FINAL Meeting Summary
EPA (with support from DEQ and the CAG) Portland Harbor Superfund Site Public Forum
Wednesday, June 12, 2019 | 6:00 – 8:30 pm | The Village Ballroom

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

1. **Welcome and Overview:** 6:00 – 6:20 pm
2. **Presentation #1 – Oregon Governor's Office and City of Portland:** 6:20 – 6:50 pm
3. **Presentation #2 – DEQ Source Control and EPA Sufficiency Assessment:** 6:50 – 7:20 pm
4. **Breakout Sessions with EPA & Potentially Responsible Parties:** 7:20 – 8:25 pm
5. **Wrap-up:** 8:25 – 8:30 p.m.

Public Forum: Welcome and Overview

The facilitator, Triangle Associates, welcomed the group and introduced EPA and the Oregon Department of Environmental Quality (DEQ) staff present at the meeting. 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).**

Sheryl Bilbrey, EPA Region 10 Director, Superfund and Emergency Management Division, welcomed the group, and provided opening remarks to thank the community leaders for their continued effort, investment of time, and dedication to the Portland Harbor Superfund Site.

Laura Knudsen, EPA Region 10 Community Involvement Coordinator (CIC), provided a brief recap of the April 17 public forum and thanked attendees for their time and attendance. Laura also mentioned that it was the one-year anniversary of the public forum meetings for the Portland Harbor Superfund site. She informed everyone that EPA plans to continue hosting the meetings and that the meeting venues will continue to rotate throughout Portland.

Jackie Calder, Portland Harbor Community Advisory Group (CAG), shared brief updates about upcoming CAG meetings, including a July 10, 2019 meeting with the Trustee Council. Jackie acknowledged the Willamette River water that a community leader had brought to the meeting to remind participants of the natural resource that this forum is focused on. More information is available on the Portland Harbor CAG website.

Presentation #1 - City of Portland and the Oregon Governor's Office

Please Note: *The slide deck is available for the Remedial Design Funding Initiative 6/12/2019 Presentation by the City of Portland and the Oregon Governor's Office at the following link: https://semspub.epa.gov/src/document/10/100156250*

The facilitator introduced Jim McKenna, Oregon Governor's Office, and Annie Von Burg, City of Portland Environmental Policy Manager, to provide a presentation on the Remedial Design Funding Initiative. Jim and Annie presented a new agreement recently reached by the State of Oregon, the City of Portland, and EPA. Jim and Annie explained that the new agreement is intended to provide an incentive to PRPs to undertake 100% of the remedial design work for the entire Site.

Jim and Annie provided an overview of the trust fund and how the funding will be structured. In total, there are will be up to $24 million dollars in the proposed trust fund to help with the remedial design work for the Portland Harbor Superfund Site. Annie mentioned that the funding will include up to $12 million from the State of Oregon and up to $12 million from the City of Portland.

Annie explained that the funds can only be used for remedial design work. She stated that the work must be completed according to the EPA project schedule. Overall, the trust fund is an effort to help move the entire harbor forward with 100% remedial design.

Following the City of Portland and Oregon Governor's Office presentation, the facilitator opened the meeting up for

additional questions regarding this topic. The following were questions asked and responses provided.

Q1: What is the State of Oregon's interest in ensuring that no additional contaminants are getting into the Willamette River?
A1: There is a high interest in ensuring no additional contaminants are getting into the river. Oregon Department of Environmental Quality (DEQ) has worked on over 80 sites along the Willamette River. DEQ's ongoing work includes looking at bank sluffing, surface water runoff, and other ways to reduce potential sources of contaminants getting into the river.

Q2: How many people do we know have been exposed to the toxic levels of pollution from the sediment?
A2: The State of Oregon has looked at several exposure scenarios; however, at this time, we are unaware of peer reviewed studies that quantify human exposure to pollution from the Portland Harbor Superfund Site specifically.

Q3: For the City of Portland's portion of funding in the proposal, where does the funding come from? Is the funding being added in the form of new property taxes?
A3: The City of Portland has split up the obligation into three installments to be paid over the course of the next three years. The first installment the City of Portland will make will be for $6 million and will come from the already existing environmental remediation fund. For the second and third installment amounts, funding will come from other departments within the City of Portland who will contribute to the funding as well. Currently the full breakdown of funding is not available.

Q4: There are multiple sources of contamination and several different potentially responsible parties (PRPs) working on the cleanup. When new studies are completed, how is the new information going to most effectively and efficiently put that into the cleanup process?
A4: In general, there is a record of decision (ROD) that outlines a remedy for the entire Portland Harbor Superfund Site. There are also a series of ROD decision trees that lead to several final designs for the site. The cleanup process begins with what the ROD says in terms of areas that exceed remedial actional levels (RALs), and areas where it is possible to determine whether dredging or capping are necessary. Additionally, during the cleanup process, there is an effort to look at sequencing and how the work gets done to ensure that groups are not duplicating efforts and can work together.

Q5: Was there an analysis conducted by the City and the State that led to determining the $24 million trust amount?
A5: The City of Portland started with an internal evaluation about different areas of the cleanup that were a high priority and also may have potential liability for the City. Based on the evaluation, the $12 million-dollar amount is an estimate of what the City of Portland would have spent on multiple areas of the cleanup. The State of Oregon reviewed the anticipated design work and areas that were already under the order. The funding amount is estimated based on how much money would need to be reserved for the anticipated design work and areas already under the order.

Q6: Can you explain exactly how much liability the City of Portland and the State of Oregon have respectively?
A6: The answer to that question is not clear yet. The allocation process is on-going and not yet complete.

Q7: Does the trust fund help PRPs pay for part of the cleanup and reduce the amount they are expected to pay?
A7: The funding is allocated to form the trust and does not offset the amount being paid by PRPs. The funding is only for costs associated with the remedial design.

Q8: What are the consequences if the trust fund does not get utilized?
A8: So far there have been a lot of questions from PRPs who want to understand more about the trust fund and how to use it. However, the overall level of interest for PRPs is not quite clear yet.

Q9: There are over an estimated 150 PRPs liable for the Portland Harbor Superfund Site. How many have shown interest in the trust fund?
A9: EPA has held meetings and will continue to do so to discuss the areas covering the entire site. More than 30 PRPs have had conversations with EPA so far.

Q10: With the proposed $24 million trust fund, that increases the amount of public funding in the cleanup to over an estimated $84 million dollars if you combine the work that was done in the Feasibility Study. Are residents of the City of Portland expected to contribute more money to help fund parts of the cleanup?
A10: First, the Port of Portland contributed a lot of the feasibility study costs; the State did not contribute to those costs. Through the allocation process, there will be a sorting out of expected contributions and actual contributions to be made.

Presentation #2 DEQ Source Control and EPA Sufficiency Assessments

Please Note: *The slide deck is available for the Oregon Department of Environmental Quality (DEQ) Source Control and EPA Sufficiency Assessments 6/12/2019 Presentation at the following link:*
https://semspub.epa.gov/src/document/10/100156224

The facilitator introduced Dave Lacey, Oregon Department of Environmental Quality (DEQ), and Eva DeMaria, EPA Region 10 Remedial Project Manager and Source Control Lead, to provide a presentation on Source Control and Sufficiency Assessments.

Dave clarified that source control is part of a protective remedy and will continue through the monitored natural recovery phase. Dave also stated that DEQ Source Control looks at properties adjacent to the river, as well as properties that are upriver from the site. The purpose of this is to make sure that upland and upstream sites do not contaminate the river after the cleanup.

Eva explained how the sufficiency assessments are conducted by PRPs. Eva stated that a sufficiency assessment is used to evaluate whether upland and in-water sources are sufficiently controlled so that in-water construction can proceed. Eva also stated sufficiency assessments are used to determine whether sources are sufficiently controlled such that recontamination is unlikely to occur. Sufficiency assessments are conducted under EPA oversight following settlement agreements.

Following the DEQ Source Control and EPA Sufficiency Assessments presentation, the facilitator opened the meeting up for additional questions regarding this topic. The following were questions asked and responses provided.

Q1: What authority does EPA have to fix source control areas?
A1: If there are concerns about sources that might lead to a possible recontamination threat at the Superfund Site, DEQ is called. If that does not work, EPA can use its authority under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Q2: Why is the baseline data shared in the presentation so recent?
A2: There is no known data going back to the 1930s so recent data has been required for use as baseline.

Q3: Is it DEQ or EPA that tracks the safety for source control at Cathedral Park? What is the status at that site?
A3: In 2001 a memorandum of understanding (MOU) was signed between DEQ, EPA, and several tribes to determine oversight roles related to source control. Per that 2001 MOU, DEQ focuses on upland work and EPA is responsible for in-water areas.

Q4: Is there an existing map for in-water sources of contamination?
A4: There is a map for existing in-water sources of contamination. The map is in the ROD Figure 30 (page 201 of 3012) and are identified as Sediment Management Areas.

Q5: What mechanisms does DEQ have to ensure that once a site has achieved source control it will maintain that into the future?
A5: DEQ goes through remedial removal authority and documents the remedial actions that need to be completed. Following this, DEQ enters into a formal agreement with a PRP to make sure changes (if any) are done within an agreed timeframe.

Q6: What is the starting point of action when something is not going right related to source control?
A6: In the DEQ program, there is a complaints department that fields citizen complaints and concerns about source control. If there is a site-specific complaint or concern, the department may work directly with the site manager for further review. Complaints can be made using DEQ's online complaints form or by calling 1-888-997-7888.

Q7: How long is the typical response time?
A7: The response time depends on the issue. DEQ has an emergency response team that can respond quickly. If it is a longer-term issue it may take additional time to resolve.

Breakout Sessions: Opportunity to Hear Updates and Engage in Discussion

Following the presentations and Q&A sessions, the facilitator introduced the breakout session activity. The facilitator explained that the purpose of the breakout sessions was **to hear updates from and engage directly with EPA and PRPs who are working on the Superfund Cleanup.**

The facilitator explained that there were three breakout session tables set up in the meeting room: one each for the PRPs working on River Mile 11 East, Willamette Cove, and the Pre-Remedial Design Group and Baseline Sampling. There were also two additional and optional breakout sessions set up for Portland Harbor Superfund 101 and DEQ Source Control, the City of Portland and the State of Oregon. Attendees that had additional questions during the plenary portion for the meeting for either DEQ, the City of Portland, and the State of Oregon were invited to have further discussion.

The facilitator asked everyone to start at a breakout session table based on the color on their nametag. When directed, each person was to rotate clockwise to the next breakout session table to ensure that everyone had the opportunity to participate in this activity.

The following notes from each breakout session were taken by short-hand or on flip charts during each of the breakout session and transcribed to include below.

RED Breakout Session: Potentially responsible parties (PRPs) already doing design work with EPA, *Focus on River Mile 11 East Group* – Learn about design work that is already underway and ask questions to EPA and the PRPs working with the River Mile 11 East Group.

Q1: How much time is remaining to complete the design?
A1: A draft Remedial design work plan will be provided to EPA in 120 days once review process of the Basis of Design Report is complete.

Q2: Are Dalton Olmsted Fuglevand's (DOF, River Mile 11 East Group Consultant) technologies available online?
A2: It will be in the Basis of Design Report (BODR).

Q3: Is DOF going to be a dredging contractor for the River Mile 11 East Group?
A3: No.

Q4: Are there graphics that show the steps of Remedial Design?
A4: Follow-up needed. *(Post 6/12 Public Forum Note: Laura is starting to work on developing a fact sheet showing the different phases of the design process. The current goal is to have this material available by the 9/11/2019 Public Forum.)*

Q5: What work will be done in this area?
A5: Dredging and capping.

Q6: Is Portland Harbor Natural Resource Trustee Council being involved in technology selection regarding bioremediation?
A6: No, that is not really their role.

Q7: Can EPA do anything about the potential risk from Zenith?
A7: No. The Comprehensive Environmental Response Compensation and Liability Act or CERCLA (commonly known as the Superfund law) does not involve potential spills. However, EPA does conduct drills and inspections of facilities such as these.

Q8: How does the River Mile 11 East Group structure work? Votes? Steering Committee?
A8: Six groups work together (City of Portland, PacifiCorp, Cargill, Inc., CBS Corporation, DIL Trust, Glacier Northwest, Inc.) and use DOF.

Q9: What are the main contaminants of concern (COCs) at the River Mile 11 East Site?
A9: Polychlorinated biphenyls (PCBs).

General Notes:

- River Mile 11 East consists of several PRPs (City of Portland, PacifiCorp, Cargill, Inc., CBS Corporation, DIL Trust, Glacier Northwest, Inc.) that have stepped up to do the work.
- River Mile 11 East has the highest berthing rate (mooring ships) in Portland Harbor which is one challenge (among many) to the cleanup at this area.

PURPLE Breakout Session: Willamette Cove – Learn about the status of EPA's in-water work at Willamette Cove, and about the upland cleanup that DEQ is leading in coordination with the Port and Metro.

Q1: How far along is the work on the uplands?
A2: The review of the feasibility study is complete, and comments are now under review. Following this review, there will be a supplemental analysis of groundwater, and the results will inform DEQ's proposed remedial action and source control decision-making. The Feasibility Study will include a range of remedial options.

Q2: Are the uplands sources controlled?
A2: In general, yes, the upland sources are controlled. Contamination in the upland site is stable and unlikely to migrate to the Willamette River. Groundwater contamination has been found in the West Parcel (former log pond) that could migrate to the river. DEQ expects to complete a staff report outlining a recommended cleanup action for the upland in fall 2019, after which public outreach including a request for comments will occur. All comments will be considered before remedy selection.

Q3: Has there been a risk assessment of the riverbanks?
A3: Yes, it is part of the feasibility study and the remedies under consideration.

Q4: Will additional groundwater analyses be conducted?
A4: Additional analysis of groundwater data is currently underway. Collection of additional data is not planned at this time.

Q5: How do you take a recreational site and make it more restrictive?
A5: Making a recreational site more restrictive requires additional fencing, security, maintenance, deed restrictions, and signage.

Q6: What do you do when the river is open to everyone?

A6: According to Metro, after 30 days, a boat must be moved at least 5 miles away but the Department of State Lands does not enforce.

Q7: Why are you considering capping as a solution if the site is recreational? For in-water dredging will it be effective?
A7: The solution always depends on the type of contamination. Given the size of the site and amount of contamination, complete removal may not be feasible.

Q8: Have earthquakes been considered at Willamette Cove?
A8: In considering cleanup actions for the upland site, both seismic stability and the potential for disturbance by flooding will be considered. For example, if a containment cell is constructed for some upland contamination, DEQ will require that it be constructed to meet certain seismic stability standards, be located outside of areas subject to flooding, etc.

Q9: What efforts are made to address the debris offshore that in-water boaters are noticing?
A9: This is difficult to assess. A detailed debris survey will have to happen as part of the pre-design investigation. The debris survey will help determine what remedial action needs to be taken.

General Notes:

- Portland Harbor Community Coalition (PHCC) is conducting several trainings for folks to get more versed in the different cleanup remedies for Willamette Cove.
- Plan for trail and continuance of greenway as part of uplands cleanup.
- Working towards an order with EPA for in-water work.
- The cleanup of the Superfund Site includes upland and in-water cleanup. They will happen either individually or simultaneously.
- Cleanup options include capping some of the less toxic material, removing the more toxic materials, and cleaning up everything else that is less restrictive to make it open to the public.
- EPA is still currently negotiating with the potentially responsible parties (PRPs) for in-water work.
- There are several hot spots in the uplands and removal is under strong consideration. Another option under consideration is capping of some spots.

BLUE Breakout Session: Pre-Remedial Design Group & Baseline Sampling –

Learn more about the Site-wide sampling work taking place for the Portland Harbor Superfund Site.

Q1: Will the Pre-Remedial Design Investigation Evaluation Report help confirm contamination?
A1: This report is from the Pre-Remedial Design Group, not the EPA. EPA has not reviewed this report and cannot comment on what the report contains.

Q2: Will there be additional opportunities for PRPs to further refine data?
A2: Yes, there will be. Once the data is validated by EPA there will be additional opportunities to refine the data.

Q3: Why were so many fewer sampling sites selected in the Linnton area?
A3: EPA agreed to random unbiased sampling that would be considered "statistically unbiased." A specific grid was used in sampling with a predetermined number of sediment sample points. In total, EPA requested 300 to 400 unbiased points throughout (10 miles) of the river.

Q4: Has a fish consumption study been conducted?
A4: Not yet to our knowledge. However, the Oregon Health Authority (OHA) did publish a public health assessment in 2006 that focused on the public health implications of consuming fish and shellfish from Portland Harbor. (https://www.atsdr.cdc.gov/HAC/pha/PortlandHarbor/PortlandHarborPHA032206.pdf).

Q5: Where will the general public be able to access the data?
A5: Online on the Portland Harbor Environmental Data Portal (http://ph-public-data.com/).

Q6: Are there efforts to look at data from the early 2000s?
A6: Previous data is being looked at now in relation to the new data, and from that, it may be determined what may be exposed due to erosion over time. Using the data may help to confirm whether there is contamination.

Additional Notes Taken & Questions Asked:

- There are six contaminants of concern named in the record of decision (ROD).
- Deliverables related to the cleanup process are posted online.
- Pre-Remedial Design includes sampling from 2018-2019. The sampling helped establish a baseline for future "unbiased" sampling to occur. There is a data update expected by June 17 in the Pre-Remedial Design Group's Pre-Remedial Design Investigation Evaluation Report. However, EPA still needs to validate surface water, groundwater, and fish tissue data. EPA based risk on fish consumption is based on health study, the remedial investigation, and biological risk assessment.
- Health study based on study or modeling?
- What about volatilization?
- What about other contaminants?
- Fish Sampling tissue – transient fish.
- Camping on the Beach in sediment.
- Concerns over drinking water, eating fish and fish consumption.

Wrapping Up and Next Steps

The Facilitator thanked the presenters for sharing information, attendees for their time, questions and thoughtful participation. The next Portland Harbor Public Forum is scheduled for the evening of Wednesday, September 11, 2019 (exact location and timing TBD).