



October 7, 2022

Ms. Kathleen (KC) Becker
Regional Administrator
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street
Denver, CO 80202

Ms. Jill Hunsaker Ryan
Executive Director
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
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RE: Comments regarding Denver Water’s variance extension request to continue their Lead Reduction Program, Docket No. EPA-R08-OW-2019-0404

Environmental Defense Fund (EDF) enthusiastically supports Denver Water’s Lead Reduction Program as an innovative solution to addressing lead service lines (LSLs) in its system and urges U.S. EPA Region 8 to finalize its proposed decision to approve the utility’s variance request. In 2019, EDF [supported](#) Denver Water’s proposed plan to fully replace the estimated 64,000-84,000 LSLs in their system within 15 years at the expense of the utility – thus removing the primary source of lead within Denver Water’s system, while avoiding the use of orthophosphate that can further exacerbate nutrient pollution problems in the South Platte River and other downstream reservoirs, rivers, and streams.

Over the intervening three years, we have been impressed with the program as we tracked periodic reports, monitored the dashboard, and talked to program leadership. We also participated in a community meeting that Denver Water held for residents. It is clear that the program has continued to stay laser focused on its goals, with public health and equity as key priorities.

On October 6, we conducted a site visit to better understand the LSL investigation and replacement practices in the field. We came away extremely impressed with the operation.

During the half-day visit, we had the opportunity to see Denver Water’s Lead Reduction Program in action where the crews were investigating for and replacing multiple lead service lines across several

EDF’s mission is to build a vital earth for everyone. We have more than two million members and a staff of over 700 scientists, economists, policy experts, and other professionals around the world. Using our expertise in science and economics, we work to stabilize the climate, strength people’s ability to thrive, and support people’s health.

EDF’s Safer Chemicals Initiative seeks to safeguard human health by reducing exposure to toxic chemicals and pollution, including accelerating equitable full lead service line replacement to reduce [lead in drinking water](#). Our Climate Smart Agriculture Initiative works to increase the resilience of natural systems, including [reducing harmful nutrient pollution](#).

blocks in the neighborhood. We talked with the crews to learn more about the process, which involved conducting potholing, boring underground to allow for new copper lines, connecting the new lines to the main, and cleaning-up the worksite in an efficient, integrated manner. It was evident that the crews gave careful attention to the details. While we were onsite, the crew encountered a complicated situation where a single service line provided water to multiple buildings, and they carefully considered the issues and alternatives.

We also learned from program leadership that the state is providing Denver Water with additional funding from the Infrastructure Investment and Jobs Act to expand the program and accelerate LSL replacement, with almost half of the funding in forgivable loans. We think Denver Water has the capability, skills and attitude to make outstanding use of those funds.

From our perspective, Denver Water has one of the most successful LSL replacement programs in the country. Denver Water's Lead Reduction Program:

- Has already replaced [nearly 14,000 LSLs](#) — exceeding its 7% replacement rate goal each year;
- Prioritizes replacement at buildings serving vulnerable populations, such as child-care facilities;
- Has distributed over 102,000 filters to local residents who have or may have LSLs;
- Is centered on ensuring environmental justice through its policy decisions, prioritization of underserved communities, and community engagement;
- Effectively communicates to diverse neighborhoods with a comprehensive effort to engage local partners to reach all members of the community;
- Routinely communicates in both English and Spanish, including emails, phone calls, and other resources; and
- Partners with local community-based organizations, such as [CREA Results](#) that is helping to engage and educate Spanish-speaking and immigrant communities on the risks of lead in drinking water and to ensure that residents understand the steps involved with LSL replacement in their neighborhoods.

Denver Water's program has emerged as a national model and its success has been recognized by the U.S. EPA, including through its recent [Lead and Copper Rule Revisions Service Line Inventory Guidance](#), as well as the [Lead Service Line Replacement Collaborative](#) (a joint effort of 28 national public health, water utility, environmental, labor, consumer, housing, and state and local governmental organizations).

EDF strongly supports Denver Water's Lead Reduction Program and urges U.S. EPA Region 8 to continue supporting this innovative program by finalizing its proposed approval of the variance extension request. Ultimately, EDF hopes that this type of resilient solution can be adopted and replicated elsewhere both to protect public health and prevent degradation of our natural systems.

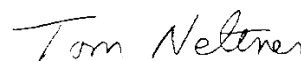
Sincerely,



Lindsay McCormick
Senior Manager, Safer Chemicals



Roya Alkafaji
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Tom Neltner
Senior Director, Safer Chemicals