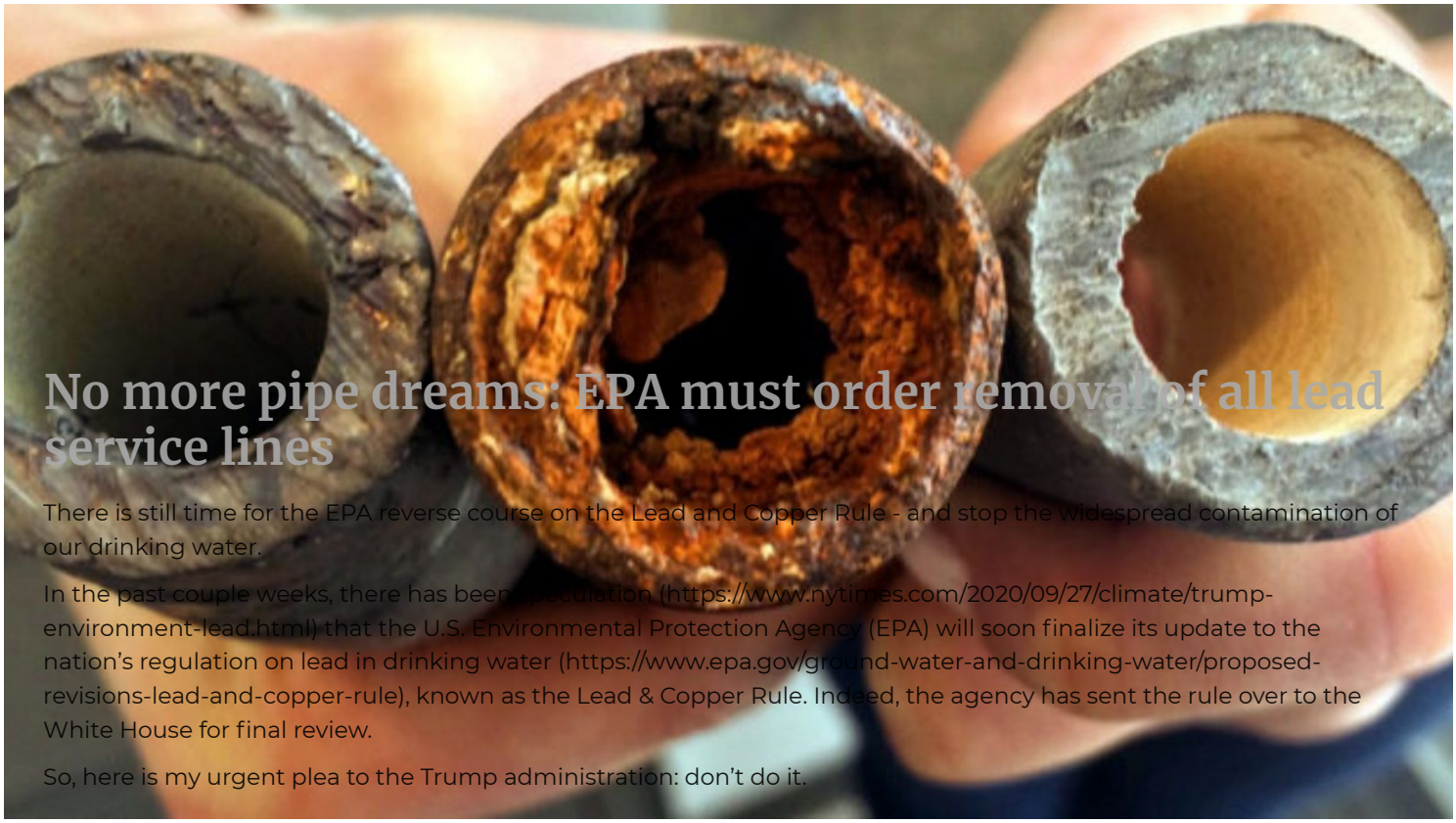

No more pipe dreams: EPA must order removal of all lead service lines

There is still time for the EPA reverse course on the Lead and Copper Rule - and stop the widespread contamination of our drinking water.

In the past couple weeks, there has been speculation (https://www.nytimes.com/2020/09/27/climate/trump-environment-lead.html) that the U.S. Environmental Protection Agency (EPA) will soon finalize its update to the nation's regulation on lead in drinking water (https://www.epa.gov/ground-water-and-drinking-water/proposed-revisions-lead-and-copper-rule), known as the Lead & Copper Rule. Indeed, the agency has sent the rule over to the White House for final review.

So, here is my urgent plea to the Trump administration: don't do it.

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As drafted, EPA's update to the Lead & Copper Rule (LCR) is fatally flawed and will not advance President Trump's stated goal of ensuring "crystal clean water (https://www.wsj.com/livecoverage/trump-biden-first-presidential-debate-2020)" for all Americans. Far from it.

In fact, we will never ensure safe drinking water until we grapple with one very hard truth: for decades, we built our water delivery systems with lead, a potent neurotoxin.

Highly toxic for children

Lead is particularly harmful to our children, affecting the way they grow, learn and behave. On its website, EPA (https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water) says that, for children, even "low levels of [lead] exposure have been linked to damage to the central and peripheral nervous system, learning disabilities, shorter stature, impaired hearing, and impaired formation and function of blood cells."

In fact, public health experts estimate that 24 million American children (http://pediatrics.aappublications.org/content/early/2016/06/16/peds.2016-1493) are at risk of losing IQ points due to low-level lead exposure.

For decades, water utilities installed service lines - the pipes that bring water from the main in the street into our homes - that were made entirely of lead. These toxic pipes are the single largest source of drinking water contamination, accounting for 50-75 percent of lead contamination at the tap (https://archive.epa.gov/region03/dclead/web/pdf/91229.pdf) in homes, child care centers and other buildings that have them. There are still 9.3 million (https://www.regulations.gov/document?D=EPA-HQ-OW-2017-0300-0026) lead service lines left in the United States, according to the EPA.

Get the Lead Out

There is a straightforward, common-sense solution to the problem: we must literally "get the lead out" by replacing these toxic pipes. But this path costs money, and so for decades, policymakers have tried another approach. Adopted in 1991, the Lead & Copper Rule requires water utilities to test drinking water against an "action level" of 15 parts per billion. If 10 percent of water samples exceed this benchmark, some further action is required.

Unfortunately, this approach has failed to ensure safe drinking water. We now have an epidemic of drinking water contamination. In recent years, nearly 2,000 communities (http://www.usatoday.com/story/news/2016/03/11/nearly-2000-water-systems-fail-lead-tests/81220466/) had drinking water where samples exceeded EPA's action level. And that is the tip of the iceberg.

Other communities have failed to test or found lower levels of lead. Every major public health organization agrees that there is no safe level of lead (https://www.cdc.gov/nceh/lead/prevention/blood-lead-levels.htm), which is why even EPA acknowledges there should be zero (https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water#:~:text=The%20MCLG%20for%20lead%20is,level%20of%20exposure%20to%20lead.&text=maximum%20contaminant%20levelThe%20highest%20l lead in drinking water.

In addition, our own research shows that lead contamination of the country's school drinking water is pervasive. In Arizona (http://static.azdeq.gov/dw/lead_screening.pdf), for example, 48 percent of the 13,380 school taps tested found lead in the water. The story is similarly alarming from Massachusetts (https://www.mass.gov/service-details/lead-and-copper-in-school-drinking-water-sampling-results), to Montana (https://environmentmontana.org/news/mte/new-report-finds-widespread-lead-contamination-montanas-schools), to Washington state (https://environmentwashington.org/reports/wae/lead-water). (Few schools have lead service lines, but they do have faucets, fountains, and other materials made with lead.)

There is, however, a more fundamental problem. Lead corrosion is highly variable, depending on temperature, vibration, water chemistry, stagnation and other factors. Even if EPA could somehow ensure that every individual water utility was conducting proper tests (often they're not), any given test is unlikely to capture the full extent of lead contamination. In fact, experts have shown that in some cases a single tap (https://pubmed.ncbi.nlm.nih.gov/26896965/) would have to be tested more than 1,000 times to show a reliable average lead concentration. Renowned expert Mark Edwards has compared drinking water from homes with lead service lines to Russian Roulette (https://www.chicagoparent.com/learn/health-fitness/lead_3/).

Finally, the notion that EPA could ever ensure proper testing and remediation measures at [thousands] of water utilities across the country staggers the imagination. In fact, with 9.3 million lead service lines still out there, you might call it a pipe dream.

To wit, the tragic failures in Flint, Newark, and elsewhere.

It is time for the EPA to stop relying on a "test and fix" strategy and shift to a preventative approach that roots out the problem at its source. This means ordering the full replacement of all lead service lines, as well as lead-bearing faucets and fountains in our schools and child-care centers. As such measures cannot happen overnight, filters certified to remove lead should be installed as soon as possible. At least as of today, the administration's "final" LCR revision does none of these things.

We can do this

We know replacing lead service lines can be done. This month, Green Bay, Wi (https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fprotect-us.mimecast.com%2Fs%2F1sV-C5yW4vcgOQ1RSznzaq%3Fdomain%3Dfox11online.com&data=02%7C01%7Cslovell%40edf.org%7C7c1c55c2569c46fb6c1f08d86b1dc699%7Cfe4574edbc became the latest community to do so. Lansing, MI (https://www.detroitnews.com/story/news/local/michigan/2016/12/14/lansing-lead-service-line/95435604/) has done it, and Newark, NJ (https://www.tapinto.net/towns/newark/sections/newark-water-crisis/articles/newark-s-lead-service-line-replacement-program-nearing-finish-line) is more than halfway done. Denver, CO (https://www.denverpost.com/2019/12/20/denver-water-lead-pipes-epa-replacement/) is now committed to removing these toxic pipes as well.

This preventative approach is not only feasible but also cost-effective. While the EPA's own science advisors (https://yosemite.epa.gov/sab/sabproduct.nsf/LookupWebProjectsCurrentBOARD/3E44BCE43C2D31778525855F0072D669/$File/Lead+and+Copper+Rule criticized the agency for failing to consider the full benefits of replacing all lead service lines, the Minnesota Department of Public Health found that the benefits of replacing lead service lines in the state exceed the costs by "at least twofold. (https://www.health.state.mn.us/communities/environment/water/docs/leadreport.pdf)" On a national scale, just the prevention of deaths from cardiovascular disease alone would yield an estimated $205 billion in benefits (http://blogs.edf.org/health/2020/02/20/lslr-reduced-cardiovascular-disease-deaths/), according to an analysis by Tom Neltner at the Environmental Defense Fund. That is roughly quadruple the estimated price tag (https://environmentamerica.org/sites/environment/files/resources/AppropriationsTestimony-WaterFunding-02-06-20-JAR.pdf) of removing all lead service lines.

The tragedy of lead in our drinking water is decades in the making. Both Democratic and Republican administrations have dragged their feet and failed to act on the clear science to protect our drinking water.

But the current administration's imminent update to the Rule marks a critical juncture. If EPA moves forward with its current version, we could be stuck with widespread drinking water contamination for decades to come.

It's never too late to do the right thing. On behalf of millions of Americans whose water is threatened by lead, I urge the EPA to scrap the flawed and failed "test and fix" paradigm. EPA must revise its rule and get the lead out.

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John directs Environment America's efforts to protect our rivers, lakes, streams and drinking water. John's areas of expertise include lead and other toxic threats to drinking water, factory farms and other sources of agribusiness pollution, algal blooms, fracking and the federal Clean Water Act. John has coordinated several successful campaigns to win a cleanup plan for the Chesapeake Bay, enact the federal Clean Water Rule, and implement state policies to curb runoff pollution. He has testified before Congress and co-authored several reports on fracking, agribusiness pollution and lead in schools' drinking water. He previously worked as a staff attorney for Alternatives for Community & Environment and Tobacco Control Resource Center. John lives in Brookline, Mass., with his family, where he enjoys cooking, running, playing tennis, chess and building sandcastles on the beach.

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