

FINAL Meeting Summary

EPA (with support from DEQ and the CAG) Portland Harbor Superfund Site Public Forum Wednesday, December 11, 2019 | 6:00 – 8:30 p.m. | Polish Library Association & Grandpa's Cafe

The Environmental Protection Agency (EPA) held its seventh quarterly Portland Harbor Superfund Site Public Forum with support from the Portland Harbor Community Advisory Group (CAG) and the Oregon Department of Environmental Quality (DEQ) at the Polish Library Building Association (PLBA) in Portland, Oregon. The public forum took place from 6:00 – 8:30 p.m. and was divided into sections as follows:

1. **Willamette Cove Tabling:** 6:00 – 7:00 p.m.
2. **Welcome and Overview:** 7:00 – 7:20 p.m.
3. **General Portland Harbor Superfund Site Updates:** 7:20 – 7:40 p.m.
4. **EPA, State of Oregon, and the City of Portland Presentation: “What are Institutional Controls and Information Management, and Why Should People Care?”** 7:40 – 8:25 p.m.
5. **Wrap-up:** 8:25 – 8:30 p.m.

Public Forum: Welcome and Overview

The meeting started with Tony Barber, EPA Director, Oregon Operations Office, providing welcoming remarks to meeting attendees. Tony expressed gratitude for everyone in attendance.

The facilitator welcomed (b) (6) Occupy St. Johns, to provide a Willamette River Water and Tribal Lands Acknowledgment. (b) (6) remarked on the relationship shared among the meeting attendees, the river, and the land and read a poem about water.

The facilitator paused to acknowledge all tribal elders and members in the audience and to thank them for traveling to attend the meeting. Alvey Seeyouma (Hopi), Workforce Development Coordinator, Wisdom of the Elders, introduced himself. Gail Fricano, Technical Consultant, who works on behalf of the Five Tribes and is a member of the Technical Coordinating Team (TCT), introduced herself.

The facilitator introduced the EPA and DEQ staff present at the meeting and paused to acknowledge any congressional representatives present in the room.

The facilitator clarified the purpose of the meeting: **to provide a forum for members of the public to receive updates regarding the Portland Harbor Superfund Site and the opportunity to ask questions of the Potentially Responsible Parties (PRPs)**. The Facilitator then provided an overview of the meeting agenda and thanked the participants for their attendance.

Michael Pouncil, CAG, provided a welcome from the [Portland Harbor CAG](#). Michael shared details about the CAG including [when & where the meetings occur](#) (2nd Wednesday of the month in Jan, Feb, April, May, July, Aug, Oct, Nov), the role of the CAG in the Portland Harbor Cleanup, and ways to communicate with and get connected to the CAG.

General Portland Harbor Superfund Site Updates

The Facilitator introduced Laura Knudsen, EPA Region 10 Community Involvement Coordinator; Davis Zhen, EPA Region 10 Section Chief; and Jim McKenna, Office of Governor Kate Brown, to provide general Portland Harbor Superfund Site updates. The updates shared by Laura, Davis, and Jim are captured in the table below.

General Topic Area	Actions and Status
Portland Harbor Community Involvement Plan (CIP)	<ul style="list-style-type: none">EPA has completed a draft CIP (required by Superfund law) and a first round of review by the EPA Portland Harbor team.The next round of review will be completed by the Technical Coordinating Team¹ (TCT) prior to public release. The anticipated public release of the CIP is February 2020.
Final Explanation of Significant Differences (ESD)	<ul style="list-style-type: none">EPA shared that the Final Explanation of Significant Differences (ESD) has been signed by the EPA Administrator.EPA developed a fact sheet regarding the Final ESD that is publicly available.
Site-wide Institutional Control Implementation and Assurance Plan (ICIAP) and the Information Management Plan	<ul style="list-style-type: none">EPA has signed an Administrative Agreement and Order on Consent (ASAOC) with the City of Portland and the State of Oregon related to the Site-wide Institutional Control Implementation and Assurance Plan (ICIAP) and the Information Management Plan.
City of Portland/State of Oregon Funding Agreement	<ul style="list-style-type: none">The City and the State are continuing to work with EPA to implement the Site-wide incentive agreement that provides funding to parties who enter remedial design agreements before December 31, 2019.Based on on-going good faith negotiations, certain parties received an extension to January 31, 2020 to enter remedial design agreements.

Presentation: “What are Institutional Controls and Information Management, and Why Should People Care” - EPA, State of Oregon, and the City of Portland

The facilitator introduced Josie Clark, Remedial Project Manager EPA Region 10, and Hunter Young, Remedial Project Manager, EPA Region 10, to present their section of a presentation on institutional controls and information management. Josie and Hunter started the presentation by providing an overview of institutional controls and how they are used.

Josie stated that institutional controls are non-engineered instruments and legal controls that help to limit the exposure to contamination and/or protect the integrity of a remedial action. Josie also explained that institutional controls are typically put in place during and after the remedy to protect people, to minimize the exposure to contamination, and to protect the remedy as well. Josie clarified that institutional controls are only a small part of a remedy and not intended to replace an entire remedy.

Josie and Hunter provided three examples of different institutional controls that may be implemented at the Portland Harbor site. The examples included:

- Example 1: Fish Advisory:** The Oregon Health Authority (OHA) uses EPA data to recommend safe amounts of fish to eat. There is an interim outreach program managed by Multnomah County (and currently funded by the

¹ The Technical Coordinating Team (TCT) was formed with the execution of the [2001 Memorandum of Understanding \(MOU\)](#). The members include: EPA, DEQ, Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of the Grand Ronde Community of Oregon, Confederated Tribes of the Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Nez Perce Tribe, National Oceanic and Atmospheric Administration (NOAA), Oregon Department of Fish and Wildlife (ODFW), and U.S. Department of Interior (DOI).

State of Oregon, City of Portland, and Port of Portland) to help engage with the public and make sure people in the fishing community understand the fish advisory.

- **Example 2: Land Use and Access Restrictions:** Land use and access restrictions may be implemented in nearshore areas and riverbanks to maintain the integrity of caps from current or future activities. These restrictions are typically used in conjunction with fencing and signage to prevent human access to unsafe areas.
- **Example 3: Waterway Use Restrictions Regulated Navigation:** EPA can set waterway use restrictions or regulate navigation areas for use to prevent disturbing the remedy.

The Facilitator introduced Jim McKenna, Office of Governor Kate Brown; Cindy Ryals, Technical Program Manager, City of Portland; and Jessica Terlikowski, Senior Community Outreach and Information Representative, City of Portland, to discuss the information and data management section of the presentation.

Jim discussed the Institutional Control Implementation and Assurance Plan (ICIAP) and the Information Management Plan and noted these are being designed to help guide data collection and sharing from each of the individual sites in the Superfund area. Jim also explained that this is a joint effort among the City of Portland, Oregon Department of State Lands, and EPA. The effort is to develop a needs assessment, a programmatic Institutional Control (IC) Plan, and a Programmatic Information Management Plan. Jim noted the estimated project completion date to be within two and a half to three years. The goal is to create a uniform data collection and reporting system, a central repository, and a public portal to be used to ensure consistent, timely, and transparent access to information for the public, government agencies, local businesses, and Superfund parties.

Cindy talked about the approach to partnership and stakeholder input for project success. Cindy noted that there will be an assessment of partners' and stakeholders' data needs to be collected through active engagement, community-led outreach, workshops, and surveys. Cindy also explained that the information gathered in the assessment will be used to inform recommendations to EPA for coordinating institutional controls, managing harbor-wide data, and presenting information to the public.

Jessica covered the available opportunities for members of the public to get involved with the process. She noted there are opportunities for partner and stakeholder engagement through the City of Portland's new Community Involvement Grant Award. Jessica also passed around a sign-up sheet for meeting attendees who were interested in learning more about input opportunities.

Wrapping Up and Next Steps

The facilitator thanked the presenters for sharing information and thanked attendees for their time, questions, and thoughtful participation. The next Portland Harbor Public Forum is scheduled for Wednesday, March 11, 2020 (location TBD).