

**Testimony of  
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**Before the  
Committee on Environment and Public Works  
United States Senate**

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Chairman Boxer, Ranking Member Inhofe, and Members of the Committee, thank you for inviting me to discuss the safety of our nation's drinking water. Every day, Americans drink water from the taps in our homes, in our work places, and at our family's day care and schools. Having safe drinking water is essential to our health, our children's health and our economy.

EPA affirms the goal of the Safe Drinking Water Act (SDWA) to protect American's health by ensuring that the Nation's drinking water supply is safe. We have made significant progress since Congress wrote and passed SDWA 35 years ago, but we still face challenges. While we've put in place standards to address more than 90 drinking water contaminants, there are many more contaminants of emerging concern, which science has only recently allowed us to detect at very low levels. We need to keep pace with the increasing knowledge and potential public health implications from the growing number of chemicals that may be present in our products, our water, and our

bodies. EPA understands our responsibility under the law to respond to new challenges, both to protect the public's health and to sustain Americans' confidence in the safety of their drinking water for themselves and their children.

SDWA defines a rigorous process to keep drinking water standards up to date to respond to improving science and emerging concerns. Two contaminants that have received a great deal of public attention recently, perchlorate and hexavalent chromium (chromium-6), provide examples of EPA activities to protect public health. EPA is evaluating the opportunity for health risk reductions from unregulated contaminants such as perchlorate, and reviewing existing standards, such as chromium, to determine if public health protections can be improved. I would like to highlight actions we are taking right now to focus our efforts on these contaminants in light of evolving science indicating the potential for greater public health concerns that prompts the need for an effective response.

### **Perchlorate**

When I became the EPA Administrator, I committed to re-evaluate EPA's 2008 preliminary determination not to regulate perchlorate. In August 2009, EPA asked for public comment on our re-evaluation of the science supporting the perchlorate regulatory determination. We have received almost 39,000 comments on this and previous perchlorate notices and we continue to evaluate the evolving science. I remain

committed to completing a regulatory determination for perchlorate and expect to announce the results of our evaluation soon.

### **Hexavalent Chromium (Chromium-6)**

EPA also has the responsibility to reevaluate our existing regulations to ensure they stay current with science advancements including health assessments, improvements in technology, or other factors that may provide important opportunities to maintain or improve public health protections. An example is our regulation of total chromium and the evolving science on hexavalent chromium (referred to as chromium-6). Our total chromium drinking water standard applies to all forms of chromium and was established in 1991 based on the best available science at that time. This standard was designed to prevent the health effects from the more toxic form of chromium, which is chromium-6.

However, the science behind chromium-6 is evolving. For example, recent animal testing data by the National Toxicology Program\* have found evidence of carcinogenicity that was not previously associated with ingesting chromium-6. EPA is already on a path toward identifying and addressing potential health threats from long-term exposure to chromium-6 with a new draft health assessment released this past fall.

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**\* Citation in IRIS Toxicological Review:**

NTP. (2008) NTP technical report on the toxicology and carcinogenesis studies of sodium dichromate dihydrate (CAS No. 7789-12-0) in F344/N rats and B6C3F1 mice (drinking water studies). Washington, DC: National Toxicology Program; NTP TR 546. Available online at [http://ntp.niehs.nih.gov/files/546\\_web\\_FINAL.pdf](http://ntp.niehs.nih.gov/files/546_web_FINAL.pdf) (accessed January 29, 2008).

This assessment still needs to be reviewed by independent scientists before a determination of whether or not to revise the drinking water standard for total chromium or set a specific standard for chromium-6. A recent report by the Environmental Working Group (EWG) has increased awareness and public concern about the presence of chromium-6 in drinking water. While this report was a “snapshot in time,” it is consistent with other studies that have also detected chromium-6 in public water systems.

EPA recently committed to a series of actions to address chromium-6 in our drinking water. First, EPA is working with state and local officials to better determine how widespread and prevalent this contaminant is in our nation’s drinking water. Second, we provided guidance to all water systems nationwide on how to sample and test drinking water for chromium-6. This guidance, released on January 11, 2011, provides recommendations on where systems should collect samples, how frequently samples should be collected, and analytical methods for laboratory testing. We believe that systems that perform the enhanced monitoring recommended in EPA’s guidance will be able to better inform their consumers about any presence of chromium-6 in their drinking water, evaluate the degree to which other forms of chromium are transformed into chromium-6, and assess the extent to which existing treatment affects the levels of chromium-6 in drinking water. Third, EPA is also offering technical expertise and assistance to communities cited in the EWG report as having the highest levels of chromium-6 in drinking water.

Strong science and the law will continue to be the foundation of our decision-making at EPA. EPA takes its obligation to ensure the safety of the water supply very seriously and will continue to do all that we can, using sound science and the law, to protect people's health.

### **Drinking Water Strategy**

EPA national drinking water standards for contaminants such as chromium are essential to the protection of our water quality, but these individual regulations cannot keep pace with the thousands of chemicals that have been identified as being in commerce via the Toxic Substance Control Act (TSCA) and those that may be introduced in the future. In March 2010, I outlined a vision seeking to use existing authorities where appropriate to achieve greater health protection more quickly, cost-effectively, and transparently. I am pleased to say that in the last year we have made a great deal of progress on this approach.

One key component of the new drinking water strategy is to address contaminants as groups rather than individually. The traditional framework for drinking water regulation focuses on detailed assessment of each individual contaminant of concern and can take many years. Throughout 2010, EPA engaged stakeholders in a national conversation about how we might streamline this process by addressing multiple

contaminants at once, which may provide protections more quickly and also allow utilities to implement them more efficiently. We have examined a number of contaminant groups that have a common health endpoint of concern, a common treatment approach, and/or common measurement methods.

I am pleased to announce that EPA has selected the first contaminant group and will be working towards developing one regulation to address up to 16 Volatile Organic Compounds (VOCs), which are chemicals such as industrial solvents. This group will include trichloroethylene (TCE) and tetrachloroethylene (PCE), which I announced last March we'd be revising, as well as up to 14 other VOCs that may cause cancer, some that are currently regulated and some that have not previously been regulated. EPA will also evaluate whether to regulate nitrosamines as a group. We have found these disinfection byproducts in a number of water systems and will assess whether or not this group of contaminants should be regulated as part of our next round of regulatory determinations.

The second component of the drinking water strategy is to foster development of new drinking water technologies to address health risks more comprehensively and cost-effectively. On January 18, I announced, in partnership with the U.S. Small Business Administration, the formation of a regional water technology innovation cluster in the Greater Cincinnati, Dayton, Northern Kentucky and Indiana region. The cluster involves businesses, universities and governments working together to promote economic growth and technology innovation. The cluster will not only assist in developing technology safe

guards for drinking water and the protection of public health, but it will also encourage economic development and create jobs.

A third component of our new drinking water approach is to utilize provisions of multiple laws, where appropriate, to better protect drinking water. EPA offices have identified contaminants of mutual concern under drinking water, pesticide and toxic laws. By sharing information collected and analyses we can make sure that the best science is available to further public health protection goals. For example, occurrence data collected for SDWA reviews can inform decisions made to protect water resources under pesticide and toxics laws, while health effects information from pesticides and toxics laws can be used to provide advisory benchmark information to states and water systems that may find these chemicals in their water supplies.

And finally, because Americans have a right to know and to be assured that their drinking water is safe, the fourth component of the strategy is to provide easy access to drinking water compliance monitoring data. Taking a step towards this goal, in November 2010, EPA partnered with the Environmental Council of the States, the Association of State and Territorial Health Officials, and the Association of State Drinking Water Administrators to establish a data sharing memorandum of understanding (MOU). Under this MOU, EPA and the states will collaborate on developing the advanced information technology necessary to facilitate sharing and analysis of the large

amount of data. This will help us better understand national trends in occurrence of drinking water contaminants and will enable consumers to easily obtain information about the quality of their drinking water.

Clean and safe water is the foundation of healthy communities, healthy families, and healthy economies. I want to emphasize that EPA is committed to working with our state partners to build the nation's confidence that these resources are safe and to provide Americans with clean and safe drinking water every day.

I greatly appreciate the leadership of this Committee on the Safe Drinking Water Act and we look forward to coordinating with Chairman Boxer, Ranking Member Inhofe and Members of the Committee as we work to achieve these important goals.