



**ASSOCIATION OF
METROPOLITAN
WATER AGENCIES**

LEADERS IN WATER

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December 12, 2023

National Science and Technology Council Environmental Justice Subcommittee
Attention of: Stacy Murphy
Deputy Chief Operations Officer/ Security Officer
Budget and Administration Division
Office of Science and Technology Policy (OSTP)
Executive Office of the President

Eisenhower Executive Office Building
1650 Pennsylvania Avenue NW
Washington, DC 20501

Re: Docket ID: OSTP-CE-2023-0012; Request for Information to Support the Development of a Federal Environmental Justice Science, Data, and Research Plan

Submitted electronically

Dear Ms. Murphy:

The Association of Metropolitan Water Agencies (AMWA) is pleased to have the opportunity to respond to the Office of Science and Technology Policy (OSTP) request for information to support the development of a federal environmental justice science, data, and research plan. AMWA is an organization of the largest publicly owned drinking water systems in the United States. Members serve over 100,000 customers and collectively provide clean drinking water to over 160 million people. As large public water agencies, AMWA utilities are focused on ensuring the long-term sustainability of their utilities by serving their customer bases with clean, affordable drinking water.

The Association supports the federal government’s continuing emphasis on establishing environmental justice priorities based on sound science and data. As the voice for drinking water utilities and their leaders, AMWA engages frequently with federal councils, working groups, and rulemakings that rely on established research, including – most prominently – rulemakings under the Safe Drinking Water Act (SDWA). AMWA is therefore pleased to provide the following feedback to the National Science and Technology Council Environmental Justice Subcommittee regarding a federal environmental justice science, data, and research plan.

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Our comments address two specific research and data needs related to drinking water utilities: the use and availability of consistent, national contaminant occurrence, health effects, and treatment data and the availability and use of data on water affordability.

1. Development and Use of Science, Data, and Research to Support Environmental Justice Policy

a. What kinds of Federal activities do you think should better include or consider data or research related to environmental justice? Are there specific data types of research you would prioritize?

Federal activities should include coordinated research on the occurrence, health effects, and treatment data of drinking water contaminants nationwide. AMWA encourages the National Science and Technology Council Environmental Justice Subcommittee's plan to highlight the importance of coordinated efforts between the EPA, the EPA Office of Groundwater and Drinking Water (OGWDW), the EPA Office of Research and Development (ORD), and other relevant federal agencies and partners regarding work like the development of the Contaminant Candidate List CCL and Unregulated Contaminant Monitoring Rule UCMR, which are programs established under SDWA. It is vital that work included in EPA ORD's multiyear strategic research action plans be aligned with efforts to prioritize research on contaminants of likely occurrence and public health concerns to best prioritize research resources and understand risks posed to human health from all sources. This coordination is necessary to uncover the risks posed by contaminants, their sources, treatments to efficiently eliminate them, and their occurrence in environmental justice communities. Such coordinated efforts can also help the agency and stakeholders more thoroughly engage during rulemaking processes.

One example of inconsistent contaminant health and occurrence data related to drinking water includes microbial disinfection byproducts (DBPs). In the Report of the Microbial and Disinfection Byproducts Rule Revisions Working Group¹ to the National Drinking Water Advisory Council, the working group recommendations included addressing data and analysis gaps associated with disinfection byproducts of emerging concern. Due to a lack of consistent, nationwide data, the report recommended that EPA and the research community should generate nationally representative occurrence, health effects, and treatment data on regulated and unregulated DBPs to better characterize national occurrence and exposure. This kind of data is necessary to inform the federal decision-making process, and without it, can prevent the formation of efficient regulations that both protect human health and are technologically feasible. Ultimately, AMWA believes having more thorough national occurrence, health effects, and treatment data on contaminants of concern in drinking water will help EPA prioritize contaminants that both pose a risk to public health and are likely to occur in drinking water.

¹ Report of the Microbial and Disinfection Byproducts Rule Revisions Working Group. November 13, 2023. https://www.epa.gov/system/files/documents/2023-11/report-of-the-mdbp-rule-revisions-working-group-to-the-ndwac-november-2023_1.pdf

b. What types of data and evidence, including Indigenous Knowledge as appropriate, do you find most important or most needed for advancing governmental decision-making related to environmental justice?

AMWA encourages OSTP, HHS, EPA, and other related federal agencies to support the creation or coordination of a comprehensive tool that collects information on water affordability factors and the impact that proposed rulemakings or other projects would have on user rates. Water affordability in the United States disproportionately affects low-income households, who must spend a larger portion of their income on water services. This is why AMWA considers water rate affordability to be an environmental justice issue. A landmark report² by AMWA and four other water sector organizations found that as many as 21.3 million households nationwide may currently have trouble paying their water and wastewater bills. This assessment does not consider additional rate increases that may occur as a result of new projects brought on by aging infrastructure, federal rulemakings, population changes, and climate change.

Many factors, like rate structures, monthly usage, utility size, and percentage of household income allocated to water services, affect water affordability at a household level, but no comprehensive national dataset exists examining these factors. Importantly, the Duke Nicholas Institute for Environmental Policy Solutions created and continuously updates a Water Affordability Dashboard³ that assesses household water burden at the block group level in some states. While the tool does not have information for all metropolitan areas nationwide, the information and criteria provided is critical to identifying areas with water affordability issues and could serve as a frame of reference for such a tool.

Additionally, no national, comprehensive tool exists that can help federal policymakers or local practitioners assess the impact that proposed rulemakings or projects would have on the distribution of water rates needed to fund projects. Such a tool combined onto a comprehensive water affordability dashboard would help policymakers assess and plan for the impact of rulemakings on all served communities.

Conclusion

AMWA sincerely thanks OSTP for the opportunity to engage and provide feedback on its development of a federal environmental justice science, data, and research plan. The Association encourages further engagement with our organization and welcomes an opportunity to continue this conversation. If you have any questions, please contact Jessica Evans (evans@amwa.net), AMWA's Manager of Government Affairs and Sustainability Policy.

² Low-Income Water Customer Assistance Program Assessment. (April 20, 2023).

<https://www.amwa.net/publication/low-income-water-customer-assistance-program-assessment>

³ Duke Nicholas Institute for Energy, Environment, and Sustainability. (2023).

<https://nicholasinstitute.duke.edu/water-affordability/water-affordability-dashboard/>

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Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Dobbins". The signature is fluid and cursive, with a prominent initial "T" and a long, sweeping underline.

Thomas Dobbins
Chief Executive Officer
Association of Metropolitan Water Agencies

cc: Kristi Pullen Fedinick, Assistant Director for Environmental Justice Science and Technology
Chris Frey, Assistant Administrator, EPA Office of Research and Development
Radhika Fox, Assistant Administrator, EPA Office of Water
Jennifer McLain, EPA Office of Groundwater and Drinking Water