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ONE HUNDRED TENTH CONGRESS

**U.S. House of Representatives**  
**Committee on Energy and Commerce**  
**Washington, DC 20515-6115**

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January 31, 2008

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The Honorable David M. Walker  
Comptroller General  
U.S. Government Accountability Office  
441 G Street, N.W.  
Washington, D.C. 20548

Dear Comptroller General Walker:

The Safe Drinking Water Act (SDWA) requires the Environmental Protection Agency (EPA) to establish drinking water standards and monitoring requirements to ensure that public water systems deliver safe drinking water to consumers. Ensuring that appropriate contaminants are selected for regulation is a very important step in the development of drinking water regulations. Section 1412 of the Safe Drinking Water Act details the criteria for identification of contaminants for potential regulation and the EPA has used the Contaminant Candidate List (CCL) process to identify such contaminants.

The 1996 SDWA amendments require EPA to publish the CCL every five years. The CCL is a list of contaminants that are not subject to any proposed or promulgated national primary drinking water regulation, are known or anticipated to occur in public water systems, and may require regulation under SDWA. Since 1996, EPA has published two CCLs but has not identified a single new contaminant, including perchlorate, for subsequent regulatory action to establish a drinking water standard. Therefore, we would request that the Government Accountability Office (GAO) review this process to determine if it is workable and effective to protect the public health, and recommend any necessary improvements.

In addition, we would request that GAO review the EPA's failure to update its current drinking water standard for Trichloroethylene (TCE) following its August 2001 draft risk assessment entitled "Trichloroethylene Health Risk Assessment: Synthesis and

Characterization.” The EPA 2001 assessment found that TCE was far more likely to cause cancer than EPA had previously believed. We note that in July 2006, the National Academy of Sciences (NAS) found “that the evidence on carcinogenic risk and other health hazards from exposure to trichloroethylene has strengthened since 2001” and recommended “that federal agencies finalize their risk assessment with currently available data so that risk management decisions can be made expeditiously.” EPA does not appear, however, to have acted consistently with respect to the findings and recommendations of these major scientific studies to protect the public health.

In conducting your review of the regulatory review process, and associated issues specific to TCE, please examine the following issues:

1. The extent to which EPA’s efforts to revise the TCE drinking water standard complies with the Safe Drinking Water Act’s requirements, and facilitate improvements to public health protection.
2. The obstacles, if any, that have interfered with EPA’s ability to expeditiously revise its standards for TCE.
3. The latest research and what it suggests about TCE’s effects on human health and the environment, including information from the Agency for Toxic Substances and Disease Registry’s study related to Camp Lejeune.
4. The number of Department of Defense sites contaminated with TCE and the Department’s role, if any, in delaying or interfering with EPA efforts to update a drinking water standard for TCE.

Finally, we note that in the past decade sales of bottled water have reportedly tripled to more than \$10.5 billion, even though the United States has one of the safest supplies of tap water in the world. We request that you examine the effect this increased use of bottled water is having on municipal landfill capacity, if any, and any effects on energy use from the transportation and manufacture of the plastic bottles. Further, please identify any State or Federal regulations that govern the accuracy of labels or other claims made with respect to the purity of bottled water and review whether bottled water suppliers are required to provide the details of the water source on the labels. Also, please examine whether any countries, including the United States at the Federal or State level, regulate the quality of bottled water to ensure that the water is safe.

The Honorable David M. Walker  
Page 3

If you have any questions concerning this request please contact us or have your staff contact Richard A. Frandsen with the Committee on Energy and Commerce at (202) 225-2927.

Sincerely,



Albert R. Wynn  
Chairman  
Subcommittee on Environment  
and Hazardous Materials



Hilda L. Solis  
Vice Chair  
Subcommittee on Environment  
and Hazardous Materials

cc: The Honorable John D. Dingell, Chairman  
Committee on Energy and Commerce

The Honorable Joe Barton, Ranking Member  
Committee on Energy and Commerce

The Honorable John B. Shadegg, Ranking Member  
Subcommittee on Environment and Hazardous Materials