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Title: *Superman's Not Coming Our National Water Crisis and What We the People Can Do About It*

Authors: Erin Brockovich and Suzanne Boothby

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Reviewer: Robin R Joyce*

In 2015 the UN Agenda for Sustainable Development was adopted by all UN Member States, establishing the seventeen SDGs to be achieved by 2030, incorporating SDG 6 'Clean Water and Sanitation', SDG 7 'Affordable and Clean Energy', SDG 11 'Sustainable Cities and Communities', SDG 13 'Climate Action', SDG 14 'Life Below Water' and SDG 15 'Life on Land'. In 2017 the Paris Climate Accords – generally known as the Paris Agreement - came into effect. In November 2024 COPS 29 – the United Nations Framework Convention on Climate Change - was held in Baku, Azerbaijan, for the twenty-ninth year, as the title indicates. Yet all this international talk and agreement, designed to generate action on climate change and the environmental and biodiversity emergencies, would never have come into being without 'on the ground' community action and the strong voices, energy and commitment of individuals determined to end the degradation caused by corporate greed and cover-ups of damage to the planet and hence to human, animal and plant life along with the spoilation of the earth, or at least to compensation for the damage they inflict. Erin Brockovich is one such person.

I first became aware of her and her environmental impact in 2000 when I saw the film, *Erin Brockovich*, and fully immersed myself in the fight for the people of Hinkley. Although I was almost alone that afternoon in the cinema in Seattle, Washington State, the film's popularity overall suggests that the lack of an audience on that occasion was not indicative of its influence. The emphasis on the Hinkley residents' fight and the way in which that was conducted by those who, while not impacted by the water quality, were obdurate in their pursuit of justice has resonated. The popularity of *Erin Brockovich* raises debate around the fostering of issues of public concern in popular culture. This, and the impact of the book Erin Brockovich wrote with Suzanne Boothby, *Superman's Not Coming Our National Water Crisis and What We the People Can Do About It* is hard to determine.

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However, Erin Brockovich and Suzanne Boothby's book provides activists with a blueprint for not only fighting on people's behalf but providing them with the tools and encouragement to act for themselves. *Superman's Not Coming Our National Water Crisis and What We the People Can Do About It* investigates the water crisis in America more generally than does the film, providing a context for action in environmental debates worldwide. At the same time the problems faced by governments are acknowledged, leading to the conclusion that there is an imperative for a public voice that speaks about environmental concerns in a way that will prompt action.

In reviewing this book, it is worth reflecting on both the public voice for action and consideration of governmental responses to the issues raised. Brockovich's high profile in the environmental debate is important. However, the less dramatic, but well-argued case for action against a wide range of environmental catastrophes in *Superman's Not Coming Our National Water Crisis and What We the People Can Do About It* is impressive as the ideas still resonate when considering recent government action to address some of the problems it raises. Brockovich's arguments, the manner in which they are made, and the commonsense encountered at every turn when reading *Superman's Not Coming* are as relevant to the Biden-Harris Pipe and Action Plan (WH, 16/12/24) as when the book was first published.

Superman's Not Coming creates a striking image, pervading the arguments used to develop the central theme: the role of local action to achieve amazing outcomes at times, and at others a slow burn towards some limited success. Superman is not coming - so what do people whose water runs brown, yellow or green; not at all; full of lead or other chemicals or poisons; with warnings not to drink it, do? According to Brockovich and Boothby, they act. While individual action is advocated, the need for observation, research, avoiding false news and concepts provides a fundamental background to the suggested action plans.

Much of the book is written in the first person, Brockovich making her argument through case studies; action plans; explanation of mathematical information; stories about political meetings and the varied impact of these. The book is divided into three parts: The Scary Truth; The Hopeful Future; and The Final Call. The writing is professional in that the case Brockovich is making is compelling, but accessible to readers from a wide range of backgrounds. For example, Brockovich explains the maths so that those so inclined can deduct mathematically the seriousness of the level of additives in the water. For those to whom the mathematical information remains unfathomable the professionally written material alongside the mathematical detail provides sufficient convincing information. At every turn Brockovich demonstrates that she writes to address the complex issues using sources of information that make clear, utter sense. Accessible

writing is a somewhat well-worn phrase, but it needs to be used once again for the material assembled here.

Since *Superman's Not Coming Our National Water Crisis and What We the People Can Do About It* was published, the Biden Infrastructure Plan has been adopted. Although replacement of lead piping has not been given the dramatic focus of a film, it has an important place in Brockovich's environmental action. So important that there is a woman known as Kenyan's Erin Brockovich because of her pursuit of compensation and cleanup from the factories that have left toxins in their wake (SNC, loc. 29).

On December 16, 2021, the Biden-Harris 'Lead Pipe and Paint Action Plan to Replace All Lead Pipes in Next Decade' was launched with bi-partisan agreement. It included a statement from Vice President Harris and a fact sheet. Here again, information was made accessible, reflecting the Brockovich concern with developing an understanding of the problem and the way in which it is to be addressed.

The Plan began:

'All Americans deserve to drink clean water, breathe clean air, and live in healthy homes. However, lead in drinking water pipes, faucets, paint, and walls threatens the health and well-being of American families and children across the country. The Environmental Protection Agency (EPA), Centers for Disease Control and Prevention (CDC), and countless experts agree that there is no known safe level of lead in a child's blood.'

'Replacing lead pipes is a centrepiece of the Bipartisan Infrastructure Law, with fifteen new actions from ten federal agencies, with an emphasis on local, state and federal governments working to achieve the 'delivery of clean drinking water, replace lead pipes, and remediate lead paint. ...to make rapid progress towards replacing all lead pipes in the next decade.'¹

As Brockovich contends, achieving these aims depends on continuing support from governments. The Build Back Better Act (November, 2021) was devised to assist local communities, bringing them into the equation as Brockovich would want. Also, the collaboration with local, state and federal governments over the next decade is a feature of the Act, again something that fits well with Brockovich's

¹ FACT SHEET: The Biden-Harris Lead Pipe and Paint Action Plan | The White House accessed 10 October 2024; Biden-Harris Administration Issues Final Rule Requiring Replacement of Lead Pipes Within 10 Years, Announces Funding to Provide Clean Water to Schools and Homes | US EPA accessed 10 October 2024; Biden announces new rule to remove all US lead pipes in a decade | Reuters accessed 11 October 2024.

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ideas. Entities familiar from reading *Superman's Not Coming* are part of the Plan – EPA, DOL (Department of Labor), HUD (Department of Housing and Urban Development) and CDC. Legislation as well as recognition that measurements of problems need to be constantly updated to reflect the reality appear to have been initiated by the CDC, which recently updated its blood lead reference value and implemented a Childhood Lead Poisoning Prevention Program.

The EPA has adopted a new regulatory process in relation to lead in drinking water. EPA and DOL have established regional technical assistance hubs to fast-track lead service line removal projects in partnership with labour unions and local water agencies. HUD, USDA, and DOI are planning to remove lead service lines and paint hazards in federally assisted housing. HUD is also committed to awarding grants to remove lead paint and other home health hazards in low-income communities.

Funding the Plan includes financial assistance to these entities additional to the \$350 billion provided in the American Rescue Plan. The Bipartisan Infrastructure Law delivers the central funding ‘with \$15 billion of direct funding from the Bipartisan Infrastructure Law for lead service line replacements at EPA through the Drinking Water State Revolving Fund (SRF), and an additional \$11.7 billion in SRF funding for which lead pipes replacement is eligible; \$9 billion in the Build Back Better Act for lead remediation grants to disadvantaged communities through the Water Infrastructure Improvements for the Nation Act (WIIN) program, including for schools and childcare centers at EPA; \$1 billion in the Build Back Better Act for rural water utilities to remove lead pipes at the United States Department of Agriculture (USDA); \$5 billion in the Build Back Better Act for the mitigation and removal of lead-based paint, lead faucets and fixtures, and other housing-related health hazards in low-income households, by the Department of Housing and Urban Development (HUD); and \$65 billion of Build Back Better Act funding for public housing agencies and \$5 billion for other federally-assisted housing preservation and rehabilitation, which public housing agencies and owners can use to improve housing quality; this can include replacing lead pipes and privately-owned service lines.’

The full action plan can be read at The White House, 16 December 2021, Fact Sheet: The Biden-Harris Lead Pipe and Paint Action Plan, Briefing Room, Statements and Releases.² However, it is worth noting here that the section titles reflect so much of the perspective adopted by Brockovich: GET RESOURCES TO COMMUNITIES; UPDATE RULES AND STRENGTHEN ENFORCEMENT; REDUCE EXPOSURE IN DISADVANTAGED COMMUNITIES, SCHOOLS,

² FACT SHEET (n1).

DAYCARE CENTERS, AND PUBLIC HOUSING. Details include considerable work for the EPA which is expected to prioritise communities with the highest lead levels and those with environmental justice concerns. Further, with the states, the EPA is required to provide technical assistance to help disadvantaged communities; to establish Technical Assistance Hubs in select regions with a large concentration of lead service lines; and to provide national program guidance. The Treasury Department's role is to supervise funding so that it goes to the most needed areas.

While the Government plans are far ranging, as referred to below, Brockovich and Boothby's analysis of government action provides valuable guidelines and possibilities for observing whether action does indeed take place, works effectively when it does, and provides for the number of people for whom it is essential. For example, existing USDA funding to Replace Lead Service Lines is stepping up the replacement of lead pipes under the plan, one result of which is the drinking water of 3,539 people meeting compliance; benefits are also being directed towards disadvantaged communities and OMB (Office of Management and Budget) will include a new lead pipes inventory of existing funding in its annual budget to track Administration wide investments in lead pipes.³ A New Regulation to Protect Communities from Lead in Drinking Water has been announced by the EPA as a strengthening of the National Primary Drinking Water Regulations: Lead and Copper Rule Revisions (LCRR).⁴ A feature going to the specifics for which Brockovich argues is the claim that full lead service line replacement will be encouraged, with partial lead service line replacement discouraged. The advice in *Superman's Not Coming* is aimed at giving the people concerned the tools to address the success of this 'encouragement'.

A feature of the plan that meets the criteria outlined in Brockovich and Boothby's book is the Closing Gaps in Childhood Lead Testing announced through the Childhood Lead Poisoning Prevention Program, which tracks trends and identifies danger areas.⁵ As Brockovich suggests, not only the scientific data will be of use, also essential is the observation conducted by people in the affected areas. It is possible to go through the plan, step by step to see where the work undertaken in *Superman's Not Coming* has as much relevance to this 2024 work as that relevant in 2021, when the book was published. Reiterating this observation

³ FACT SHEET (n1); Funding and Technical Resources for Lead Service Line Replacement in Small and Disadvantaged Communities (epa.gov) accessed 10 October 2024.

⁴ Federal Register :: National Primary Drinking Water Regulations: Lead and Copper Rule Revisions accessed 10 October 2024.

⁵ About the Childhood Lead Poisoning Prevention Program | Childhood Lead Poisoning Prevention | CDC accessed 10 October 2024.

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is important in recognising the essential nature of the book. It is written for the long term, its insights far reaching as when they were first made, a blueprint for the present and the future.

Today, the clarity of the explanations in *Superman's not Coming* dealing with the complexity of the measurements used in scientific analysis, the differences in health impacts, and the use of terms such as poison, toxic substance or toxic chemical (SNC, loc. 349–350) are as relevant as when they were first clarified early in the Brockovich and Boothby volume. Understanding the huge undertaking in making their arguments is in large part a feature of the success of the book. The index is detailed and replete with both the simplest and complex topics, recognition that readers will have varied backgrounds with which to deal with the evidence and the relative importance of the ideas and claims covered. Each chapter is complete with detailed endnotes. There is an impressive appendix of resources. In the terms in which academic resources are judged, *Superman's not Coming* provides the necessary resources; the non-academic, the person who just wants to know more, is also well served by these inclusions.

Do readers have to believe every one of the claims in this book? Are readers being coerced? Is it likely that the reader will be forced into accepting a fearful future upon absorbing the information made available here? My reading is that this is a transcript of hope. It is an argument that governments and businesses can do better, indeed, must do better, and that individuals can do a great deal to ensure that this happens. This is not to say that the pictures outlined in the case studies are anything short of devastating and that any improvements will not change past and present grief about health, physical and mental, that need never have been damaged. Believing Brockovich can be easy, but she does not ask for belief based on emotion. Again, the case studies are distressing, but they are only the beginning of the arguments made here for pursuing liability and change.

I found *Superman's Not Coming* an inspiring read, although my faith in governments of good intention to make changes is stronger than Erin Brockovich's. On the other hand, that disagreement does not matter. As I read the arguments, I found it easy to think about them without feeling pushed or baffled by numbers, emotion, vituperation, or despair. I believe that this is the hallmark of a book aimed at enlightening a broad range of people about an issue that is far too important to leave to advocates who do not recognise, as Brockovich and Boothby do, the necessity for making their findings and arguments accessible. This is an excellent read for both academic and casual readers who want to know more.