

Congress of the United States
Washington, DC 20515

May 19, 2022

Radhika Fox
Assistant Administrator
Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Assistant Administrator Fox:

Since 1974, the Safe Drinking Water Act (“SDWA”) has protected the health and safety of many Americans through the funding and regulation of public water systems. However, over eight million Americans still lack access to safe drinking water today¹. As we continue to pass legislation to benefit the American people, we must use every tool at our disposal to ensure that all Americans, including those in the most vulnerable and water-stressed communities, can turn on a tap in their home and drink safe water.

Small public water systems that serve rural and remote locations are the most likely to experience SDWA water quality violations- and these are also communities that lack the funding, personnel, and time to plan, build, and maintain water system improvements. Equally dire are the many households who are not connected to public water systems at all, and instead are forced to rely on trucked water, bottled water, or unsafe private wells. Incumbent EPA programs, including the Drinking Water State Revolving Fund (“DWSRF”), are only structured to serve public water systems, therefore excluding these households.

Arizonans have experienced drinking water contamination for years. These natural and manmade contaminants more frequently impact small public water systems serving less than 3,000 residents. In the Seventh Congressional District, 23 water systems currently have SDWA violations and 22 of those serve less than 1,500 people². In the Second and Third Congressional districts, the toxin polyfluoroalkyl (“PFAS”) was discovered in local water systems, thought to have originated from wells located in an EPA-deemed superfund site. This discovery left 60,000 residents without drinking water³. Across the state, 195 out of the 205 public water systems are in similar position, and collectively they serve over 200,000 residents⁴. It is quite apparent that existing EPA programs are failing these communities.

¹ Enforcement and Compliance History Online (ECHO) EPA– Drinking Water Systems

² Ibid.

³ Dwyer, D. & Ebbs, S. & Yoo, J. (2021, August 10) *Ticking Time Bomb: PFAS chemicals in drinking water alarm scientists over health risks*. ABC News. <https://abcnews.go.com/US/ticking-time-bomb-pfas-chemicals-drinking-water-alarm/story?id=79300094>

⁴ Enforcement and Compliance History Online (ECHO) EPA– Drinking Water Systems

In their analysis of the American Community Survey, DigDeep and the U.S. Water Alliance found that Native Americans were the most likely to face water access issues: 58 out of every 1,000 Native American households lack complete plumbing, as opposed to three out of every 1,000 white households⁵. For EPA to fulfill its mandate and ensure all Americans have access to safe drinking water, we respectfully request the agency utilize existing flexibility in programs to make sure that the rural, remote, and most water stressed aren't left behind, which includes utilizing alternative water sources such as distributed drinking water technologies.

The 1st Congressional District includes the Navajo Nation, the Hopi Tribe, and the Gila River Indian Community and has an overall Native American population of 25%, the largest of any Congressional District. Today, 48% of homes on tribal land across the country do not have access to reliable water sources, clean drinking water, or basic sanitation⁶. Many Tribal communities live with tap water contaminated with toxic arsenic or bacteria, and in homes without running water. As many as 30 to 40% of people living on the 27,000-square-mile Navajo reservation lack access to running water, forcing many to turn to windmill-powered wells⁷. A study found 12% of the unregulated water sources on the reservation exceeded federal drinking water standards for uranium or other radioactive contaminants, with one source showing uranium at 20 times higher than the limit⁸.

Congress's investment in expanded water programs is aimed at addressing drinking water access for underserved communities. However, traditional solutions such as extending infrastructure from miles away have created permitting and execution problems that too often prevent projects from ever being built.

Over the past decade, distributed water technologies have matured. These technologies now allow underserved communities to access drinking water more cheaply and quickly than traditional service line projects. Including such technologies (such as distributed water and atmospheric water harvesting) in the launch of new drinking water programs will allow existing communities to fully reap the benefits of these technologies. For example, the Navajo Nation has provided a clean drinking water supply to over 500 remote homes by instead using atmospheric water harvesting technology, providing a 91.8% cost savings over traditional water line extension project. Furthermore, this project was completed in 6 months, versus the proposed 10+ years it would have taken to extend the service lines to every home.

To fulfill the promise of the SDWA, flexibility and consideration of new solutions like these will ultimately protect the health of more Americans and finally fulfill our obligation to provide clean, reliable, and affordable drinking water. It is our understanding that EPA has enough flexibility within existing programs and the aforementioned proposed programs to utilize distributed drinking water technologies. We respectfully request your assistance in ensuring that

⁵ DigDeep & US Water Alliance. (2019). *Closing the Water Access Gap in the United States*. <https://www.digdeep.org/close-the-water-gap>

⁶ Democratic Staff of the House Natural Resources Committee. (2016). *Water Delayed is Water Denied*. https://naturalresources.house.gov/imo/media/doc/House%20Water%20Report_FINAL.pdf

⁷ Ibid.

⁸ Ibid.

the deployment of distributed water solutions are eligible under these programs, in order to close the equity gap for rural communities, Native American communities, and communities of color.

Thank you for the consideration of this request in accordance with all applicable rules, regulations, laws, and guidelines.

Sincerely,



Ruben Gallego
Member of Congress



Tom O'Halleran
Member of Congress



Mark Kelly
U.S. Senator



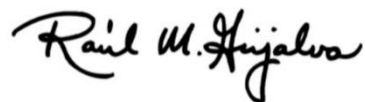
Kyrsten Sinema
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Greg Stanton
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Raúl Grijalva
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