



## **RESPONSE TO COMMENTS**

### **Comment #1:**

DEQ received the following comments from Jennie Armstrong of the Oregon Department of Environmental Quality.

ODOT asked if the material will be dry screened or wet screened? If dry screened, dust will still adhere to the material. DEQ may want to consider requiring wet screening of the material or in lieu of wet screening, which would cost more and generate a hard-to-manage sludge, DEQ may want to consider requiring dust control during installation of this material using a mist/spray over the installation area.

ODOT also noted that the first condition of the approval states that Columbia Steel must make sure that the material contains contaminants below occupational screening levels. This condition should be changed, because manganese and arsenic currently exceed occupational levels, and so the material fails this condition as is.

ODOT notes that fresh slag is very different than weathered slag. Although the current material is weathered, ODOT suggests that the fresh material should be tested to see if it differs from weathered and whether it also meets occupational screening levels.

### **DEQ's response:**

DEQ is requiring that Columbia Steel Casting Company screen material on site so the materials sold do not contain fine dust. Screening on site is Columbia Steel's responsibility and should be done in accordance with Oregon's OSHA requirements. DEQ recommends that Columbia Steel follow safe practices to protect their workers. DEQ recognizes that some fine dust may still adhere to the materials to be sold, but considers the amount of fine dust to be minimal and that screening will remove most of the dust of concern. While DEQ would advise buyers to take safety precautions to protect workers from all dust during installation of the fill material, DEQ does not see a need to require buyers to apply mist or spray the material during installation.

DEQ has reviewed the first condition of the approval letter and agrees that for manganese, the condition does not apply. The condition does apply for arsenic which has been tested at or below background concentrations. DEQ is clarifying the language as follows:

1. **Except for manganese, the steel slag must not contain concentrations of hazardous substances above DEQ approved human health occupational risk-based screening levels or naturally occurring background, whichever is higher. To address concerns about manganese concentrations, Columbia Steel must ensure that the steel slag to be sold meets conditions #2 through #9.**

DEQ agrees that fresh slag may have potential to leach more contaminants or allow for runoff of contaminants. DEQ considers the conditions to require covering and keeping the material out of water to be sufficiently protective to address any potential leaching or runoff of fresh slag.

**Request for information:**

DEQ received one request from Paul Seer of the Portsmouth Neighborhood Association requesting information about contaminants are in steel slag and DEQ's limits for those contaminants. DEQ provided that information and has not received additional comments from Mr. Seer.