



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

ACTION MEMORANDUM

DATE: June 12, 2008

SUBJECT: Action Memorandum Amendment for a Removal Action at the Port of Portland Terminal 4 site within the Portland Harbor Superfund Site, Portland, Multnomah County, Oregon

FROM: Sean Sheldrake
Remedial Project Manager

TO: Sheila M. Eckman, Acting Director
Office of Environmental Cleanup

THRU: Chris D. Field, Unit Manager
Emergency Response Unit, Office of Environmental Cleanup

Deborah Yamamoto, Unit Manager
Cleanup Unit 2, Office of Environmental Cleanup

Lori Houck Cora, Assistant Regional Counsel
Office of Regional Counsel

Site ID: CERCLIS – OR987172509

I. PURPOSE

The purpose of this Action Memorandum Amendment is to amend the U.S. Environmental Protection Agency's (EPA) May 11, 2006 approval of the removal action for the Port of Portland Terminal 4 site located within the Portland Harbor Superfund Site, Portland, Multnomah County, Oregon (the "site"). A removal action will be completed at the Terminal 4 site and will be conducted by the Port of Portland (the Port) pursuant to an Administrative Order on Consent (CERCLA 10-2004-0009). On October 2, 2003, EPA signed the Administrative Order on Consent (AOC) agreed to by the Port of Portland (USEPA 2003). A Statement of Work (SOW) was attached to the AOC and incorporated into it. The AOC requires the Port to conduct an Engineering Evaluation and Cost Analysis (EE/CA) for a non-time critical removal

action (NTCRA) at Terminal 4. Terminal 4 is within the boundaries of the initial study area for the Portland Harbor Superfund Site.

The Draft EE/CA was reviewed and approved by EPA. The EE/CA was finalized in May 2005 and initially put forth for a 30-day public comment period. Subsequent to the initial 30-day public comment period, the EPA granted an extension of 60 days for public review, ending on September 7, 2005.

In a May 11, 2006 action memorandum, EPA Region 10 determined that: 1) the conditions at the site may present an imminent and substantial endangerment to public health, or welfare, or the environment; and 2) the site conditions meet the criteria of the National Contingency Plan (NCP), 40 CFR Section 300.415, for a removal action. The removal action is required for immediate reduction of the risk to the public and the environment from uncontrolled hazardous substances at the Terminal 4 site. An administrative record has been prepared for this removal action. No obligation of funds is necessary as this action will be conducted by the Port of Portland under a CERCLA order. This amendment changes the removal action area (RAA) to include adjacent, likely contaminated sediments.

The RAA revision is necessary to allow navigation, remove contaminated sediment, and prevent recontamination by sediment sloughing into Slip 3. The Berth 410 dredge area is defined by a continuous shoal along Berth 410 of which a small corner extends slightly beyond the Harborline (about a 50 by 100 foot area). This shoal is by definition the physical delineation of the portion of Berth 410 that needs to be dredged, and therefore the boundary of the Phase 1 dredge area should not be cut off arbitrarily by the Harborline, but instead follow the delineation of this natural feature. An arbitrary cut-off at the Harborline would leave a small fraction of the shoal in place right outside the slip, which would likely result in sloughing of some of those sediments back into the slip (and would also undesirably leave a small isolated obstruction to navigation at the mouth of the slip), possibly causing recontamination. Therefore, the RAA boundary is being amended to include this physical feature. See the revised RAA depicted on Figure 1.

II. SITE CONDITIONS AND BACKGROUND

A. Site Description

See attached May 11, 2006 Action Memorandum.

B. Site Background

See attached May 11, 2006 Action Memorandum.

1. Removal Site Evaluation

See attached May 11, 2006 Action Memorandum.

2. Physical Location

The Port of Portland, a port district of the State of Oregon, owns the Terminal 4 uplands between River Miles 4.1 and 4.5 on the Lower Willamette River. The Port also owns a portion of the submersible and submerged lands in Slip 1 and Slip 3 located within the Removal Action Area. The remainder of the submersible or submerged land is owned and managed by the State of Oregon, by the Department of State Lands. The entire Terminal 4 site is approximately 150 acres in size and is currently used as an operating marine facility with a variety of tenants and tenant operations. Land use within the vicinity of the site is primarily heavy industrial, commercial, and recreational (river). Adjacent property owners include Schnitzer Steel, Northwest Pipe, and Burgard Industrial Park. The revised RAA and location of the site is shown on Figure 1.

All of the work will be completed in near-shore sediments. The Removal Action Area is defined as “that portion of the site adjacent to and within the Port of Portland’s Terminal 4 at 11040 North Lombard, Portland, Multnomah County, Oregon, extending west from the ordinary high water line on the northeast bank of the lower Willamette River to the edge of the navigation channel, and extending south from the downstream end of Berth 414 to the downstream end of Berth 401, including Slip 1, Slip 3, and Wheeler Bay.” The revised Removal Action Area is shown on Figure 1.

3. Site Characteristics

See attached May 11, 2006 Action Memorandum.

4. Release or threatened release into the environment of a hazardous substance, or pollutant, or contaminant

See attached May 11, 2006 Action Memorandum.

5. NPL status

The Terminal 4 site is located within the boundaries of the initial study area of the Portland Harbor Superfund Site, which was listed on the NPL on December 1, 2000.

6. Maps, pictures, and other graphic representations

Relevant figures and tables are attached to this memorandum.

C. Other Actions

1. Previous actions

See attached May 11, 2006 Action Memorandum.

2. Current actions

Since the May 11, 2006 Action Memorandum, work at the Terminal 4 site has been divided into two phases. The first phase will include limited dredging and capping of the areas with the highest contamination in the summer of 2008. After a confined disposal facility design is completed approximately in 2010, the second phase will include a complete cleanup per the May 11, 2006 Action Memorandum.

D. State and Local Authorities; Tribal Consultation

1. State and local actions to date

See attached May 11, 2006 Action Memorandum.

2. Potential for continued State/local response

See attached May 11, 2006 Action Memorandum.

3. Tribal Consultation

EPA coordinated with six tribal governments on this action through the technical coordination team established for the Portland Harbor site. Additionally, EPA consulted with tribes that requested government to government consultation to solicit their input on the proposed cleanup alternative for the original May 11, 2006 Action Memorandum. EPA will continue to coordinate, allow opportunities for review and comment, and consult, as appropriate as the project proceeds.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

See attached May 11, 2006 Action Memorandum.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from this site may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

See attached May 11, 2006 Action Memorandum.

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

If the action is delayed or not taken, contamination will continue to adversely affect the environment at levels exceeding probable effect concentrations. Delayed action will increase environmental risks through prolonged exposure to contaminants present in the sediments.

VII. OUTSTANDING POLICY ISSUES

There are no outstanding policy issues at this site.

VIII. COMMUNITY RELATIONS

See attached May 11, 2006 Action Memorandum. The public will be notified of this RAA change via the Portland Harbor website and monthly Community Advisory Group updates.

IX. ENFORCEMENT

See attached May 11, 2006 Action Memorandum.

X. RECOMMENDATION

This decision document represents an amendment to the selected removal action for the Port of Portland Terminal 4 site, located within the boundaries of the Portland Harbor Superfund Site, Portland, Oregon, developed in accordance with CERCLA as amended, and not inconsistent with the NCP. This amendment slightly enlarges the removal action boundary as noted above. This decision is based on the administrative record for the site.

Conditions at the site meet the NCP Section 300.415(b)(2) criteria for a removal and I recommend your approval of the proposed removal action. None of the removal project costs come from the Regional Removal allowance. Your approval or disapproval should be indicated below.

Approve: _____

Date: _____

Disapprove: _____

Date: _____

List of Figures, Tables, and Attachments

Figures

Figure 1 Removal Action Area (RAA) Map, Revision

Attachments

Attachment A May 11, 2006 Action Memorandum