

US EPA ARCHIVE DOCUMENT



CITY OF  
**PORTLAND, OREGON**

BUREAU OF WATER WORKS

Erik Sten, Commissioner  
Michael F Rosenberger, Administrator  
1120 S.W. 5th Avenue  
Portland, Oregon 97204  
Information (503) 823-7404  
Fax (503) 823-6133  
TDD (503) 823-6868

April 29, 1999

Mr. Chuck Findley  
Deputy Regional Administrator  
Environmental Protection Agency, Region 10  
1200. Sixth Avenue  
Seattle, Washington 98101

Dear Mr. Findley:

During the last year the City of Portland Bureau of Water Works, represented by Rosemary Menard, Portland's Wholesale Water Customers, and the Environmental Protection Agency have been working toward developing a Project XL for Communities agreement for Portland's Lead Hazard Reduction Program. This effort followed two years of preliminary discussions between our agencies regarding the City's proposed multi-media approach to complying with the Lead and Copper Rule, an approach that has been accepted by the Oregon Health Division as satisfying the requirement to provide optimum corrosion control. Implementation of the program has been underway since 1997.

The underlying premise of the Lead Hazard Reduction Program and our participation in the XL for Communities program is that a multi-media approach to lead in the environment could produce a better public health outcome than would be produced through water treatment alone. Early indications are that the home lead hazard reduction program, and the education, community outreach, and stakeholder involvement efforts are leading to new and highly effective partnerships to address lead in the environment with individuals, agencies, and community based organizations. These partnerships significantly increase the prospects for success for the Lead Hazard Reduction Program, and we are very excited to be a part of the energy and commitment that is being generated around the environmental lead issue.

Our experience working to develop a final project agreement for the Lead Hazard Reduction Program, however, have not been so promising. Regretfully, we have come to the conclusion that we must withdraw from the XL for Communities program.

Our reasons for withdrawing are several, but most important is our inability to support the workload required to develop the final project agreement. We've come to this unfortunate realization after considerable investment of staff and other resources, and find that we simply cannot proceed without harming the at risk populations we seek to help.



Mr. Chuck Findley

Page 2

April 29, 1999

When we accepted EPA's offer to develop a final project agreement in April 1998, we did so based on the assurances we received in the meeting held in Washington D.C. on March 25, 1998 that EPA had no significant issues with the updated program proposal we submitted for review in February 1998. We also understood that stakeholder involvement in the process of developing a final project agreement was both important to EPA and necessary, and we undertook these outreach efforts beginning in September 1998.

During the several formal stakeholder meetings as well as during ongoing community interactions associated with program implementation, we have been struck by the differences between the community's concerns and needs and EPA's. In particular, stakeholders strongly supported (and continue to support) our efforts and focused on what might be described as more "real time" questions and directions for the program. EPA's concerns during this same time were typically more focused on program clarifications and enhancements. We became concerned that EPA's comments were raising potentially significant financial, policy, or implementation issues, and we were unable to see how we could resolve these issues without considerable additional investment of limited resources.

While we certainly acknowledge that any program can be improved, the consistent message we received from community based stakeholders was satisfaction with both what was being done and the process that was being used to engage them in decision-making about the program. The consistency of this input as well as the lack of interest of these stakeholders in EPA's issues made us question the relevance of EPA's concerns, especially in light of the what we saw as the growing workload and associated time commitment necessary to resolve the issues raised. In the end, we concluded that continuing to work on the XL agreement detracted from our ability to implement the program. Our decision to withdraw is directly related to our belief that our community benefits significantly more from actual implementation of the program than from continuing to invest our limited resources in the achieving recognition under the XL for Communities program.

Our mutual efforts to develop a final project agreement have resulted in several important and beneficial outcomes, including an actively engaged community stakeholder group, and many highly successful community partnerships. We are most proud of the spirit of cooperation and common purpose that has developed in working with the Urban League, Physicians for Social Responsibility, local, regional, and national environmental justice interests, and community based social service and health care providers. We reached out to these interests not only because of the XL for Communities requirements for stakeholder involvement but also because we understood that community acceptance and participation was critical to our ability to successfully accomplish program objectives. We have been continually impressed by the dedication and commitment of these community partners to improved public health outcomes for our citizens, and we fully expect to continue working with these partners.

Mr. Chuck Findley  
Page 3  
April 29, 1999

It is indeed unfortunate that such a successful and novel program could not achieve XL for Communities designation, but lacking this designation does not in any way detract from its contribution to improving public health in our community.

Please feel free to contact Rosemary Menard or me should you have questions about our decision or wish to discuss further.

Sincerely,

Michael F. Rosenberger  
Administrator

MR/tm

cc: Cynthia Dougherty  
Rosemary Menard