

**Testimony of Ronnie Levin for the Science Advisory Board
Public Teleconference on the National Primary Drinking Water Regulations:
Proposed Lead and Copper Rule (LCR) Revisions**

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My name is Ronnie Levin. I am a retired EPA veteran of 37+ years. I represent the Environmental Protection Network, which offers bipartisan expertise of former EPA career staff and confirmation-level appointees.

EPN finds that the proposed LCR fails to expedite protection from the harmful effects of lead in drinking water. Specifically, EPA should:

- Lower the action level,
- Retain the current replacement rate for lead service lines,
- Simplify requirements and compliance determinations,
- Strengthen reporting, and
- Facilitate enforcement actions when systems don't comply.

We note that the proposal does not address the states' extremely poor record of reporting lead rule violations to EPA or the problems states experience with under reporting by public water systems. EPA's own audits found that over 90% of the lead rule violations are not reported by states to EPA. This means that most violations of the lead rule are not included in EPA's national data and are not used in the enforcement targeting tool that is the foundation of EPA and states' work to comply with the lead requirements. This glaring hole undermines the stated purpose of the proposed rule to improve effectiveness and strengthen enforcement.

We recommend that EPA bolster implementation of provisions alluded to in the proposal, including minimizing partial replacements except in emergencies, explicit prohibition of "gaming," and faster communication with residents whose water has action level exceedances.

To address these proposed revisions, EPA will need to:

- Issue a supplemental notice with the costs and benefits of lowering the action level to 10 ug/l and retaining the lead service line annual replacement rate;
- Clearly identify when a violation occurs;
- Require drinking water systems to report all aspects of their compliance electronically to a database shared by EPA and the states; and
- Commit to a thorough six-year review of the final LCR that collects and analyzes data on implementation, compliance, accuracy and completeness of lead violations reported by water systems and states, through a shared data system.

Thank you.