

US EPA ARCHIVE DOCUMENT

July 19, 2000

Francis X. Lyons
Regional Administrator
USEPA Region 5, R-19J
77 West Jackson Blvd
Chicago, Illinois 60604

Dear Administrator Lyons:

Columbus is currently in compliance with the Safe Water Drinking Act, and intends to remain in compliance. However, in the past, Columbus has made a necessary treatment change to meet one standard under the Act, and inadvertently caused the lead level in its water to rise. Pursuant to 40 C.F.R. Part 141, if the lead levels in consumer's homes rises above a specific level known as the "action level," then Columbus is obligated to test and replace lead service lines in consumers' homes. Columbus is concerned that it may be required to make a treatment change in the future to meet another requirement of the Safe Drinking Water Act (SDWA), and that the treatment change may likewise trigger Columbus' obligation to test and replace lead service lines.

This concern has lead to Columbus' request to develop a Project XLC with U.S. EPA and Ohio EPA. The Columbus Division of Water (DOW) is hereby requesting a variance pursuant to the SDWA, 42 U.S.C. 300g-4 to implement Project XLC. A full discussion of the benefits of the Project XLC can be found in the City's Project Proposal, submitted to U.S. EPA on June 11, 1999, and in the Final Project Agreement we have developed with U.S. EPA and Ohio EPA. I hereby incorporate both documents into this request. The many benefits of Project XLC are detailed in those documents.

We request that this variance only become effective if Columbus initiates a "treatment change" which causes the lead levels at consumer's homes to rise above the action level. For purposes of this request, a "treatment change" is one which may affect the water quality parameters established by Ohio EPA, cause the alkalinity to drop below 20 mg/l, or the chloride to sulfate ratio to increase above 0.58. Since Columbus is requesting the variance in order to implement the Project XLC, we request that the variance become and remain effective only if there is an ongoing Project XLC between the City of Columbus, the Ohio EPA, the Ohio Department of Health and the U.S. EPA.

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In order to ensure that Columbus will achieve treatment equal to or greater than that required by the lead service line replacement rule, Columbus will undertake the following. First, before undertaking any treatment change that might effect the lead levels at consumer's taps, Columbus will consult with experts, U.S. EPA and Ohio EPA, and receive approval for the treatment change from the Ohio EPA.

Second, the DOW will undertake increased sampling after the treatment change is implemented. This increased sampling will help ensure that any rise in the lead levels is discovered. If the lead levels are rising, Columbus will take immediate steps to correct the situation.

If despite these efforts, the lead levels exceed the federal action level, then it is at that point that Columbus would like for this variance to become effective. Specifically, Columbus would like a variance from the requirement that it test and replace lead service lines for a three year period, beginning with the day this variance becomes effective. During the three-year period of the variance, DOW will take aggressive steps to lower the lead levels in the drinking water.

Finally, DOW intends to provide funding for the Columbus Health Department's Lead Safe Columbus Program. As described in our Project Proposal and the Project XLC Final Project Agreement, we believe this program will provide many health benefits to the City, although these are not directly related to drinking water.

DOW believes this variance request will achieve greater public health benefits at a more reasonable cost than strict compliance with the Safe Water Drinking Act's Lead/Copper Rule. Your consideration of this request is appreciated.

Sincerely,

John R. Doult, P.E.
Director

Pc: Jeff Hubbard, DOW Administrator
Susan Ashbrook, City Attorney's Office
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