



National Association of County & City Health Officials

The National Connection for Local Public Health

January 26, 2024

Mr. Michael S. Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: National Primary Drinking Water Regulations: Proposed Lead and Copper Rule Improvements, Docket No. EPA-HQ-OW-2022-0801

Dear Administrator Regan,

On behalf of the National Association of County and City Health Officials (NACCHO), I appreciate the opportunity to submit comments regarding the proposed revisions to the National Primary Drinking Water Regulation (NPDWR) for lead and copper under the authority of the Safe Drinking Water Act (SDWA); (Docket No. EPA-HQ-OW-2022-0801). NACCHO represents the more than 3,300 local health departments across the country, many of which develop, promote, and engage in lead poisoning prevention efforts. NACCHO promotes primary prevention and works toward the removal of lead sources from the environment prior to exposure, particularly in water and housing, in order to prevent the potential for adverse effects, especially in children.

NACCHO's comments on the proposed revision are as follows:

NACCHO supports EPA's mandatory full replacement of lead service lines.

NACCHO supports EPA's efforts to focus on the need to identify and remove sources of lead in community infrastructure prior to an exposure occurring. According to EPA, an estimated 9.2 million lead service lines serve water to properties in communities across the U.S.¹ While NACCHO is pleased to see EPA moving in the right direction by lowering the lead action level, as noted by EPA, there is no known safe level of lead exposure. Furthermore, as noted in the proposed rule, the Bipartisan Infrastructure Law appropriated \$15 billion for lead service line replacement project and associated activities. NACCHO was pleased to see the "Lead Service Line Replacement Accelerators" initiative, however barriers remain to access this opportunity. Small and low-capacity jurisdictions need grant and technical support in order to apply for and access the funding and resources provided by EPA. While the Federal Thriving Communities Initiative and Environmental Justice Thriving Communities Technical Assistance Centers Program are an important step towards holistic government-wide technical assistance and capacity building for all communities, more is needed to reach these jurisdictions equitably.

Urgent and swift action must be taken to remove lead for all people in all communities. Full replacement of lead service lines would make the 10 ppb threshold for replacement, an arbitrary value, irrelevant. .

NACCHO also recommends that EPA consider additional ways to lower the cost burden full lead service line replacement will have on local governments and homeowners and continue to invest in ongoing funding to ensure timely action without diverting resources from other public health priorities.



NACCHO recommends EPA increase sampling requirements for schools and childcare facilities.

NACCHO recommends all taps in schools and childcare facilities be tested for lead. In the U.S., children are particularly vulnerable to the effects of lead, which can cause permanent adverse health outcomes, including damage to the brain and nervous systems, slowed growth and development, learning behavior problems, and hearing and speech problems.² In addition, the burden of lead poisoning falls disproportionately on low-income families and communities of color, with African American children more than two times more likely to experience lead poisoning than white children.³ The proposed revisions to the rule again neglects to prevent exposures by omitting a requirement to act on sampling results from schools and childcare facilities. NACCHO recommends that the 10 ppb action level proposed for lead in public drinking water also be applied to lead in drinking water at schools and childcare facilities. **NACCHO also recommends that EPA consider the cost burden full lead service line replacement will have on local governments, schools, and childcare centers and develop and sustain funding sources to ensure timely action and prioritize the prevention of lead exposure to children.**

NACCHO strongly encourages EPA to explore collaborations between EPA and local health departments to identify optimal community engagement practices.

NACCHO is encouraged by EPA's public education efforts. In addition to including the contact information of local health departments on education materials, NACCHO recommends that EPA review established connections between the agency and local health departments to determine successes and areas that need to be improved. As more communities are notified about lead service lines, local health departments can play a key role in education and reinforcing related messages from national and federal partners, including EPA. In addition, there should be continuous opportunities for collaborations among EPA and local health departments to not only effectively spread messaging around lead exposure, but to also to ensure EPA has timely feedback about the priorities and concerns of local communities. As consumers and homeowners become more educated about lead service lines in their community, there will be an increased need for public education and response to inquiries about the health impacts of lead and how to prevent lead exposure.

NACCHO appreciates this opportunity to comment on EPA's efforts to improve processes and tools needed for a safer future. We look forward to continuing to work with you to protect the public from lead exposure. If you have any questions, please contact Adriane Casalotti, Chief of Government and Public Affairs, at acasalotti@naccho.org.

Sincerely,



Lori Tremmel Freeman, MBA
CEO

