



PUBLIC HEALTH DIVISION
Center for Health Protection, Drinking Water Services

Kate Brown, Governor

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Health
Authority

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September 25, 2015

Preston Polasek, City Administrator
City of Lafayette
P.O. Box 55
Lafayette, OR 97127

**Re: City of Lafayette
Disinfection Byproducts Monitoring Rule – MCL Violations
PWS 00452**

Dear Mr. Polasek:

This letter is to summarize monitoring results and the major milestones regarding the locational running annual average (LRAA) maximum contaminant level (MCL) exceedances for total trihalomethanes (TTHM) during calendar years 2014 – 2015. This letter is also designed to lay out steps needed to be in compliance with the monitoring and reporting requirements during any future MCL exceedances as well as steps needed come into full compliance. Compliance with the MCL will be achieved after 4 consecutive quarters of monitoring is complete and shows that the locational running annual average (LRAA) at each monitoring location for TTHMs are ≤ 0.080 mg/L and Haloacetic Acids (HAA5s) are ≤ 0.060 mg/L.

Until compliance is achieved the City will be expected to:

1. Continue quarterly monitoring for TTHM and HAA5;
2. Issue public notice quarterly as long as the MCL continues to be exceeded;
3. Complete or update the Operational Evaluation as long as the Operational Evaluation Level continues to be exceeded;
4. Submit a Correct Action Plan by December 31, 2015 with a schedule of the steps the City is going to take to come into compliance. A Bilateral Compliance Agreement between the City and Drinking Water Services (DWS) may also be needed.

Each of the actions above is described in further detail in this letter.

I would like to express my appreciation to Jim Anderson for the time and assistance that he has provided in working with me to come up to speed on the City's efforts to resolve the TTHM MCL exceedances to date and I look forward to continuing to work with Jim and the City towards a permanent resolution.

Monitoring results and major milestones:

Sampling Quarter or Milestone	Last Sample	Sample Point	Location	TTHM LRAA MCL = 0.080	TTHM OEL	HAA5 LRAA MCL = 0.060	HAA5 OEL
<p>08/31/15 – Public Notice issued for DBP MCL in 2nd Quarter 2015 (DWS received copy on 8/28/15). The notice also addressed a violation received for inadequate disinfection that occurred due to a disinfection pump failure 7/26 – 7/28, 2015. 08/25/15 – DWS received the 8/6/15 results, which showed TTHM levels of 0.096 mg/l at 113 Washington St and 0.816 mg/l at 1214 3rd Street. These results will contribute to another MCL violation for 3rd quarter 2015. 08/12/15 – City submitted a corrective action plan to continue flushing the system near non-looping, dead end lines and closely monitor chlorine residual output at the watershed. "The residual leaving the watershed has been reduced in hopes that it will lessen the amount of DBP's in the system." Sampling was completed the previous week on 8/6/15 in the hopes that the results drop below the MCL. 07/30/15 – City instructed to continue to issue public notice for DBP exceedances quarterly as long as result exceed the MCL and submit an update to the OEL report along with a Corrective Action Plan to address the significant deficiency (DBP MCL violations) identified in the June 2015 survey. 06/24/16 – water system survey report letter was sent to the City noting that: <i>"The City of Lafayette water system is currently a "priority non-complier" (PNC) due to continued elevated disinfection-by-products (DBPs) detected in the distribution system. Although the City is taking steps to reduce the level of DBPs, until the concentrations drop below maximum contaminant levels (MCL), this remains a significant deficiency."</i> The City was instructed to submit a corrective action plan by August 12, 2015 describing how and when the violations will be corrected by. 06/16/15 – water system survey completed.</p>							
2Q2015	May 07, 2015	2DBP-01	113 WASHINGTON ST	0.083	0.082	0.030	0.034
2Q2015	May 07, 2015	2DBP-02	1214 3RD ST	0.071	0.079	0.025	0.027
<p>05/06/15 – DWS advised the City to collect the May DBP samples as soon as possible with the thought that the results would be below the MCL, resolving the MCL violations. 02/27/15 – City issues public notice for TTHM MCL exceedances 02/26/15 – DWS received the Corrective Action Plan relating to the TTHM exceedance. 02/11/15 – DWS received the Operational Evaluation Level report, which was deemed adequate.</p>							
1Q2015	Feb 04, 2015	2DBP-01	113 WASHINGTON ST	0.085	0.080	0.027	0.028
1Q2015	Feb 04, 2015	2DBP-02	1214 3RD ST	0.068	0.069	0.023	0.025
4Q2014	Nov 25, 2014	2DBP-01	113 WASHINGTON ST	0.091	0.083	0.026	0.026
4Q2014	Nov 25, 2014	2DBP-02	1214 3RD ST	0.060	0.063	0.019	0.021
<p>11/26/14 – City issues public notice for TTHM MCL exceedances 10/31/14 – DWS instructed City to continue quarterly sampling and issue public notice quarterly until system returns to compliance. City also instructed to complete an Operational Evaluation Level (OEL) report. A Corrective Action Plan was requested to be submitted within 30-45 days.</p>							
3Q2014	Aug 13, 2014	2DBP-01	113 WASHINGTON ST	0.095	0.096	0.025	0.025
3Q2014	Aug 13, 2014	2DBP-02	1214 3RD ST	0.067	0.058	0.017	0.017
2Q2014	May 21, 2014	2DBP-01	113 WASHINGTON ST	0.072	0.097	0.018	0.026
2Q2014	May 21, 2014	2DBP-02	1214 3RD ST	0.053	0.071	0.012	0.018

Steps for compliance with TTHM MCL violations:

1) Continue Quarterly Monitoring (OAR 333-061-0036(4)(h)):

Water systems normally required to monitor annually or less frequently must increase monitoring to dual sample sets collected every 90 days at all locations if either a TTHM or HAA5 sample exceeds the MCL at any location.

The next quarterly sample is due to be taken in November of 2015 and is to continue every 90 days thereafter with sampling completed in February, May, August, and November each year until the Locational Running Annual Average (LRAA) results are below the MCL for both TTHM and HAA5 at every location sampled.

2) Issue public notice quarterly (OAR 333-061-0042(3)(b))

Violations of the MCL for TTHM and HAA5 requires a Tier 2 public notice. Tier 2 notices may be issued quarterly for on-going MCL violations. The public notice must be distributed by mail or other direct delivery method to each customer receiving a bill and to other customers to which water is delivered by your water system. Other methods must be used to distribute this notice to persons not normally reached by mail or direct delivery (e.g. newspaper announcement, posting, e-mail, or media broadcast). A copy of the notice must also be submitted to DWS.

The next public notice must be issued to customers, with a copy sent to DWS as soon as practical, but no later than December 31, 2015. Issuance of this public notice is to continue each calendar quarter thereafter until the LRAA results are below the MCL for both TTHM and HAA5 at every location sampled.

3) Operational Evaluations (OAR 333-061-0036(4)(i)):

DWS calculates an Operational Evaluation Level (OEL) each quarter for both TTHM and HAA5. Water systems have exceeded the OEL at a monitoring location when the sum of the two previous quarters' sample results plus twice the current quarter's sample result, divided by 4, exceeds the MCL. If the OEL is higher than the MCL for TTHM or HAA5 at any location in the distribution system, the City must conduct an Operational Evaluation. DWS will notify the City when the OEL exceeds the MCL. The Operational Evaluation must be submitted to DWS for review within 90 days of receiving the analytical result that caused the system to exceed the OEL. Although DWS may limit the scope of the Operational Evaluation, a full Operational Evaluation must include:

- An examination of system treatment and distribution operational practices, including:
 - Storage tank operations
 - Excess storage capacity
 - Distribution system flushing
 - Changes in sources or source water quality
 - Treatment changes
 - Any problems that may contribute to TTHM and HAA5 formation
- What steps could be considered to minimize future exceedances

Please refer to the information on OELs and use the Operational Evaluation report template available on-line at:
<http://public.health.oregon.gov/HealthyEnvironments/DrinkingWater/Rules/Stage2/Pages/opeval.aspx>

The next full Operational Evaluation Report (not an update) is due in our office by November 23, 2015. The scope of subsequent Operational Evaluations may be allowed to be limited, depending upon the adequacy of this report and are due 90 days after receiving the result that led to an OEL exceeding the MCL.

4) *Submit a Corrective Action Plan with the date of anticipated compliance (OAR 333-061-0076(6)).*

The City needs to submit a Corrective Action Plan that clearly shows when the City anticipates being in compliance, as demonstrated by an LRAA below the MCL for both TTHM and HAA5. The Corrective Action Plan must include:

1. The plan the City will follow to resolve the TTHM MCL exceedances; and
2. The schedule the City will follow to execute the plan.

The City should consider being in compliance by December 31, 2016.

The Corrective Action Plan, including a schedule showing when the City anticipates resolving the TTHM MCL exceedances, must be submitted to our office by December 31, 2015.

A Bilateral Compliance Agreement between DWS and the City may be developed based on either the Corrective Action Plan submitted or progress in executing the Plan. If more time is needed due to capital improvements or to gather sufficient monitoring data, at a minimum, a new Corrective Action Plan with a revised schedule will be needed.

If you have any questions or concerns, or would like this in an alternate format, please contact me at (971) 673-0419, or via email at evan.e.hofeld@state.or.us. Your cooperation is greatly appreciated.

Sincerely,



Evan Hofeld, PE
Regional Engineer
Drinking Water Services

cc: Brad Daniels, DWS Enforcement Coordinator
Jim Anderson, City of Lafayette