Congress of the United States
Washington, DC 20515

May 20, 2016

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Washington, DC 20460

Dear Administrator McCarthy:

The Flint water crisis highlights the urgent need to address the threat of lead-contaminated drinking water that results from our nation's aging and dilapidated infrastructure. Lead-contaminated water is among a number of environmental factors that can lead to lifelong physical and mental health issues if exposure is prolonged, unnoticed and untreated. Since the harm inflicted on children exposed to lead can be permanent, in addition to enhancing support to victims of lead contamination, our nation must also prioritize lead poisoning prevention strategies.

A critical component of this effort must be modernizing the statutory and regulatory framework to guarantee the Safe Drinking Water Act (SDWA) actually ensures water is safe to drink and the Lead and Copper Rule (LCR) is based on scientific evidence. Additionally, state and local water system regulators and operators should be using best practices with respect to monitoring lead levels, upgrading infrastructure, treating contaminated water and educating the public.

By incorporating proactive lead service line replacement programs, accountable and robust public education programs, stronger corrosion control treatment requirements, and expedited monitoring techniques, we can better protect families from the harmful threat of lead exposure. While Congress works to improve the SDWA, the U.S. Environmental Protection Agency (EPA) must complement these efforts by taking swift, decisive action to strengthen the LCR to better protect public health and improve transparency of drinking water quality.

We strongly advise that EPA not delay releasing updates to the LCR which are urgently needed today, not a year from now. EPA has been aware of potential deficiencies in the LCR for years, even initiating "a wide-ranging review of implementation of the LCR to determine if there is a national problem related to elevated lead levels" in 2004. In acting immediately to improve the LCR, EPA should prioritize requiring:

• Each public water system to develop a plan to rapidly implement a Lead Service Line (LSL) replacement program, prioritizing areas with the highest number of known LSLs and featuring concrete goals and reasonably-achievable milestones for removing known LSLs;

• Public water systems to develop an accurate inventory of LSLs that are maintained in a database which is open and readily accessible to the public;

• Greater transparency and a broader nation-wide push for public education of individuals that live or purchase homes in areas subject to elevated lead exposure in the drinking water, in addition to improving the quality and availability of public education materials that are consumer-centered,

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detail the significant public health impacts associated with lead exposure and lay out best practices for preventing lead contamination;

• Public water systems to conduct a review of corrosion control effectiveness each time changes to source water or water treatment protocols are planned, in addition to mandating continual, close monitoring of corrosion control use and effectiveness in high-risk areas;

• A modification of monitoring requirements which should occur so that long-term trends can be identified and analyzed, including an increase in the amount of sampling that occurs across public water systems; and

• That the maximum containment level for lead or copper that determines when public water systems must take action to minimize lead exposure should take into account the most up-to-date scientific research and reflect CDC public health guidance on acceptable levels of lead exposure.

Americans have a right to expect that water coming from their taps is well monitored and safe to drink. Without robust standards for public water systems and commonsense reforms, we will fail to protect communities from the harmful threats of lead contamination and allow future Flints to occur. Congress must act to strengthen the SDWA and EPA must work to improve the LCR to protect families across the country.

Thank you for your prompt attention to this matter. We look forward to receiving your response as soon as possible.

Sincerely,

Mike Quigley
Member of Congress

Tammy Duckworth
Member of Congress

Paul Tonko
Member of Congress

Eleanor Holmes Norton
Member of Congress

Steve Israel
Member of Congress

Raúl M. Grijalva
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