



Randy Leonard, Commissioner
David G. Shaff, Administrator

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September 9, 2010

Anthony Barber
Director of Oregon Operations Office
Environmental Protection Agency
805 SW Broadway, Suite 500
Portland, OR 97205

Dear Mr. Barber,

I am following up on the discussion among representatives of the Portland Water Bureau (PWB), the Environmental Protection Agency Region 10 (EPA) and the Oregon State Drinking Water Program on June 9th of this year regarding the need for conditions to be developed and considered should the EPA grant Portland a variance to the treatment requirements of the Long Term 2 Enhanced Surface Water Treatment Rule (LT2). I believe it would be helpful to have a meeting between staff of all three agencies in the very near future to discuss this topic further to ensure clarity and mutual understanding. We will be contacting you separately to schedule this.

Portland recognizes the responsibility of EPA or a State primacy agency under the Safe Drinking Water Act to impose conditions on any variance granted to a national primary drinking water treatment technique that include "such monitoring and other requirements as the Administrator may prescribe." EPA clarified at the June 9th meeting that it had designated the Region 10 Administrator, Dennis McLerran, as the "Administrator" in any variance application that Portland submits. Portland also recognizes that any discussion of variance conditions at this juncture—prior to completion of the City's yearlong sampling plan and study and prior to EPA consideration of a variance application—does not imply a current or future decision by EPA or the State of Oregon to grant a variance.

The purpose of a discussion of conditions now would be to clarify descriptions of potential variance conditions that EPA communicated to Portland in its March 9, 2010 letter. In addition, Portland would like to share with EPA and the State Drinking Water Program some of the potential monitoring and source protection activities it is considering should a variance be granted. With over a century of experience delivering safe drinking water to nearly a quarter of the population of Oregon, I believe that PWB has information to share that will interest our state and federal regulators and confirm the shared public health protection goals of our agencies.

Thank you in advance for your participation. I look forward to talking to you soon.

Sincerely,

David G. Shaff
Administrator

CC: Mike Bussell
Marie Jennings
Fredianne Gray
Dave Leland
Yone Akagi