What has Vermont done on lead?

Drinking water in schools

Act 66, passed in 2019, requires all Vermont school districts, supervisory unions, independent schools and child care providers to test their drinking and cooking water for lead – this was one of the strongest, if not the **strongest, restrictions in the country**. If lead is found at or above the action level of **4 parts per billion (ppb)**, the school or child care provider must immediately take the tap out of service and take corrective action to eliminate or reduce the amount of lead to below the action level.

Children's products

Vermont's lead in consumer products law, 9 V.S.A., Chapter 63, Subchapter 1C, strives to phase out most lead from children's products and from some non-children's items, and requires warnings to consumers about lead. Limits on lead. Act 193 sets a limit (ppm) of **100 ppm lead in certain products** sold in or into the State of Vermont as of January 1, 2010.

https://ago.vermont.gov/sites/ago/files/wp-content/uploads/2018/01/LeadinConsumerProductsLaw.pdf

Disclosure

Requirement of disclosures and handouts. In addition to complying with the limits on lead, sellers of the following products—if they do or may contain lead in excess of the stated limits—are required to post disclosures and hand out information on the risks of lead exposure, as prescribed by the Attorney General:

- Non-children's jewelry that is a "small part," beginning January 1, 2009 (disclosures only).
- Plumbing fixtures, beginning January 1, 2009, and ending December 31, 2009 (but there is no outer time limit with respect to leaded solder).
- Nonresidential paints and primers, beginning January 1, 2009, and ending December 31, 2010.
- Salvage building materials, beginning January 1, 2009 (with no outer time limit)

Prop 65

The State of California lists lead and lead compounds under Proposition 65 as a carcinogen and developmental and reproductive toxicant.

Lead testing in VT

In 2022, lead was detected in 1,561 Vermont children under the age of 6. Last year, the Lead Poisoning Prevention Program updated Vermont's pediatric blood lead testing and treatment guidelines to be in line with the State's current definition of an elevated blood lead level [while **Vermont was the first state** to define an elevated blood lead level as 5 µg/dL or more, in 2022 Vermont lowered its definition of an elevated blood lead result from 5 µg/dL to any reported level. **Research highlights that there is no safe level of lead and levels at and below 5 µg/dL still impair development.**]

https://www.healthvermont.gov/environment/tracking/childhood-lead-poisoning

Cost impacts

A study on the social and economic benefits of lead hazard control estimated a return of $17 to $221 for every dollar spent on lead hazard control. This would suggest that for the $2,363,625 spent in 2022 on reducing lead hazards and preventing poisoning, the State of Vermont could see a return on investment (ROI) of between $40,181,622 to $522,361,081. This estimate takes into account the costs of lead hazard control, reduced health care costs, lifetime earnings, tax revenue, special education costs, behavioral disorders, and crime.

Yearly reporting

18 V.S.A. § 1756. Annual report

(a) The Commissioner shall, at least annually, analyze and summarize all aggregate lead screening and testing information provided by physicians, health care facilities, and laboratories and provide this information to all other local and State agencies involved with case management and lead hazard reduction.

(b) The Commissioner shall also at least annually provide to the General Assembly, the health community, and the general public an analysis and summary of such data and a progress report on the Commissioner's efforts to prevent lead poisoning in young children in a format that is easily understandable to nontechnical readers. The report shall include:

(1) The number and percentage of children under the age of six who have been screened

and tested for lead poisoning, and the number found to have lead poisoning at various levels.

(2) Estimates of the public and private costs incurred since July 1, 1993 to prevent, correct,

or treat lead poisoning.

(3) An analysis of barriers to universal blood screening of children under the age of six

years.

(4) The Commissioner's recommendations for action. (Added 1993, No. 94, § 3.)

https://legislature.vermont.gov/assets/Legislative-Reports/Lead-Report-2023final.pdf

Fixtures

In 2010, **Vermont became one of the first states** to further lower the amount of lead from 8% to 0.25% in fixtures. This means that plumbing fixtures and supplies with more than 0.25% lead cannot be sold, offered for sale or installed in Vermont.

Lead abatement

Requires owners and managers of rental properties and child care centers to have essential maintenance practices performed by certified contractors in target properties.