



US news

Republicans move to repeal lead limits imposed by Biden-era rules

US government would be prohibited from ever mandating lead pipe replacement or lowering lead limits in water

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Republicans in Congress and the Trump administration are attempting to repeal the Biden administration's groundbreaking rules that require all the country's lead pipes to be replaced over the next 13 years and lower the limit on lead in water.

Environmentalists expressed alarm about the moves, which, if successful, would in effect prohibit the government from ever requiring lead line replacement in the future, or lowering lead limits.

The Trump administration is also working to kill a recently implemented ban on TCE, a compound that is among the most toxic and common water pollutants, and particularly a risk on military bases.

Both rules are being targeted via the Congressional Review Act (CRA), which gives Congress and incoming administrations 60 legislative days to consider undoing any last-minute rules implemented by a previous administration. Already, Republican legislators have introduced resolutions for each rule that are the first step in CRA repeals.

The Trump administration is “saying let them drink lead”, said Erik Olson, senior adviser to the NRDC Action Fund.

“It’s a bad look to support lead poisoning children,” Olson added. “Not the best foot forward for the new Congress.”

The Trump administration also froze all final rules that were not yet in effect, including that for TCE, which was scheduled to take effect on 16 January until a Trump-appointed judge delayed it. That opened a second path for the Trump administration to undo the TCE rules.

“President Trump and EPA’s newly confirmed Administrator Lee Zeldin have been clear that EPA will safeguard the nation’s air, water, and land for current and future generations while supporting economic growth and opportunity,” an EPA spokesperson told the Guardian in a statement.

If the GOP is successful in repealing the lead rule, tens of millions of people would continue to have drinking water contaminated with the heavy metal, a neurotoxin that the EPA has found lowers IQ scores in children, stunts their development and increases blood pressure in adults.

The agency estimates the stricter standard will prevent up to 900,000 infants from having low birthweight, save about 200,000 IQ points in children and avoid up to 1,500 premature deaths annually from heart disease.

However, the water utility and chemical industries have lobbied hard against the lead rules, claiming they “are not feasible”. Industry consultants estimated the

initiative would cost \$90bn, a figure the NRDC wrote is based on flawed methodology intended to inflate the estimated cost so they can justify killing the rules.

Trump has nominated a water utility industry lobbyist to help lead the EPA's water division.

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While the deal is not done and requires congressional approval, repealing either rule through the CRA is filibuster-proof. Polling **has found** lead replacement rules have a 90% approval rating, and lead pipes are a problem **in Republican districts and states**.

“I would hope even some red states want lead out of their drinking water but who knows?” said Betsy Southerland, a former EPA water office manager. The Republican attempt to not only undo the rules but permanently prevent the US from ever requiring lead pipes to be replaced is “mind-boggling”, Southerland added.

Meanwhile, the attempts to kill the TCE ban are at odds with the Toxic Control Substances Act (TSCA), the law that governs the country's toxic chemicals. The EPA **found** TCE presents an “unreasonable risk” to human health under the TSCA. The chemical is used in industrial applications like aviation, and is linked to cancer, male reproductive damage, liver disease, kidney disease, neurological damage and Parkinson's disease. TCE water contamination is thought to be **behind** multiple **US cancer clusters**, and has **sickened and killed service members** at bases across the US.

The unreasonable risk designation requires the chemical to be regulated, so the Trump administration and Congress cannot simply revoke the ban, Southerland said. The EPA would have to spend at least two years developing new science to conclude that previous agency research was incorrect and the chemical does not pose an unreasonable risk to health, Southerland said.

However, it appears the Trump administration and Congress will try to bypass the TSCA requirements, and may also work to permanently prohibit a TCE ban.

“What do they think they’re doing?” Southerland asked. “We’re going to need litigation to resolve this.”

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