

US EPA ARCHIVE DOCUMENT

R-19J

Honorable Michael Coleman, Mayor
City Hall
Columbus, Ohio 43215-9014

Dear Mayor Coleman:

I am pleased to inform you that the United States Environmental Protection Agency (EPA) has considered your XL proposal dated June 11, 1999, and is prepared to work with you, the Ohio Environmental Protection Agency (OEPA), and appropriate stakeholders to develop a Final Project Agreement (FPA). The FPA will detail the expectations of the City of Columbus, the EPA, the State of Ohio, and other project partners. If all partners are satisfied and sign the FPA, this agreement will constitute acceptance of an XL project.

Project XL tests innovative environmental management strategies for the 21st century, and seeks to foster excellence and leadership in environmental protection. We invite you to participate in the next phase of XL project development because your proposal shows potential to accomplish these goals.

This project provides an opportunity to explore a multi-media approach to reducing the risk of lead exposure. You propose to commit drinking water resources to abate known health hazards from exposure to household lead paint and dust, and still address drinking water exposure to lead and other contaminants. This project will give the City temporary (three years) flexibility from the Lead Service Line (LSL) replacement requirements of the Lead and Copper Rule (LCR) under the Safe Drinking Water Act. This flexibility will be granted if and when it is needed due to the effects of new water treatment. During the three years of temporary regulatory flexibility, lead service line replacement costs may be avoided and the City is expected to comply with all other national primary drinking water regulatory requirements. Your commitment of drinking water resources to the lead paint and dust abatement program is for 15 years.

Other communities facing similar challenges, willing to make a commitment to an equivalent multi-media lead abatement program, could benefit from this experience. If this pilot project is successful, this approach could be applied to other communities.

Please note below the following items that were not part of your original proposal. At this point, we

propose that these items be included in the FPA. During FPA negotiations we, you, and all other project stakeholders can discuss these items, and hopefully resolve them to everyone's satisfaction.

- The City of Columbus Department of Water will consult with the Ohio EPA, U.S. EPA, and other water treatment experts, as appropriate, prior to making treatment change decisions and before installing the new water treatment.
- The City of Columbus will immediately begin testing and/or replacing LSLs should the City be unable to bring lead levels down below the lead action level after 3 years, or be unable to keep lead levels from rising above a specified level (the cap). The cap will be determined during FPA negotiations, but will be no higher than 30 Fg/L.
- The three-year window of LCR regulatory flexibility will be available only within a specified period of time, "the option period," after making a treatment modification. This "option period" will be determined during FPA negotiations, but will not be more than six years.
- Upon initiating a treatment change, the City of Columbus will conduct sampling, at the standard sampling frequency, for both lead levels at the tap and for water quality parameters, until EPA approves a reduced frequency based on these data.
- The City of Columbus will participate in a comparative benefits analysis upon initiation of FPA negotiations. The comparative benefits analysis must quantitatively demonstrate that this project will produce superior environmental performance in order for the XL project to be approved.
- The City of Columbus will develop a Stakeholder Involvement Plan that outlines how the City will inform and involve all interested community members in all aspects of this XL project, including, but not limited to, what has been accomplished through the Childhood Lead Poisoning Prevention Program (CLPPP).

Thank you for your Project XL proposal. We have assembled a staff team to work with you, the Ohio EPA, and stakeholders to develop the project. The team will be led by Miguel Deltoral (312-886-5253) of Region 5 in Chicago and Kristina Heinemann (202-260-5355) of our Office of Policy, Economics, and Innovation in Washington. They will be contacting you shortly to commence work on the FPA. We look forward to working with you.

Sincerely,

Francis X. Lyons
Regional Administrator

cc: Christopher Jones, Ohio EPA
Kirk Leifheit, Ohio EPA
Gary Garver, Columbus Department of Public Health
Ken Button, Columbus Division of Water

bcc: Richard Farrell, Associate Administrator, Office of Policy and Reinvention
Jay Benforado, Deputy Associate Administrator for Reinvention Programs, Office of
Policy and Reinvention
Diane Regas, Deputy Assistant Administrator, Office of Water
James Nelson, Associate General Counsel, Office of General Council
Sylvia Lowrance, Deputy Assistant Administrator, Office of Enforcement and Compliance
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