



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
WATER AND WATERSHEDS

OCT 22 2010

Mr. David G. Shaff, Administrator
Portland Water Bureau
1120 SW Fifth Ave, Room 600
Portland, Oregon 97204

Received

OCT 26 2010

Portland Water Bureau
Administrator's Office

Dear Mr. Shaff:

Thank you for your letter of September 9, 2010 to Anthony Barber in which you propose a meeting between the staff of Portland Water Bureau (PWB), the Oregon State Drinking Water Program and the Environmental Protection Agency (EPA) to discuss possible variance conditions should the State grant a variance to the treatment requirements of the Long Term 2 Enhanced Surface Water Treatment Rule (LT2).

As we discussed during our June 9, 2010 meeting, while LT2 does contain a variance provision, EPA has been clear that there are no specific steps that can be taken that will ensure a variance is granted. We recognize the investment you are making in continuing to prepare for a variance application. We would therefore like to reiterate that based on information currently available to us, we cannot see how we could recommend to the State that a variance to the LT2 treatment technique requirements be granted to PWB.

You are welcome to send us any information you would like to share regarding monitoring and source protection activities under consideration by PWB. If it would be helpful to you to review these ideas verbally with us and have us ask clarifying questions, we would be glad to meet with you in our Seattle offices. It is important to emphasize that until the Agency has received and reviewed your variance application, we are not in a position to speculate on further variance conditions that might be specified by the EPA Administrator should a variance be issued by the State. Any such conditions would depend on the content of PWB's variance application.

I would also like to acknowledge receipt by EPA of a September 2, 2010 letter and technical memorandum from Yone Akagi of your staff discussing the hot spot monitoring approach taken by PWB and inquiring about further EPA recommendations for the remainder of the sampling period. Because there is limited scientific understanding of adequate watershed monitoring protocols for characterization of *Cryptosporidium* deposition, EPA does not have further hot spot sampling recommendations at this time.

If you have any questions about this letter, please call me at 206-553-4198 or Fredianne Gray of my staff at (206) 553-6387.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. A. Bussell".

Michael A. Bussell, Director
Office of Water & Watersheds

cc: Ms. Yone Akagi, PWB
Mr. David Leland, OHA
Ms. Kari Salis, OHA

bcc: Mr. Michael Finn
Mr. Anthony Barber
Ms. Marie Jennings
Mr. Harold Rogers
Ms. Stephanie Harris
Ms. Mary Schoen
Ms. Fredianne Gray