



August 7, 2019

Jim Lochhead, Chief Executive Officer
Denver Water
1600 W. 12th Ave
Denver, CO 80204

RE: LEAD REDUCTION PROGRAM PLAN — July 11, 2019 Draft for Public Comment

Dear Mr. Lochhead:

Clean Water Action appreciates the opportunity to comment on Denver Water’s Lead Reduction Program Plan. For over forty years, Clean Water Action’s national water programs have focused on addressing threats to drinking water and water quality by winning strong water pollution controls, including through Safe Drinking Water Act (SDWA) and Clean Water Act implementation. We also pioneer innovative collaborations to support fundamental changes in how water pollution and drinking water challenges are approached.

Clean Water Action strongly supports Denver Water’s commitment to seek an alternative to orthophosphate that will achieve the same or greater reduction in lead exposure risk for its customers. Denver Water’s proposal is an innovative approach to address unintended consequences of orthophosphate treatment, and if approved as proposed and carried out successfully, will provide a greater benefit to public health and the environment.

Our comments below highlight what we consider the greatest strengths of Denver Water’s plan and we also offer some recommendations for the utility to consider as it continues to revise and refine its plan.

Plan Strengths

Goes after the source of lead instead of just treating the symptoms: Fully replacing all known lead service lines in Denver Water’s service area within 15 years will permanently eliminate the largest source of lead in drinking water from its service area. The most effective and sustainable way to limit exposure to lead in drinking water is to remove lead at the source, which, for lead in drinking water, means fully replacing all lead service lines.

Provides health protection while customers wait to have service lines replaced: To address concerns that some residents may have to wait up to 15 years to have their lead service lines replaced, Denver Water will provide filters that reduce lead by 97 percent for all customers with lead service lines until six months after their lead service line is replaced.

Focuses on health equity and environmental justice: By replacing lead service lines at no-cost to the property owner, all Denver Water customers with lead service lines will have equal access to the health benefits of full lead service line replacement, regardless of their ability—or their landlord’s ability— to pay.

Prioritizes protecting the most vulnerable: Infants and children are among the most vulnerable to lead exposure and Denver Water will work to identify daycare centers, schools, and areas with young families in order to prioritize these vulnerable populations for filter distribution and lead service line replacement.

Protects water quality and the environment: An unintended consequence of orthophosphate treatment is that its use can threaten water quality in nearby surface waters by increasing phosphorus levels that can harm fish, wildlife, recreational users, and downstream water systems. The Lead Reduction Program avoids this unintended consequence by preventing the introduction of an additional source of phosphorus into rivers, streams, and reservoirs.

Recommendations

Ensure an effective filter program for all participants: Denver Water’s Filter Lead out of Water (FLOW) pilot outreach project was limited to owner-occupied single family homes. As Denver Water refines its FLOW program based on the results of that pilot, it will be important to consider how renters, especially renters in large, multi-family dwelling units, could have lower filter adoption rates due to occupancy turnover and other factors. Denver Water should also consider how to ensure daycare centers, schools, and other places serving populations most vulnerable to lead exposure are using filters properly.

Enhance school outreach programs: A robust education and outreach program to reach all customers impacted by lead in drinking water is critical to the success of the proposed Lead Reduction Program. Denver Water should expand on its existing lead reduction education outreach program in schools, including both public and private schools.

Address concerns over potential rate increase: Though as currently proposed there will be no cost to individual property owners whose lead service lines are replaced, there is the potential for a customer rate increase. As Denver Water completes its cost analysis for this program, it should consider how any potential rate increase could impact low-income customers and consider options for those who may be unable to absorb even a modest rate increase. Denver Water should communicate to its customers about any potential rate increases early on in the Lead Reduction Program.

Include messaging on regional water quality benefits in enhanced communications, outreach, and education plan: High rates of customer participation, especially in the FLOW program, are critical to the success of the Lead Reduction Program. Educating customers on the environmental benefits of keeping new sources of phosphorus out of regional streams, rivers, and reservoirs could increase willingness of some customers to participate in the program.

Include impacted community member(s) on Leadership Committee: It is critical that those most impacted by lead service lines have a voice at the table along with Denver Water, CDPHE, EPA, and other stakeholders. Community buy-in is vital to the success of this program, and we are concerned the

program may not be successful without meaningful inclusion of community members in decision making.

Clean Water Action is committed to working with Denver Water and other stakeholders to ensure the success of a Lead Reduction Program that protects public health and the environment. Protecting all of our communities from lead must be a top priority, and it is also critical to continue making progress toward reducing nutrient pollution in our rivers, streams, and reservoirs.

Sincerely,

A handwritten signature in black ink, appearing to read "JPeters", with a horizontal line extending to the right.

Jennifer Peters
National Water Programs Director
Clean Water Action/Clean Water Fund
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