



Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3/4G

Chevy Chase, Barnaby Woods, Hawthorne
5601 Connecticut Avenue N.W. P.O. Box 6252 Washington, D.C. 20015
3G@anc.dc.gov <http://www.anc3g.org> YouTube: ANC3G Office: 202.363.5803

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**ANC 3/4G Testimony Before the
Committee on Transportation and the Environment
FY 2022 Budget Hearing
Department of Energy and Environment
June 14, 2021**

Chairperson Cheh and members of the Committee on Transportation and the Environment, I am Randy Speck, Chair of ANC 3/4G (Chevy Chase). Thank you for the opportunity to testify about the Department of Energy and Environment's (DOEE's) budget hearing for FY 2022. I am testifying on behalf of our Commission, which authorized this testimony at its June 2, 2021 special meeting by a vote of _ to _ (a quorum being 4).

DOEE is the responsible agency to oversee and dispense federal funding to DC Water for its programs to replace lead service lines. In this year particularly, the District should use federal recovery funds to address the long-standing public health hazard posed by thousands of lead service lines that remain in every ward. We urge the Council to

allocate the \$350 million that DC Water and DOEE’s Director have requested to remove all lead service lines at no cost to its customers.

For decades, DC Water customers have lived with the constant threat posed by the continued presence of lead service lines throughout the District.¹ Through misguided actions² and heedless inaction,³ this hazard persists. The science is clear — there is *no* safe level of lead in drinking water.⁴ The presence of lead service lines poses a threat even when periodic sampling does not always indicate lead because lead leaching is variable over time. DC Water and the District should no longer defer the only unequivocal solution: remove all lead service lines in the water delivery system within a decade.

¹ See, e.g., “Getting The Lead Out? The D.C. Tap Water Crisis One Year Later,” National Resources Defense Council, January 25, 2005, available at <https://www.nrdc.org/media/2005/050128-0>; “Lead in the District of Columbia Drinking Water: A Call for Reform,” DC Applesed, October 2004, available at <https://bit.ly/3rmXKEz>.

² Partial lead service line replacement is dangerous and can lead to acute, significantly elevated levels of lead in the water in the short- and long-term. Construction can disturb the pipe and release large flakes of lead, and over time, the pipes can corrode at the joint, causing lead to leach into the water flowing to our taps at home at a higher rate than before construction. See “The Hidden Costs & Dangers of Partial Lead Pipe Replacements, Natural Resources Defense Council, March 12, 2018, available at <https://on.nrdc.org/2H93jjS>. “[C]hildren living in homes with partial lead pipe replacements were four times more likely to have an elevated blood lead level than children living in homes without lead pipes.” “DC/CDC Lead Staff Report,” House Committee on Science and Technology Subcommittee on Investigations and Oversight, May 20, 2010, available at <https://bit.ly/3qpYreS>.

³ Thousands of homes across the District still have lead service lines. See DC Water Lead Service Line Map, available at <https://geo.dcwater.com/Lead/>.

⁴ The American Academy of Pediatrics has found that “there is no safe level of blood lead concentration for children,” and “the best ‘treatment’ for lead poisoning is to prevent any exposure before it happens.” See “AAP: No Amount of Lead Exposure Is Safe for Children,” Nursing Center, June 20, 2016, available at <https://bit.ly/3kOhRJo>.

In March 2020, DC Water’s CEO and General Manager, David Gadis, stated the company’s goal “to remove all lead service lines by 2030. This is an ambitious goal, but together we must find alternative capital funding and contracting opportunities, and get the lead out of the water system.”⁵ DC Water has developed a detailed plan to implement this goal. The Council should continue to scrutinize DC Water’s plans to ensure that they are efficient and equitable and that there is a viable path to achieve a lead-free DC by 2030.

Of course, funding for this project is key. Customers cannot and should not bear these costs. The American Rescue Plan Act of 2021 provides \$2.2 billion in federal funding for the District of Columbia. The Department of Treasury’s guidance for eligible uses of Rescue Plan funds expressly includes “invest[ment] in a broad range of projects that improve drinking water infrastructure, such as building or upgrading facilities and transmission, distribution, and storage systems, *including replacement of lead service lines.*”⁶ This federal funding provides an extraordinary opportunity to finally remove the primary source of lead in our drinking water.

Lead free water should be a fundamental right of all District residents and it should be provided without cost. Removing lead from our drinking water is an investment in our future and an imperative to achieve equity. Lead contamination directly

⁵ DC Water Executive Budget Summary, Approved FY 2021, Adopted March 5, 2020, General Manager’s Message, page 3 (available at <https://bit.ly/36MK104>).

⁶ “Coronavirus State and Local Fiscal Recovery, Interim Final Rule, Department of the Treasury, May 10, 2021, at page 67 (emphasis added), available at <https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf>.

contributes to adverse health consequences⁷ that, in turn, affect our society and economy. One way to avoid leaving our most vulnerable residents behind is to assure that everyone has lead-free drinking water.

On April 1, 2021, Councilmembers Cheh, Nadeau, Pinto, Lewis George, Allen, and Bonds wrote Mayor Bowser indicating that DC Water and DOEE's Director had requested "that approximately \$350 million of the District's federal relief funds be allocated to support DC Water's lead service line replacement work." The Councilmember characterized these federal funds as "a once-in-a-generation opportunity" and "an investment in the future of our children, helping ensure that thousands of District youth are not put at risk of the negative mental and physical health effects that stem directly from lead exposure." They urged the Mayor "to set aside \$350 million of the federal relief funds received by the District for these important lead service replacement programs."

This request has broad support across the District. In only a few days, more than 600 organizations and individuals from across all eight wards signed a letter asking the Mayor to allocate \$350 million in federal funds to lead service line replacement.⁸

⁷ The World Health Organization concluded that "the consequences of brain injury from exposure to lead in early life are loss of intelligence, shortening of attention span, and disruption of behavior. Because the human brain has little capacity for repair, these effects are untreatable and irreversible. They cause diminution in brain function and reduction in achievement that last throughout life. . . . Lead also causes long-term harm in adults, including increased risk of high blood pressure and kidney damage. Exposure of pregnant women to high levels of lead can cause miscarriage, stillbirth, premature birth and low birth weight." "Lead Poisoning and Health," World Health Organization, August 23, 2018, available at <http://bit.ly/2LCp6pQ>.

⁸ Letter to Mayor Muriel Bowser, May 19, 2021, available at <https://bit.ly/3ul7JuU>.

Multiple ANC's have passed resolutions or letters supporting this budget allocation.⁹ The Council should heed these voices.

The Mayor proposes to do virtually nothing to address this chronic problem that has plagued the District for decades. Her budget would allocated only \$15 million in federal funds to DOEE to cover both "Lead Pipe Replacement and Lead Hazard Mitigation."¹⁰ Apparently, this proposal will simply continue the Lead Pipe Removal Assistance Program (LPRAP), which only "provides assistance funds for the replacement of lead pipe on private property if the pipe in the public space is not lead."¹¹ The LPRAP has replaced fewer than 400 lead service lines, and DC Water projects that even including instances when customers pay part or all of the costs, only 800 lead service lines will be replaced in all of this fiscal year. At that pace, the 21,600 known lead service lines will not be fully replaced until at least 2048, and it will likely take another decade or more to identify and replace lead lines where the material is currently unknown. The District cannot afford to continue exposing its residents to the current level of risk from our drinking water for another two generations.

⁹ ANC 3/4G Resolution Urging the Mayor and Council to Use Federal Funds to Remove All Lead Service Lines in the District, April 12, 2021, available at <https://bit.ly/3mR3KUD>; Letter from Paige Ela, Chair, ANC 3D, to Mayor Bowser re: Need for Replacement of Lead Service Lines Across the District, May 5, 2021, available at <https://bit.ly/2ROxrL4>; ANC 2B Resolution Regarding the Proposed Use of Federal Funds to Remove All Lead DC Water Service Lines in DC, May 12, 2021, available at _____; ANC 3F Resolution ; ANC 4C Resolution ; ANC 3B Resolution;

¹⁰ "FY 2022 Proposed Budget and Financial Plan," May 27, 2021, Volume 4, Agency Budget Chapters, Part III (FY 2022 Proposed Budget), page F-31, available at <https://bit.ly/3wELZM4>.

¹¹ FY 2022 Proposed Budget, page F-29.

Removing lead from our drinking water is an investment in our future and allocating federal relief funds for this purpose is an imperative to achieve equity across all eight wards. Lead contamination directly contributes to adverse health consequences¹² with long-term negative impacts on our society and economy. No resident in the District should have to worry that they do not have the funds to replace the lead service line to their home. We can avoid leaving our most vulnerable residents behind by assuring lead-free drinking water for all. It's a basic human right. We urge DC Water, the District government, and the Council to meet this challenge and include \$350 million in the FY 2022 Budget to DOEE to remove all lead service lines by 2030.

Thank you.

¹² The World Health Organization concluded that “the consequences of brain injury from exposure to lead in early life are loss of intelligence, shortening of attention span, and disruption of behavior. Because the human brain has little capacity for repair, these effects are untreatable and irreversible. They cause diminution in brain function and reduction in achievement that last throughout life. . . . Lead also causes long-term harm in adults, including increased risk of high blood pressure and kidney damage. Exposure of pregnant women to high levels of lead can cause miscarriage, stillbirth, premature birth and low birth weight.” “Lead Poisoning and Health,” World Health Organization, August 23, 2018, available at <http://bit.ly/2LCp6pQ>.