

Congress of the United States
Washington, DC 20515

March 8, 2018

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Pruitt;

We welcome the Environmental Protection Agency (EPA)'s reevaluation of the current Lead and Copper Rule (LCR) that is more than 25 years old. With more than 18 million Americans being served by water systems in violation of the current LCR and more than 5,300 communities with unsafe drinking water, we request the LCR be overhauled to require full replacement of all lead service lines and to enforce fair and unbiased testing methods that cannot be creatively circumvented.

Childhood lead exposure can have devastating long-term consequences. The current "acceptable" level of lead exposure is two micrograms of lead per deciliter, and anything over five micrograms is considered "unacceptable," but even small amounts of lead can cause serious health problems. The impact of lead poisoning ranges from reductions in cognitive function, developmental delays, behavior modification, learning disabilities, seizures, comas, and even death. Furthermore, as we've seen across the nation, lead poisoning continues to disproportionately impact low-income areas and communities of color, contributing to racial, health, and economic disparities across the country.

Hundreds of thousands of children aged one to five years old in the U.S. have blood lead levels above five micrograms per deciliter, 150 percent above acceptable levels. Water consumption is estimated to contribute 10-20 percent of a child's total lead intake. For formula-fed infants, it is estimated to be 40- 60 percent of a child's lead exposure¹. The effects of lead poisoning on children are especially harmful, and the Centers for Disease Control and Prevention have determined that there is no "safe" level of lead for a child. The annual costs of lead poisoning are over \$50 billion, and these costs are especially regrettable since lead poisoning is entirely preventable.

Across the country, local health departments are grappling with lead exposure in young children, but lack adequate resources to address the issue. In the last year, there have been reports from New York City to the Hawaiian Islands and from Waco to Chicago about local communities dealing with elevated lead levels in children. Nationwide, more than 5,300 water systems violate

¹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2309614/> - *The Lead Industry and Lead Water Pipes "A MODEST CAMPAIGN"*; September 2008.

the existing LCR, with several major cities including Philadelphia, Chicago, Milwaukee, Baltimore and Boston reporting water systems with lead concentrations well above the federal limit. Appallingly, testing of school water systems has led to many water fountains being deemed “off limits” and some 30 schools in Newark, New Jersey, have had to turn off their taps entirely.

The citizens of Flint, Michigan, became the poster children of what is actually a nation-wide crisis, and according to the current LCR, they weren’t even in violation of the current rule. Many lead violations across the country have long-been covered up by intentional use of monitoring techniques that avoid detecting lead problems. The EPA has allowed these techniques to continue without consequence. EPA is not alone in culpability, state and local agencies that report to the EPA also have blame for failure to properly inspect water systems or to properly document violations, but the EPA must realize that each time they have turned a blind eye to lead violations; they have put millions of children at risk. We must implement strict testing procedures and discourage creative testing strategies that allow failing systems to persist.

Additionally, any changes to the rule must be accompanied by stronger EPA enforcement to ensure compliance with these critical federal protections. Communities will not realize the full benefit of changes to the LCR if they are not being properly implemented by local and state authorities. The EPA cannot know about how these changes are being implemented without a strong and effective monitoring and enforcement regime.

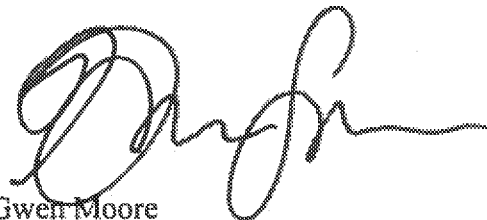
Crumbling infrastructure contributes to many of the lead and copper violations across the nation. A 2016 report from the Government Accountability Office (GAO)², illustrates the extent of the water infrastructure problem. In the older industrial cities, deemed “legacy cities” by GAO, there are declining populations, as well as, high poverty and unemployment rates. They also have crumbling water infrastructure that EPA estimates will take \$655 billion over the next two decades to maintain, upgrade, or replace. Individual states and local municipalities cannot be expected to carry the burden of these costs alone. Federal investment in water infrastructure is needed to truly address this burgeoning problem. Unfortunately, the severe cuts to EPA’s budget, called for in the President’s Budget Request for both FY2018 and FY2019, will only exacerbate the problem. These budget requests not only ignore critical infrastructure needs, but will likely adversely affect monitoring and staffing as well.

Water is a human necessity. Access to safe, clean drinking water should not be defined by the zip code a child grows up in. We welcome EPA’s effort to revise and improve this outdated rule to ensure our children grow up healthy and safe.



Louise M. Slaughter
Member of Congress

Sincerely,



Gwen Moore
Member of Congress

² United States Government Accountability Office. *Water Infrastructure: Information on Selected Midsize and Large Cities with Declining Populations*. 2016.