

Duckworth, Murray and Carper Call on EPA to Implement GAO Recommendations to Improve Drinking Water Safety at Child Care Facilities

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WASHINGTON, DC – U.S. Senators Tammy Duckworth (D-IL), the Ranking Member of the U.S. Senate Environment and Public Works’ Subcommittee on Fisheries, Water and Wildlife; Patty Murray (D-WA), the Ranking Member of the Senate Committee on Health, Education, Labor and Pensions; and Thomas R. Carper (D-DE), the Ranking Member of the Senate Committee on Environment and Public Works wrote today to strongly urge that the U.S. Environmental Protection Agency (EPA) fully implement the recommendations contained in the U.S. Government Accountability Office (GAO) September 28, 2020 report, “Child Care Facilities: Federal Agencies Need to Enhance Monitoring and Collaboration to Help Assure Drinking Water is Safe from Lead” ([GAO-20-597](#)).

In part, Duckworth, Murray and Carper wrote to the head of EPA's Office of Water: "To prevent lead exposure in children and help child care providers and Head Start grantees provide safe drinking water at their facilities, EPA should implement GAO's two recommendations to the agency. The first recommendation calls for your office to develop an agreement with OHS and OCC on their roles and responsibilities in implementing the 2019 Memorandum of Understanding on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities (MOU). The second recommendation urges your office to specify how it will track progress toward the outcomes of the 2019 MOU and determine how EPA will regularly monitor and update the MOU."

Even at low levels, lead exposure in children can result in developmental delays and learning difficulties, damaged kidneys and permanent impaired brain development. Yet, GAO's investigation revealed that among Head Start centers, only 26 percent reported testing facility drinking water for lead contamination, while an estimated 43 percent never tested facility drinking water for lead contamination and 31 percent did not know whether facility drinking water had ever been tested.

While the Department of Health and Human Services (HHS) has complied and worked to implement the GAO's recommendations for the department, EPA has failed to commit to fully implementing the GAO's recommendations. The EPA must do more to support lead testing in Head Start and child care facilities to ensure the health and safety of the young children in their care.

Full text of the letter included below and [here](#).

Mr. Dave Ross

Assistant Administrator, Office of Water

U.S. Environmental Protection Agency

Office of Water 4101M

1200 Pennsylvania Avenue NW

Washington, DC 20460

Dear Assistant Administrator Ross:

We write today to urge the U.S. Environmental Protection Agency (EPA) Office of Water to fully implement the recommendations contained in the U.S. Government

Accountability Office (GAO) September 28, 2020 report entitled “Child Care Facilities: Federal Agencies Need to Enhance Monitoring and Collaboration to Help Assure Drinking Water is Safe from Lead” (GAO-20-597). We note that the U.S. Department of Health and Human Services (HHS) Office of Head Start (OHS) and Office of Child Care (OCC) have already agreed to do so.

Even at low levels, lead exposure in children can result in developmental delays, learning difficulties, damaged kidneys and impaired brain development. Yet, GAO found that only 26 percent of Head Start centers had tested their drinking water for lead contamination, while an estimated 43 percent had never tested their drinking water for lead contamination and 31 percent did not know whether their facility drinking water had ever been tested.

The EPA awards grants to help child care facilities test for lead in drinking water, and must do more to support lead testing in Head Start and child care facilities to ensure the health and safety of the young children in their care. GAO produced reasonable recommendations for agency action to address this public health threat to our Nation’s children. Specifically, GAO provided EPA with two recommendations (in addition to providing HHS with two recommendations):

“3. Recommendation: The Assistant Administrator of the Office of Water should develop an agreement with HHS's Offices of Child Care and Head Start on their roles and responsibilities in implementing the Memorandum of Understanding on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities. For example, these agreements may include the ways in which guidance and information will be shared with states and Head Start grantees, such as through webinars or email, and how frequently. (Recommendation 3)

4. Recommendation: The Assistant Administrator of the Office of Water should direct the Office of Water to specify how it will track progress toward the outcomes of the Memorandum of Understanding on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities and determine how it will regularly monitor and update the MOU. For example, the Office of Water could develop performance measures for each of the MOU's outcomes. In addition, the Office of Water could submit annual reports on progress toward achieving the MOU's outcomes or it could plan to update the agreement at specific intervals. (Recommendation 4)”

HHS concurred with the two recommendations that GAO provided that agency and agreed to take corrective action to better protect children from lead poisoning. We are disappointed, however, that EPA did not indicate whether the agency agreed or

disagreed with the GAO recommendations, and worse, failed to commit to implementing the corrective actions fully to strengthen public health protections in Head Start and child care facilities.

To prevent lead exposure in children and help child care providers and Head Start grantees provide safe drinking water at their facilities, EPA should implement GAO's two recommendations to the agency. The first recommendation calls for your office to develop an agreement with OHS and OCC on their roles and responsibilities in implementing the 2019 Memorandum of Understanding on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities (MOU). The second recommendation urges your office to specify how it will track progress toward the outcomes of the 2019 MOU and determine how EPA will regularly monitor and update the MOU.

Protecting children from the adverse health effects of lead exposure should be a top priority for EPA and HHS. We strongly urge EPA to engage with OHS and OCC to fully implement GAO's recommendations and track progress towards implementing the 2019 MOU moving forward. Furthermore, we request that, no later than November 6, 2020, you provide our offices with the interagency agreement between EPA and HHS establishing clear roles and responsibilities for the Office of Water, OHS and OCC in implementing the MOU, along with documentation describing the system EPA will employ to track progress towards meeting the MOU's objectives.