



March 26, 2021

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
Washington, DC 20460

Re: Water sector issues of mutual concern

Dear Administrator Regan:

On behalf of the Association of Metropolitan Water Agencies (AMWA), an organization of the largest publicly owned drinking water utilities in the United States and their CEOs, congratulations on your confirmation to lead the Environmental Protection Agency (EPA). I would also like to share with you the association's thoughts on some key issues of mutual concern. These include climate change, cyber threats, and leveraging the Toxic Substances Control Act for source water protection.

Perhaps the most pressing of these issues is the need to address global climate change. As President Biden has said, climate change represents an existential threat. Yet it is also an opportunity not only for economic growth, as you acknowledged during your Senate confirmation hearing, but also for building more resilient communities. Water is the lifeblood of our nation's cities and towns. Recognizing that sometimes mitigating climate impacts can be an adaptation strategy, our nation's urban water utilities are seeking ways to implement innovative solutions that increase energy efficiency and adapt to the changes that are already being observed in their watersheds. Helping communities and the water utilities that serve them become more resilient to climate change and extreme events should be a top priority for EPA as the agency awards grants and loans under numerous authorized water infrastructure assistance programs. Doing so would also present an opportunity for EPA to address several of the key issues important to this administration that are inherently related, including protecting public health and the environment, addressing longstanding issues of environmental justice and equity, and creating economic opportunity.

The long-term viability, sustainability, and resiliency of the nation's water supply is integral to a strong national economy and is foundational to a just, equitable, and, ultimately, flourishing

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nation. As EPA works to ensure all of the people in our communities have access to safe, reliable, and affordable water, AMWA urges you to also consider how investing in water infrastructure and innovation can achieve additional resilience benefits, reduce greenhouse gas emissions, and improve environmental justice outcomes.

Climate change impacts and extreme events often manifest via the water cycle, from extreme rainfall to droughts and wildfires caused by too little precipitation, to sea level rise. These climate-related outcomes, such as severe flooding, often put additional stresses on our nation's aging water infrastructure, particularly in the most economically and environmentally vulnerable neighborhoods. Our water systems were built for conditions that existed decades or a century ago, and ensuring utilities can weather future storms and provide essential services into the next century will require EPA and other federal agencies to leverage infrastructure investment to equitably provide multiple community benefits, including economic growth, green jobs, and improved public health outcomes.

Another threat to water utilities comes from increasingly well-resourced and sophisticated malicious cyber actors. To minimize disruptions to essential societal functions, metropolitan utilities heavily invest in protecting computer systems from attacks. Water security is national security, which means it is essential for EPA to continue, if not increase, its collaboration with the nation's water utilities. We encourage EPA to address the diverse and dynamic threat environment by pursuing increased budgets for its security programs and expanding its support for existing sector security initiatives like the Water Information Sharing and Analysis Center (WaterISAC). Greater collaboration with the sector, when coupled with EPA's own increased efforts, will help the nation collectively meet this moment.

AMWA further encourages the agency to consider the overall impacts of these actions on community and ratepayer affordability and equity, not just across one environmental media but across all EPA programs. For example, EPA can take a more equitable approach to environmental protection by leveraging the Toxic Substances Control Act (TSCA) to better protect drinking water sources and, as a result, ensure drinking water is more affordable for ratepayers by keeping pollution out of the nation's water supplies.

AMWA has consistently stressed the importance of considering the whole system of environmental exposures to contaminants when determining how best to manage their risk, but EPA has not always done so. For example, all of the risk assessments that EPA has drafted and finalized under the 2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act have excluded consideration of drinking water exposures. To understand the complete risk picture, EPA should consider all potential routes of exposure, including drinking water, even for contaminants with drinking water standards. This will help EPA to assess whether to use its authorities under TSCA or any other regulatory program to reduce the introduction of contaminants into the environment and protect public health.

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Addressing environmental contamination before it reaches consumers via their tap water should also be part of EPA's approach to addressing PFAS. It is imperative that the agency consider any future regulatory actions within the context that whatever path EPA chooses will set the stage for how the agency addresses not only other PFAS but also other future emerging contaminants. Preventing and cleaning up PFAS contamination will not only reduce water treatment costs, and thus water bills, but will make communities healthier.

Both EPA and water utilities have steep challenges ahead related to climate resiliency, emerging contaminants, equity, affordability, and cybersecurity. Over AMWA's forty years, we have always had strong working relationships with EPA leaders, and I look forward to renewing our relationship with the agency under your leadership.

Toward that end, I would welcome the opportunity to convene a handful of water utility CEOs and general managers to discuss with you how we can work together to address these critical challenges. Thank you for your consideration, and congratulations again on your confirmation. AMWA looks forward to the opportunity to work with you over the coming months and years.

Sincerely,



Diane VanDe Hei
Chief Executive Officer

cc: Dan Utech, Office of the Administrator
Radhika Fox, Office of Water
Jennifer McLain, Office of Ground Water and Drinking Water