

**Opening Statement of Republican Leader John Shimkus
Subcommittee on Environment and Climate Change
“EPA’s Lead and Copper Proposal: Failing to Protect Public Health”
February 11, 2020**

As Prepared for Delivery

Thank you, Mr. Chairman.

Lead is a potent neurotoxin, exposure to which is known to cause serious educational deficits in children. Our county has made significant strides in reducing harmful exposure to lead by removing it from gasoline and paint.

Even still, preventing lead from entering drinking water remains a serious issue and it deserves this committee’s attention.

Over the last fifteen years, breakdowns in oversight, engineering, enforcement, and leadership have caused and highlighted some of the more troubling incidents of increased levels of lead in drinking water.

In Washington, D.C.; in Flint, Michigan; in Newark, New Jersey; and in every community we represent, our constituents should be drinking safe water from their taps.

What is troubling to me about today is not that we are addressing this subject, but that we are not giving it the serious attention it deserves.

Almost three months ago, the Environmental Protection Agency issued its first major revision of the Lead and Copper Rule since 1991. This updated rule has been greatly anticipated by regulated stakeholders and the general public and, since its release, many have expressed strong feeling about its contents and whether it does too much or not enough. Meaningful oversight is imperative, but that is not what is happening here today.

Why?

To the best of my knowledge, the decision to have this hearing was made just over seven days ago – an amount of time that barely meets the requirements of the Committee’s rules. This might be less of a problem if this were an easy subject on which we all agreed, but it’s not — it’s a highly technical, emotionally charged matter, that demands time and attention to be done right.

Moreover, it seems we’re continuing a pattern of complaining about the Agency without affording them the opportunity to explain themselves. The EPA has been clear with us in the past that a week’s notice is insufficient to provide Members the detail, context, and answers we expect. I understand the Agency offered to provide us a

witness on other dates if the Committee wanted them – it appears they did not.

Had EPA been here, I would want to ask where the Agency sees pipe replacement versus optimized corrosion control — considering from 1991 to 2001 the number of large systems exceeding the action level for lead dropped by 90 percent.

I would ask how the 2012 amendments tightening the amount of copper and brass in fixtures was impacting drinking water lead levels. I would ask what time, effort and resources EPA planned in undertaking to assist water systems – especially in rural and low-income areas – to comply with the proposed rule as well as make information available for managing lead.

And I would ask how the Agency expects communities to pay for new mandates. The reality is this rule will increase costs, and the Drinking Water State Revolving Fund will not be able to meet all these needs. Moreover, the fund should not be viewed as a way to federally subsidize rates and I would want to ask about the Agency's thinking on this question too.

These are just my questions, but they are worthy of a live, public discussion that addresses these, and the other concerns raised in the testimony.

For our witnesses that are here, thank you for being with us. Most of you are not local and had to rearrange your schedules, make hotel and travel arrangements, write testimony, finish your comments to the Agency on this rule, and travel here in a few days' time. We appreciate your sacrifice under the expedited timeframe and look forward to what you have to tell us.

Before I yield back my time, I want to ask unanimous consent to have the following letter inserted in the hearing record from the Honorable Dominick Longobardi, Mayor of Floral Park, New York; President of the Hempstead, New York Board of Directors; and members of the American Public Works Association's Board of Directors. We believe his views are important and should be included in the hearing record even though Majority refused to include Mayor Longobardi as a witness for today's panel.

With that, Mr. Chairman, I yield back my time.