

**Testimony of
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Before the Committee on Oversight and Government Reform
U.S. House of Representatives
March 17, 2016**

Good morning, Mr. Chairman, Ranking Member Cummings, distinguished Members of the Committee. Thank you for the opportunity to testify about EPA's response to the drinking water crisis in Flint, Michigan.

I want to start by saying what happened in Flint should not have happened and can never happen again. The crisis we're seeing was the result of a state-appointed emergency manager deciding that the City would stop purchasing treated drinking water and instead switch to an untreated source to save money. The State of Michigan approved that decision, and did so without requiring corrosion control treatment. Without corrosion control, lead from pipes, fittings and fixtures can leach into the drinking water. These decisions resulted in Flint residents being exposed to dangerously high levels of lead.

Under the Safe Drinking Water Act, Congress gives states the primary responsibility to enforce drinking water rules for the nation's approximately 152,000 water systems, but EPA has oversight authority. Typically, EPA has a strong relationship with states under the Act. But looking back on Flint, from day one, the state provided our regional office with confusing, incomplete and incorrect information. Their interactions with us were intransigent, misleading and contentious. As a result, EPA staff were unable to understand the potential scope of the lead problem until a year after the switch and had insufficient information to indicate a systemic lead problem until mid-summer of 2015.

While EPA did not cause the lead problem, in hindsight, we should not have been so trusting of the State for so long when they provided us with overly simplistic assurances of technical compliance rather than substantive responses to our growing concerns. Although EPA regional staff repeatedly urged the Michigan Department of Environmental Quality, or MDEQ, to address the lack of corrosion control, we missed the opportunity late last summer to quickly get EPA's concerns on the public's radar screen.

Since October, EPA has been providing technical advice to the City. Additionally, an EPA response team of scientists, water quality experts, community involvement coordinators, and support staff has been on the ground every day since late January. EPA's efforts are part of a broader Federal response to the community, led by the Department of Health and Human Services. The EPA team has visited hundreds of homes and collected thousands of samples to assess the City's water system. We're encouraged by these test results, but our enhanced efforts with Flint will continue until the system is fully back on track.

We've also been engaging Flint residents - visiting places of worship, schools, libraries, community centers, and senior living facilities - to hear their concerns and share information.

I have also taken several concrete steps at the agency to address some of the systemic issues raised during this crisis. I directed a review of MDEQ and its ability to implement the Safe Drinking Water Act. I called on EPA's inspector general to investigate EPA's response to the Flint crisis. I issued an EPA-wide elevation memo encouraging staff to raise issues of concern to managers and managers to be welcoming of staff concerns and questions. I also recently sent letters to every governor and every state environmental and health commissioner in the country asking them to work with EPA on infrastructure investments, transparency, technology, oversight, risk assessment, and public education. And I have asked the states to join EPA in taking action to strengthen our safe drinking water programs, to ensure drinking water programs are working for our communities. Additionally, we are actively working on revisions to the Lead and Copper Rule.

While the contours of this situation are unique, the underlying circumstances that allowed it to happen are not. As a country, we have a systemic problem of underinvestment in "environmental justice" communities. Not only are these underserved populations more vulnerable to the health impacts of pollution, but they often lack the tools and resources to do something about it. That's what stacks the deck against a city like Flint. That's what creates an environment where a crisis like this can happen.

There are many missteps along the way that can tip the scales toward a crisis. In many areas across our country, water infrastructure is aging, it is antiquated, and it is severely underfunded – particularly in low-income communities, which may have the most difficulty securing traditional funding through rate increases or municipal bonds. This threatens citizens' access to safe drinking water. We need to start having a serious conversation about how we advance the technologies and investments necessary to deliver clean water to American families.

I'm personally committed to doing everything possible to make sure a crisis like this never happens again. But EPA can't do it alone. We need the cooperation of our colleagues at every level of Government and beyond. Thank you and I look forward to answering your questions.