



Oregon

Northwest Region

Kate Brown, Governor

Department of Environmental Quality

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Portland, OR 97232

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TTY 711

August 21, 2018

Michelle Hollis
7200 NE Airport Way
Portland, OR 97218

RE: Beneficial Use Determination (BUD-20180514), Port of Portland T5

Dear Ms. Hollis:

The Department of Environmental Quality (DEQ) has reviewed the May 11, 2018 application for a solid waste beneficial use determination (BUD) for material generated during maintenance dredging at the Port's Marine Terminal 5 and to be placed at the Port's dredge material placement site on West Hayden Island. The material consists of silty sand from maintenance dredging.

DEQ has determined that the beneficial use proposal meets the requirements for a case-specific Beneficial Use Determination (BUD) under Oregon Administrative Rule (OAR) 340-093-0260 through 340-093-0290. This BUD is issued to Port of Portland and is limited to the materials, approved uses, and conditions specified in Table 1. The conditions of the BUD are intended to prevent adverse effects to human health and the environment.

DEQ's determination is based on a review of the Port of Portland's application for beneficial use of dredge material from maintenance dredging, demonstrating the case-specific beneficial use performance criteria outlined in OAR 340-093-0290 are met for the approved uses. Details of DEQ's review are provided in the attached case-specific evaluation report.

Per OAR 340-093-0290(9), DEQ may modify or revoke this case-specific BUD at any time based on new information showing the potential to cause adverse impact to public health, safety, welfare, or the environment.

Table 1

Material	Beneficial Use	Conditions on all Uses
Dredged material	Placement at dredge placement area	1. Submit a dredging and disposal report for Terminal 5 with figures within 60 days of dredging (dredging dates, locations, volumes, acreages, dredge depths, photographs, debris and biological observations, and disposal information).
		2. Dredge material approved in this beneficial use determination is limited to the dredge prism material described in the following documents: <ul style="list-style-type: none"> a. Beneficial Use Determination application dated May 11, 2018 b. Portland Sediment Evaluation Team Memorandum regarding Level 2A suitability determination for maintenance dredging at the Port of Portland's (Port's) Terminal 5 (T5) for Berths 501 and 503 on the east bank of the Lower Willamette River (RM 1.0/1.5), at 15550/15660 N. Lombard Street, Portland, Multnomah County, Oregon. Dated May 23, 2018 c. Hart Crowser, Sediment Characterization Report, Terminal 5, Berths 501 and 501. Dated March 30, 2018
		3. Dewatering of the dredge materials must be conducted onsite. No water generated during dredge placement may return to the Columbia River.
		4. If the material is proposed to be moved from the West Hayden Island Placement Facility to some other location, the Port of Portland must manage the material as solid waste.

If you have any questions or concerns please contact Heather Kuoppamaki (DEQ project manager) at 503-229-5125 or kuoppamaki.heather@deq.state.or.us. DEQ appreciates your cooperation in protecting Oregon's environment.

Sincerely,

Audrey O'Brien, Manager
Northwest Region Environmental Partnerships

Enclosure: Beneficial Use of Solid Waste Determination Evaluation Report

Cc: Heather Kuoppamaki, DEQ NWR, kuoppamaki.heather@deq.state.or.us
Paul Seidel, DEQ NWR, seidel.paul@deq.state.or.us
Sarah Greenfield, DEQ NWR, greenfield.sarah@deq.state.or.us

Beneficial Use of Solid Waste Determination Evaluation Form



State of Oregon
Department of
Environmental
Quality

Applicant: Port of Portland

BUD#: 05152018

Solid Waste: Dredged soil

Summary of Proposed Beneficial Use: Upland placement of dredged material by a port district.

Reviewer: Heather Kuoppamaki

Date: 05/16/2018

Tier: ☐ One ☒ Two ☐ Three

Beneficial Use of Solid Waste

Beneficial use of solid waste is a sustainability practice that may involve using an industrial waste in a manufacturing process to make another product or using a waste as a substitute for construction materials.

The environmental benefits of substituting industrial waste materials for virgin materials includes conserving energy, reducing the need to extract natural resources and reducing demand for disposal facilities.

Oregon Administrative Rules (OAR) 340-093-0280 through OAR 340-093-0290 establish standing beneficial uses and a process for DEQ review of case-specific beneficial use proposals. Under these rules, DEQ may issue a beneficial use determination as an alternative to a disposal permit for proposals that meet the rule criteria. If approved, once a beneficial use determination is issued, DEQ no longer regulates the waste as a solid waste as long as the waste is used in accordance with the approved beneficial use determination.

Beneficial Use Determination Evaluation Summary

☒ Yes, the Beneficial Use of this solid waste meets all the case-specific performance criteria listed below and is approved.

☐ No, the Beneficial Use of this solid waste does not meet all the case-specific performance criteria listed below and is not approved.

Notes: The Port of Portland plans to dredge Berths 501-Face, 501-Barge, and 503 at Marine Terminal 5. Terminal 5 is located at Willamette river mile 1 and 1.4 and is not located within the Portland Harbor Superfund area. The Port would like to place the dredged material at the West Hayden Island (WHI) dredge placement site.

The WHI dredge placement site has been configured to accommodate and appropriately manage dredge material, and has been an approved placement site for at least 80 years.

The Portland Sediment Evaluation Team (PSET) reviewed the dredging plan for Terminal 5. PSET determined that the dredge prism sediment from Berths 501-Barge and 503 is suitable for unconfined, aquatic disposal per the SEF guidance and the dredge prism sediment (to -47' CRD) from the upstream, the downstream DMMUs in Berth 501-Face is suitable for unconfined, aquatic disposal per the SEF guidance, and the dredge prism sediment (to -47' CRD) from the middle DMMU (501M) in Berth 501-Face is not suitable for unconfined, aquatic disposal per the SEF guidance.

**Beneficial Use of Solid Waste
Determination Evaluation Form**

Applicant: Port of Portland
BUD #: 05142018
Solid Waste: Dredge material
Date: 05/16/2018

Case-Specific Beneficial Use Performance Criteria:

DEQ may approve an application for a case-specific beneficial use of solid waste only if all the following performance criteria are addressed: 1) Characterization of the Solid Waste; 2) Productive Beneficial Use of the Solid Waste; and, 3) The effect of the Proposed Beneficial Use on Public Health, Safety, Welfare and/or the Environment.

1) Characterization of the Solid Waste

Did the applicant characterize the solid waste and proposed beneficial use sufficiently to demonstrate compliance with the rules for case-specific beneficial use determinations (OAR 340-093-0280) by submitting required information for the appropriate tier? (See tier sections below for detailed characterization information.)

☒ Yes ☐ No

Was the following information submitted for DEQ review and how adequate was it?

Tier 1 ☒ Applicable ☐ Not applicable

- Did the applicant provide an adequate description of the material proposed for beneficial use, the manner of generation and the estimated quantity to be used beneficially each year? ☒ Yes ☐ No

Notes: The proposed material is 9,000 to 14,000 cubic yards of material dredged from the Willamette River. The material will be generated from maintenance dredging at Terminal 5. The material is river sediments that consist of clayey silt, silty sand, and sand.

- Did the applicant provide an adequate description of the proposed beneficial use and justify how the proposed use is beneficial? ☒ Yes ☐ No

Notes: The applicant refers to ORS 459.061 which states that upland placement of dredged material by a port district is productive.

- Did the applicant provide a sufficient comparison of the chemical and physical characteristics of the material proposed for beneficial use with the material it will replace? ☒ Yes ☐ No

Notes: The material is being placed at a dredged material placement site on West Hayden Island. The Port of Portland compared chemical concentrations of contaminants in samples from the dredge prism to applicable screening levels. The only contaminant analyzed that exceeded a screening level was selenium. The weighted concentration of selenium was below the natural background concentration for selenium.

- Did the applicant successfully demonstrate compliance of the proposed beneficial use with the performance criteria in OAR 340-093-0280 based on knowledge of the process that generated the material, properties of the finished product, or testing? ☒ Yes ☐ No

Notes: The applicant stated the use is productive per ORS 459.061. The material was tested and the applicant's provided evaluation indicates the material will not pose an unacceptable risk to human health or the environment. The proposed placement has been approved by the Portland Sediment Evaluation Team (PSET). According to PSET, the material meets the requirements of the Sediment Evaluation Framework for the Northwest.

Beneficial Use of Solid Waste Determination Evaluation Form

Applicant: Port of Portland
BUD #: 05142018
Solid Waste: Dredge material
Date: 05/16/2018

- If required, did the applicant provide any other DEQ required information to evaluate the proposal?
☐ Yes ☐ No ☒ NA

Notes: *None required*

Tier 2 ☒ Applicable ☐ Not applicable

- Did the applicant submit all the information required for a Tier 1 application? ☒ Yes ☐ No

Notes:

- Did the applicant submit adequate sampling and analysis to make a determination of suitability for beneficial use? (Note: The analysis must provide chemical, physical, and biological characterization of the material proposed for beneficial use and identify potential contaminants in the material or the end product, as applicable.) ☐ Yes ☐ No

Notes: *The applicant prepared eight composite samples from six dredge locations. These composite samples were from the upstream, middle, and downstream of Berth 501-Face within the upper and lower dredge prisms, the Berth 501-Barge, and Berth-503. The applicant analyzed the samples for petroleum hydrocarbons, metals, butyltins, polycyclic aromatic hydrocarbons (PAHs), phthalates, phenols, pesticides, and PCBs.*

- When applicable, did the applicant provide a risk screening comparing the concentration of hazardous substances in the material to existing, DEQ approved, risk-based screening level values, and demonstrate compliance with acceptable risk levels? ☒ Yes ☐ No

Notes: *Two of the samples contained selenium concentrations that exceeded the EPA SL for plants. The SSL is 0.52 mg/kg and the selenium results were 0.834 mg/kg and 1.24 mg/kg. Both of these results were "J-flagged" which means the detected result was an estimate because it was below the calibration curve but above the method detection limit. The weighted average concentration (0.611 mg/kg) exceeded the selenium SL for plants but was below the background concentration for selenium in the Portland Basin which is 0.71 mg/kg. A weighted average takes into account the estimated volume of the dredge prism that is associated with each data point.*

Cadmium, copper, benzo(a)pyrene, and dibenz(a,h)anthracene were detected above clean fill screening levels. For copper and cadmium, the clean fill screening levels are based on calculated background concentrations of these metals, neither metal exceeded a risk based screening level.

The benzo(a)pyrene and dibenz(a,h)anthracene clean fill screening levels were based on residential soil risk based concentrations which are not applicable at this site. These RBCs were recently updated by DEQ's Cleanup program and have not been incorporated into the cleanfill guidance. The benzo(a)pyrene and dibenz(a,h)anthracene concentrations did not exceed the occupational risk based concentrations.

- When applicable, did the applicant supply the location or type of land use where the material will be applied, consistent with the risk scenarios used to evaluate risk? ☒ Yes ☐ No

Notes: *The material will be placed at the West Hayden Island upland placement site. This area is zoned MUF19 - Mixed use forest, 19 acre minimum.*

**Beneficial Use of Solid Waste
Determination Evaluation Form**

Applicant: Port of Portland
BUD #: 05142018
Solid Waste: Dredge material
Date: 05/16/2018

- When applicable, did the applicant supply contact information of property owner(s) if this is a site-specific land application proposal, including name, address, phone number, e-mail, site address and site coordinates (latitude and longitude)? ☒ Yes ☐ No

Notes: The Port of Portland owns this property.

- Did the applicant supply an adequate description of how the material will be managed to minimize potential adverse impacts to public health, safety, welfare, or the environment? ☒ Yes ☐ No

Notes: The material is pumped from the transport barge directly to the diked placement area. Excess water is held in settling ponds. No surface water is discharged back into the Columbia River.

Tier 3 ☐ Applicable ☒ Not applicable

2) Productive Beneficial Use of the Solid Waste

Has the applicant demonstrated that the proposed beneficial use is a productive use of the material by providing information substantiating the criteria listed below?

☒ Yes ☐ No

Notes: The applicant is a port district and the proposed use is upland placement of dredged material. Therefore, the use is considered productive according to ORS 459.061

- Did the applicant successfully identify or demonstrate a reasonably likely proposed beneficial use for the material that is not speculative? ☒ Yes ☐ No
- The applicant is a port district and has demonstrated the proposed use is upland placement of dredged material in accordance with Senate Bill 412 and ORS 459.061. ☒ Yes ☐ No

3) Effect of Proposed Beneficial Use on Public Health, Safety, Welfare and/or the Environment

Has the applicant demonstrated the proposed beneficial use will **not** create an adverse impact to public health, safety, welfare, or the environment, by providing information substantiating compliance with the criteria listed in the bullet list below?

☒ Yes ☐ No

Notes:

- Has the applicant demonstrated that the material is not a hazardous waste under ORS 466.00? ☒ Yes ☐ No

Notes: The applicant tested samples of the dredge material for known potential contaminants. None of the contaminants were detected at concentrations that would cause the material to be classified as a hazardous waste.

- Has the applicant demonstrated that until the time this material is used according to a beneficial use determination, the material will be managed, including any storage, transportation, or processing, to prevent releases to the environment or nuisance conditions?

**Beneficial Use of Solid Waste
Determination Evaluation Form**

Applicant: Port of Portland
BUD #: 05142018
Solid Waste: Dredge material
Date: 05/16/2018

☒ Yes ☐ No

Notes: The material will be dredged, placed on a transportation barge, and immediately offloaded onto the West Hayden Island placement location.

- Has the applicant demonstrated that hazardous substances in the material, if any, meet one of the criteria in the bulleted list below? ☒ Yes ☐ No

- Hazardous substances do not significantly exceed the concentration in a comparable raw material or commercial product;
- Hazardous substances do not exceed naturally occurring background concentrations; or
- Hazardous substances will not exceed acceptable risk levels, including persistence and potential bioaccumulation, when the material is managed according to a beneficial use determination.

Notes: Hazardous substances detected in samples of the dredge material include butyltins, semi-volatile organic compounds (SVOCs), pesticides, and polychlorinated biphenyls (PCBs). None of these constituents were detected at concentrations exceeding applicable screening levels.

- Has the applicant demonstrated that the proposed beneficial use will not result in the increase of a hazardous substance in a sensitive environment, such as a park, wildlife refuge or wetland?

☒ Yes ☐ No

Notes: The dredge placement site is not a sensitive environment.

- Has the applicant demonstrated that the proposed beneficial use will not create objectionable odors, dust, unsightliness, fire, or other nuisance conditions?

☒ Yes ☐ No

Notes: The material is dredged material and consists primarily of sand and silty sand. The material is placed in the placement area in a slurry. The site is fenced from public access from N Hayden Island Drive.

- Has the applicant indicated that the proposed beneficial use will comply with any other applicable federal, state, and local regulations?

☒ Yes ☐ No

Notes: The dredge material placement has been reviewed by the Portland Sediment Evaluation Team which consists of members from US EPA, Army Corps, NMFS, USFWS, Oregon DEQ, EPA Cleanup, Ecology, and Oregon Cleanup programs.

4) Public Involvement Evaluation (Note: this is not a Beneficial Use evaluation criterion)

Determine a public involvement recommendation using the current, **Guidance to DEQ Solid Waste Program Staff and Managers on Public Notice & Participation**.

- Is public notice and participation being recommended for this application? ☒ Yes ☐ No

Notes: DEQ issued a public notice on July 17, 2018 requesting public comment on the draft DEQ beneficial use determination to place material dredged by the Port of Portland at their dredge placement facility on West Hayden Island. DEQ provided public notice through email, ads placed in the local newspapers, and through the Hayden Island neighborhood association (HINOON) email

**Beneficial Use of Solid Waste
Determination Evaluation Form**

Applicant: Port of Portland
BUD #: 05142018
Solid Waste: Dredge material
Date: 05/16/2018

list. The comment period closed at 5 p.m. on August 15, 2018. DEQ also held a public hearing to accept verbal comments on August 8, 2018.

DEQ received five verbal comments during the public hearing. DEQ did received one written comment at the public hearing. DEQ did not receive any additional written comments. DEQ prepared a response to comments document that is included in the approved beneficial use determination. DEQ did not modify the beneficial use determination in response to the comments received. DEQ recommends issuing the beneficial use determination.

BUD20180514

Port of Portland Dredge Placement facility

Google Earth

1000 ft

N





Response to Comments

Northwest Region
700 NE Multnomah Street, Suite 600
Portland, OR 97232

Summary and Response to Comments to Public Notice for the Proposed Beneficial Use Determination to place dredged sediments at West Hayden Island

DEQ issued a public notice on July 17, 2018 requesting public comment on the draft DEQ beneficial use determination to place material dredged by the Port of Portland at their dredge placement facility on West Hayden Island. DEQ provided public notice through email, ads placed in the local newspapers, and through the Hayden Island neighborhood association (HINOON) email list. The comment period closed at 5 p.m. on August 15, 2018. DEQ also held a public hearing to accept verbal comments on August 8, 2018.

DEQ received five verbal comments during the public hearing. DEQ did receive one written comment at the public hearing. DEQ did not receive any additional written comments. A transcription of the verbal comments and the one written comment are attached to this document. The comments received are summarized below, followed by DEQ's response. DEQ did not modify the beneficial use determination based on these comments.

1. Historic material

Dredge material has been placed at the Port of Portland's dredge placement facility for approximately 80 years. Commenters were concerned that this historic dredge material might have elevated contaminant concentrations. Commenters requested sampling of the historic dredge material.

DEQ response:

DEQ does not consider a review of historic placement of dredge material to be necessary as part of the review of the proposed beneficial use. This beneficial use determination is focused on placement of new dredge material at this site and whether contaminants from the new material pose an environmental risk. DEQ has determined that there is no risk from placement of the dredge material as proposed. For the past several years, DEQ has approved placement of dredge material at this location after reviewing contaminant concentrations of the material dredged at the time and determined that contaminant concentrations were sufficiently low to allow sediment to be placed at this site. Because dredged material has been consistently below levels of concern and has been placed on top of historic dredge materials, DEQ has not considered it necessary to evaluate historic materials buried at the site. If the Port decides to use the site for other uses than placement of dredged material, DEQ would recommend that the Port conduct a site assessment to evaluate whether past uses of the site contributed to contamination that would require cleanup or corrective action for the planned future uses.

2. Productive Use

Commenters noted that the dredge material placement did not appear to meet the "productive use" requirement of a beneficial use determination.

DEQ response

Senate Bill 412, passed in 2015, and later added as Oregon Revised Statute 459.061, states that "For purposes of any rules adopted by the Environmental Quality Commission pursuant to ORS 459.005 to

459.437 that require a determination that the use of a solid waste is productive, upland placement of dredged material by a port district shall be determined productive.”

3. Risks to nearby residences

Commenters were concerned about the risk from the material blowing onto to nearby residential parcels.

DEQ response:

Placement of this dredge material will not pose a risk to human health to the residents living ½ mile away. The concentrations of all the chemicals that exceeded clean fill are not an inhalation risk because the values are far lower than risk screening concentrations for inhalation of this material.

4. Proximity to Superfund

Berths 501 and 503 at Terminal 5, which is where the dredge material is being generated, are located at river miles 1 and 1.4 on the Willamette River. The Portland Harbor Superfund site is located between river miles 1.9 and 11.8 on the Willamette River. Several commenters wanted the Terminal 5 material to be subject to cleanup requirements in place for the Portland Harbor Superfund.

DEQ response:

The southern end of Terminal 5 was reviewed in the evaluation of potential Portland Harbor cleanup sites. The southern end of Terminal 5 was formerly in DEQ’s Clean Up program; however, that site has received a No Further Action designation (See ECSI # 1686). Additionally, in a letter dated August 1, 2018 (attached), EPA stated that, for projects downstream of the Superfund site, upland placement of dredged material is regulated under Oregon DEQ authority. EPA considered loading, fate, and transport when they set the boundary of the Portland Superfund site at river mile 1.9.

To further address these concerns, DEQ compared the results from the dredge material sampling to the cleanup values established for the Portland Harbor Superfund, as shown on Table 17 of the Record of Decision. Total PAHs; total DDx, and total PCBs in the dredge material were all below the Table 17 values. All metals except arsenic were also below the ROD values. Arsenic was detected above the Table 17 value but below background concentrations typically found in soil throughout the Portland Basin.

5. Important natural area

Commenters were concerned that the dredge material was disturbing an important natural area.

DEQ response

The dredge placement facility does not have a designation as a natural area. Additionally, the site has been used for placement of dredge material for approximately 80 years. Additionally, the dredge material does not contain concentrations of contaminants at levels that would be a concern for ecological receptors.

6. County Zoning

Commenters noted that the site is zoned MUF-19(RF) – Multiple Use Forest District (MUF) with a minimum lot size of 19 acres. Commenters did not think a parcel with this zoning was an appropriate to place for dredge material.

DEQ Response:

The City of Portland has provided confirmation to DEQ that dredge material placement is consistent with the comprehensive plan and land use regulations.

7. Public use of the site

Some commenters were concerned that the site is fenced due to health risks.

DEQ Response:

This property is private property owned by the Port of Portland. DEQ has not identified health risks from placement of historic or current dredge material.

8. Bioremediation

One commenter recommended bioremediation at the site.

DEQ Response:

Remediation is not required because of the low concentrations of contaminants.

State of Oregon
Department of Environmental Quality

Memorandum

Hearing Officer's Report

Date: August 21, 2018

From: Jeremy Fleming

SF

Subject: Presiding Officer's Report for Public Hearing
Hearing Date and Time: August 8, 2018, 7 pm
Hearing Location: Red Lion Hotel, Portland, OR

Proposals: Proposed beneficial use for Port of Portland to dredge Terminal 5

The public hearing on the above proposal convened after the conclusion of an question and answer discussion. Heather Kuoppamaki of the DEQ presented information on the proposed beneficial use proposal.

Twenty-one (21) people attended the hearing. Five people provided verbal comments. The transcript of the verbal comments is attached.

August 8, 2018 Public Hearing

Red Lion Hotel on the River, 909 N Hayden Island Drive, Portland, OR 97217

Public Hearing Transcript, DEQ Hearing regarding proposed beneficial use approval to place sediments from Terminal 5 at Port of Portland's dredge placement facility on West Hayden Island

Jeremy Fleming:

Okay, I'm Jeremy Fleming. Today is August 8th, 2018. It is 7:40 p.m., and I'm starting the public hearing to receive verbal comments on the proposed beneficial use approval for the Port of Portland to place sediment for maintenance dredging of Terminal 5 at the their sediment placement facility on West Hayden Island. The first person to provide comment on the list here is Doug Larson.

Doug Larson:

I'm not going to do a verbal comment. I'll do a written one. I got enough information. I need to do some more homework before I'm ready.

Jeremy Fleming:

Okay. Fair enough. The next person on the list is Jeff Geisler of HINOON.

Jeff Geisler:

I'm Jeff Geisler, the Chair for HINOON Hayden Island neighborhood network, and my commentary will be followed up with a written comments that will be approved tomorrow night at the HINOON meeting. As I had said earlier, we are very concerned. I'm very concerned about the term beneficial use for dredge material that's being put on the island. We are formally requesting a sample, and we're hoping that the Port of Portland will assist us in getting an actual sample of the material that is going to be dredged and put on the island. Also we would be looking for a core sample of 20 to 30 feet in the near future to find out what the saturation and concentration is of the dredge material that's been sitting on the island for the last 70 - 80 years.

The other thing is that we would like to know if bio-remediation has ever been considered with this material. It's something that is common in oil-saturated materials, especially sandy soils. Basically we feel that some of the process of determination for what the safety levels are for the material that's being dredged are possibly inadequate, do not cover a wide enough range of chemicals and compounds. That statement will end up being determined by our HINOON meeting and backed up by that. Thank you.

Jeremy Fleming:

Okay. Thank you. All right. Next commenter on the list is Tom Dana. Just start by just stating your name please.

Tom Dana:

I'm Tom Dana, and I live in the manufactured home community on Hayden Island here. And we are living really close to where this is being dumped. At the HINOON meeting recently I asked the question, and I asked it the last time we had this a couple of years ago, would you put this dredge material in your kids' sandbox? And the answer's definitely no. They wouldn't. And yet, they're perfectly willing to let it blow into our lungs because the prevailing winds are from the west, and that's where it's dumped, west of us and the winds go west to east and that's what we get. So not good enough for your kids, good enough for us adults. That's all I have

Jeremy Fleming:

Thank you. All right. Next is Tim Helser. Please start by stating your name.

Tim Helser:

My name is Tim Helser. I'm a resident of Hayden Island. I have three points and then a recommendation. The first point: we have evidence that the dredge toxic materials settled further into the dredge materials site just as they do in the river bed, unless disturbed. Second: that the lowest levels have the greatest concentrations of toxins that migrate into the groundwater or surrounding water, such as the Columbia River, from West Hayden Island. Point number three: in the case of West Hayden Island, it may be highly likely the port has created a toxic spoils dump site on West Hayden Island. And it may be as toxic at lower levels as those designated as super funds sites in the lower reach of the Willamette River. Before DEQ considers any further, the port's current request, sampling referred to as potholing at the full depth of the current dredge spoils pile should be conducted to measure the current levels of accumulated toxins that are available for migration. Should the levels of contamination be considered excessive for environmental safety, the entire dredge spoils pile must be removed by the port and placed elsewhere that is of much lower risk to the environment, particularly the aquatic environment, as well as to public health and that of wildlife and their natural habitat. Thank you.

Jeremy Fleming:

Thank you. Next is Micah Meskill. Just start with your name.

Micah Meskill:

Yeah. My name's Micah Meskill and I work for Portland Audubon Society. Um, I'll be brief and will submit official comments, but I'd like to know two things. One, is that based off the proximity of T-5 to the Superfund site, we feel that the sampling and the extent of the sampling should be to the level of the record of decision. That's number one. Number two is that despite the beneficial use designation which, we've talked

about in the process, we still question why DEQ would allow the dumping of dredge spoils on an important natural area for the city of Portland and unincorporated Multnomah County. We'll be submitting written the comments.

Jeremy Fleming:

Okay, that's everyone on the list. Is there anyone else that would like to provide a comment at this time? Please start by stating your name.

Rob Johns:

Sure, my name is Rob Johns. I live on Hayden Island. What I would like to suggest is, is considering that as, as a multiple use forestry . One-eighth of it is essentially an unusable space. Period. It's recommended people don't go there. It has contents that date back to the 40s, 50s, 60s, 70s and I think we know from history that practices were very suspect in that time period. And only in the more current generation have we seen the DEQ work to try to foresee all such actions of what might be in there. So going back to some prior comment that I heard, relative to determining lower level sediment which is very likely the most polluted and is leeching into groundwater to call it a forest or a multiple use forest, I don't know of another multiple use forest or a forest in our area that has such a marred effect when you particularly look at the amount of space that it occupies. And perhaps that's why you fence it off for no one to be there. I really think there has to be a study of what is deeper in that ground before more sediment gets placed upon it. The port acquired this 13 years ago. What studies did they do to find out what they acquired? Did they do deep-hole analysis? Did they essentially just accept the fact they acquired an environmental dump? And just start continuing this. So, those are my comments. Thank you.

Speaker 8:

I have a question.

Jeremy Fleming:

Yep. Actually hold on. Is there any other formal comments tonight? Then I'm going to close the hearing and then we'll move on to more questions, okay? Okay, it is now 7:50 p.m., and I am closing the public hearing.

Submitted written comment received during Public Hearing

DEQ's Consideration of the Port's Request to Place More Dredge Spoils on West Hayden Island (August 8th, 2018, Public Hearing):

1. We have evidence that the dredged toxic materials settle further into the dredge materials site just as they do in the riverbed, unless disturbed.
2. And, the lowest layers have the greatest concentrations of toxins that migrate into ground water or surrounding water, such as the Columbia River from West Hayden Island.
3. In the case of West Hayden Island, it may be highly likely the Port has created a toxic spoils dump site there, and it may be as toxic at lower levels as those designated as Super Fund Sites in the Lower Reach of the Willamette River.

Before DEQ considers any further the Port's current request, sampling (referred to as "pot holing") at the full depth of the current dredge spoils pile should be conducted to measure the current levels of accumulated toxins that are available for migration.

Should the level of contamination be considered excessive for environmental safety, the entire dredge spoils pile must be removed by the Port, and placed elsewhere that is of much lower risk to the environment, particularly the aquatic environment, as well as to public health and that of wildlife and their natural habitat.

Timme A. Helzer, Ph.D.
Northwest Citizen Science Initiative
helzert@comcast.net



State of Oregon
Department of
Environmental
Quality

Oregon Department of Environmental Quality Public Hearing Attendance Sheet

Hearing Topic: Port of Portland Dredge Placement Facility

Date of Hearing: August 8, 2018

Location: Red Lion Hotel on the River, 909 N Hayden Island Drive, Portland OR 97217

Name (First, Last)	Address	Email (for electronic notices)	How did you hear about this hearing?
Jeff Geisler	11614 N. ISLAND	jeffgeisler@msn.com	H/NOON
Michelle, Hollis	COVE LN	midelle.hollis@portofportland.com	
Jennifer Bies	1607 N Terry St	jenn.bies@portofportland.com	
Timme Helzer	220 NHB	helzer-t@comcast.net	H/NOON
ARLIE FLATH	1503 N Hayden Island ^{#287}	flatharlie@gmail.com	MHC H/NOON
Tim Walters		tim.walters@hartcrowser.com	website
Mick Meskel	5151 NW Cornell Rd	mmeskel@audubonportland.org	
Cindy Reels	city of Portland	-	website
MARTIN SLAPIKAS		SLAPIKASM@MSN.COM	H/NOON NOTIFICATION



State of Oregon
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Oregon Department of Environmental Quality

Public Hearing Attendance Sheet

Hearing Topic: Port of Portland Dredge Placement Facility

Date of Hearing: August 8, 2018

Location: Red Lion Hotel on the River, 909 N Hayden Island Drive, Portland OR 97217

Name (First, Last)	Address	Email (for electronic notices)	How did you hear about this hearing?
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Oregon Department of Environmental Quality Sign-In Sheet to provide comments

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	Name (First, Last)
1	Doug Larson
2	Jeff Geisler Hinoon
3	Tom Dana
4	Tim Helzer
5	Micah Meskel Audubon
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