



**Testimony of
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**Before the
U.S. House of Representatives Energy and Commerce Committee
Subcommittee on the Environment**

Good morning. I am Lynn Thorp, National Campaigns Director at Clean Water Action. We appreciate the opportunity to provide testimony at today's hearing. Clean Water Action is a national organization working in 15 states on a wide range of environmental and health issues. Our work includes a focus on Safe Drinking Water Act implementation and on protecting drinking water sources through upstream pollution prevention programs. I have worked at Clean Water Action for 18 years. I have served two terms on the National Drinking Water Advisory Council (NDWAC), which advises the U.S. Environmental Protection Agency (EPA) on drinking water issues. I have also served on Federal Advisory Committees and NDWAC Work Groups to consider major SDWA implementation activities including revisions to the Lead and Copper Rule and the Total Coliform Rule and development of the Contaminant Candidate List process.

Thank you for the opportunity to provide comments on the *Drinking Water System Improvement Act* and on the critical issues involved in Safe Drinking Water Act compliance and on how federal requirements and support can help ensure that our nation's drinking water systems are doing the best possible job of protecting, treating and distributing drinking water.

Over the last several years, high profile drinking water contamination events focused renewed attention on drinking water and highlighted the importance of infrastructure investment and source water protection. From the drinking water crisis in Flint, Michigan to the leaking tank that contaminated the Elk River in West Virginia, we have seen how taking drinking water for granted can lead to public health risk and economic disruption of entire communities. There is a critical need to invest in our nation's drinking water infrastructure and in other activities that support ensuring Safe Drinking Water Act compliance and sustainable management of drinking water systems. Our approach to meeting 21st century drinking water challenges needs to be a holistic one. It needs to include not only increased investment in infrastructure through programs including the Drinking Water State Revolving Fund, but more effective oversight of Safe Drinking Water Act compliance by federal and state primacy partners, more funding for research and dedication to innovation, more attention to keeping contamination out of our nation's drinking water sources, and a vision for how we want our drinking water systems to look in the second half of the 21st century. Some valuable ideas for this holistic approach are reflected in the U.S. Environmental Protection Agency's (EPA) 2016 *Drinking Water Action Plan*.

The Future of the Safe Drinking Water Act

The Safe Drinking Water Act Amendments of 2017, H.R. 1068, introduced by Representatives Tonko and Pallone earlier this year, includes provisions around critical issues for the future of clean drinking water in the United States. We hope that as the Subcommittee considers *The Drinking Water Improvement Act* that it will consider these provisions, including those around lead, drinking water in schools, climate resiliency and drought, oil and gas threats to drinking water, monitoring technology research and system restructuring. Our comments today are focused primarily on increased investment through the Drinking Water State Revolving Fund program.

Increase Authorizations for the Drinking Water State Revolving Fund Program

We need to substantially increase investment in drinking water through the Drinking Water State Revolving Fund. The discussion draft provided for today's hearing did not include details on proposed authorizations. We support funding levels commensurate with those proposed in the "AQUA Act," Title IV of H.R. 1068, which would authorize over \$3 billion in fiscal year 2018 and increase thereafter reaching \$5.5 billion in fiscal year 2022. The American Water Works Association, the American Society of Civil Engineers, and EPA have repeatedly determined drinking water investment needs to be orders of magnitude larger than these proposed levels. These levels of authorization for the Drinking Water State Revolving Fund represent a quite reasonable contribution from one source of federal investment in clean drinking water, a goal resoundingly supported by the public.

The return on investment for increased Drinking Water State Revolving Fund authorizations will be experienced in more public health protection, stronger local economies, and more sustainable drinking water systems. Drinking Water State Revolving Fund dollars can be spent on numerous activities that support these goals, including pipe replacement, treatment upgrades, source water protection, storage improvements and system restructuring. We note two examples – pipe repair and replacement and source water protection.

Drinking Water SRFs - Pipe Replacement – Lead Service Lines and Leaks

Drinking Water State Revolving Funds can be used for water main and service line replacement. EPA estimates that there are 6.5 million to perhaps over 10 million service lines made at least partially of lead in the United States. Many communities are interested in getting these service lines out of the ground to eliminate the largest source of lead in contact with water. Lead is a highly poisonous metal and can affect almost every organ in the body and the nervous system. Children under six are most at

risk from lead poisoning. Even low levels of lead exposure have been found to permanently reduce cognitive ability and cause hyperactivity in children. Full lead service line replacement projects can not and will not be financed solely by Drinking Water State Revolving Fund investment, but increased authorizations can help more communities move sooner to full lead service line replacement.

The American Society of Engineers has estimated that there are 240,000 water main breaks annually due to deteriorating and poorly maintained pipes. Water is also lost through leaks and breaks in mains and services lines that go undetected and unrepaired. These pipe disruptions threaten public health, by offering the opportunity for pathogens and other contaminants to enter the drinking water distribution system. They also lead to an estimated 14-18% loss of treated drinking water. Pipe repair and replacement delivers other public health and efficiency benefits. Shoring up our underground drinking water infrastructure will guarantee more public health protection, less lost revenue for water systems and less disruption from unexpected main breaks.

While not in this subcommittee's jurisdiction, we note that increased investment in Clean Water State Revolving Funds is also critical, and will contribute to improved water quality nationwide and thus to cleaner drinking water sources.

Drinking Water SRF's - Protecting Our Nation's Drinking Water Sources

Drinking Water State Revolving Funds can be used for source water protection activities, and many communities are using innovative strategies to leverage use of SRF funds and other sources to keep drinking water sources cleaner. The return on investment for protecting drinking water sources is clear. According to EPA, every dollar spent protecting a drinking water source results in savings of up to \$27 on water treatment. We support proposals to allow States to use Drinking Water SRF funds to work with water systems to update source water assessments, identify vulnerabilities and prepare protection plans.

Prioritize Communities Most in Need

We support additional targeted funding for disadvantaged communities as well as more flexibility in the form of grants or loan forgiveness for communities that face major health threats. EPA and states should be able to prioritize investment in communities of color and low-income communities that have been demonstrated to be most at risk and where other sources of investment, including municipal and state support, have not been forthcoming.

Research and Innovation Can Improve Efficiency, Transparency and Drinking Water Quality

We urge the Subcommittee to support increased investment in drinking water research and innovation. We lack sufficient data in a number of areas that are critical for protecting public health and for keeping Safe Drinking Water Act program up to date, including contaminant occurrence in drinking water sources, health effects from drinking water contaminants, and treatment. Innovation data and information systems could be valuable in numerous areas, including increased transparency, better public engagement and awareness, more effective oversight, more sustainable water systems, and ultimately increased public health protection.

State Programs Need Increased Support

Most states implement the Safe Drinking Water Act in partnership with EPA. Inadequate state agency resources for Safe Drinking Water Act implementation is a chronic problem. The Association of State Drinking Water Administrators (ASDWA) estimates that the gap between needs and current funding for comprehensive state programs is \$308 million. Meeting the gaps in state drinking water program will increase public health protection, lead to more effective implementation of drinking water protections, and support progress toward 21st century drinking water systems.

EPA Activities Are Critical to Effective Investment

EPA programs that implement the Safe Drinking Water Act and support state programs and water system compliance are critical to the success of those state programs and to the quality of our

nation's drinking water. Increased Drinking Water State Revolving Fund investment will not lead to better drinking water quality or more sustainable drinking water systems in the face of inadequate EPA staffing and funding to support oversight, enforcement, research, development of contaminant standards, support for small systems and other critical activities.

Thank you for the opportunity to provide these comments.