

Denver Lead Reduction Program Plan/Safe Drinking Water Act: U.S. Environmental Protection Agency Approves Variance Request



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The United States Environmental Protection Agency (“EPA”) announced on December 1st that it has approved Denver Water’s Safe Drinking Water Act (“SDWA”) variance request for a program to reduce lead in drinking water.

EPA describes the variance as allowing Denver Water to continue to implement a set of actions denominated the Lead Reduction Program Plan (“Plan”).

The SDWA is the federal law that protects drinking water supplies. The statute requires that EPA identify drinking water contaminants. The federal agency is then required to develop rules that either set maximum permissible levels for the contaminants or establish protocols to treat the water to minimize the levels of the contaminants. All owners or operators of public water systems are required to comply with the primary (health-related) standards.

The states can be delegated the ability to enforce the requirements established by the SDWA. The Arkansas Department of Health implements this program in Arkansas.

The Denver Plan as been described as the first of its kind in the nation. It has been further described as an innovative solution to the challenging problem of addressing the replacement of lead service lines in the Denver Water system. Lead service lines can be the primary source of lead within public water systems.

The variance approval allows Denver Water to continue to:

- Replace all lead service lines at no direct cost to customers
- Control lead corrosion with pH and alkalinity treatment
- Determine the locations of lead service lines that connect homes and buildings to watermains
- Provide a water pitcher filter certified to remove lead to customers with lead service lines
- Conduct extensive community outreach and education

EPA states it is approving the variance because it has been shown to be more effective than orthophosphate treatment. Such type of treatment would have been required under federal and state regulations.

EPA states that Denver Water is also receiving \$76 million in funding from the Bipartisan Infrastructure Law to accelerate the pace of the lead service line replacement actions specified in its Plan.

A copy of the EPA news release can be downloaded [here](#).

