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Oregon Health Authority Denies Portland's Request for More Time to Complete Reservoir Compliance Schedule

PORTLAND OR – The Oregon Health Authority Public Health Division Drinking Water Program (OHA) today denied the Portland Water Bureau's request for an adjustment to its regulatory schedule to replace the uncovered drinking water reservoirs at Mt. Tabor and Washington parks. The decision by OHA means that Portland's existing regulatory schedule to end the use of the uncovered reservoirs by December 31, 2020 remains in effect. Portland had requested an extension of that schedule to the year 2026.

"We are very disappointed in this decision," said Portland Water Bureau Administrator David Shaff. "We made a case to the state that was very similar to the one made by New York City in successfully extending its reservoir compliance schedule. Oregon is clearly choosing a very different approach for administering federal drinking water rules."

The Long Term 2 Enhanced Surface Water Treatment Rule (LT2), issued by the federal Environmental Protection Agency (EPA) in 2006 requires that all uncovered finished drinking water reservoirs in the United States either be covered or have treatment facilities installed at the outlets. In March 2009 Portland entered into a compliance schedule with EPA to end the use of its uncovered reservoirs by the year 2020. When the State of Oregon took primacy for the rule in July 2009, the Oregon Health Authority assumed enforcement responsibilities for the compliance schedule.

Portland submitted a detailed request for an extension to its uncovered reservoir compliance schedule in February 2012 based largely on the challenges of successfully managing the several large design and construction projects that would be necessary to complete the work by 2020. Similar arguments about the sequencing of large projects were cited by New York City when it succeeded in its request for an extension to its own reservoir compliance schedule in 2009.

To view the February 10, 2012 Portland Water Bureau deferral request, go to <http://www.portlandonline.com/water/index.cfm?c=53849&a=385113>

To view the May 17, 2012 letter from OHA denying deferral request, go to <http://www.portlandonline.com/water/index.cfm?c=53849&a=397846>

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