

Remedial Design Funding Initiative

EPA Public Forum
June 12, 2019

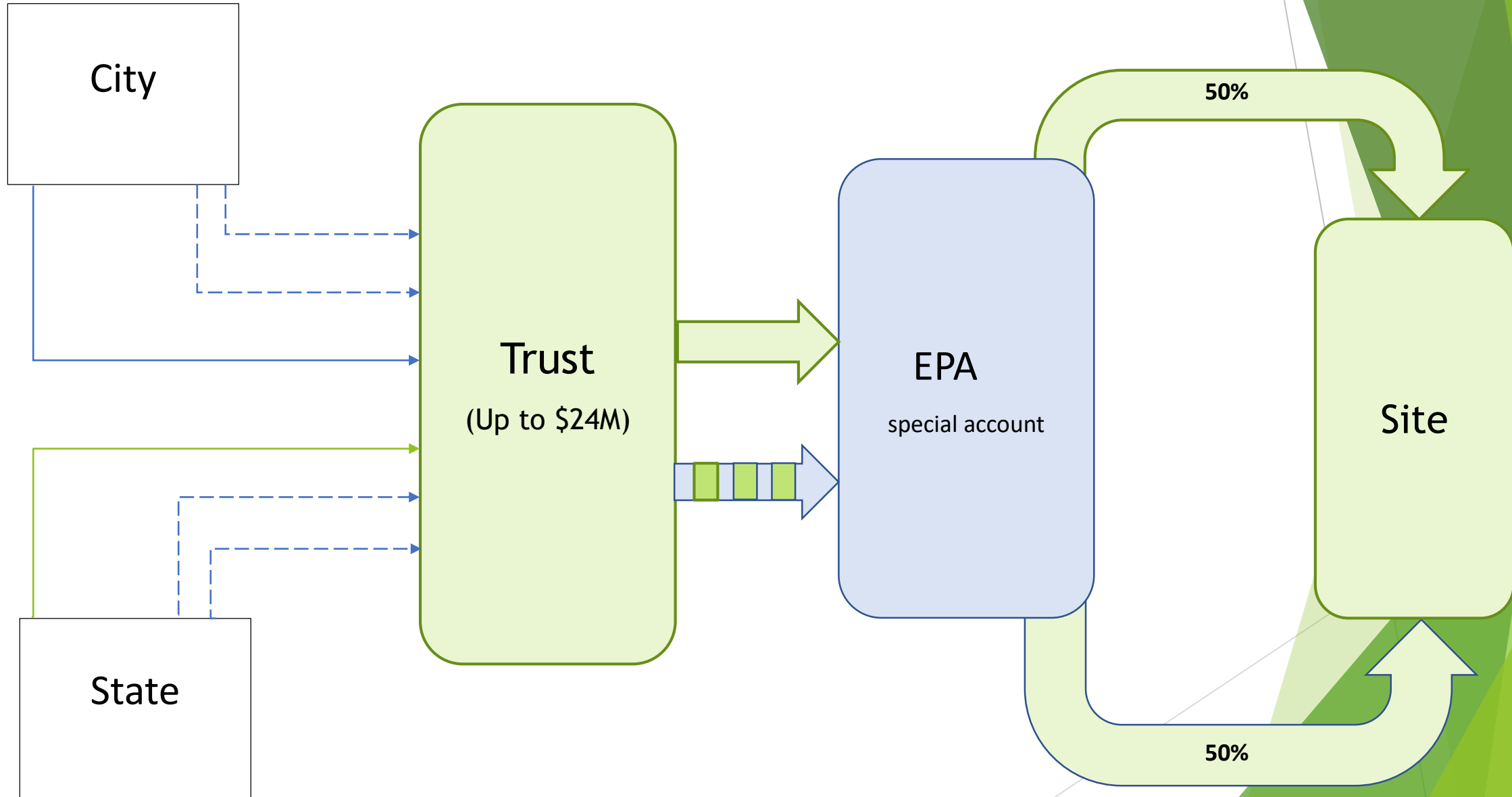
James McKenna
Office of Governor Kate Brown

Annie Von Burg
City of Portland

Background

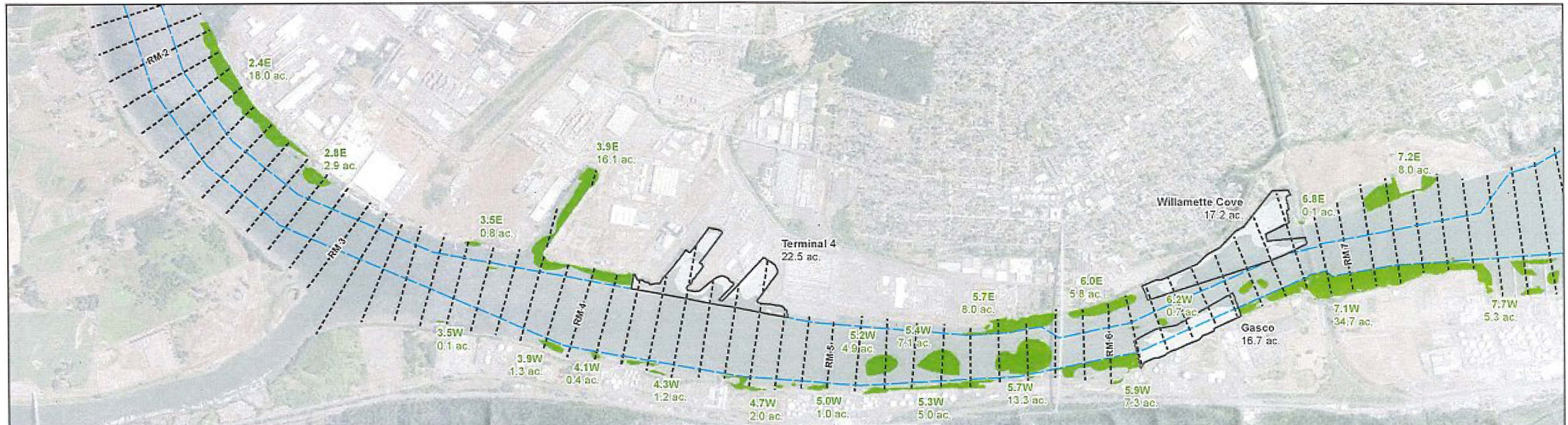
- ▶ December 2018: EPA announced that potentially responsible parties (PRPs) need to undertake 100% of remedial design work for the entire Site by the end of June 2019
 - ▶ If this goal is not reached, EPA said it would send out Special Notice Letters to begin negotiations for remedial design and remedial action
- ▶ State and City have potential liability scattered throughout the site
- ▶ Necessary for State and City to take steps to address legal obligations and protect public dollars
- ▶ May 2019 State and City agreement with EPA begins to address legal obligations for cleanup design and provides some protection against enforcement action

Cleanup Design Funding Initiative



How it Works

- \$80K per acre available for eligible areas
- Parties must execute an ASAOC for 100% cleanup design in sediment management areas
- All funds used are credited to State and City's potential liability
- Work completed per EPA's project schedule
- Safeguards are in place to ensure funds are spent only on cleanup design



ROD SMA Alternative F Mod Footprint Selected Remedy, 365.3 ac.¹

Eligible Acres, 296.7 ac.
Not Eligible Acres, 68.6 ac.

All Other Features

- River Mile (RM)
- Excluded Work Areas
- U.S. Army Corps of Engineers Navigation Channel

NOTES:

1. Portland Harbor Record of Decision January 2017, Based on Figure 30, SMA Alternative F Mod.
SMA: Sediment Management Area
ROD: Record of Decision

Map generated by EPA R code output on May 3, 2019



APPENDIX B
Map of Eligible Acres
Willamette River
Portland, Oregon

Initiative Benefits

- ▶ Addresses public agencies' liability by leveraging funds in more effective and efficient way
- ▶ Expedites harbor-wide action
- ▶ Protects public dollars
- ▶ Reduces likelihood of legal enforcement against the City and State
- ▶ Decreases financial uncertainty for remedial design phase
- ▶ Ensures public funds go directly to cleanup design work, while avoiding administrative costs

Who Wins

- ▶ **Portlanders**
 - ▶ Cleanup moves forward faster
 - ▶ Human health and ecological risks addressed sooner
- ▶ **Public Agencies**
 - ▶ Get more bang for the buck
 - ▶ Gain some legal protection
 - ▶ Increase financial certainty, protecting public dollars
- ▶ **Potentially Responsible Parties**
 - ▶ Maintain control of sites
 - ▶ Avoid lengthy legal disputes
 - ▶ Offset some costs
- ▶ **EPA**
 - ▶ Receives support to meet deadline
 - ▶ Avoids resource-intensive enforcement processes

Questions?

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