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# A BILL FOR AN ACT

RELATING TO LEAD MATERIALS IN WATER INFRASTRUCTURE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the presence of lead  
2 in drinking water has serious negative effects on human health.  
3 Nationally, there has been a heightened focus on decreasing lead  
4 exposure, particularly in drinking water. The legislature  
5 further finds that to enhance public health protection, it is  
6 necessary for the State to align its lead use regulations with  
7 the more restrictive corresponding federal regulations.

8           The purpose of this Act is to strengthen restrictions on  
9 lead use in drinking water by amending chapter 340E, Hawaii  
10 Revised Statutes, to align with federal lead use prohibitions as  
11 adopted in title 40 Code of Federal Regulations sections 143.12  
12 and 143.13.

13           SECTION 2. Section 340E-7, Hawaii Revised Statutes, is  
14 amended by amending subsection (i) to read as follows:

15           "(i) No person shall install or repair any public water  
16 system or any plumbing in a residential or nonresidential  
17 facility providing water for human consumption [~~which~~] that is



1 connected to a public water system with any pipe, solder, flux,  
2 pipe fittings, plumbing fittings, or fixtures that are not lead  
3 free. "Lead free", with respect to [~~solders~~] solder and flux,  
4 means containing not more than 0.2 per cent lead, and with  
5 respect to wetted surfaces of pipes [and], pipe fittings,  
6 plumbing fittings, and fixtures, means containing not more than  
7 [~~8.0 per cent lead and with respect to plumbing fittings and~~  
8 ~~fixtures means those in compliance with National Sanitation~~  
9 ~~Foundation Standard 61, section 9.] a weighted average of 0.25~~  
10 per cent lead, as calculated in accordance with title 40 Code of  
11 Federal Regulations section 143.12(b) through (f). This  
12 subsection shall not apply to [~~leaded~~]:

- 13       (1) Leaded joints necessary for the repair of cast iron  
14             pipes[-];
- 15       (2) Pipes, pipe fittings, plumbing fittings, or fixtures,  
16             including backflow preventers, that are used  
17             exclusively for nonpotable service such as  
18             manufacturing, industrial processing, irrigation,  
19             outdoor watering, or any other uses where the water is  
20             not anticipated to be used for human consumption;



- 1        (3) Toilets, bidets, urinals, fill valves, flushometer
- 2        valves, tub fillers, shower valves, fire hydrants,
- 3        service saddles, or water distribution main gate
- 4        valves that are two inches in diameter or larger; or
- 5        (4) Clothes washing machines, emergency drench showers,
- 6        emergency face wash equipment, eyewash devices, fire
- 7        suppression sprinklers, steam-capable clothes dryers,
- 8        and sump pumps."

9        SECTION 3. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11        SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Department of Health; Drinking Water; Water Infrastructure;  
Lead-free Materials

**Description:**

Amends prohibitions on the use of lead materials in drinking water distribution to align with the Safe Drinking Water Act and related Code of Federal Regulations. (CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

