

Lead Questions for FY26 NJ Agency Budget Hearing

DCA

Funding for NJ Lead Paint Remediation and Abatement Program

NJDCA manages lead paint assistance programs for income-eligible renters and property owners. \$180 million was appropriated from the American Rescue Plan Act (ARPA) for the lead paint remediation and abatement program (LRAP), which must be spent by the end of 2026. As of September 2024, all of the funds have been obligated, and DCA anticipates remediating or abating 7,200 homes with these funds¹. To date, it has completed abatement in 810 units or **11.25%** of the projected housing units, according to the Governor's Budget in Brief.

*It is unclear how much funding will be dedicated to state lead paint assistance after the ARPA funds expire. In fact, **\$1 million was cut in the state FY 25 budget and \$2 million is proposed to be cut in the FY26 budget to the Single Family Home Lead Hazard Remediation Fund grant program, and 2.5 million is proposed to be cut from the Lead-Safe Home Renovation Pilot Program. The Governor's budget indicates only \$180,000 in revenue for the Lead Hazard Control Fund.***

*The ARPA funding for LRAP is not adequate to address the need for lead paint remediation in NJ. **Only 7,200 homes** are anticipated to be completed with these funds, **but over 2.2 million homes in NJ were built before 1978 and may have lead paint present**². The economic benefits of the LRAP funding must be continued – **over 30 new LRAP agencies** were added throughout the state, **creating at least 90 new jobs** in program administration, and new contractors were trained in lead remediation and abatement. **Although the funds do not expire during the FY26 budget, DCA should be planning for this huge loss in FY27.***

- How will lead paint assistance programs in NJ be funded when the \$180 million in ARPA-allocated funds expire at the end of 2026? Will DCA be able to maintain the current workload of the LRAP agencies?
- How many contractors have been trained in lead work practices using LRAP funds?
- Has NJDCA successfully collaborated with NJDOH to integrate data reporting systems for elevated blood lead levels? Will NJDOH use funding from NJDCA lead programs to support childhood lead, and how will these funds be allocated at NJDOH?
- How would any proposed cuts impact the agency's ability to successfully implement the \$180 million ARPA-allocated funds?

Under P.L.2003, c.311 (C.52:27D--437.1 et al.), the "Lead Hazard Control Assistance Fund" is payable from a portion of sales tax on paint.

- What is the total amount deposited into the Lead Hazard Assistance Fund?
- Why does the Governor's proposed budget cap the Lead Hazard Control Assistance Fund at \$8 million? (D-63)

NJDCA is also responsible for implementing (P.L. 2021, c. 182) which requires periodic inspection of lead paint hazards in certain rental housing. In FY 2023, NJDCA allocated \$7 million to the [Lead Grant Assistance Program \(LGAP\)](#) to assist New Jersey municipalities with costs associated with compliance under P.L. 2021, c. 182. Many municipalities could not access these funds due to the application process, and many who did access the funds found the allowable uses too restrictive.

- The Governor's proposed budget indicates 1.95 million in funding for the lead paint inspection law (P.L.2021, c. 182). How will this funding be used to help municipalities implement the law? Will the Lead Grant Assistance Program (LGAP) be reissued for 2025 and beyond?
 - How will DCA ensure that funds are distributed to municipalities with the highest need?

¹ <https://www.nj.gov/governor/news/news/562024/approved/20240917b.shtml>

² U.S. Census (2023), American Community Survey 1-Year Detailed Subject Table, State of New Jersey, "Year Structure Built." data.census.gov

DEP

Background: There is a need for additional funding for lead service lines (LSL) replacement, with priority for low-income communities with a large number of LSLs. When combined with the \$379 million that NJ is projected to receive from the federal Bipartisan Infrastructure Law, there would be nearly \$1.2 billion in funding that would only cover half of the estimated total \$2.1 billion cost of LSL replacement.

- How will underserved communities be prioritized for lead service line replacement including Galvanized lines not downstream of lead?
 - Are there plans to increase New Jersey's Technical Assistance Program (NJ-TAP) for lead service line replacement in overburdened communities?
- How will the potential \$2.1 billion cost to replace lead service lines in NJ be met when federal funds do not cover even half of this cost, with additional restrictions regarding galvanized lines?
- Have there been any suspensions or freezes on NJ's current or anticipated drinking water funds from the Trump administration?

The US Congress introduced a joint resolution [[H.J. RES. 18](#)] to disapprove of the US EPA's regulations for Lead and Copper: Improvements (LCRI). If passed, this would mean that the federal rule would have no force or effect. Now more than ever, it is critical we backstop important public health standards at the state level.

- When can we expect the updated NJ Lead and Copper Rule to be proposed?

DOH

Lead exposure remains a concern for children in New Jersey, and disproportionately impacts Black and Brown and low-income communities. According to the NJDOH, the five large municipalities with the highest percentage of children younger than six years of age with an elevated blood lead level from July 1, 2021 – June 30, 2022, the most recent data publicly available, included the City of Trenton in Mercer County (35.0% screened, 6.1% EBLL), the City of Irvington in Essex County (48.9% screened, 5.4% EBLL), the City of East Orange in Essex County (37.0% screened, 4.7% EBLL), the City of Plainfield in Union County (54.7% screened, 3.7% EBLL) and the City of Paterson in Passaic County (39.7% screened, 3.5% EBLL).

We've heard from parents that blood lead level testing is not convenient for working or income-restrained families. Often, healthcare providers do not provide testing at the point of care; instead, families are referred to a laboratory at another location. Data from Labcorps shows that a large percentage of these scripts go unfilled. Also, local health departments maintain infrequent testing hours during working hours. This creates financial and logistical barriers for parents who are restrained by access to transportation, time, and finances.

While NJ state law requires blood lead level testing for children, testing is not currently required for pregnant women. However, lead exposure is a risk for pregnant individuals, harming both the mother and child. This year, state legislation A4848/S3616 was introduced "to require health care professionals to perform lead screening on pregnant persons under certain circumstances."

- In Trenton, the large municipality in NJ with the highest percentage of children under six with an elevated blood lead level, the health department staff cannot focus only on Trenton, they also provide services for all of Mercer County (except Hamilton and Princeton), Somerset County, and six towns in Morris County. Why are Trenton's resources stretched between three counties?
- How will the NJDOH use funding for childhood lead programs to improve access to blood lead level testing? Can mobile vans used for COVID-19 testing be repurposed to provide mobile blood lead level testing and other health services?
- Can NJDOH funding be used to facilitate lead testing for pregnant persons?
- Will NJDOH use funding from NJDCA lead programs to support childhood lead, and how will these funds be allocated at NJDOH?

These questions were developed by committees of Lead-Free NJ, a statewide collaborative whose members work to ensure that New Jersey's children are free from lead poisoning and that our environment is lead-safe by advocating for changes to state and local policy. Learn more at www.LeadFreeNJ.org & contact cbolinger@njfuture.org with questions.

DOE

The Department of Education (DOE) oversees the \$100 million in state bonds authorized for water infrastructure improvements in NJ schools through the Securing Our Children's Future program. It appears that only \$6.6 million has been spent of the \$100 million dedicated to school lead in drinking water remediation. The school buildings in many of NJ's urban school districts are very old, with Newark's averaging 90 years, and they often contain extensive lead plumbing. These districts typically have severe budget constraints and are likely to rely principally, if not completely, on the state to adequately fund the work required to address lead in drinking water.

- What grants have been issued for the [\\$100 million earmarked for Water Infrastructure Grants](#) to address issues of lead in school drinking water from the [\\$500 million 2018 Securing Our Children's Future Bond Act](#)?
- How can school districts access funding for lead in drinking water from the Securing Our Children's Future Bond Act?
- Are funds from the Securing Our Children's Future Bond Act funds dedicated to this Preschool Facilities Lead Remediation? If so, how much, and why is the Preschool Facilities Lead Remediation not funded for FY25 and FY26?
- Are there any plans to incorporate school lead in drinking water testing data into a centralized public database, as promised by Governor Murphy in 2019?

The Governor's Budget notes Grants-In-Aid of 2 million for "School Lead Filters", for which the Commissioner of Education shall develop written criteria for school district eligibility, determine grant award amounts, and make the awards available for the 2025-2026 school year.

- How will the Commissioner ensure that the full amount of funding is awarded? Will the Commissioner use environmental, economic, and/or racial justice criteria to award this funding? Can this funding be used for filter maintenance and replacement?

DCF

Background: In February 2023 the Department of Children and Families entered into an agreement with the Department of Human Services, Division of Family Development, to provide funding to the New Jersey Department of Health to conduct copper testing in the water samples retrieved for lead testing as well as provide training for childcare facilities

- What is the status of the testing and training program? When is the program expected to be completed and will there be continued funding?

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