# Safe Drinking Water Act Nitrate Maximum Contaminant Level and Goal: 16 Environmental Organizations Petition U.S. EPA for More Stringent Limit



**Walter Wright, Jr.**
wwright@mwlaw.com
(501) 688.8839

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The Environmental Law & Policy Center and 15 other environmental organization submitted a document to the United States Environmental Protection Agency ("EPA") on November 16th styled:

*Petition for Revised Nitrate/Nitrite Maximum Contaminant Level and Goal Pursuant to Safe Drinking Water Act 42 U.S.C. § 300g to Protect Residents of the United States from Adverse Public Health Outcomes* ("Petition").

The other environmental organizations joining the Petition included:

- Alliance for the Great Lakes
- Center for Biological Diversity
- Center for Food Safety
- Clean Wisconsin
- Environmental Working Group
- Food & Water Watch
- Friends of Toppenish Creek
- Midwest Environmental Advocates
- Natural Resources Defense Council
- Oregon Rural Action
- Prairie Rivers Network
- Sentinels of Eastern Shore Health
- Sierra Club
- Sussex Health and Environmental Network
- Union of Concerned Scientists

(Collectively, "ELPC").

The Petition requests that EPA revise the maximum contaminant level goal for Nitrate ("MCLG") to 0 and the maximum contaminant level ("MCL") to 1 mg/L pursuant to the agency's Safe Drinking Water Act ("SDWA") authority.

The current MCL for nitrate is 10 mg/L.

ELPC also requests an immediate interim MCL of 1 mg/L while EPA undertakes the requested rulemaking.

The SDWA provides EPA the authority to establish drinking water standards (i.e., regulations) to control the level of contaminants in the Nation's drinking water. The regulations also require water monitoring schedules and methods to measure contaminants in the water.

An MCL is the maximum permissible level of a contaminant in water in a public water supply system. A MCLG is the maximum level of contaminant in drinking water which no known or anticipated adverse effect on the health of persons would occur, allowing an adequate margin of safety. The MCLG is a non-enforceable public health goal.

Introductory arguments in the Petition include:

- Nitrates in drinking water are causing a public health crisis across the country.
- The levels of nitrate in our surface and groundwater resources have increased in many areas due to:
- Over application of inorganic fertilizer.
- Excessive generation and over-application of concentrated animal feeding operation waste.
- Inadequately treated sewage and industrial discharges.
- Failed septic systems.
- Public health research makes clear that the current SDWA MCL set decades ago based on research from the 1950s, does not protect public health.
- Extensive scientific study now shows that drinking water with much lower levels is associated with increased cancer risks and has been linked to thyroid disease and fetal harms.
- 120 million people across the country are being served drinking water with dangerously high levels of nitrate.

Key sections of the Petition include:

- EXPOSURE TO NITRATE IN DRINKING WATER AT CONCENTRATIONS BELOW 10 MG/L INCREASES RISKS OF CANCER AND OTHER SERIOUS HEALTH EFFECTS
- THE SDWA REQUIRES EPA TO ADDRESS THE URGENT THREAT TO PUBLIC HEALTH POSED BY NITRATE IN DRINKING WATER
- EPA MUST REVISE THE NITRATE MCLG AND MCL TO PROTECT PUBLIC HEALTH
- EPA SHOULD IMMEDIATELY ESTABLISH AN INTERIM NITRATE MCL TO ADDRESS URGENT THREATS TO PUBLIC HEALTH
- SOURCE CONTROL PROGRAMS THAT CURB NITRATE POLLUTION FROM AGRICULTURE ARE ESSENTIAL AND CAN REDUCE COMPLIANCE COSTS
- EPA SHOULD PROVIDE SUPPORT FOR NITRATE DRINKING WATER TREATMENT AND SOURCE PROTECTION THROUGH EXISTING FEDERAL GRANT AND LOAN PROGRAMS

A copy of the Petition can be found here.