

**Meeting Summary - Portland Harbor Superfund Site  
EPA Public Forum and Open House  
Wednesday, September 12<sup>th</sup>, 2018 \* 6pm – 8:30pm**

**Welcome and Overview led by Annie Kilburg – Triangle Associates**

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The meeting began with welcoming remarks from Annie Kilburg. Following these remarks Sheryl Bilbrey (EPA Region 10 Director of the Office of Environmental Cleanup) welcomed the group, provided a short introduction and thanked attendees for their continued effort and interest in the Portland Harbor Superfund Site.

Laura Knudsen (EPA Region 10 Community Involvement Coordinator or CIC) presented a slide deck with site history and map. Laura followed this presentation with a recap of the June 13<sup>th</sup> 2018 public forum and thanked attendees for their time and attendance.

Jackie Calder (Portland Harbor Community Advisory Group, also known as the “CAG”) provided a brief history of the CAG and information regarding their significant efforts and involvement in the Portland Harbor Superfund Site to date.

**Open House / Report Outs from Booths**

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Annie Kilburg and Laura Knudsen provided an overview of the open house format, including descriptions of the eleven booths offered and the accompanying materials. Participants were invited to take the next hour of the meeting to visit the open house tables/booths, review the information provided, ask questions, and participate in discussion with those leading the booths as needed. Following the open house portion of the public forum meeting, Triangle asked attendees to be seated in the conference room and introduced those who managed the booths to provide brief high-level report-outs of the questions asked. The information shared during the report-outs was as follows.

**Booth #1: State of Oregon**

Jim McKenna (Portland Harbor Policy Analyst in the Oregon Governor’s Office) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- There was an issue raised about the continued use of the tank farms; the preference shared was not to continue their use for export.
- Another issue flagged was regarding the access points to the river. Some attendees stated that in addition to seeing Willamette Cove as a green space, they would like to see it maintain public access and provide habitat restoration.

**Booth #2: Willamette Cove**

Eva DeMaria (EPA) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- Most of the questions asked were regarding the timing of the ongoing negotiations at this specific area and how long it will take to complete them.
- Another issue raised was regarding the enforcement process. Eva explained the current process and she explained that she heard significant interest about Willamette Cove being a green space.

**Booth #3: Superfund 101**

Laura Knudsen (EPA) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- Attendees asked questions about the Superfund process at the Portland Harbor site, including specific action areas and remedial action that could be taken.
- There were issues raised regarding the land use and land availability at the Portland Harbor site. It was noted that there are some resources, including a checklist, that exists for those that may want to purchase land. EPA will continue to follow up on land availability at the site.

**Booth #4: Portland Harbor Community Advisory Group (CAG)**

Jackie Calder (Portland Harbor CAG) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- There were reports about fishing from the Esplanade; the suggestion was to do outreach about the reports along the river bank.
- Also noted was an angler study that had been performed years ago by Willamette Riverkeeper.

**Booth #5: Terminal 4**

Kelly Madalinski (Port of Portland) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- There were questions regarding details of the cleanup and the role of Port of Portland in the process of the cleanup. It was noted that the Port of Portland has signed an agreement with EPA to conduct sampling, with remedial design beginning in the fall.
- One issue fielded by EPA were questions asked about the wildlife's historic use of the area and the potential for habitat restoration.

**Booth #6: Source Control (Oregon Department of Environmental Quality or DEQ)**

Alex Liverman (DEQ) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- There were questions regarding dredging, dredge permitting, and the metrics for measuring progress.
- Several inquiries were made regarding the Endangered Species Act (ESA).
- One issue was raised was the concern of redevelopment and, in particular, bona fide prospective purchase agreements.
- The cleanup itself was flagged as an issue, including payment, history of overall cleanup, and progress on upland cleanup sites.

**Booth #7: Fish Consumption (Multnomah County)**

Beth Appert (Health Educator with Multnomah County Environmental Health) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- Questions were asked about the status of the current process for fish advisories.
- Information was provided about where fishing and recreation can occur.
- There were concerns raised about the education of children regarding the clean-up; it was suggested that conducting outreach and providing education to children would be helpful.
- It was noted that there is interest in a health assessment of the river; however, that the resources to provide this are unclear.

**Booth #8: City of Portland, Bureau of Environmental Services**

Jessica Terlikowski (City of Portland) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- Information was provided to attendees about a community involvement program that the City of Portland is currently developing for the Portland Harbor Superfund Site; suggestions were solicited about engagement and involvement of attendees.
- It was noted that the City of Portland is investing in capacity building.
- Some attendees asked about the City of Portland's role in the clean-up and what their vision is for the site long-term.

#### **Booth #9: Pre-Remedial Design & Baseline Sampling**

Nicki Pozos (consultant to/for Pre-RD group and Senior Managing Associate for Barney & Worth, Inc.) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- There were questions about fish, specifically regarding the choice to select smallmouth bass as a sample test species.
- Information was provided to attendees to explain how the study was different from others conducted and that sampling is almost complete.
- It was noted that there was interest in community science as part of the Superfund site moving forward.

#### **Booth #10: NW Natural (Gasco)**

Dave Santen (NW Natural, also known as Gasco) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- There were questions about the timing of cleanup and how other Potentially Responsible Parties (PRPs) would be contributing to the cleanup process.
- Several attendees asked about how to get involved in the cleanup of the site, especially on the restoration side.

#### **Booth #11: River Mile 11 East**

Cindy Ryals (City of Portland) stated that some of the questions and comments shared during the open house portion of the meeting were as follows:

- Several questions focused on sources of recontamination and if groundwater could be a source of this.
- Attendees asked about the design process.
- It was noted that there was interest in the use of community science in the process.
- Another area of concern was the potential need for dredging at the River Mile 11 East site.

### **Opportunity for Questions and Discussion with the Potentially Responsible Parties (PRPs) and Remedial Project Managers (RPMs)**

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Annie introduced the PRP and RPM discussion and explained how the question and answer session would be managed. Participants were reminded that comment cards could be used to write down questions during the presentations or that you could raise your hand and Triangle would provide a microphone for questions/comments.

#### **Questions and Answers with Potentially Responsible Parties (PRPs) and EPA Remedial Project Managers (RPMs)**

Sean Sheldrake (EPA) stated that Bob Wyatt (NW Natural), was not able to attend the meeting due to a work schedule conflict and that he would be fielding questions on Gasco/Siltronic for NW Natural.

The following were questions asked, comments made, and responses provided from the PRPs and RPMs.

**Q1:** Should the Record of Decision (ROD) be amended to address uncontrolled sources of contamination?

**A1 (from EPA):** Technology can generally state where contamination comes from; however, that topic is not necessarily something that EPA will engage in. EPA would rather have the PRPs/companies complete the design for source control. EPA is handling the contaminants in the river and it was noted that DEQ has its work to prepare for in-water work and remedial design. EPA will ensure that the process is ready to move forward with cleanup work, and it was noted that the issues at River Mile 4 are with the sediments.

**Q2:** Since the footprint has expanded, should the ROD be amended?

**A2 (from EPA):** No. The ROD talks about Remedial Action Levels (RALs) for the cleanup, and the ROD contemplates all these permutations including varying footprints. Source control work has been adequately completed to begin in-water work.

**Q3:** Based on recent articles about the viability to use Arlington as a waste repository, is that site being reconsidered for receiving waste from the Portland Harbor (PH) cleanup?

**A3 (from EPA):** The issue raised regarding mercury volatilization at Arlington is not related /relevant to the cleanup. The PH Superfund cleanup project will not add to mercury since that is not a main, predominant contaminant of concern (COC) for this site. It was noted that at the Arlington site, EPA will confirm with DEQ that such sites are operating within their permits and can still take waste per EPA's "off-site" rule. The project must be checked on a case by case basis regarding what the project is using as its waste repository.

**Q4:** Where will dredge spoils go? What is EPA doing about eminent domain and the building of condominium development along the river?

**A4 (from EPA):** This question goes beyond Superfund's authorities and EPA's jurisdiction. It was acknowledged that eminent domain has been observed nationally and that real estate prices increase after a Superfund site gets cleaned up. EPA's goal is to return contaminated sites back to a reusable condition. The anticipated land use is maintained/is the focus of the design. All cleanup efforts that EPA completes must be compatible with anticipated land uses.

**Q5:** When will the City announce its Community Involvement Plan (CIP) and how can people get involved in that process?

**A5:** Jessica Terlikowski (City of Portland) said that people can get involved and that the City is still receiving input. The Portland Harbor CAG and other groups are helping the City to reach diverse communities. It was also noted that engagement will be an ongoing effort and that the City wants to develop the program in a collaborative way.

→\*\*Laura Knudsen (EPA) clarified that what the City is doing is different than what EPA is doing. EPA is updating its own Community Involvement Plan for the Portland Harbor Superfund Site, as stipulated by regulation. Notably, the draft of EPA's CIP should be coming out in early 2019 for public feedback.

**Q6:** What is the process for who determines what happens with the land after it is cleaned up? Who decides that?

**A6 (from EPA):** EPA will be working with Potentially Responsible Parties (PRPs) to make cleanup areas as ecologically friendly as possible once cleanups are complete, e.g. by adding riparian plantings on a riverbank that undergoes cleanup. However, [Natural Resource Damage assessments](#) are a part of the process and this more comprehensive habitat restoration process (outside of EPA's role in the Portland Harbor Superfund Site cleanup) is being completed to restore habitat in cleanup areas accounting for decades of damage. If there are

more questions about land use attendees should speak with the City of Portland and other property owners about land use and their concerns.

**Q7:** Will each of the panelists be interested in posting their contact information if others were not able to make it around the different stations/booths?

**A7:** Everyone on the panel was okay with sharing their information for the next public forum except for the short-term project consultants of the Pre-Remedial Design Group who would prefer to have Laura Knudsen (EPA) be their conduit for questions/communications since they are not with the cleanup for the long term.

**Q8:** Will any part of the cleanup plan deal with sturgeon restoration?

**A8 (from EPA):** EPA's final cleanup plan (or Record of Decision) does not specifically address sturgeon restoration. The [Natural Resource Damage plan](#) has not addressed that issue though the plan addresses habitat restoration for other species. The Natural Resource Damage plan is mostly driven by endangered/threatened species status. Issues like sturgeon recovery (and other deep-water species) may be considered by EPA to comply with the Clean Water Act and include features that may be more amenable for those species as part of our site-specific designs.

**Q9:** What can the public expect for upcoming public input opportunities?

**A9 (from EPA):** EPA will be working to define and communicate the expectations for these public input opportunities. While public input is not required at these phases post-ROD, input from communities and interested parties is sought. Starting with a conceptual design is the best place to begin to discuss the public's expectations. For example, EPA may want to discuss floodway issues before design drawings get too far along.

**Q10:** Is the new EPA Administrator making EPA more environmentally friendly? What is happening with position elimination and funding cuts?

**A10 (from EPA):** Yes, there have been budget cuts to EPA as there have to other agencies. For the Portland Harbor site, because the site is a regional priority, and Superfund is still a focus of this administration, more cleanup will continue. There is a desire for Regions to work harder and faster, especially for sites/projects like this one that have recoverable costs and are less impacted by funding cuts.

**Statement:** One community member stated the City of Portland should consider engaging with the public regarding zoning for future development. It needs to be representative of the communities that have lived/live there and account for eminent domain. The historical inequities in and around the cleanup site should be understood and considered as part of the solution for re-development and redlining must not occur.

## **Wrapping Up and Next Steps**

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Triangle thanked attendees for their time and thoughtful participation. They stated that the next meeting is scheduled for Wednesday, December 12<sup>th</sup> 2018.