



Ohio Environmental Council

US EPA Lead and Copper Rule Testimony

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Good morning and thank you for the opportunity to provide comments on the US EPA's revised lead and copper rule, currently under review. My name is Melanie Houston. I speak to you today in my capacity as the Drinking Water Director for the Ohio Environmental Council. I am also a city council member for the community of Grandview Heights in Ohio and a mother of two young children.

In 2016, Ohio was faced with a lead-in-water crisis in Sebring, OH. The water operator had ceased using orthophosphate and lead leached into the drinking water. Residents were left in the dark for 5 months. The OEC worked with the Ohio EPA to pass a bill which shortened the time frame for public notification of lead exceedances, from 30 days down to 2 days, and strengthened the Ohio EPA's oversight of the water systems. While this upgrade to Ohio law was significant, it did entirely solve the problem.

Ohio is thought to be second in the nation for lead service lines, with an estimated 650,000 of them (carrying water to families' homes).

Whether it's affluent communities or disinvested communities, federal, state nor local governments have prioritized lead service line replacement. We need the federal government to set the bar so that state and local governments follow suit. Specifically, this rule should set an ambitious target for lead line replacement. We recommend a ten year or less timeframe. Unfortunately, under the new rule, replacement is actually slowed down from 7% to 3% annually.

As a city council member, I now understand why local communities have not prioritized lead service line replacement. With limited financial and staff resources and ample projects to tackle, this invisible problem simply doesn't float to the top of the list of priorities. The federal government can lead the way by providing clear and simple guidance for local communities, paired with significant federal investment.

Right now, the lead and copper rule is unnecessarily complicated. In particular, the rule is structured as a treatment technique rule with an action level of 15 parts per billion. We recommend shifting the regulatory approach to lead by setting a maximum contaminant level for lead. This would serve to simplify the rule for public water systems, local governments and the public. At the least, we recommend that the EPA significantly lower the action level from 15ppb. The CDC notes that no amount of lead exposure is safe for children. The agency must set a health-based standard.

The OEC also requests that those charged with reviewing and updating the lead and copper rule pay special attention to listening to and incorporating comments from Black, Brown, Indigenous, and LantinX communities. These communities of color have been disproportionately impacted by lead poisoning and lead in water. This rule revision is taking place within the framework of a renewed racial reckoning in America. Every level of government and every agency bears the responsibility to tackle systemic racism and to work toward equity in all policies.

Finally, we request that the US EPA center children's health in the finalization of this rule. The lead and copper rule has been ineffective for the past 30 years. With this rule update, the bar should not be improvement on the previous rule. The bar should be getting it right, which means protecting our most vulnerable, our children. Parents in America should not have to worry about the safety of the water that comes out of their taps.

The lead in water crises that have occurred over history, including modern times have dismantled the futures of children and never should have occurred. Yet, the threat of seriously elevated levels of lead in water remains as long as lead service lines exist in our drinking water delivery systems. Every American, every Ohioan deserves clean, safe and affordable drinking water.

Thank you.