



December 8, 2021

Ms. Louise Kitamura  
Mr. Joseph Tiago  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

**Re: Initial Justice40 Input**

Dear Ms. Kitamura and Mr. Tiago,

The Association of State Drinking Water Administrators (ASDWA) would like to thank the Office of Water for its efforts to reach out to ASDWA and the primacy agencies and work together on implementing the Biden Administration's Justice40 Initiative. As co-regulators with EPA, close collaboration is critical, as our members are the "boots on the ground" 24/7/365 to ensure public health protection through safe drinking water and to work towards meeting the Administration's Justice40 goals.

ASDWA would like to follow up from the November 22<sup>nd</sup> discussion with the states and provide some initial input. At this point, it is challenging to provide specific input, given the many underlying uncertainties in the ten stakeholder engagement questions from the November 22<sup>nd</sup> presentation. For example, what is the Agency's definition of a disadvantaged community? Is the definition based on the entire community being disadvantaged or a certain percentage of neighborhoods or census tracts being disadvantaged? Are existing disadvantaged definitions, such as the [CDC/ATSDR Social Vulnerability Index](#), going to be used (noting that there are likely other definitions developed by other Federal agencies)?

Providing an avenue for additional substantive discussion on this definition logically leads to a discussion on benefits. As discussed in the November 22<sup>nd</sup> discussion, the data does not exist to develop health benefits from a construction project funded by the State Revolving Loan Funds (SRFs). For example, developing an estimate of the health benefits of avoided IQ reduction through a lead service line replacement project in a community is not possible, given the potential for multiple pathways of lead exposure from paint, dust, drinking water, etc. Therefore, planning, engineering, and construction costs are the logical choices for estimating the benefits from SRF projects.

An additional challenge in looking at disadvantaged communities is that multiple systems can serve a single community. Tracking SRF funding will provide an avenue for tracking system expenditures and benefits, but it is not clear how that data might be translated to a larger community.

Refining Justice40 implementation for the Office of Water (OW) will necessitate continuous communications with states, since the SRF funding flows from EPA to the states to the systems. So that we can provide substantive feedback to OW, ASDWA has formed a Justice40 Workgroup from its Members and Lori Mathieu, Branch Chief of Environmental Health & Drinking Water Branch in the Connecticut Department of Public Health and the 2022 ASDWA is President, is leading this Workgroup's deliberations. We look forward to further engagement with EPA on this critical issue.

Sincerely Yours



J. Alan Roberson, P.E.

ASDWA Executive Director

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