

November 3, 2023

Michael S. Regan, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460
VIA EMAIL: Regan.Michael@epa.gov

Dear Administrator Regan,

As leaders of organized labor representing millions of workers, we write to urge you to adopt a strong Lead and Copper Rule. That rule should carry out President Biden and Vice President Harris's vision of replacing every lead service line in the nation in the next decade. The rule also should ensure improved testing for lead in water, include a stricter lead action level along the lines of what the American Academy of Pediatrics has recommended for schools,¹ and effectively address lead contamination in schools and childcare centers. While many of the nation's problems will require extraordinarily complex and controversial actions to solve, addressing the biggest source of lead in our drinking water is readily doable: let's get the lead pipes out and treat the water properly to ensure that every American gets safe tap water, no matter what their zip code.

There is no safe level of lead in our water; it is extremely toxic, especially during pregnancy and for young children. Even low levels of lead exposure can result in children having a hard time in school; they can have lower IQs and develop learning disabilities, ADHD, and impaired hearing. This is not only difficult for the children and their parents, but also poses major challenges for educators and schools and can cause irreversible long-term harm including reduced lifetime earnings. Adults exposed to lead also are at risk of cardiovascular disease and other health harms. A recent scientific study showed that the health and economic benefits of reducing lead in drinking water outweigh the costs by a factor at least 35-fold.² Addressing lead in drinking water is great for both our health and the economy.

In addition, we know that replacing lead service lines will create high-road, family-sustaining jobs, many of which could lead to lifelong, union careers. To protect investments in these projects and promote successful project delivery, the EPA should require that all contractors and subcontractors used to perform this work: (a) pay Davis-Bacon wage and benefit rates; and (b) participate in bona fide registered apprenticeship programs for all crafts or trades

¹ American Academy of Pediatrics, Council on Environmental Health, Prevention of Childhood Lead Toxicity. *Pediatrics*. 2016 Jul;138(1):e20161493. doi: 10.1542/peds.2016-1493. Epub 2016 Jun 20. Erratum in: *Pediatrics*. 2017 Aug;140(2): Erratum in: *Pediatrics*. 2020 Jun;145(6): PMID: 27325637.

² Levin R, Schwartz J. A better cost-benefit analysis yields better and fairer results: EPA's lead and copper rule revision. *Environ Res*. 2023 Jul 15;229:115738. doi: 10.1016/j.envres.2023.115738. Epub 2023 Apr 18. PMID: 37080271.

they employ. Due to the substantial benefits that such policies provide in ensuring safe, timely, cost-effective construction, and in creating valuable jobs and training opportunities in local communities, several other federal agencies, including the Departments of Energy, Commerce and Treasury, have been incorporating similar policies into programs involving capital construction projects. Further, it should be clarified that such prevailing wage and apprenticeship requirements should be waived if the project is covered by a Project Labor Agreement, or other collective bargaining agreements because such agreements assure that these requirements will be adequately met.

A study³ by the United Association of Union Plumbers and Pipefitters and Environmental Entrepreneurs concluded that replacing all the lead pipes in the country will create 56,080 jobs annually for 10 years, or a total of 560,800 job-years. This includes 26,900 direct jobs—construction workers, plumbers, pipefitters, heavy equipment operators—as a direct result of this activity. Another 13,600 jobs that last for 10 years are created throughout the value chain, and 13,800 jobs are created each year for 10 years because of workers spending their paychecks.

In cases where full abatement of lead pipes will take many years, such as in schools and childcare centers, we support the installation of filters combined with adherence to a recommended filter replacement schedule prior to plumbing infrastructure replacement. Filters can reduce harmful levels of lead below current EPA levels, and can be installed quickly whereas full replacement can take years. These facilities should be required under this rule to install filters on all taps used for cooking or drinking water. The EPA should also establish a preference for awarding grants under the bipartisan infrastructure law to school districts installing and maintaining filters, rather than funding more testing. Furthermore, we urge your agency to change both the name and substantive recommendations of EPA's 3 Ts Guidance to reflect a prevention-oriented approach for schools, rather than a test-and-fix strategy.

Every American has a right to safe drinking water. No family should have to worry that the simple act of taking a drink of water from their kitchen faucet or school fountain will put their health at risk. EPA should take a major step towards ensuring that the nation's water supplies are safe by overhauling and strengthening the Lead and Copper Rule.

Thank you for your attention to this important matter.

Sincerely,

³ Environmental Entrepreneurs and United Association of Union Plumbers and Pipefitters, Getting the Lead Out: Employment & Economic Impacts of Lead Service Line Replacement, August 3, 2021, <https://e2.org/reports/economic-impacts-of-lead-service-line-replacement/>

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