



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
WATER AND
WATERSHEDS

September 9, 2016

David Leland, Program Manager
Drinking Water Program
Oregon Health Authority
800 NE Oregon Street, Suite 930
Portland, OR 97232

Dear Mr. Leland:

I am writing to follow up on the August 22, 2016, meeting between the Oregon Health Authority (OHA), the Portland Water Bureau (PWB) and the United States Environmental Protection Agency (EPA) during which PWB presented updates on their ongoing corrosion control study and other activities related to lead in drinking water. EPA appreciates the information provided by PWB and the opportunity to discuss and consider the work that is underway. The purpose of this letter is to provide clarity on EPA's expectations with respect to the protection of public health and next steps in the re-evaluation and implementation of optimized corrosion control treatment (OCCT).

At our meeting, PWB presented a summary of the lead results from water testing analysis done by them from some of the Portland Public Schools and City of Portland facilities. While they seem to indicate the presence of lead in fixtures, particularly in schools, these results underscore the need for the expeditious re-evaluation of PWB's currently approved corrosion control treatment, determination by OHA of more protective corrosion control treatment and implementation of this treatment by PWB. PWB also presented an update on its ongoing corrosion study, as well as an update on its thinking in terms of the schedule for completing the study and implementing revised corrosion control treatment. The definition of "optimal corrosion control treatment" in 141.2 is "corrosion control treatment that minimizes levels of lead and copper concentrations at users' taps while insuring that the treatment does not cause the water system to violate any national primary drinking water regulations." Accordingly, we expect OHA to ensure that PWB's study continue to include evaluation of potential unintended water quality and public health consequences of operational changes to the system. At the same time, EPA expects OHA to work with PWB to complete its ongoing study as expeditiously as possible.

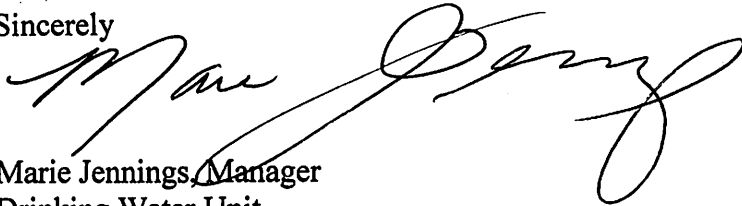
EPA expects that with the benefit of PWB's current corrosion control study, OHA will, consistent with 40 CFR 141.82(h) and OAR 333-061-0034(4)(b)(F), modify the State's determination of the optimized corrosion control treatment and modify the applicable water quality parameters to reflect the new OCCT determination. The revised OCCT determination must be made in writing and set forth (1) the new corrosion control treatment requirements for PWB, (2) the basis for these requirements, and (3) an enforceable implementation schedule for completing the treatment modifications. EPA expects OHA to establish a schedule that is as aggressive as technically achievable, including the time OHA allows for its own decision making. EPA recommends that OHA look to the regulations for guidance in setting timelines, recognizing that even shorter intervals than those found in the regulations may be achievable.

Notwithstanding OHA's efforts to modify its treatment decision under 141.82(h), EPA needs to ascertain whether more immediate action is warranted to protect public health during this process, especially with regard to vulnerable populations such as pregnant women and children under the age of

six. To this end, EPA will be requesting specific information from OHA and others to assess the current level of protection of public health, including any interim measures and/or modifications to current corrosion control treatment or operations that could result in some reduction of lead levels, while the treatment modification efforts are underway. EPA reserves its authority to take independent action to issue a federal treatment determination under 40 C.F.R. 141.82(i) and/or take any necessary action under 1431 of the Safe Drinking Water Act.

EPA appreciates OHA's and PWB's continued commitment to provide safe drinking water to PWB's customers. If you have any questions or would like to discuss the issues outlined above, please don't hesitate to call me at (206) 553-1893.

Sincerely

A handwritten signature in black ink, appearing to read "Marie Jennings", written over a horizontal line.

Marie Jennings, Manager
Drinking Water Unit

Cc: Michael Stur, P.E.
Administrator, Portland Water Bureau