection and identifying the utility-owned service lines
3 and connections that were replaced.

4 (2)(a) By July 1, 2030, each public water system must fully
5 replace all utility-owned lead service lines located within its
6 service area. The public water system must bear the cost associated
7 with the replacement required under this section. The public water
8 system must perform utility-owned lead service line replacements in
9 coordination with the relevant local government. To the extent
10 possible, the public water system must work with the property owner
11 to coordinate complete utility-owned service line replacement as
12 needed to minimize disruption and to ensure drinking water quality.

13 (b) No later than sixty days after completing the replacement of
14 all utility-owned lead service lines consistent with (a) of this
15 subsection, a public water system must submit a report to the
16 department certifying the public water system's compliance with (a)
17 of this subsection and identifying the utility-owned service lines
18 and connections that were replaced.

19 (3) The definitions in this subsection apply throughout this
20 section unless the context clearly requires otherwise.

21 (a) "Early childhood program" means any child care facility or
22 preschool including, but not limited to, a child day care center as
23 defined in RCW 43.215.010, a family day care provider as defined in
24 RCW 43.215.010, or any education program for children three to five
25 years old who have not yet entered kindergarten.

26 (b) "School" means a public school as defined in RCW 28A.150.010
27 and private schools as identified in chapter 28A.195 RCW.

28 (c) "Utility-owned lead service line" means utility-owned
29 distribution system components made of lead, including a pigtail,
30 gooseneck, or other fitting made primarily of lead, which extends
31 from the water main through the water meter ending at the service
32 connection to the property served.

33 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.310
34 RCW to read as follows:

35 (1) Subject to the availability of amounts appropriated for this
36 specific purpose, to ensure the health and safety of educational
37 staff and students, educational service districts must, consistent
38 with the United States environmental protection agency guidance
39 manual "3Ts for reducing lead in drinking water in schools: revised

1 technical guidance" lead action level for drinking water, ensure
2 testing of drinking water and drinking water fixtures at public
3 schools, as defined in RCW 28A.150.010.

4 (2) Each educational service district must prioritize schools for
5 testing drinking water and drinking water fixtures for lead in the
6 following order:

7 (a) Elementary schools:

8 (i) Where the drinking water and drinking water fixtures have not
9 been tested;

10 (ii) Where the drinking water and drinking water fixtures have
11 not been tested for lead in the past three years; and

12 (b) All other schools.

13 (3) Educational service districts must make testing results
14 available to the community and schools where testing has taken place.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.20
16 RCW to read as follows:

17 (1) Subject to the availability of amounts appropriated for this
18 specific purpose, the department must develop guidance and testing
19 protocols, consistent with the United States environmental protection
20 agency guidance manual "3Ts for reducing lead in drinking water in
21 schools: revised technical guidance" lead action level for drinking
22 water, for educational service districts testing drinking water and
23 drinking water fixtures in public schools, as defined in RCW
24 28A.150.010, as required under section 2 of this act.

25 (2)(a) The department may contract with qualified independent
26 third parties to complete the testing when an educational service
27 district is unable to complete the testing for lead in public
28 schools, as required under section 2 of this act.

29 (b) The department must make test results available to the
30 schools and the community.

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