



# AMERICAN ACADEMY OF NURSING

*transforming health policy and practice through nursing knowledge*

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February 12, 2020

The Honorable Andrew Wheeler  
Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Ave, NW  
Washington, DC 20004

**RE: EPA-HQ-OW-2017-0300 National Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions**

Dear Administrator Wheeler:

The American Academy of Nursing (Academy) is pleased to offer the following comments in response to the November 13, 2019, request for additional input and recommendations regarding a proposed rule pertaining to the National Drinking Water Regulation (NPDWR) for lead and copper under the authority of the Safe Drinking Water Act (SDWA).

The Academy serves the public and the nursing profession by advancing health policy and practice through the generation, synthesis and dissemination of nursing knowledge. It's more than 2,800 fellows are nursing's most accomplished leaders in education, management, practice, research, and policy. They have been recognized for their extraordinary contributions to the promotion of the public's health through evidence and innovation.

While the Academy acknowledges and is appreciative of the Environmental Protection Agency's (EPA) efforts to reduce regulatory burdens on consumers, we believe that these new regulations will ultimately lead to harmful outcomes to US water, and in turn, US residents' health. The Academy advances policies that closely consider the social determinants of health. Where individuals were born, live, work, attend school, or travel, all impact their wellness. Access to safe, clean drinking water is vital to health and wellness.

The Academy is particularly concerned about the proposed rule that would extend the timetable for the replacement of lead pipes. Adults exposed to lead in their water are more likely to face kidney problems and have a high blood pressure.<sup>1</sup> Thus, it is crucial that the time between discovering lead-contaminated pipes in a water line and those pipes being replaced be as short as possible. Also like many other issues, this issue affects our most vulnerable citizens more severely. Research has found that African-American children have average blood lead levels well above those of non-Hispanic white and Mexican-American children.<sup>2</sup> Thus, a slower timetable for replacement of lead pipes further

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<sup>1</sup> National Academy of Sciences. Water Science and Technology Board. (2008). *Drinking Water: Understanding the Science and Policy behind a Critical Resource*.

[https://sites.nationalacademies.org/cs/groups/international/site/documents/webpage/international\\_053825.pdf](https://sites.nationalacademies.org/cs/groups/international/site/documents/webpage/international_053825.pdf)

<sup>2</sup> Aoki Y, Brody J. WIC participation and blood lead levels among children 1–5 Years: 2007–2014. *Environmental Health Perspectives*. 2018;126(6). <https://doi.org/10.1289/EHP2384>

marginalizes already vulnerable populations. Creating a new “trigger level” of 10 parts per billion of lead in the water is certainly more stringent than the current standard of 15 parts per billion, but the Academy is troubled by the proposed measures in which one would go about replacing lead-contaminated pipes. The proposed measure would require a minimum of 3% of lead service lines be replaced annually in homes that meet or exceed the “trigger level,” but this is much more lenient than the current standard of replacing 7% of lead service lines annually. Despite the higher standard, this new regulation would lead to lead pipes being replaced at a slower rate. The EPA itself has estimated that communities across the country will need over \$384 billion in the coming decades to maintain clean drinking water.<sup>3</sup> With so much more still yet to be done to ensure that US residents have clean drinking water, the Academy is worried that creating more lenient regulations surrounding lead pipe replacement will exponentially exacerbate the problem.

The Academy commends the EPA’s new proposed change that would create, for the first time, a national requirement to test water in schools and child care facilities for lead. The Academy is encouraged that the new rule would also require schools and day care centers that test for elevated levels of lead to inform customers within 24 hours instead of the current standard of 30 days. While the new regulation requires testing for lead, it does not require states or schools to take any action to remove lead that is found in the water. There is scientific consensus that no level of lead, no matter how low, can be safe for a developing child.<sup>4</sup> The Academy urges you to ensure that schools and child care facilities that test positive would be required to remove the lead from their water in a swift, but efficient fashion. *The Journal of the American Medical Association* published a report that links childhood lead exposure with lower cognitive function and socioeconomic status later in life compared to their peers.<sup>5</sup> Because of this, it is essential that schools and child care facilities that test positive for lead in their water be required to remove it.

In summary, the Academy shares your goal in ensuring that everyone has access to safe, clean drinking water, but we believe that certain aspects of these new regulations will not lead to this, and instead put additional risks and health burdens on US residents. Thank you for the opportunity to provide our comments and recommendations, and I hope you will contact us for assistance in any efforts to address these issues or policies. If you have any questions or need additional information, please feel free to contact the Academy’s Senior Director of Policy, Christine Murphy, at [cmurphy@aannet.org](mailto:cmurphy@aannet.org) or 202-777-1170.

Sincerely,



Eileen Sullivan-Marx, PhD, RN, FAAN  
President

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<sup>3</sup> Environmental Protection Agency (EPA). (2013). *Drinking Water Infrastructure Needs Survey and Assessment: Fifth Report to Congress*. <https://www.epa.gov/sites/production/files/2015-07/documents/epa816r13006.pdf>

<sup>4</sup> Alliance of Nurses for Healthy Environments (ANHE). (2017). *Water and Health: Opportunities for Nursing Action*. <https://envirn.org/wp-content/uploads/2017/09/ANHE-Water-and-Health.pdf>

<sup>5</sup> Reuben A, Caspi A, Belsky DW, et al. Association of Childhood Blood Lead Levels with Cognitive Function and Socioeconomic Status at Age 38 Years and With IQ Change and Socioeconomic Mobility Between Childhood and Adulthood. *JAMA*. 2017;317(12):1244–1251. doi:10.1001/jama.2017.1712