



Oregon

Kate Brown, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5263

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TTY 711

March 27, 2018

To: NW Metals Inc. Operator &
FHA Holdings LLC., Property owner

Re: Removal Action Order, OERS# 2018-0553, NW Metals Fire Incident

Enclosed is the Removal Action Order for work required at the NW Metals facility in NE Portland, Oregon (Site).

This site is a high priority for immediate action because uncharacterized hazardous debris is present on site that poses the potential for ongoing impacts to groundwater beneath the property resulting from drainage of fire suppression water and stormwater to underground injection control systems (UICs or dry wells). Prompt implementation of debris removal and investigation to determine the source(s) and extent of contamination from releases or threat of releases at the facility, and mitigation of any on-going releases or off-site mitigation is required to control and remediate conditions on the property.

Prompt response to DEQ's Removal Action Order is essential, as any delays could allow migration of the contamination and has the potential to increase cleanup costs. In the event you fail to perform the work required under the order, DEQ will seek to enforce the order in court and may take additional action to stabilize the site using the State's Orphan Program, with subsequent recovery of our costs and associated damages. If you have any questions, please contact me at (503) 229-5614 or via email at seidel.paul@deq.state.or.us.

Sincerely,

Paul Seidel
Cleanup & Emergency Response Manager
DEQ Northwest Region

Enclosure

Cc: DEQ Site File
Managers, Northwest Region
Bruce Gilles, DEQ HQ
Gary Vrooman, DOJ

1 Protection Agency (US EPA) responded to the incident and provided real-time air
2 quality monitoring and collected samples of fire suppression runoff water during the
3 course of and in the immediate aftermath of the fire. PM-10 monitoring showed
4 unhealthy air quality through the evening of March 12th that resulted in expanding the
5 evacuation zone for the Cully residential area. Residents were allowed to return to
6 their homes on March 13th as air quality improved as the fire suppression reduced the
7 intensity of the fire. The analytical results for samples of the fire suppression runoff
8 water sampling are pending. Numerous used vehicles, tires and associated vehicle
9 fluids and vehicle plastics were present on site at the time of the fire, many of which
10 burned. The numbers of vehicles and tires that burned are not known to DEQ. The
11 uncontrolled combustion process would have created and released a wide range of
12 hazardous substances which spilled or were deposited to the ground after burning.
13 These hazardous substances were washed across the property surface by fire
14 suppression and rain water and drained to dry well (Underground Injection Control or
15 UIC) facilities located on the property.

- 16
- 17
- 18 4. Respondent failed to immediately hire a qualified contractor to respond to and stop
19 any continuing release and to manage the cleanup of hazardous materials released to
20 the environment following Portland Fire and Rescue returning control of the site back
21 to the owner/operator.
- 22
- 23 5. The Department's emergency response State On-Scene Coordinator coordinated with
24 government officials at the scene. On March 14, 2018, representatives from the DEQ
25 and EPA performed a site visit to NW Metals. The Manager of NW Metals Inc., Mr.
26 Mo Anotta, confirmed the receipt of the DEQ's March 13, 2018 spill report request
27

1 letter. DEQ requested that NW Metals retain a qualified contractor to characterize
2 waste materials and investigate the dry wells to determine hazardous materials
3 impacts and cleanup. DEQ requested the contractor be retained as soon as possible.

- 4 6. Used tires and vehicles are known to have been involved in the fire. Used vehicles
5 and tires are known to contain hazardous substances. Tires contain oil products and
6 associated plastics. Noxious fumes from the fire spread throughout the neighborhood.
7 Fire suppression foam was applied to prevent the expansion of the fire and reduce
8 intensity for response tactics to fully suppress the fire. Large volumes of water were
9 applied to the fire throughout the incident. Fire suppression water pooled in the
10 parking lot and drained to UIC Facilities located on-site with the potential to affect
11 groundwater on and off the site. The significance and extent of surface deposition of
12 soot containing hazardous substances in the affected Cully neighborhood, as well as
13 impacts to groundwater through the UICs, and onsite is currently unknown.
14
15

16 IV. CONCLUSIONS OF LAW

17 Based upon the above-noted Findings of Fact, the Department concludes:

- 18 1. Respondents are “persons,” as defined in ORS 465.200(21) and ORS 466.605(9).
19 2. The property where NW Metals is located is a “facility,” as defined in ORS
20 465.200(13).
21 3. Respondent FHA Holdings LLC is an “owner,” as defined in ORS 465.200(20)
22 and NW Metals Inc. is an “operator,” as defined in ORS 465.200(20).
23 4. Priority pollutant metals and polycyclic aromatic hydrocarbons and other
24 uncontrolled combustion products are known to be associated both with smoke emissions and tire
25 and vehicle combustion as described in Section III, paragraph [3]. These pollutants and
26 combustion products are each a “hazardous substance” as defined in ORS 465.200(16).
27

1 (3) Respondents shall incorporate corrections to the plan to address the
2 deficiencies and resubmit the revised item for approval within one day of receipt of the
3 Department notice or other such time as specified in the notice.

4 B. Access to Site

5 Respondents shall allow the Department to enter and move freely about the
6 property at all reasonable times for the purposes, among other things, of inspecting
7 records relating to work under this Order; observing Respondents' progress in
8 implementing this Order; conducting such tests and taking such samples as the
9 Department deems necessary; verifying data submitted to the Department by
10 Respondents; and, using camera, sound recording, or other recording equipment.

11 C. Project Management and Communications

12 (1) All reports, notices, and other communication required under or relating to
13 this Order shall be directed to the following until otherwise specified:

14 Mike Greenburg
15 Oregon DEQ Northwest Region
16 700 NE Multnomah Street, Suite 600
17 Portland, OR 97232-4100
18 503-229-5153
19 Email: greenburg.michael@deq.state.or.us

20 (2) Within 2 days of notification of intent to comply under Subsection 1 of
21 Section V of this Order, Respondents shall provide the Department with written
22 designation of a project manager and contact information (address, phone and email) for
23 purposes of this Order.

24 3. Work to be Performed

25 A. Fire Debris Removal

26 Within 7 days of receipt of this Order, Respondents shall select and
27 designate a contractor to perform removal of fire debris from the site. Within 7

1 days of notification of contractor selection Respondents shall submit a work plan
2 to DEQ that describes how their contractor will sort and segregate materials
3 involved in the fire for proper characterization and disposal or recycling of
4 remaining waste material (metals, etc.) generated by the fire. The work plan shall
5 include a Health and Safety Plan for site controls, and a waste staging and
6 transportation plan for materials removed from the site for off-site recycling or
7 disposal. Respondents shall provide DEQ with documentation of their hazardous
8 waste determination and materials proposed for recycling prior to removing the
9 materials from the site. Respondents shall implement the work plan within 5 days
10 of DEQ approval and notice to proceed. Hazardous waste must be properly
11 manifested and disposed at a permitted facility approved by DEQ. All waste
12 receipts (for recycled materials, solid waste and Hazardous Waste) shall be
13 provided to DEQ in the report identified under Item D below. The report shall
14 include inventory and record of disposition of all tires, materials and wastes that
15 were removed prior to receipt of this Order.

16
17 B. Characterization of Surficial Soils (onsite and offsite)

18 Within 30 days of receipt of this Order, Respondents shall prepare and
19 submit for DEQ approval a surficial soil characterization work plan to assess the
20 extent of hazardous substances released to soil on unpaved areas of the property
21 affected by fire suppression fire runoff or soot deposition, and on adjacent
22 residential properties to the facility. Surface soil samples shall be collected from
23 soils present at the ground surface up to 3 inches below grade. Inert materials
24 such as gravel cover, etc., should be moved aside prior to sample collection.
25 Surface soil samples collected from on site shall be analyzed for semi-volatile
26 organic compounds (SVOCs), Northwest Total Petroleum Hydrocarbons Diesel
27 range (NWTPH-Dx), Priority Pollutant Metals (PPM-13) as Total metals,

1 polychlorinated biphenyls (PCBs), dioxin/furans, and perfluorinated compounds.
2 Surface soil samples collected from the neighboring residential properties shall be
3 analyzed for SVOCs and PPM-13 total metals. Respondent shall collect at least
4 four discrete samples from each of the two residential lots that abut the property
5 to the west that were affected by the fire and 5-10 composite samples from
6 locations on-site as appropriate to characterize site conditions. Proposed soil
7 sampling locations on-site and at the adjacent fire affected properties shall be
8 shown on a map in the work plan. Respondents shall implement and complete the
9 sampling and analysis plan within 10 working days of DEQ approval of the work
10 plan.

11
12 C. Dry Well (UIC), Subsurface Soil and Groundwater Assessment and Removal

- 13 1. Within 30 days of receipt of this Order, Respondent FHA Holdings LLC. shall
14 submit a work plan to DEQ for assessment and cleanup of two UICs present
15 on site that received runoff from the fire. If deemed desirable and applicable,
16 the work plan can be combined with the plan described immediately above in
17 section B. Respondent shall implement and complete the work described in
18 the work plan within 10 working days of DEQ approval of the work plan.
- 19 2. Sediment collected in these dry wells shall be sampled and analyzed for
20 volatile organic compounds (VOCs), SVOCs, NWTPH-Dx, PPM 13 metals as
21 Totals and by Synthetic Precipitation Leaching Procedure, PCBs,
22 dioxin/furans, and perfluorinated compounds.
- 23 3. Following the collection of sediment samples from the UICs, within 2
24 working days the UICs, affected catch basins, manholes and conveyance
25 piping shall be thoroughly cleaned of all collected sediment and other
26 materials. Removed sediment and materials shall be properly characterized
27 and disposed of in accordance with appropriate State and federal regulations

1 and supporting documentation included in the final Investigation Report (see
2 section E below).

- 3 4. Soil adjacent of the two UICs shall be sampled using a direct push drill rig or
4 other appropriate subsurface investigation apparatus, with one boring located
5 immediately north of the outer annulus of each dry well. Soil samples shall be
6 collected from each boring at the depth corresponding to the first increment
7 below the bottom of the drywell in which native, recoverable soil is
8 encountered. The boring soil samples shall be analyzed for VOCs, SVOCs,
9 NWTPH-Dx, Total PPM-13 metals, PCBs, dioxin/furans, and perfluorinated
10 compounds.
- 11 5. The borings will subsequently be advanced to the groundwater table, and
12 groundwater samples shall be collected and analyzed for VOCs, SVOCs,
13 NWTPH-Dx, PPM-13 metals (total and dissolved), PCBs, dioxin/furans, and
14 perfluorinated compounds.

15
16 D. Investigation Report

17 Respondents shall submit a report to DEQ documenting the actions taken
18 under this Order. A report describing the methods and results of investigation
19 work shall be prepared and reported to DEQ within 60 days of receipt of final
20 analytical data. The report shall include the comparison of analytical results for
21 samples to applicable criteria (DEQ risk-based concentrations) based on land use.
22 The Report shall be reviewed and stamped by a professional geologist and include
23 recommendations for any additional work.

24
25 4. Satisfaction of Order

