



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

November 15, 2007

Reply to
Attn of: ECL-115

Tom Imeson, Director
Public Affairs
Port of Portland
121 NW Everett
P.O. Box 3529
Portland, OR 97209

Re: August 22, 2007 Request for Realignment of T4 Removal Schedule; Resolution of 60% Design Disputed Comments; Administrative Order on Consent for Removal Action (AOC), Docket No. 10-2004-0009.

Dear Mr. Imeson:

EPA has reviewed the Port of Portland's (the Port) request for a delay of removal action implementation. As referenced in your August 22 [request](#), this delay may afford more information from the Harborwide RI/FS process to ensure the Terminal 4 confined disposal facility design incorporates actual leachability data from harborwide sediments, and is designed consistently with Harborwide performance standards. EPA agrees to extend the schedule for implementation of the T4 removal action, with the following requirements:

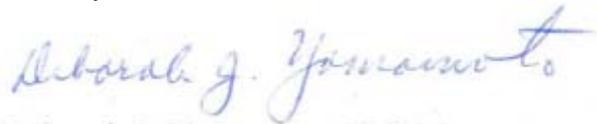
- The Port shall continue design work, with the 100% design of the May 11, 2006 Action Memorandum completed by the third quarter of 2009 or before, or as otherwise approved by EPA in the schedule referenced below;
- The Port shall work with the LWG to gather necessary disposal option data is collected for the RI/FS.
- The Port shall ensure Slip 1 CDF data needs are obtained either through the Harborwide RI/FS and/or through this removal action;
- Acceptance of EPA's November 9, 2007 spreadsheet with resolutions of the 60% Design disputed comments;
- The Port shall implement an abatement action to reduce risks present at the T4 site during the 2008 fish window or as otherwise approved by EPA in the schedule referenced below, and with the Port's acceptance of the attached comments on the Port's October 25, 2007 [proposal](#) which were discussed with Port representatives on November 6, 2007;

- The Port shall deliver a comprehensive schedule for this deferral agreement including, but not limited to, the abatement work, and the selected removal action design and construction, for EPA review and approval within 20 days of this letter, based on the attached general schedule deadlines; and
- Upon request by EPA, the Port shall provide data necessary to evaluate the effectiveness of the abatement action taken and, if determined necessary by EPA, provide additional abatement measures pending completion of the May 2005 Action Memorandum .

EPA may revoke its agreement to the realigned schedule at any time if the above requirements are not met. In addition, if at any time EPA or the Port receives new information that may lead EPA to re-evaluate this realigned schedule or the May 2005 Action Memorandum, EPA may require a reassessment of alternatives for the Terminal 4 removal action area, including a revised EE/CA for public review.

If you have any questions on this extension, do not hesitate to contact me at (206) 553-7216, or Sean Sheldrake of my staff at (206) 553-1220.

Sincerely,



Deborah J. Yamamoto, Unit Manager
Site Cleanup Unit 2
Office of Environmental Cleanup

Enclosure

cc: Anne Summers, Port of Portland
Krista Koehl, Port of Portland
Sean Sheldrake, EPA
Lori Cora, EPA