

**TESTIMONY OF DR. JENNIFER McLAIN
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OFFICE OF WATER
U.S. ENVIRONMENTAL PROTECTION AGENCY**

**BEFORE THE
HOUSE COMMITTEE ON ENERGY & COMMERCE
SUBCOMMITTEE ON ENVIRONMENT & CLIMATE CHANGE**

May 25, 2021

Good morning Chair Tonko, Ranking Member McKinley, and members of the Subcommittee. I am Dr. Jennifer McLain, Director of the Office of Ground Water and Drinking Water within the Office of Water at the U.S. Environmental Protection Agency. Thank you for the opportunity to testify about EPA's efforts to help ensure that all people in America have safe drinking water.

The Critical Role of Water Infrastructure

Water is essential to life and to thriving communities. Our nation's drinking water infrastructure delivers critical public health protection and serves as a cornerstone for economic development.

Currently, 93 percent of community water systems meet all health-based standards.

Unfortunately, our nation's drinking water infrastructure is too often still in use long after it should be repaired or replaced. In fact, some infrastructure is more than a century old. EPA's sixth Drinking Water Needs Survey, completed in 2015, identified nearly \$472.6 billion in capital improvement needs over 20 years to keep pace with critical, aging infrastructure.

Water's importance has never been clearer than during the COVID-19 pandemic. The pandemic put a spotlight on the essential need for safe water. It put unprecedented stresses on our nation's water systems and on the tens of millions of Americans struggling to afford their water bills.

Communities that lack reliable water infrastructure have been among the hardest hit by COVID-19. Our nation's water utilities have worked tirelessly to keep vital drinking water and wastewater services operating despite the challenges and EPA has supported water utilities throughout the pandemic and recovery. The agency has ensured that their staff are recognized as essential workers, provided millions of masks to protect the workforce, and developed resources to support the water sector as it faces impacts to revenue streams, workforce, and supply chains. Tribal utilities have experienced greater impacts and EPA has worked with our federal partners to support their needs.

EPA's water infrastructure programs have demonstrated time and again that they can improve public health and environmental protection while creating good paying jobs and laying a foundation for long-term economic development. And with strategic partnerships and community leadership, water infrastructure can help address key challenges we face as a nation, including closing the water equity gap and confronting the threats from climate change through increased resiliency. EPA's existing water infrastructure programs serve critical roles in supporting these ongoing investments. Since their inception, EPA's State Revolving Funds – the Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF), the latter of which is managed by my office – have provided more than \$189 billion in financial assistance to nearly 43,000 water quality infrastructure projects and 16,500 drinking water projects. In the last two years alone, the two SRF programs have collectively provided more than \$20 billion to support water infrastructure estimated to have created over 300,000 jobs. Additionally, through the Water Infrastructure Finance and Innovation Act (WIFIA) loan program, EPA has provided more than \$9 billion in credit assistance to help finance more than

\$20 billion for water infrastructure while creating more than 49,000 jobs and saving ratepayers \$4 billion.

EPA has a solid track record of ensuring that water infrastructure investments protect public health while also helping to close the water equity gap by addressing affordability and access challenges. For example, the DWSRF prioritizes investments that protect public health and can be used by states to address key challenges facing communities, including addressing emerging contaminants like per- and polyfluoroalkyl substances (PFAS), replacing lead service lines, and strengthening cybersecurity measures. Under the DWSRF, states may use a portion of their capitalization grants as additional subsidy to forgive principal or provide grants which help to assist the communities with the greatest need and who might be otherwise unable to afford SRF loans. To date, states have provided nearly \$3 billion in DWSRF additional subsidy to state-identified disadvantaged communities. EPA also supports access to safe drinking water on Tribal lands by funding the construction of drinking water infrastructure through the Drinking Water Infrastructure Grants Tribal Set-Aside Program. Since its inception in 1997, the program has contributed more than \$417 million towards providing safe drinking water to tribal communities across the country.

We are encouraged by recent innovative actions to accelerate infrastructure investment to meet specific community needs. For example, the Water Infrastructure Funding Transfer Act has been used by multiple states to accelerate actions to reduce lead in drinking water. In addition, the Water Infrastructure Improvements for the Nation (WIIN) Act grant programs provide critical funding for small and disadvantaged communities and for reducing lead in drinking water. EPA

also recently dedicated more than \$20 million in funding under the WIIN small and disadvantaged communities grant program to improve access to safe drinking water for tribal populations with the greatest water access needs. Under the leadership of Administrator Regan, EPA's drinking water programs are working hard to build on our programs' past successes and to identify additional opportunities for prioritizing our investments toward the communities who need them the most. This track record of success underscores the potential of EPA's water infrastructure programs to deliver needed improvements and upgrades to communities across the country.

Energy and Commerce Committee Legislative Efforts

EPA appreciates the attention that Congress and this Committee have paid to addressing the impacts of the COVID-19 pandemic and in making critical drinking water infrastructure investments. As part of the American Rescue Plan, Congress acknowledged EPA's essential role in closing the health disparity gap by providing EPA with an investment of \$100 million that includes \$50 million targeted specifically to advance environmental justice, including in the area of safe drinking water. EPA also appreciates Congress's assistance in appropriating more than \$1 billion to support low-income water ratepayers through a new program at the Department of Health and Human Services (HHS). EPA is actively assisting our colleagues at HHS in this critical work.

The legislative priorities in the Committee's CLEAN Future Act (H.R. 1512) and other legislative proposals would help support investments in the DWSRF, protect our communities from PFAS in drinking water, and replace the millions of lead service lines across the nation.

EPA shares the Committee's interest in addressing these critical priorities and is available to provide technical assistance to advance these shared goals. I and my EPA colleagues will roll up our sleeves to implement these programs if enacted.

Thank you again, Chair Tonko, Ranking Member McKinley, and Members of the Subcommittee. I appreciate the opportunity to testify today, and I look forward to answering any questions you may have.