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Full Committee hearing entitled, "Oversight Hearing on the Environmental Protection Agency's Implementation of the Safe Drinking Water Act's Unregulated Drinking Water Contaminants Program."

Tuesday, July 12, 2011

10:00 AM EDT

EPW Hearing Room - 406 Dirksen

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Witnesses

Opening Remarks

Panel 1

[Mr. David C. Trimble](#)

Director, Natural Resources and Environment
Government Accountability Office

[The Honorable Robert Perciasepe](#)

Deputy Administrator
Environmental Protection Agency

Panel 2

[Dr. Lynn Goldman, MD, MPH](#)

American Public Health Association, Dean of the School of Public Health and Health Services and
Professor of Environmental and Occupational Health at the George Washington University

[Mr. A.W. "Butch" Araiza](#)

General Manager
West Valley Water District

[Dr. Joseph A. Cotruvo](#)

Joseph Cotruvo & Associates, LLC, Water, Environment, Public Health

[Dr. Steven R. Patierno](#)

Executive Director
George Washington University Cancer Institute

[Dr. Jeffrey Griffiths, MD, MPH & TM](#)

Associate Professor, Department of Public Health and Community Medicine
Tufts University

 [GAO EPA SWDA Report](#)
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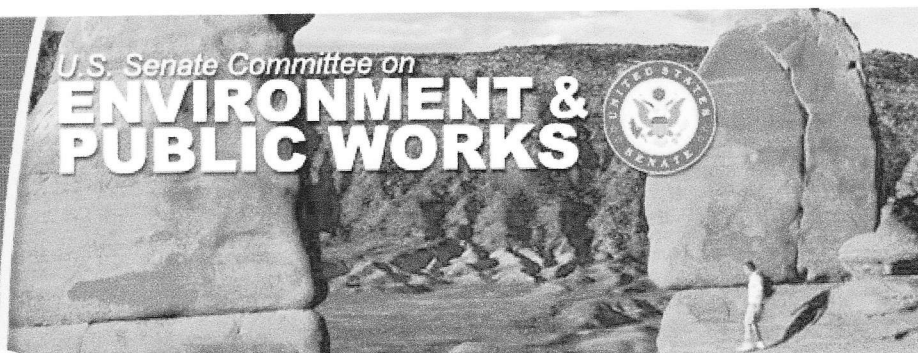
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Statement of Barbara Boxer

Hearing: Full Committee hearing entitled, "Oversight Hearing on the Environmental Protection Agency's Implementation of the Safe Drinking Water Act's Unregulated Drinking Water Contaminants Program."

Tuesday, July 12, 2011

(Remarks as prepared for delivery)

I have called this hearing to examine one of the most important federal public health safeguards in our country, the Safe Drinking Water Act. Everyone has a right to clean and safe drinking water, and it is essential to the health of children and families that drinking water be free from harmful chemicals and pollutants.

In order to ensure that enough is being done to protect our nation from emerging contaminants, I, along with Representatives Waxman and Markey, asked the Government Accountability Office (GAO) to investigate the unregulated contaminant program. This report is being released today.

The Government Accountability Office investigation addresses the stunning fact that the Environmental Protection Agency (EPA) has not made a determination to regulate any new drinking water contaminants, with one very recent exception, since 1996 when the law was last amended. This failure has occurred despite mounting evidence of threats to public health from unregulated drinking water contaminants.

In 1996, Congress amended the Safe Drinking Water Act and directed EPA to use the best available science to create drinking water safeguards that would protect the most vulnerable in society, including infants, children and pregnant women.

As the GAO report shows the development of new standards for unregulated drinking water contaminants, such as perchlorate, were derailed in a process that failed to use the best available science and was driven by factors other than the protection of public health.

Scientific information has shown that certain emerging contaminants in our drinking water, such as perchlorate and chromium-6, could be harmful to children and families across the nation.

Perchlorate, which is used in rocket fuel, fireworks, and road flares, poses a threat to human health when found in drinking water. Specifically, perchlorate impairs the function of the thyroid gland, which harms child development and can result in decreased learning capability.

EPA needs to have a process that vigorously addresses these contaminants to help ensure the safety of the nation's drinking water.

GAO's report lays out a transparent and accountable framework that can help to ensure that EPA uses the best available science when creating drinking water protections for our communities and families.

I am glad that EPA is here to testify about their implementation of the program and to hear GAO's testimony on the Agency's need to use science to ensure that the federal government provides strong public health protections against drinking water contaminants.

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Statement of James M. Inhofe

Hearing: Full Committee hearing entitled, "Oversight Hearing on the Environmental Protection Agency's Implementation of the Safe Drinking Water Act's Unregulated Drinking Water Contaminants Program."

Tuesday, July 12, 2011

Thank you, Madam Chairman, for taking the time today to continue our discussions about federal drinking water programs. I know that everyone in this room agrees that providing clean, safe, affordable drinking water is essential, and should be a national priority.

At the cornerstone of the Safe Drinking Water Act is the idea that we should be controlling those substances that pose risks to public health.

Unfortunately, the system that EPA uses to determine health risks, the Integrated Risk Information System (IRIS), has a decade's long issues in crafting risk assessments. The National Academy of Sciences (NAS) has recently pointed out that IRIS assessments have suffered from a lack of transparency, inconsistency, and problems with evaluating studies and the weight of evidence. These problems continue to persist in the face of NAS and Congress repeatedly imploring EPA to correct these issues. Without having a good foundation and sound science practices, all areas of EPA's regulatory system suffer, including drinking water.

Unbiased, high-quality, scientific analyses are important foundations for making drinking water decisions. When the risk assessments that EPA is producing are unable to maintain the highest possible standards for scientific quality and integrity, every decision that follows is called into question. Sen. Vitter and I are trying to get EPA to explain how they plan to address the systematic concerns with IRIS that were raised in the recent NAS review of Formaldehyde, a chemical we have decades of experience and information to draw upon. If the IRIS review for a chemical that we have great history on is so fundamentally flawed, it is hard to imagine how we will end up with good science on chemicals of emerging concern. I am looking forward to hearing from EPA about how they plan to address these concerns soon.

As analytical techniques continue to improve, we are able to detect constituents at increasingly lower levels. This ever increasing ability to detect will allow the numbers of chemicals in our water to increase infinitely. However, it is important that we do not associate any detection with risk. In nearly every case, the extremely low levels we are detecting are well below the dosage that would affect public health. To be perfectly clear, exposure does not mean there is risk. This is just one more example of the importance of getting robust science to guide our policy decisions and to help correctly communicate to the public what the risk associated with a particular contaminant is. It is no surprise that nearly half of Americans are concerned about the quality of their drinking water when headlines and talking points

are filled with alarmist stories of chemical detection with no information about what that means to their health.

Furthermore, it makes no sense to continue to tighten drinking water standards and send drinking water down an aging and failing infrastructure system. EPA estimates that just to keep up with the current drinking water requirements over the next twenty years, eligible drinking water systems will need over \$300 billion in infrastructure investments. We need to improve our nation's drinking water facilities by reauthorizing the State Revolving Loan Fund programs, both for drinking water and waste water.

I was extremely disappointed by EPA's cuts of almost \$950 million to the SRF program. By making these cuts, EPA is increasing unfunded mandates on water providers throughout the country. We cannot expect our communities to continue to provide safe drinking water if they do not have the resources to meet their infrastructure needs. We have the responsibility to ensure clean, safe, and affordable water for our country by providing the necessary resources to our states and local governments.

Finally, Madam Chairman, I would like to request that the record for this hearing be kept open for two weeks, so that both outside groups and our witnesses here today, have the opportunity to review this GAO report on Unregulated Contaminants, which has been unavailable to the public until now, and provide a more robust understanding of the recommendations and suggestions for the committee record.

I look forward to hearing from all of our witnesses today, especially Dr. Patierno, who will share his expertise in chromium-6, something of interest to me and to my constituents in Norman, OK, Dr. Cotruvo, who can share his lengthy public health and drinking water experience, and Deputy Administrator Perciasepe. Thank you.

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