



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

January 16, 2007

Reply To
Attn Of: ECL-110

(sent via e-mail and regular mail)

Ms. Anne Summers
Environmental Program Manager
Port of Portland
121 NW Everett
P.O. Box 3529
Portland OR 97209

Subject: Terminal 4 draft 60 Percent Design Documents; Comments and Directed Changes

Dear Anne,

EPA's review of the 60% Design Submittal identified many issues to be resolved before the final design can be approved by EPA. EPA is mindful of the Port's desire to begin implementing the cleanup this work season. Given the amount of time in which the outstanding issues must be resolved to reach this goal, it will be essential to continue to work collaboratively to resolve the issues while producing the final design. The following provides a general summary of the nature of EPA's comments and indicates EPA's requested path forward to resolve the issues:

1. Performance Standards - Performance standards for all project phases need to be reviewed and strengthened. After reviewing the attached comments on this issue, please provide an interim submittal no later than February 9, 2007 prior to the 100% Design Submittal containing final performance standards text.
2. Dredging - Please articulate a more specific dredging approach in order to minimize dredging residuals, provide additional information on the post-dredging monitoring process, and the need to implement additional post-monitoring dredging passes to fully achieve PEC levels, at a minimum. EPA anticipates these issues can be resolved through on-going coordination meetings.
3. CDF - EPA has provided numerous comments requesting additional discussion and analysis for the CDF groundwater modeling. Please provide an interim submittal no later than February 16, 2007 prior to the 100% Design Submittal to address the CDF modeling issues. EPA has provided a number of other comments, including requesting clarification of the volumes and characteristics of weir discharges and proposed CDF discharge monitoring (both berm and weir). EPA has provided direction regarding weir and berm related water quality issues and compliance parameters.
4. Capping - A key issue for capping is establishing chemical acceptance criteria below TEC levels for cap material. Please provide an interim submittal containing proposed values no later than February 9, 2007.

5. Water Quality – EPA has provided substantial comment on numerous issues regarding applicable water quality standards/criteria, monitoring methods, analytes of concern, points of compliance, and other factors. We anticipate additional coordination meetings and interim deliverables (e.g., water quality monitoring summary tables for each remedial activity by February 2, 2007) to resolve water quality related issues in order to issue the final Water Quality Monitoring and Compliance Conditions Plan for the project.
6. Construction Plans and Specifications - Please ensure that performance standards and agreed upon project approaches and elements are accurately carried forward in the construction documents. For example, the 60% design dredging specification inappropriately focused on dredging to the design prism rather than dredging to achieve clean up goals based on post-dredge sampling.
7. Sediment Acceptable Criteria Technical Memorandum - EPA has provided numerous comments on various issues related to sediment acceptance requirements, testing of proposed sediments, and the acceptance evaluation process. EPA believes it is critical to anticipate what other sediments might be accepted into the CDF, make a preliminary evaluation of the characteristics of these sediments, and factor these characteristics into the CDF design analyses, in order to have confidence that the CDF can meet its performance standards. The approach taken by the Port, which models only T4 type sediments and relies solely on a future evaluation process for determining whether sediments from other sites would be accepted, provides too much uncertainty as to whether the CDF is adequately designed to function as a possible disposal site for other contaminated sediment from Portland Harbor. Please provide an interim deliverable discussing the approach for the additional analyses by January 26, 2007, with preliminary results provided in the February 16, 2007 CDF/groundwater modeling interim submittal.
8. Mitigation Plan: EPA comments include the need to resolve ESA concerns, mitigation adequacy rationale, and administrative implementation issues and the need to revise the stated performance measures and monitoring methods. As previously discussed, a meeting or telecon to discuss these issues should be scheduled the week of January 29 to determine the path forward. Also, EPA has not received a draft agreement that establishes the roles and responsibilities for the Port and the City of Portland in constructing, monitoring, and taking contingent actions, if needed, for the Ramsey project. The Port should provide such a draft as soon as possible so that specific discussions can begin.

To emphasize a critical point; the 60 percent design is not approved, rather to keep the process moving forward, EPA expects that issues identified with the 60% design will be resolved with interim deliverables, further meetings and discussions, and submittal of the draft 100% design. In order to keep on schedule, EPA's vision is that the requested interim deliverables are brief technical memorandums with bullet summaries of key issues accompanied by relevant data tables and figures. Please let me know if you have any questions or concerns at (206) 553-1220.

Sincerely,

Sean Sheldrake,
Project Manager

Enclosures (3)

Cc:

Audie Huber, Umatilla Tribe
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