

## Prospective Purchaser Agreement for Dry Cleaner Property in Oregon City, Oregon

**Comments due:** 5 pm., Saturday, Oct. 31, 2020

**Project location:** 927 Molalla Avenue in Oregon City

**Proposal:** The Oregon Department of Environmental Quality invites public comment on its proposed consent order for a prospective purchaser agreement with Brax Laundry, LLC for property in Oregon City, Oregon.

**Highlights:** DEQ created the prospective purchaser agreement program in 1995 through amendments to the state's Environmental Cleanup Law. The prospective purchaser agreement is a tool that expedites the cleanup of contaminated property and encourages property transactions that would otherwise not likely occur because of the liabilities associated with purchasing a contaminated site.

Brax proposes discontinuing dry cleaning operations and conducting cleanup to address historical releases of the dry cleaning solvent perchloroethene, also known as "PCE" or "perc."

Contamination exists beneath the building and presents a vapor intrusion concern. Brax will remove all dry cleaning equipment and install a DEQ-approved vapor collection system beneath the floor to prevent migration of contaminant vapors into the building space. Indoor air testing will be completed to verify the indoor air quality is safe for site workers and customers. Should long-term maintenance and monitoring be required, the requirement will be memorialized in an easement and equitable servitudes recorded on the property deed.

Upon completion of the work, the proposed consent order will provide Brax Laundry, LLC with a release from liability for claims by the State of Oregon under ORS 465.200 to 465.545 and 465.990, 466.640, and 468B.310 regarding existing hazardous substance releases at or from the property. The proposed consent order also will provide Brax with third party liability protection.

**Background:** The approximately 0.33-acre property comprises two tax lots, located at 927 Molalla Avenue in Oregon City. The southern lot contains a building with a dry cleaner and laundromat business. The northern lot is used for parking. The dry cleaner has operated since at least 1968. DEQ began site investigation activities in 2000 using Dry Cleaner Program Funding. PCE was detected at high levels in soil and groundwater. DEQ completed groundwater treatment in 2003. Following treatment, groundwater concentrations decreased steadily. DEQ's contractor then installed a soil vapor extraction system. The system began operation 24 hours a day, seven days a week in July 2005. Due to operational problems caused by shallow groundwater during the wet season, the system operated intermittently until January 2007. It is estimated that the system removed approximately 9.5 gallons of PCE. The SVE system was decommissioned in January 2020 and all equipment was removed from the property.

**How to comment:** Send comments to DEQ Project Manager, Mark Pugh at 700 NE Multnomah St., Portland, OR 97232 or [pugh.mark@deq.state.or.us](mailto:pugh.mark@deq.state.or.us).

**Find more information:** Visit DEQ's Environmental Cleanup Site Information database at: [DEQ ECSI Database](#)

If you do not have web access and want to review the project file, contact the DEQ project manager at 503 229-5587.



State of Oregon  
Department of  
Environmental  
Quality

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[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

*DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.*

# Public Notice

Environmental Cleanup Site Information (ECSI) ID: 2418

**The next step:** DEQ will consider all public comments received by the date and time stated above before making a final decision on whether to enter into the proposed consent judgment. Upon issuance of this Consent Order, DEQ will provide public notice of the consent judgment through posting notice on the DEQ Public Notice webpage, and will make copies of the consent judgment available by posting on the Environmental Cleanup Site Information database.

**Alternative formats:** DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).



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