



# Oregon

Theodore R. Kulongoski, Governor

**Department of Human Services**

**Public Health Division**

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BEFORE THE STATE OF OREGON  
DEPARTMENT OF HUMAN SERVICES  
OFFICE OF ENVIRONMENTAL PUBLIC HEALTH

In the Matter of

The City of Monroe, PWS OR4100540

BILATERAL COMPLIANCE  
AGREEMENT

The City of Monroe is a water supplier as defined in Oregon Revised Statute (ORS) 448.115(12) and Oregon Administrative Rule (OAR) 333-061-0020(211).

The City of Monroe, as a water supplier, has specific responsibilities that are specified in OAR 333-061-0025.

The City of Monroe has at all times mentioned herein operated and continues to operate a community public water system, and is subject to regulation under ORS 448.115 to 448.290 and OAR 333-061-0005 to 333-061-0295.

Pursuant to its authority under ORS 448.150, the Oregon Department of Human Services, Public Health Division, Office of Environmental Public Health, Drinking Water Program (Agency) has investigated the operation of the water system operated by the City of Monroe.

This agreement is entered into between the Agency and the City of Monroe for the purpose of acknowledging that sample results for water provided by the City of Monroe exceed the maximum contaminant level (MCL) for total trihalomethanes (TTHM) and for haloacetic acids(5) (HAA5). The purpose of this agreement is also to establish a commitment to reduce the concentration of TTHM and HAA5 in water provided by the City of Monroe below the MCL.

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An Equal Opportunity Employer



FINDINGS OF FACT

- The running annual average for TTHM in water provided by the City of Monroe, including samples collected on February 3, 2010, was 0.103 mg/L. This exceeds the MCL for TTHM of 0.080 mg/L as specified in OAR 333-061-0030(2)(b).
- The running annual average for HAA5 in water provided by the City of Monroe, including samples collected on February 3, 2010, was 0.065 mg/L. This exceeds the MCL for HAA5 of 0.060 mg/L as specified in OAR 333-061-0030(2)(b).
- The City of Monroe has issued public notice as required for exceeding the MCL for TTHM and HAA5.
- The City of Monroe is conducting disinfection profiling to determine how best to reduce levels of TTHM and HAA5.
- The City of Monroe has increased reservoir turnover, decreased chlorine residual, and increased hydrant flushing in an attempt to lower levels of TTHM and HAA5.
- The City of Monroe has begun adding a coagulant in an attempt to lower levels of TTHM and HAA5.

AGREEMENT

Upon completion of the activities described below, on or before the deadlines specified in this agreement, the City of Monroe will be considered to be in compliance with the MCL for both TTHM and for HAA5, and will have fully satisfied the terms of this agreement.

- Agreement Activity No. 1: The City of Monroe will submit an action plan indicating how the City will comply with the MCL for TTHM and HAA5. The plan will include specific details describing what physical or operational changes the City will make to its water treatment and distribution system to achieve compliance, and when those changes are expected to be completed. The action plan will be submitted to the Agency no later than September 30, 2010.
- Agreement Activity No. 2: The City of Monroe will submit a report detailing its progress towards completing the changes specified in the action plan described in Agreement Activity No. 1, and whether those changes are expected to be completed

according to the previously described schedules. The progress report will be submitted to the Agency no later than December 31, 2010.

- Agreement Activity No. 3: The City of Monroe will submit sampling results showing that the running annual average for TTHM and HAA5 is below the MCL for at least two consecutive calendar quarters. Sampling results for the second calendar quarter will be submitted no later than July 10, 2012.
- Agreement Activity No. 4: The City of Monroe will continue to issue public notice for exceeding the MCL for TTHM and HAA5. The notice will be distributed quarterly until all corrections are made, and all system users receive drinking water that meets all applicable state and federal drinking water laws and rules (OAR 333-061-025 and OAR 333-061-0042(3)(b)(C)).

#### GENERAL PROVISIONS

This Agreement does not constitute a waiver, suspension or modification of the requirements of the Oregon Drinking Water Quality Act; ORS 448.115 to 448.285 and administrative rules OAR 333-061-0050 to 333-061-0295, which remain in full force and effect.

This Agreement does not relieve the City of Monroe of any responsibilities or liabilities established pursuant to any applicable federal, state, or local law or regulation.

The Agency has determined that formal enforcement action is not warranted at this time, and so long as the City of Monroe meets all of the requirements and deadlines specified in this Agreement, the Agency will forgo additional enforcement action which could include the assessment of civil penalties as prescribed by OAR 333-061-0090.

City of Monroe

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Dated this 19 day of May, 2010.

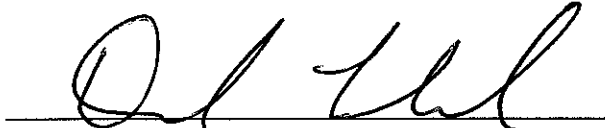


Clifford Frank Thayer

Mayor

City of Monroe

Dated this 28 day of MAY, 2010.



David Leland

Program Manager

Oregon Department of Human Services, Drinking Water Program

cc: Jeff Houchin, City of Monroe  
Karen Kelley, DHS-DWP  
Amy Parmenter, DHS-DWP