



Testimony for Senate Committee on Environment and Public Works,
Subcommittee on Fisheries, Water, and Wildlife

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Submitted by:

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Thank you Senator Duckworth for the opportunity to speak about lead service line replacement and for your tireless work to ensure clean drinking water and environmental justice for Americans. I'm speaking to you today on behalf of the Metropolitan Planning Council, an 87 year-old nonprofit dedicated to increasing equitable, sustainable infrastructure in Illinois.

2021 was a remarkable year for ensuring safe drinking water in Illinois. The federal government passed the Bipartisan Infrastructure Law, which dedicated a historic 15 billion dollars for American communities to replace their lead service lines. The State of Illinois also took historic action, becoming one of only three states in the country to adopt legislation requiring the replacement of all lead service lines. It is inspiring to see both the federal government and State of Illinois taking such monumental action during the same year, and I thank you, your colleagues in Congress, the Illinois legislature and Governor Pritzker for their tremendous leadership.

The challenge and opportunity now before Illinois communities is to make good on those federal and state actions. Success in this matter is a racial equity imperative: in Illinois, Black and Latinx residents are twice as likely as white Illinoisans to live in the communities that contain nearly all of this toxic infrastructure¹. As a matter of environmental justice, Illinois' communities simply must complete this work as quickly as possible. We cannot allow another lead in drinking water crisis like Flint's or Benton Harbor's to take place. We cannot allow another generation of children to be needlessly exposed to this toxin in their drinking water.

Three factors will be critical to the success of Illinois communities in rising to this occasion. These are not the only variables, but they will be crucial to address: Illinois communities need more funding, grant funding needs to be prioritized for communities and residents most in need, and technical resources must be available to utilities.

First, Illinois communities are going to need more funding. With nearly 670,000 known lead service lines, Illinois has more of this toxic infrastructure than any other state. Assuming an average cost of \$7,056 per full replacement², it will cost over \$4.7 billion to replace all of Illinois' known lead service lines in the coming decades. The Bipartisan Infrastructure Law is a huge achievement, delivering an estimated \$565.5 million to Illinois based on current State Revolving Fund allotment levels³. Yet that investment represents just over 12% of the funding needed in Illinois. We have a long way to go in ensuring sufficient funding for communities to complete this work. Meeting this funding need will require all levels of government working together.

Second, it's imperative that until full funding of lead service line replacement is reached, all lead service line replacement grant funding needs to be prioritized for the highest need communities and residents. Residents should never have to choose between lead-free drinking water and affordable drinking water; all residents should be assured both. The best way to achieve this outcome is for low

¹ "Data Points: The Environmental Injustice of Lead Service Lines in Illinois." Metropolitan Planning Council. November 10, 2020. <https://www.metroplanning.org/news/9960/Data-Points-the-environmental-injustice-of-lead-lines-in-illinois>.

² *Proposed LCRR Economic Analysis*, p. 5-16. US Environmental Protection Agency. October 2019. <https://www.regulations.gov/document/EPA-HQ-OW-2017-0300-0003>.

³ "LSL Burden vs SRF Allotment." Metropolitan Planning Council. https://www.metroplanning.org/uploads/cms/documents/table_-_lsl_distribution_by_state_srf_-_15_billion.pdf.

income residents and utilities to have grant funding that covers the full cost of lead service line replacement, so they aren't asked to bear a cost of replacement they cannot afford.

This is both an environmental justice issue and a program effectiveness issue: a 2020 analysis of Washington DC's lead service line replacement program, in which homeowners were asked to pay for replacement, found that wealthier and whiter wards were far more likely to voluntarily replace their lead pipes⁴. This finding is squarely in line with US EPA's own environmental justice analysis of the Lead and Copper Rule, in which they recognize that changes to the rule "...that depend on ability-to-pay will leave low-income households with disproportionately higher health risks"⁵. Grant funding needs to be prioritized for communities and residents with the highest financial and infrastructure need. That is the surest way to get all Illinois' lead pipes replaced and produce a more equitable outcome.

Third, Illinois communities are going to need technical support. Utilities in Illinois vary widely in their ability to tackle the different aspects of lead service line replacement, from community engagement to finding lead service lines to planning to construction. There needs to be assistance available for staff-constrained and resource-constrained utilities in the form of information, outreach from agencies, and guidance on best practices. Critically, there needs to be support for communities to help them take advantage of federal funding, which can be impossibly complex for resource-constrained utilities to apply for.

By increasing the amount of funding available, targeting grant assistance to communities and residents most in need, and providing our communities with technical support, we can see all Illinois' lead service lines replaced in the coming years. I thank you again for the opportunity to speak on this matter.

⁴ *Lead Pipes and Environmental Justice: A Study of Lead Pipe Replacement in Washington, D.C.* Environmental Defense Fund, March 2020.

https://www.edf.org/sites/default/files/u4296/LeadPipe_EnvironJustice_AU%20and%20EDF%20Report.pdf.

⁵ *Environmental Justice Report for the Proposed Lead and Copper Rule Revisions*, p. 23. United States Environmental Protection Agency, October 22, 2019. <https://www.regulations.gov/document/EPA-HQ-OW-2017-0300-0008>.