



# Oregon

Kate Brown, Governor

## Department of Environmental Quality

Northwest Region

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June 19, 2015

Lee Novak  
Portland Guild Loft Partners, LLC  
1741 Village Center Circle  
Las Vegas, NV 89134

### **RE: Beneficial Use Determination (BUD-20150306) Portland Guild Loft Partners, LLC Riverscape Lot 1 Industrial Fill Material**

Dear Mr. Novak:

The Department of Environmental Quality (DEQ) has reviewed the March 05, 2015 Portland Guild Loft Partners, LLC application for a solid waste beneficial use determination for material from the Riverscape Lot 1 site. The application proposes to transfer approximately 40,000 cubic yards of soil from the Riverscape Lot 1 site in Northwest Portland to the Port of Portland (Port) Troutdale Reynolds Industrial Park (TRIP) for beneficial use as fill and/or surcharge material for proposed industrial lot development.

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 Guild Loft Partners, LLC and is limited to the materials, approved uses, and conditions specified in the table below. The conditions of the BUD are intended to prevent adverse effects to human health and the environment.

Approximately 40,000 cubic yards of soil to be excavated from Riverscape Lot 1 (formerly Port of Portland Terminal One South, T1S)	1. Industrial site development construction fill and/or surcharge material	<ol style="list-style-type: none"><li>1. Concentrations of hazardous substances must be below the higher of DEQ-approved human health occupational risk-based screening levels or naturally occurring background for contaminants of concern.</li><li>2. Soil from Riverscape must be managed while stockpiled at Riverscape and while stockpiled at TRIP to prevent windblown dust, runoff and erosion and in accordance with the DEQ stormwater construction permits at both sites.</li><li>3. The soil from Riverscape may not be placed where it will be in contact with or adversely impact groundwater or surface water.</li><li>4. If the soil from Riverscape is used to fill wetlands at the TRIP site, the Port must have both the Army Corps of Engineers and Oregon Division of State Lands permits prior to filling. Filling must meet all conditions of those permits.</li><li>5. The soil must meet the conditions of the October 2007 Contaminated Media Management Plan for the Troutdale Reynolds Industrial Park.</li></ol>
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DEQ's determination is based on a review of Portland Guild Loft Partners, LLC's proposed beneficial use of soil to be excavated from Riverscape Lot 1 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.

If you have any questions or concerns please contact Daniel Hough (DEQ BUD project manager for Portland Guild Loft Partners, LLC (Riverscape Lot 1) by phone at (503) 229-5478, or email at [hough.daniel@deq.state.or.us](mailto:hough.daniel@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: Daniel Hough, DEQ NWR, [hough.daniel@deq.state.or.us](mailto:hough.daniel@deq.state.or.us)  
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