



Public Notice: Request for Comments and Notice of Public Meetings

EPA Announces Public Meetings and Public Comment Period Regarding a Proposed Variance for Denver Water to Meet the Requirements for Lead under the Safe Drinking Water Act

Public Comment Period: September 1 to October 7, 2022

Public Meetings: October 5, 2022, from 4 to 6 p.m. and October 6, 2022, from 6 to 8 p.m.

What is EPA proposing?

The proposed variance would allow Denver Water to continue to implement a Lead Reduction Program Plan as an alternative to traditional water treatment to reduce lead in drinking water. EPA is proposing to approve this variance because, based on EPA's review, Denver Water's plan is expected to be equally effective in reducing lead in drinking water.

In an effort to encourage broad community input, EPA has planned a 30-day comment period and two virtual public meetings. Comments will be accepted September 1 to October 7, 2022. This flyer will tell you how to get a copy of the proposed variance, where to get more information, and how to submit comments.

What does the proposed variance involve?

The proposed variance offers Denver Water an opportunity to decrease lead levels in a manner that is not specifically allowed under federal regulations. Under the variance, Denver Water would continue to complete a set of actions, called the Lead Reduction Program Plan, that work together to reduce lead in Denver's drinking water, including:

- Determining the locations of lead service lines that connect homes and buildings to water mains
- Providing a pitcher filter certified to remove lead to customers with lead service lines
- Replacing all lead service lines at no cost to customers
- Controlling lead corrosion with pH and alkalinity treatment
- Conducting extensive community outreach and education

EPA issued a similar variance for Denver Water in 2019, and Denver Water has been implementing the Lead Reduction Program Plan since January 2020. A new variance is needed because the 2019 variance expires in 2023.

HOW CAN I COMMENT?

There are two ways to provide comments:

- 1) Attend a virtual public meeting and provide comments verbally
- 2) Submit comments at [regulations.gov](https://www.regulations.gov) using Docket #EPA-R08-OW-2019-0404

When are the public meetings?

EPA will host two virtual public meetings to present an overview of the variance and accept public comments:

Wednesday, October 5, 2022
from 4 to 6 p.m. MT

[Click here to register for October 5](#)

Thursday, October 6, 2022
from 6 to 8 p.m. MT

[Click here to register for October 6](#)

What has Denver Water accomplished so far under the Lead Reduction Program Plan?

Denver Water began implementing the Lead Reduction Program Plan January 1, 2020. As of June 2022, Denver Water has:

- Replaced 12,381 lead service lines.
- Adjusted the pH to 8.8 across the system.
- Distributed over 100,000 filters certified to remove lead and provided replacement filters every six months to customers with lead service lines. In 2022, 83% of customers report regularly using their filter for drinking and cooking.
- Investigated 9,082 locations to determine if there are lead service lines present.
- Distributed lead outreach and education materials through a combined 7.7 million mailings, digital communications, and phone outreach efforts, and 143 events resulting in 16,300 event attendees. Denver Water also engaged with an additional 4,200 customers using multilingual and culturally relevant outreach.
- Incorporated health equity and environmental justice principles to prioritize areas for lead service line replacement, in the method of distribution of filters, and to focus outreach efforts on specific neighborhoods and communities.

What are the impacts to lead levels?

Reducing lead levels through pH and alkalinity corrosion control treatment is a critical component to the overall success of the Lead Reduction Program Plan. Since increasing pH and alkalinity in drinking water in March 2020, lead levels have decreased by 60%. Denver Water's 90th percentile lead level in the first half of 2022 was 3.9 parts per billion, which is below EPA's action level of 15 part per billion for lead.

Not everyone has a lead service line, but for those that do, lead service lines are a major source of lead in drinking water. The Centers for Disease Control and EPA agree no level of lead is safe. By removing these lines, Denver Water is permanently removing the major source of lead in water used for drinking and cooking.

What has EPA changed in this variance?

EPA is proposing several changes to the variance compared to the 2019 version. First, EPA issued new lead and copper regulations, called the Lead and Copper Rule Revisions, which became effective December 16, 2021. EPA is proposing a variance from the requirements of this new rule. Second, EPA simplified and streamlined reporting requirements to eliminate duplicate information and reduce the burden to Denver Water. Third, EPA adjusted some requirements to account for all lead service lines being replaced, and to clarify what happens at the end of the variance. Fourth, EPA added a metric to ensure that the lead service line removals and filter outreach do not result in disproportionate impacts to Environmental Justice areas of concern. Fifth, EPA clarified that the variance terminates if EPA revises federal regulations. In this case, Denver Water could request a variance from the new rule to continue to implement its Lead Reduction Program Plan.

How can I review documents related to the proposed variance?

Copies of the proposed variance and EPA's technical basis for the decision are available on Regulations.gov using Docket # EPA-R08-OW-2019-0404.

What happens next?

EPA will review and consider all comments received during the comment period and at the virtual public meetings. Following this review, EPA may issue the variance, issue with revisions, or deny the variance.