

RESOLUTION No.

Comply with Oregon Health Authority's order to treat drinking water from the Bull Run Watershed for *Cryptosporidium* by submitting a compliance plan and proceeding with updating the design and construct an ultraviolet treatment facility (Resolution)

WHEREAS, in 2006, the U.S. Environmental Protection Agency (EPA) issued a federal drinking water rule called the Long Term 2 Enhanced Surface Water Treatment Rule (LT2) that required water utilities to treat for the pathogen *Cryptosporidium*; and

WHEREAS, in 2009, the Portland Water Bureau (PWB) presented LT2 compliance options to the Portland City Council, and Council directed PWB to pursue a variance to the rule while proceeding with design of UV treatment as a backup if the variance was denied (Resolution 36720); and

WHEREAS, in 2012, PWB completed the UV treatment design plans and obtained a 10-year variance from the Oregon Health Authority (OHA) subject to a set of conditions that included maintaining an exceptionally low concentration of *Cryptosporidium* in ongoing raw water sampling; and

WHEREAS, between January and March 2017, a total of 19 *Cryptosporidium* oocysts were found in 14 water samples from the Bull Run Watershed; and

WHEREAS, on March 8, 2017, PWB notified OHA that due to the quantity of *Cryptosporidium* detected at that point, it was no longer feasible to achieve the concentration level of *Cryptosporidium* required to maintain the variance; and

WHEREAS, on May 19, 2017, OHA issued an order to PWB revoking Portland's treatment variance as of September 22, 2017; and

WHEREAS, the OHA order requires PWB to submit a plan to OHA by August 11, 2017, selecting a *Cryptosporidium* treatment technology and schedule, as well as identifying interim control measures and a sampling schedule that will remain in effect until the selected treatment technology is online; and

WHEREAS, the City shares the community's values regarding the need to balance the cost, public health, current and future regulatory compliance, and system resilience considerations of treatment options in a responsible manner; and

WHEREAS, the City has subsequently reviewed treatment options with the public and various interest groups, and recommends that UV treatment be the option for treatment at this time; and

WHEREAS, the City recognizes that the ultraviolet treatment plant will need to be upgraded or replaced approximately 25 years after its construction; and

WHEREAS, the City Council has determined that it is in the City's best interests to plan for its future need for a filtration treatment plant by building a reserve within the Water Rate Stabilization Account.

NOW THEREFORE, BE IT RESOLVED, that the City Council directs the Portland Water Bureau to develop a plan to submit to OHA in accordance with its May 19, 2017 order selecting a *Cryptosporidium* treatment technology and schedule, as well as identifying interim control measures and a sampling schedule that will remain in effect until the technology is online; and

BE IT FURTHER RESOLVED that the Portland Water Bureau proceed with updating the design and construction of an UV treatment facility; and

BE IT FURTHER RESOLVED that the Portland Water Bureau Administrator create a sub-account within the Rate Stabilization Account to be used for rate stabilization and/or the construction of a filtration treatment facility. This sub-account shall be referred to as the "Water Treatment Facility Reserve," and shall be funded by an amount approved by Council in the Water Bureau's annual rate of at least 0.2%.

BE IT FURTHER RESOLVED that during the annual rate-setting process the Portland Water Bureau will make every effort to minimize rate impacts while following the intent of this resolution.

Adopted by the Council:

Commissioner Nick Fish
David Peters
July 25, 2017

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy