

United States Senate
WASHINGTON, DC 20510

December 21, 2010

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

We are writing you because we are concerned that not enough is being done to protect the public from hexavalent chromium in tap water. A recent study by the Environmental Working Group found hexavalent chromium in the drinking water of 31 cities across the United States. We would like to better understand what the Environmental Protection Agency ("EPA") is doing to address this problem and inform the Administration about the steps that we believe it should take to better protect drinking water quality.

We now know that hexavalent chromium in drinking water can cause cancer. The Department of Health and Human Services' National Toxicology Program concluded that hexavalent chromium in drinking water shows "clear evidence of carcinogenic activity" in laboratory animals, and the EPA's own draft toxicological review found that the contaminant in tap water is "likely to be carcinogenic to humans." The draft review cites significant cancer concerns and other health effects from animal studies, including anemia and damage to the gastrointestinal tract, lymph nodes and liver. We are especially concerned about the impacts of hexavalent chromium on children's health, since children can have a higher sensitivity to carcinogenic chemicals.

There are no enforceable federal standards to protect the public from hexavalent chromium in tap water. The EPA currently has a tap water standard for total chromium. That standard, however, is outdated because it was set nearly two decades ago and does not focus on the cancer-causing chemical hexavalent chromium. The EPA also does not require drinking water utilities to test for this chemical. The State of California proposed a public health goal for hexavalent chromium in tap water of 0.06 parts per billion, but has not yet adopted an enforceable standard.

Available evidence shows that the problem of hexavalent chromium in tap water affects a large number of people across the nation. The water utilities surveyed by the Environmental Working Group serve more than 26 million Americans. In California, the only state that requires testing for hexavalent chromium, water utilities have detected the compound in the tap water supplied to 31 million people.

Due to the serious health concerns of hexavalent chromium and the large number of people in America exposed to this contaminant, we urge the EPA to quickly complete its toxicological review of hexavalent chromium using the best available science. We also request that the EPA immediately determine whether to issue a public health advisory under the Safe Drinking Water Act for hexavalent chromium and inform our offices within the next two weeks about the EPA's decision.

However, a public health advisory should only be viewed as an interim step to protecting public health. Therefore, we would like to also inform you that we intend to introduce a bill to set a deadline for EPA to establish an enforceable drinking water safeguard for hexavalent chromium at a level that protects the most vulnerable in our communities -- including pregnant women and children.

We look forward to your response regarding what can be done to keep hexavalent chromium out of American tap water, and what additional clean up guidance and assistance the EPA will be providing states and water utilities. Public health and safety is paramount, and your expertise and guidance are key to ensuring the safety of families in communities across our nation.

Sincerely,



Senator Dianne Feinstein
Chairman, Appropriations Subcommittee
on Interior, Environment and Related
Agencies

Senator Barbara Boxer
Chairman, Senate Committee on
Environment and Public Works