— CITY OF PORTLAND —
ENVIRONMENTAL SERVICES

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July 17, 2015

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BY:

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Oregon Department of Environmental Quality
Northwest Region Cleanup Program
700 NE Multnomah St., Suite #600
Portland, OR 97232

Subject: City Review of the *Stormwater Source Control Evaluation Report* prepared for Calbag Metals Company Facilities

Dear Jim:

This letter provides comments from the City of Portland Bureau of Environmental Services to the Oregon Department of Environmental Quality (DEQ) based on our review of the above referenced document (SCE Report) dated July 31, 2014 and prepared by GeoPro LLC on behalf of the Calbag Metals Company. These comments are provided in accordance with the joint objectives of the Intergovernmental Agreement between DEQ and the City for identifying and evaluating discharges to the City's shared stormwater collection system and making recommendations regarding appropriate source control measures.

The objective of the City's review was to ascertain whether the report demonstrates that additional source investigation and control are not warranted for the two Calbag facilities covered by the document. The facility at 2495 NW Nicolai Street discharges to the Willamette River via the municipal stormwater conveyance system affiliated with Outfall 16 (OF-16). This facility, along with the facility located at 2500 NW Nicolai, also discharges stormwater to the municipal wastewater treatment plant via connections to the combined sewer system.

City review of the SCE Report indicates that additional data are needed to demonstrate that site sources have been controlled and that report revision is warranted to support a DEQ source control decision and to address inaccuracies in report materials. The City offers the following comments, organized by report section, for DEQ consideration.

<u>Section 2 (2500 NW Nicolai site only):</u>

1. This section provides inadequate rationale for not performing a stormwater SCE for the facility at 2500 NW Nicolai, despite DEQ requesting that a stormwater SCE be performed as a condition of the NFA (see Section 1.3). Stormwater from this facility discharges to a separated storm line that has been routed to the wastewater treatment plant. Discharges to the treatment plant are subject to City discharge limits and prohibitions. No screening of facility discharges via this pathway (i.e., catch basin solids or stormwater) was performed, despite contaminants being found in site soil and groundwater in exceedance of screening level values (SLVs) and risk-based



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concentrations (RBCs). Catch basin solids screening at the 2495 NW Nicolai site indicated extremely elevated concentrations of a number of pollutants in paved areas; catch basin solids screening for all contaminants of concern is warranted at the 2500 facility to confirm that source controls are not needed for the site stormwater pathway.

2. Section 2.2 states inaccurate conclusions regarding SLV exceedances in site groundwater. Table 2 summarizes groundwater data, but does not include the correct SLVs designated by DEQ for evaluating groundwater under the Portland Harbor Joint Source Control Strategy (JSCS). Site groundwater exceeds SLVs for 7 out 10 detected contaminants.
3. Section 2.2 states inaccurately that Site stormwater is treated by the City prior to discharge to the Willamette River. Site stormwater has the potential to reach the Willamette River during infrequent combined sewer overflow (CSO) conditions, under which no treatment occurs. Most Site stormwater flows to the municipal wastewater treatment plant, where it is treated before being discharged to the Columbia River.

Section 3:

4. Section 3.2.1 describes current drainage areas and refers to Figure 3. However, some of the relevant data (e.g., catch basin solids) for the SCE were collected before the site conveyance system was redeveloped. Provision of a figure showing the six historical drainage areas, affiliated conveyance system, and former catch basin designations would assist in the evaluation of data presented in this report. In addition, none of the figures include the roof drain and manhole numbers referenced in the text and not all roof drains and catch basins are shown.
5. Section 3.3 does not indicate City ownership of a portion of the Site. The City owns tax lot 700 (all of Drainage Area 3) and tax lots 1500 and 1600 (all of Drainage Area 5).
6. Section 3.4 (Regulatory History) omits an important component. In November 2007 the City collected a sample of stormwater discharging from the Calbag facility to the Basin 16 conveyance system, analyzed it for polychlorinated biphenyls (PCBs), and confirmed that PCBs were being discharged from this facility to Basin 16. Inline solids samples were collected from Basin 16 via sediment trap after this sample was collected, providing additional evidence that PCBs and other contaminants were being discharged from the Site to Basin 16.
7. Section 3.4 incorrectly states that the facility discharges to the river via Outfall 19. This should be changed to Outfall 16.
8. Section 3.5 – SLVs utilized in Table 4 are incorrect and do not conform to the JSCS. None of the tables in this subsection include data screening for Total PCBs, for which an SLV is available and screening is appropriate. SVOC data listed in Table 7 do not match the laboratory reports in Appendix E.
9. The Section 3.5 summary of the May 2009 catch basin solids investigation does not provide a complete summary of findings. It states that some metals and phthalates exceeded SLVs, but fails to mention that PCBs were detected at concentrations exceeding the SLV for total PCBs at every sampling location but one (detection limits were extremely elevated) and that SLVs for polycyclic aromatic hydrocarbons (PAHs) and other metals were also exceeded at some locations.
10. The Section 3.5 summary of the January 2013 Beneficial Water Use Determination incorrectly states that all potentially contaminated surface water runoff, that is discharged to City storm lines, subsequently is routed to City treatment plants. Site

stormwater discharged from Drainage Area 3 flows directly to the river via OF-16 and is not subject to treatment by the City.

Section 4:

11. Revision is needed in Section 4 to clarify that upland areas surrounding the Portland Harbor site discharge to the river via City and non-City outfalls. In addition, Calbag-operated facilities within the harbor are not limited to Basin 16 as stated.
12. Section 4.1 is titled Outfall Sediment Data but does not discuss outfall sediment. It does discuss portions of the City's source investigation in Basin 16 that led to the identification of the Site as a source to the basin. The section omits description of the stormwater sample the City collected from the Site on November 1, 2007 and analyzed for PCB congeners to verify that the Site is a source of PCBs to Basin 16. This information was provided to Calbag and DEQ and should be included in the SCE.
13. Section 4.2 states that contaminant concentrations in soil were low. Under previous correspondence with DEQ regarding the NFA issued to the Site[1], the City identified a significant data gap for shallow soils at the Site and concern regarding the lack of institutional controls to ensure that Site soils remain capped long-term.
14. The list of contaminants of interest in Section 4.3 should be revised to include phthalates. Phthalates in catch basin solids at the Site were extremely elevated and plot off the DEQ guidance chart for bis(2-ethylhexyl) phthalate (BEHP) in stormwater solids.
15. Site data do not support the statement in Section 4.3 that potential sources of contamination to the stormwater system are only above ground. PCBs have been detected in cored concrete from the warehouse and surrounding asphalt and subsurface soil. Shallow soils were not analyzed as part of the Site investigation (see comment 13). Future construction activities that penetrate the Site cap elements will pose risk to the Site stormwater conveyance system.

Section 6:

16. The statement in Section 6.1 that all SVOCs except for two were non-detectable, below SLVs, or without SLVs is incorrect. PAHs and phthalates are SVOCs and as shown in Table 7, catch basin solids from every catch basin sampled exceeded SLVs for one or more PAH and four of the samples also exceeded the SLV for di-n-butyl phthalate. In addition, method reporting limits (MRLs) for other SVOCs were significantly elevated above the SLVs, making non-detect data less significant for the purpose of the SCE.
17. Section 6.2 indicates that stormwater data representative of Drainage Area 4 were collected, but no data from this area have been included in the SCE to support the conclusion that controls for this pathway are adequate.
18. Past variability in stormwater treatment system performance led to the requirement in the stormwater work plan to collect data during high flow (>50% design flow) and low flow conditions to evaluate system effectiveness. Section 6.2 should explain the representativeness of the stormwater data set used in the SCE in terms of the work plan and JSCS objectives.
19. Table 12 indicates that MRLs for Site contaminants of interest (e.g. PAHs and phthalates) are elevated in relation to the SLVs and higher than what was specified in the approved work plan. For BEHP, the data are of no value to the SCE. BEHP was significantly

[1] Letter from Kim Cox, City of Portland Bureau of Environmental Services, to Keith Johnson, DEQ, dated October 29, 2013.

elevated in catch basin solids; the absence of useable stormwater data represents a data gap in the SCE.

20. Presentation of stormwater data in Table 12 and on Figures 7A through 7M warrant revision. The table indicates detections of PCB Aroclors and PAHs that were between the method detection limit (MDL) and the MRL. These values should be included in the calculated Total PCBs and Total PAHs and flagged as estimated (i.e., J-flagged), to allow for comparisons of the totals to DEQ guidance curves and in the case of total PCBs, to the SLV. Curves should include non-detect and estimated data. For example, Figure 7B (BEHP) includes no Site data, because all data were non-detect. But the MRLs for the three stormwater samples analyzed for BEHP ranged from 8.71 - 21.6 μg/L, which is on the upper end of the DEQ guidance curve. Plotting these data will help to identify data gaps and to illustrate the uncertainties in the data set.
21. The statement in Section 6.2 regarding no further need for source control for BEHP is not supported by the data.
22. Section 6.2 discusses trends in metals concentrations as evidence of BMP effectiveness. However, no chronology of BMP implementation has been presented to allow for interpretation of the data in this manner. See comment 25.
23. The Section 6.2 discussion of PCB detections warrants revision to reflect corrected total PCBs values per comment 20. PCBs were detected (concentrations of 0.02 - 0.20 μg/L) in all the samples for which they were analyzed except for two, and MRLs were elevated above relevant SLVs. Plotting all data on the DEQ guidance curve would help to support the conclusion that additional source control is not warranted.
24. This section should include a discussion of uncertainties and data gaps affiliated with the SCE data set.

Section 7:

25. This section should include a chronology of BMP implementation to allow for stormwater data interpretation.

Section 8:

26. Section 8 does not provide sufficient evaluation of Site data to demonstrate that additional source controls are not warranted. Temporal evaluation of data relative to timing of BMP implementation is needed in order to conclude that current controls are sufficient. In addition, for discharges to Basin 16, BEHP data have not been collected that support this conclusion.
27. Section 8.2 should include future changes to stormwater BMPs proposed for implementation to reduce copper concentrations under the NPDES Tier II Corrective Action as an additional line of evidence.

Section 9:

28. The City agrees with the statement in Section 4.3 that potential sources of contamination are associated with operational activities. At this Site, following investigation of Site areas inside and outside the warehouse, a variety of source control measures (SCMs) were implemented in lieu of identifying specific onsite source areas for PCBs and other contaminants observed in the Site stormwater system. Post-SCM data have only been collected from Drainage Areas 3 and 4, where stormwater from those areas is treated onsite prior to discharge. Rationale was not provided for the lack of post-SCM data

from other drainage areas in which catch basin sediment indicated that significant onsite sources were present (e.g., former CB-3/current CB 5-1) and there is no evidence to indicate that Site operations won't result in ongoing contaminant releases to these drainage areas. Collection of additional catch basin solids data in the areas without onsite treatment would help to support that SCMs are effective Site-wide.

29. The last bullet under Statement 4 indicates that former CB-3 (current CB 5-1) was routed to the onsite stormwater treatment unit. This conflicts with the description of Drainage Area 5 on p. 19 and with the depictions of the Site storm system on Figures 2, 3, and 4.

The City identified the 2495 NW Nicolai facility for the DEQ Cleanup Program during its source investigation of Basin 16. Due to the variable nature of Site scrap metal recycling operations, there is ongoing potential for contaminants to be released to Site surfaces and ultimately to municipal stormwater and combined sewer systems. Long-term performance of Site SCMs will rely on continued dedication to their implementation. Under the current Site NPDES permit, the Site has received a monitoring waiver and is not required to collect data for Site contaminants of interest other than copper. Further consideration by DEQ of potential institutional controls to maintain cap integrity and mechanisms to verify that controls remain effective in the future is needed.

Thank you for your consideration of these comments, which also reflect input from our Industrial Stormwater Program. Please contact me at (503) 823-2296 if you have any questions or need more information.

Sincerely,

Linda Scheffler
Water Resources Program Manager

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