

# United States Senate

February 19, 2025

The Honorable Lee Zeldin  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W., Mail Code 1101A  
Washington, D.C. 20460

Dear Administrator Zeldin,

I write regarding the Environmental Protection Agency's (EPA) finalized Lead and Copper Rule Improvements (LCRI) that went into effect on December 30, 2024.

On March 28, 2024, I sent a letter to the EPA asking the agency to consider the unique challenges faced by water systems in small and rural communities when finalizing this proposal.<sup>1</sup> Unfortunately, the EPA did not adequately consider my comments and concerns. The finalized rule is still a largely unfunded mandate that is unworkable and impractical for small and rural communities.

The rule requires most water systems to replace all lead service lines within 10 years and lowers the threshold for the lead action level from 15 µg/L to 10 µg/L. Both requirements will especially strain our country's rural water systems and impose burdensome costs on rate-paying Iowans.

As I stated previously, I appreciate the importance of removing sources of contamination and continually improving safety standards for drinking water, but the EPA's focus must be on practical solutions that won't bankrupt rural America.

Since 1991, when the Lead and Copper Rule (LCR) was first issued, the lead action level for drinking water has been 15 µg/L. Since then, the number of large drinking water systems exceeding the LCR action level has decreased by over 90 percent.<sup>2</sup> In 2019, Safe Drinking Water Information System data showed 97 percent of water systems had not reported an action level of lead in the prior three years.<sup>3</sup> While I commend this progress and continue supporting ways to improve drinking water quality, such efforts must be realistic for rural communities.

Last year, I consulted with municipalities and utilities across Iowa about how this rule will impact them. The larger entities estimated it would cost them tens of millions of dollars to replace their service lines. If this occurs, utilities will be forced to increase their rates to cover the cost, some estimating as much as 30 percent over 20 years. The impact will be far worse for rural

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<sup>1</sup> Ernst, Joni. (March 28, 2024) [Letter from Senator Ernst and Senate colleagues to EPA Administrator Michael Regan]. [https://www.ernst.senate.gov/imo/media/doc/lead\\_pipe\\_letter.pdf](https://www.ernst.senate.gov/imo/media/doc/lead_pipe_letter.pdf)

<sup>2</sup> "Understanding the Lead and Copper Rule - US EPA." Environmental Protection Agency, September 2020. [https://www.epa.gov/sites/default/files/2019-10/documents/lcr101\\_factsheet\\_10.9.19.final\\_2.pdf](https://www.epa.gov/sites/default/files/2019-10/documents/lcr101_factsheet_10.9.19.final_2.pdf).

<sup>3</sup> *Id.*

water systems that have higher costs and fewer ratepayers to shoulder the expense. This will hit many Iowans very hard while they still grapple with the effects of years of inflation.

Not only will the cost of the new rule be extremely burdensome to Iowans, but there are questions about whether the work needed to implement the rule could feasibly be completed in time. One small town informed me that they have 88 known lead service lines, six galvanized service lines, and 442 unknowns. This town's water utility has three employees, who are not only expected to carry out their regular responsibilities to keep their town's water safe but will also have to verify and switch out any lead and galvanized service lines within 10 years. Additionally, workers in Iowa, like many other areas of the country, have a restricted construction season where the ground is frozen solid for the winter. The EPA requiring this town to address 536 service lines in 10 years is simply unrealistic.

As the EPA reviews regulations from the Biden administration, I request that the agency reevaluate the LCRI final rule and consider revising it to accommodate rural water systems. In the meantime, I ask that the agency examine ways to better assist all water systems to replace affected service lines and otherwise comply with this rule.

To that end, I ask you to respond to the following questions:

- If the LCRI rule's lead action level remains at 10 µg/L, what additional resources will the agency offer to municipalities and utilities to assist in the increased compliance costs?
- Will you commit to working with small and rural communities to provide clear guidance and a realistic path for compliance with the rule, avoiding a one-size-fits all approach? For example, when a utility does not own the service lines, who is responsible for funding replacements to comply with the final rule?
- Under President Trump's leadership, will the EPA commit to providing individual towns and utilities with clear guidance and eligibility criteria when they request flexibility in complying with the rule?
- What assistance will the EPA offer municipalities and utilities to ensure they have access to the workforce and equipment they will need to comply with the finalized rule?

Across the country, hardworking men and women show up daily to provide their communities with safe drinking water, which is fundamental for a healthy and thriving community. We can all agree that continual safety improvements are important. However, a heavy-handed and unrealistic mandate from out-of-touch bureaucrats in Washington, D.C. does more harm than good.

Thank you for your prompt consideration of this critical matter. I ask you to transmit a response, including detailed answers to the above questions, as soon as possible.

Sincerely,

A handwritten signature in blue ink that reads "Joni K. Ernst". The signature is fluid and cursive, with the first name "Joni" and last name "Ernst" clearly legible. The middle initial "K" is smaller and positioned between the first and last names.

Joni K. Ernst  
United States Senator