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Media contact: Christine Stone, 971-673-1282, desk; 503-602-8027, mobile;
christine.l.stone@state.or.us

Oregon Public Health announces intent to grant variance for Portland's Bull Run drinking water source

Public hearing on proposed variance planned for Dec. 14 in Portland

The Oregon Health Authority's Public Health Division today announced its intent to grant a variance to the city of Portland from the requirement to treat the Bull Run water source for *Cryptosporidium*. The Health Authority also proposed conditions that the city would need to follow to keep the variance so that appropriate safeguards continue to protect the watershed.

"After thoughtfully, thoroughly and objectively examining the science available on the issue and on this particular watershed, we are satisfied that there is not, at this time, a need to treat the Bull Run source water for *Cryptosporidium* for public health reasons," said Gail Shibley, J.D., Oregon Office of Environmental Public Health administrator. "Therefore, we have issued an intent to grant a variance requested by the city of Portland. We also want to hear comments from the public before we issue a final order."

A public hearing is scheduled for 5-7 p.m. Dec. 14 in the Portland State Office Building, 800 N.E. Oregon St., Room 1B, to gather comments about the intent to grant the variance and its conditions.

The Bull Run watershed is 26 miles east of downtown Portland in the Mount Hood National Forest. It provides drinking water for one-fourth of all Oregon residents, workers and visitors.

The city of Portland submitted a variance request June 6, 2011. Public Health officials, along with state Department of Justice and Department of Environmental Quality experts, evaluated data and available science in reviewing the request. The Oregon Health Authority (OHA) determined that city officials have demonstrated – as required by both the federal Safe Drinking Water Act and the Oregon Drinking Water Quality Act – that *Cryptosporidium* treatment of the Bull Run water source is not necessary to protect the health of consumers because of the nature of the raw water source.

The proposed variance would be valid for 10 years. After that time, the variance would be re-examined and could be renewed. The proposed variance would be subject to the following conditions:

- All current protections for the Bull Run Management Unit must remain in place, and the city must annually report to OHA the status of protection activities.

- The city must routinely monitor Bull Run water at the intake for *Cryptosporidium*. Routine monitoring consists of collecting and testing at least two 50-liter samples weekly. Laboratory analysis must be conducted by an Environmental Protection Agency -approved laboratory following an EPA-approved method. If any sample detects *Cryptosporidium*, monitoring frequency must be increased.
- Increased monitoring must consist of collecting at least four 50-liter samples weekly, in the same manner as the routine monitoring. The city must continue increased monitoring until the running annual average of *Cryptosporidium* concentration drops below 0.075 oocysts per 1,000 liters.
- If, while on increased monitoring, any sample detects *Cryptosporidium*, OHA may revoke the variance.
- The city must notify OHA within 24 hours of any laboratory results that detect *Cryptosporidium*.
- The city must allow OHA or its designee access to the watershed to determine compliance with conditions, or for special studies, upon request.
- The city must in a timely manner notify OHA of any circumstances that might affect conditions of the variance.

The EPA can specify additional conditions on the state-issued variance.

“The state concluded that, with these built-in safeguards to protect against unforeseen changes in the watershed, a variance is appropriate,” Shibley said. “We will also thoughtfully consider all public comments to ensure our final order is as well-informed as possible.”

Those who are unable to attend the public hearing may submit written comments to:

Oregon Health Authority-Public Health Division, Office of Environmental Public Health, Drinking Water Program, 800 N.E. Oregon St., Suite 640, Portland, OR 97232.

A copy of the Notice of Intent and information on submitting written comments can be found at: <http://public.health.oregon.gov/HealthyEnvironments/DrinkingWater/Pages/BullRunVarianceRequest.aspx>.

The public comment period will close at 5 p.m. Jan. 3, 2012. After reviewing the comments a final order will be issued effective Jan. 31, 2012.

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